

### LANCASTER SELECT BOARD - AMENDED\*

Regular Meeting Agenda - Hybrid Prescott Building - Nashaway Room Monday, April 29, 2024 6:00 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. Members of the public are welcome to attend this in-person or by the remote zoom connection which is provided as a courtesy. Please note that the in-person meeting will not be suspended or terminated if technological problems interrupt the remote connection.

### I. CALL TO ORDER

Chair Stephen J. Kerrigan will call the meeting to Order at 6:00 P.M. in the Nashaway Room, located on the second floor of the Prescott Building, 701 Main Street, Lancaster, MA.

Time: Apr 29, 2024 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

https://us02web.zoom.us/j/88252281879?pwd=RTIIaU9vMC9NSHUwZ3lHcFBPVm1mQT09

Meeting ID: 882 5228 1879

Passcode: 156246

One tap mobile

+13126266799,,88252281879#,,,,\*156246# US (Chicago) +16465588656,,88252281879#,,,,\*156246# US (New York)

Find your local number: <a href="https://us02web.zoom.us/u/kqIXfLTaH">https://us02web.zoom.us/u/kqIXfLTaH</a>

Residents Have the Ability to Ask Questions via ZOOM.

### II. APPROVAL OF MEETING MINUTES

Review and take action on Select Board Regular Meeting Minutes of April 1, 2024

### III. PUBLIC COMMENT PERIOD

### IV. APPOINTMENTS & RESIGNATIONS

### **Zoning Board of Appeals**

Dennis Hubbard – Moving from Associate Member to Full Member Michael Bray – Associate Member

### V. LICENSES AND PERMITS \*

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

Event: FC Stars Night

Location: FC Stars Soccer Field – 70 McGovern Blvd

Date & Time: May 23, 2024 from 4pm-8pm



### LANCASTER SELECT BOARD - AMENDED\*

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2. Application for Public Amusement License Weekday& Sunday

**Event: Profound Market** 

Location: The Lancaster Fairgrounds – 318 Seven Bridge Road

Date & Time: June 8, 2024 from 8:30am – 5pm

3. Application for Special (One Day) Liquor License (All Alcohol)

Event: Event: Profound Market

Location: The Lancaster Fairgrounds – 318 Seven Bridge Road

Date & Time: June 8, 2024 from 8:30am – 5pm

4. Application for Public Amusement License

Event: 3<sup>rd</sup> Annual Nashoba Rock-N-Brew Fundraiser for the Carr Foundation

Location: The Lancaster Fairgrounds – 318 Seven Bridge Road

Date & Time: June 15, 2024 from 2pm-6pm

5. Application for Special (One Day) Liquor License (All Alcohol)

Event: 3rd Annual Nashoba Rock-N-Brew Fundraiser for the Carr Foundation

Location: The Lancaster Fairgrounds – 318 Seven Bridge Road

Date & Time: June 15, 2024 from 2pm-6pm

6. Application for Public Amusement License (Sunday)\*

Event: Touch a Truck event

Location: Brazilian SDA Church, 357 Sterling Road, Lancaster

Date & Time: May 5, 2024 from 10:00am-12:00pm

### VI. PUBLIC FORUM – 6:30 PM

Review of 2024 Annual Town Meeting Warrant Articles

Article reviews are meant to provide background and clarity for each article discussed, it is not a means to debate the merits of the Articles which is reserved for Town Meeting.

- Acceptance of Fair & Concise Summary authored by Town Counsel per Lancaster Special Act of 2004
- Acceptance of Proponent and Opponent Statements relative to Question 1, consisting of 250 words or less, pursuant to Lancaster Special Act of 2004, "Rescinding the Town's acceptance of Section 48 of Chapter 31 of the MA General Laws" (i.e. Civil Service) appearing on the 2024 Annual Town Election Ballot May 13, 2024.

### IX. NEW BUSINESS\*

- Campaign & Political Signs Feedback Received & Bylaw Adherence
- Right of First Refusal: Kalon Farms, Inc. Seven Bridge Road (Lot 4)\*

### X. COMMUNICATIONS

- ➤ Annual Town Meeting will be held on Monday, May 6, 2024
- Annual Town Election will be held on Monday, May 13, 2024
- Miscellaneous Correspondence & Memorandums

Page 2 of 2

### **APPROVAL OF MEETING MINUTES**



# LANCASTER SELECT BOARD Regular Meeting Minutes of Monday, April 1, 2024, 6:00 P.M. Prescott Building, Nashaway Room, and via ZOOM

ZOOM: <a href="https://us02web.zoom.us/j/84038943792">https://us02web.zoom.us/j/84038943792</a> Meeting ID 840 3894 3792

### I. CALL TO ORDER

Select Board Chair Stephen Kerrigan called the Special Meeting to order at 6:00 PM and advised that the meeting was being recorded and broadcast via ZOOM and via Sterling-Lancaster Cable Television. Additional materials for Select Board meetings are available at <a href="https://www.ci.lancaster.ma.us/administration-select-board">https://www.ci.lancaster.ma.us/administration-select-board</a> > Meeting Materials.

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

### II. APPROVAL OF MEETING MINUTES

Ms. Turner moved to approve the Select Board's Regular and Special Meeting Minutes of March 18, 2024, and March 25, 2024. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### III. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE

### IV. PUBLIC COMMENT

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

Mr. Kerrigan recognized Cara Sanford, 350 Bull Hill Road. Ms. Sanford expressed concern about some of the abutter lots listed in the Town Meeting Warrant as potentially available for sale.

### V. ADMINISTRATION, BUDGET, AND POLICY

### 1. <u>Board of Health and Department of Health and Human Services request for approval of Blood Drive</u>

Jeff Paster, 646 South Meadow Rd., Chair of the Board of Health, explained that he seeks approval for a blood drive on May 21 from 9:00 AM to 4:00 PM. The van will be located in front of the Town Hall / Library area. Mr. Allison moved to approve the blood drive as

discussed. Ms. Turner seconded the motion. Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].

### 2. Review of Classification Study Results

Ms. Hodges has distributed an updated copy of the Classification Study Results to the Select Board (dated 4/1/24). Ms. Hodges reviewed the process that had been implemented by the Collins Center and paid for with a grant. Ms. Turner requested that this item be added to the next meeting's agenda in case she has additional questions.

### 3. Review of Town Meeting Warrant Draft

### a. Select Board Disposition on Articles

### b. Set date for Public Forum / Warrant Review

### Article 1. Operating Budget.

Mr. Allison moved to recommend positive action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 2. Appropriation of Free Cash to Capital Stabilization Fund.

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 3. Renewable Energy Enterprise

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 4. Water Enterprise Fund Budget (sponsored by the Board of Public Works).

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. Ms. Turner abstained because she stated that she needed more information. Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Abstain; Stephen J. Kerrigan, Aye. Motion passed. [2-0-1].

### Article 5. Revolving Fund Account Budgets.

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 6. Compensation Plans.

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. Ms. Turner stated that she would abstain until she has had the opportunity to ask Ms. Hodges additional questions. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Abstain; Stephen J. Kerrigan, Aye. Motion passed.* [2-0-1].

### Article 7. Pay Bills of Prior Year.

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### <u>Article 8. Community Preservation Committee – FY25 Budget (sponsored by the Community Preservation Committee).</u>

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### <u>Article 9. Community Preservation Committee – FY25 Projects/Allocations (sponsored by the Community Preservation Committee).</u>

Ms. Turner moved to recommend favorable action on this Article. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 10. Investing – Adoption of the "Prudent Investment Rule".

Ms. Turner moved to recommend favorable action on this Article. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 11. Acquisition of North Lancaster Land.

Ms. Hodges explained that this will ratify the Acquisition of the North Lancaster Land that has been in discussion for several years. Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 12. Parcels for Consideration for FY25 Abutter Lot Sales Program.

Ms. Hodges recommended removing parcels 2 (White Pond Road), 3 (Lunenburg Road), all the Brockelman Road parcels, 14 (Lunenburg Road), 15 (Old County Road), 16 (Langen Road), 17 (Hill Top Road), Magnolia (both parcels), and the tiny lot on the Sterling line. Ms. Turner moved to amend the list as recommended. Ms. Hodges explained that the initial list was computer generated, and the exclusions are because the land may have valid town use. Mr. Allison seconded the motion to amend for purposes of discussion. Mr. Allison expressed concern with modifying the list without citizen input; Mr. Kerrigan stated that the action is in keeping with the Abutter Lot program as designed.

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 13. Adoption of M.G.L. Chapter 41 §21.

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 14. Management of Blood Town Forest.

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 15. Ratification/Revote – Veterans' Tax Exclusion.

Ms. Turner moved to recommend favorable action on this Article. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 16. Amendments to Town Code Part I, Chapter 92 - "Hawkers & Peddlers".

Ms. Hodges explained that the existing language is only relevant if the Hawker or Peddler in question is selling fruit or fish in a basket door-to-door. This article would create regulations for modern circumstances and would charge the Police Department with maintaining a list of approved vendors rather than the Town Clerk. Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 17. Acceptance of M.G.L. relative to creditable service for call Firefighters.

Ms. Turner moved to recommend favorable action on this Article. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Article 18. Amendments to Town Code I, Ch. 10 \$1.0 and \$10-8 "Animal Control".

Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. Ms. Turner would like to retain the role of the Animal Control Commission and suggested striking the section of the article that substitutes the Select Board for the Animal Control Commission. Mr. Kerrigan stated that in this article, the Select Board becomes the Animal Control Commission, while currently the Commission has not met in several years and does not have enough members to reach a quorum. Mr. Kerrigan stated that the article as written codifies the actual practice. Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, No; Stephen J. Kerrigan, Aye. Motion passed.* [2-1-0].

### <u>Article 19. Hawthorne Lane – Citizens' Petition.</u>

Ms. Hodges explained that this article could be the impetus for several different actions, including a later order of taking by the Select Board, or a referral to the Planning Board who would then need to hold a public hearing. Mr. Allison moved to recommend favorable action on this Article. Ms. Turner seconded the motion. *Vote taken, Jason A.* 

Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].

### <u>Article 20. Act Increasing the Membership of the Select Board of the Town of Lancaster – Citizens' Petition.</u>

Mr. Allison moved to recommend unfavorable action on this Article. Mr. Kerrigan seconded the motion. All three members asserted their views, with Messrs.. Allison and Kerrigan against increasing the Select Board Membership and Ms. Turner in favor of same. Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, No; Stephen J. Kerrigan, Aye. Motion passed (Unfavorable action recommended). [2-1-0].

Mr. Allison moved to accept the Warrant for the 2024 Annual Town Meeting as written, as amended, and to instruct the Town Constable to post said Warrant in a manner consistent with the Town Code, the Bylaws, and Massachusetts General Law. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

It was determined that the date for the Warrant Review Public Forum will be April 29 at 6:30 p.m., following the Select Board meeting.

### 4. Ratification of Employment Contract: E.L. Moody

Mr. Allison moved to ratify the contract for the Lancaster Chief of Police and Fire, Everett L. Moody, as signed by Town Administrator Kate Hodges on March 27, 2024, pursuant to the Select Board's affirmative vote on March 18, 2024. Ms. Turner seconded the motion. Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].

### 5. Alcohol License Fee Discussion

Not addressed because George Frantz was not present.

### 6. 2024 Local Election Ballot Review

Ms. Hodges reviewed the upcoming ballot for the 2024 Local Election as provided by the Town Clerk. There is one ballot question, seeking to remove the Town from Civil Service. Mr. Allison moved that notwithstanding Sections 22A and 21C of Chapter 59 of Massachusetts General Laws, the Board called to be posted the Citizens' Petition Ballot Question to be seeking to remove the Town from Civil Service, an Act previously authorized by the affirmative passage of Article 7 of the 2020 Annual Town Meeting, and a petition, which Town Clerk Amanda Cannon certified on Monday, March 25, 2024, consistent with Lancaster's Special Act of 2004, Chapter 149, Section 285. Ms. Turner seconded the motion. Ms. Turner asked why this would be done at Town Meeting rather than by ballot. Ms. Hodges explained that you have to leave Civil Service in the same manner by which it was entered, in this case by Town Meeting. Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].

Mr. Allison moved that consistent with the Lancaster Special Act of 2004, Chapter 149, Section 285, to invite the principal proponents and opponents of the question listed on the 2024 Annual Town Election Ballot to submit one argument for or against said question of no more than 250 words, to be received no later that April 16, 2024, at 4:00 p.m., to the Town Administrator, either in person or via email. For the purposes of this Act, the principal proponent shall be the first ten people who signed the petition to initiate the placement of said question on the ballot. Ms. Turner seconded the motion. It was discussed that it is easy to find someone to write the "pro" statement; the Board agreed that if no one volunteers to write the "con" statement, Ms. Hodges will write one with the help of Town Counsel. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### VI. APPOINTMENTS & RESIGNATIONS

### **Appointments**

Mr. Allison moved to appoint Jim Peters to the Commission on Disability, term to expire June 30, 2024. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed.* [3-0-0].

### Resignations

Mr. Kerrigan accepted the resignation of Shawn Winsor from the Conservation Commission, effective immediately, and thanked Mr. Winsor for his service.

### VII. LICENSES AND PERMITS - NONE

### VIII. EXECUTIVE SESSION

Mr. Kerrigan noted that the scheduled Executive Session is no longer needed.

### IX. NEW BUSINESS

Mr. Allison noted that at a previous meeting, regarding PJ Keating, he had committed to a resident to provide answers at the next meeting, asking Ms. Hodges if there had been any updates. Ms. Hodges stated that no new information had been received but stated that the contract that had been entered with CIE was only for a Peer Review, and that they do not often take on monthly reviews. Tighe and Bond could be scheduled to appear at an upcoming meeting. The contract for ongoing engineering services will be up for renewal later this year.

### X. COMMUNICATIONS

- Next Select Board meeting will be Wednesday, April 24, 2024
- Town Offices will be close on Monday, April 15, 2024, in observance of Patriots' Day
- Annual Town Meeting will be held on Monday, May 6, 2024

- Annual Town Election will be held on Monday, May 13, 2024
- ➤ A Blood Drive will be held on May 21, 2024
- A Candidates' Night will be held on April 24, 2024
- ➤ Miscellaneous Correspondence & Memorandums

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

Respectfully submitted,		
Kathleen Rocco	Alexandra W. Turner, Clerk	

### **PUBLIC COMMENTS**

### **APPOINTMENTS AND RESIGNATIONS**

### **Kathi Rocco**

To:

Kate Hodges RE: ZBA Positions

**Subject:** 

From: Robert Alix <robert.alix.lzba@gmail.com>

Sent: Tuesday, April 9, 2024 7:28 PM

To: Kate Hodges < KHodges@lancasterma.gov>

Cc: Brian Keating <BKeating@lancasterma.gov>; Stephen J. Kerrigan <SKerrigan@lancasterma.gov>; Kathi Rocco

<KRocco@lancasterma.gov>; Amanda Cannon <ACannon@lancasterma.gov>

Subject: Re: ZBA Positions

Hi Kate,

As an update to this item, the ZBA has voted to move Dennis Hubbard to the member position, as discussed. Mike Bray will fill the associate member position.

Thank you,

Rob

On Thu, Feb 29, 2024 at 5:49 PM Kate Hodges < KHodges@lancasterma.gov > wrote:

That's great. The SB will just table it.

Kate Hodges, ICMA-CM

Town Administrator, Lancaster MA

978-365-3326

### IX. LICENSES AND PERMITS



### TOWN OF LANCASTER, MASSACHUSETTS OFFICE OF THE

**BOARD OF SELECTMEN** 

Town Administrator's Office

APR 19 2024

RECEIVED TOWN OF LANCASTER

### SPECIAL (ONE DAY) LIQUOR LICENSE APPLICA

TODAY'S DATE:	4/15/24	
APPLICANT'S NAM	E: DAVIO ITVOHES TEI	LEPHONE: 508, 873, 6431
ORGANIZATION: _	STRENG SIDS BROWN	& LLC - 14 PIERLE ST. HOROMIC
EVENT ADDRESS:	FC STANS SOCUR FIRED -	70 McGONON BLVD, LANGSTER 1.
EVENT PURPOSE: _	FC STARS NIGHT	
EVENT DATE:	5/23/24	
	1pn - 8pn	
	Beer and Wine:	All Alcohol*:
ATTENDANCE:	Approximate Number of Persons in A	(Non Profit; Charity or Club Only)* ttendance: ?
	Persons Under 21 in Attendance:	Yes No
		But NOT IN BUM CARDON
laws of the Common particularly with rega alcoholic beverages.	rwealth of Massachusetts concerning	ngree to abide by all rules, regulations and the sale and consumption of alcohol, the age of twenty-one (21) shall be served
Signature of Applicant	Milo	
	POLICE DEPARTMENT OFFIC	IAL USE ONLY
Approva	l RecommendedAppro	oval Not Recommended
Police Officer Required	d: Yes No	
Comments/Conditions:		
Date: 4/23	Police Chief Signature	

701 Main Street, Suite 1, Lancaster, Massachusetts 01523
T: 978-365-3326 F: 978-368-8486
E-Mail: opacheco@lancasterma.net or krocco@lancasterma.net

# CERTIFIED



# On Premise

Expires: 01/30/2026

ID #: 27630178

Issued: 01/31/2023

# DAVID HUGHES

14 PIERCE ST HOPEDALE, MA 01747 For service visit us online at www.gettips.com TIPS Trainer: Kelsey Roth, 68835

CADAM

ACORD

### **CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY) 4/15/2024

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.

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). CONTACT Cynthia Adams **Burgin Platner and Company, LLC** PHONE (A/C, No, Ext): (617) 691-2619 14 Franklin St E-MAIL ADDRESS: ca@bphins.com Quincy, MA 02169 **INSURER(S) AFFORDING COVERAGE** NAIC # INSURER A: Great American Assurance Co INSURED INSURER B : Safety Indemnity Insurance Company 33618 Strong Side Brewing, LLC INSURER C 14 Pierce St INSURER D Hopedale, MA 01747 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. ADDL SUBR POLICY EFF POLICY EXP
(MM/DD/YYYY) (MM/DD/YYYY) TYPE OF INSURANCE POLICY NUMBER 1,000.00 Α COMMERCIAL GENERAL LIABILITY EACH OCCURRENCE CLAIMS-MADE X OCCUR DAMAGE TO RENTED PREMISES (Ea occurrence) 500,00 12/17/2023 | 12/17/2024 GLP422873302 X 20,00 MED EXP (Any one person) 1,000,00 PERSONAL & ADV INJURY 2,000,00 GEN'L AGGREGATE LIMIT APPLIES PER: GENERAL AGGREGATE \$ 2,000,00 X POLICY PRO-JECT PRODUCTS - COMP/OP AGG \$ 1,000,00 LIQUOR LIAB. OTHER: COMBINED SINGLE LIMIT (Ea accident) 1,000,00 R **AUTOMOBILE LIABILITY** ANY AUTO 5923587 1/26/2024 1/26/2025 \$ **BODILY INJURY (Per person)** SCHEDULED AUTOS OWNED AUTOS ONLY X BODILY INJURY (Per accident) \$
PROPERTY DAMAGE (Per accident) \$ X HIRED AUTOS ONLY NON-OWNED AUTOS ONLY \$ UMBRELLA LIAB OCCUR **EACH OCCURRENCE** \$ EXCESS LIAB CLAIMS-MADE AGGREGATE \$ RETENTION \$ DED OTH-ER WORKERS COMPENSATION AND EMPLOYERS' LIABILITY PER STATUTE ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) E.L. EACH ACCIDENT N/A E.L. DISEASE - EA EMPLOYEE If yes, describe under DESCRIPTION OF OPERATIONS below E.L. DISEASE - POLICY LIMIT DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Event: FC Stars Night on 5/23/24 FC Stars Complex and Town of Lancaster, MA are additional insureds with respect to General Liability as required by written contract. CERTIFICATE HOLDER CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. **FC Stars Complex** 70 McGovern Blvd. Lancaster, MA 01532 AUTHORIZED REPRESENTATIVE Cynthia adomso



### The Bolton Fair, Inc.

April 12, 2024

TOWN OF LANCASTER RECEIVED

APR 16 2024

Selectman – Town of Lancaster

Town Administrator's Office

On behalf of the Board of Directors of The Lancaster Fairgrounds, we give permission for the Profound Market to serve alcohol at their events at the fairgrounds.

Dates of the event are: June 8 & 9, 2024.

The Event Manager Rose Darden for the fairgrounds has been CORI checked.

Tips certified licenses to be provided before event.

Liability Insurance to be provided before event.

Please let me know if you have any questions.

Best Regards,

Rose Darden 508-294-8516 cell

Lancaster Fairgrounds Event Manager



### TOWN OF LANCASTER, MASSACHUSEITS SELECT BOARD

Prescott Building, 701 Main Street, Suite 1 Lancaster, MA 01523 Tel: 978-365-3326 (ext 1201) Fax: 978-368-8486

Email:krocco@lancasterma.net

Annual License Fee -\$100.00 Single Event Fee - \$20.00

TOWN OF LANCASTER

Select Brand's HDffice
Date Received
APR 1 6 2024

Town Administrator's Office

# APPLICATION FOR LICENSE THEATRICAL EXHIBITIONS, PUBLIC SHOWS, PUBLIC AMUSEMENTS AND EXHIBITIONS OF EVERY DESCRIPTION HELD ON WEEKDAYS

New Application Renewal
Name of Concern: THE PROFOUND MARKET AT LANCASTER FAIRGROUNDS  Street Address of Concern: 318 SEVEN BRIDGE ROAD
Mailing Address (if different): P.D. Box 154 Bouron m.A.
Contact Person & Title (Owner, Director, Manager, Other): MICHELLE PALMER / ROSE DARDEN  LOSE CELL  Telephone: 508-294-8516 Facsimile: 978-365-2120 E-Mail: info@ Bouron FAIR. org
Describe in detail the proposed dancing, game, sport, fair, exposition, play, or entertainment of public diversion:
DISPLAY OF VINTAGE INSPIRED VENDORS AND ARTISANS MARKET JUNE 8, 2024
Hours of Proposed Entertainment: Starting Time: \$\frac{9.30}{P.M}\$. Ending Time: \$\frac{5.00}{D.M}\$.
The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.  Signature of Applicant  Signature of Applicant
License Fee must be submitted with this form. Make check payable to Town of Lancaster. Mail Application Form, Workers' Compensation Affidavit, and check to: Select Board, Suite 1, 701 Main Street, Lancaster, MA 01523.

A License issued under this Application applies to <u>weekday operation ONLY</u>. If entertainment is to be operated on Sundays, you also must file with the Select Board an APPLICATION FOR LICENSE FOR DANCING, SPORTS, GAMES, FAIRS, EXPOSITIONS, PLAYS OR ENTERTAINMENT OF PUBLIC DIVERSION ON SUNDAY, as well as an Application for a State License to the Commissioner of Public Safety, Attn: Special Licensing Division, One Ashburton Place, Boston, MA 02108-1618.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.

<sup>\*</sup> Dancing applies to watching dance (e.g. Ballet).

<sup>\*\*</sup> Public Diversion includes, but is not limited to, flea markets, coin-operated amusements, ice and roller-skating, carousels, inclined railways, Ferris wheels, and exhibitions of firefighting.



### TOWN OF LANCASTER, MASSACHUSETTS **SELECT BOARD**

Prescott Building, 701 Main Street, Suite 1 Lancaster, MA 01523

Tel: 978-365-3326 Fax: 978-368-8486

Email: krocco@lancasterma.net

Annual License Fee - \$400.00 Annual License Fee - \$100.00 w/M-Sat License Single Event - \$20.00

> TOWN OF LANCASTER Selectmen FUTED APR 16 2024

Town Administrator's Office

### APPLICATION FOR TOWN LICENSE DANCING\*, SPORTS, GAMES, FAIRS, EXPOSITIONS, PLAYS OR **ENTERTAINMENT OF PUBLIC DIVERSION\*\* ON SUNDAY**

New Application _X
Name of Concern: THE PROFOUND MARKET AT LANCASTER FAIRGROUNDS
Street Address of Concern: 318 SEVEN BEIDGE
Mailing Address (if different): P.O.BOX 154 BOLTON, MA
Contact Person & Title (Owner, Director, Manager, Other): MICHELE PALMER / RUSE DARDEN  Rose CEU  Telephone: 508-294-8516 Facsimile: 978-365-2120 E-Mail: Info@BoltonFAIR.OEG
Describe in detail the proposed dancing, game, sport, fair, exposition, play, or entertainment of public diversion:
DISPLAY OF VINTAGE INSPIRED VENDORS AND ARTISAN MARKET JUNE 9
Hours of Proposed Entertainment: Starting Time: 10:00 P.M. Ending Time: 5:00 P.M.  NOTICE: No License Issued pursuant to G.L. c.136, §4 shall be granted to permit activities before 1:00 p.m. without a License Issued by the Commissioner of Public Safety, Attn: Special Licensing Division, One Ashburton Place, Boston, MA 02108-1618.
The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.  Signature of Applicant  Tax ID Required    133791   Date
License Fee must be submitted with this form. Make check payable to <i>Town of Lancaster</i> . Mail Application Form, Workers' Compensation Affidavit, and check to: Select Board, 701 Main Street, Suite 1, Lancaster, MA 01523.
* Dancing applies to watching dance (e.g. Rallet)

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.

2024

<sup>\*\*</sup> Public Diversion includes, but is not limited to, flea markets, coin-operated amusements, ice and roller-skating, carousels, inclined railways, Ferris wheels, and exhibitions of firefighting.



# TOWN OF LANCASTER, MASSACHUSETTS TOWN OF LANCASTER RECEIVED

**BOARD OF SELECTMEN** 

APR 16 2024

Town Administrator's Office

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

APPLICANT'S NAMORGANIZATION: _ EVENT ADDRESS: _	HILLIAY  BOUTON FAIR INC.  318 SEVEN BRIDGE	E ROAD	
	PROFOUND MARK		
	6/8/24-6/9/24		
EVENT HOURS:	SAT. 8:30-5pm	SUNDAY 10:00 A	n-5pm
ALCOHOL:	Beer and Wine:	All Alcohol*: X BEER	, WINE + ALCOHOL SETTE
ATTENDANCE:	Approximate Number of Persons	s in Attendance: 6K 016R	2004s
	Persons Under 21 in Attendance	: Yes_X No	•
laws of the Common particularly with rega alcoholic beverages.	ay Liquor License is granted, I here nwealth of Massachusetts concer red to the minors. No persons under Living Butnessing	ning the sale and consumptioner the age of twenty-one (21) sl	n of alcohol,
	POLICE DEPARTMENT OF	FICIAL USE ONLY	
Approv	al Recommended	Approval Not Recommended	
Police Officer Requir	ed: Yes N	0	
Comments/Condition  Date: 4/23	Police Chief Sign	ature Many	

701 Main Street, Suite 1, Lancaster, Massachusetts 91523
T: 978-365-3326 F: 978-368-8486
E-Mail: opacheco@lancasterma.net or krocco@lancasterma.net



### The Bolton Fair, Inc.

April 12, 2024

TOWN OF LANCASTER RECEIVED

APR 16 2024

Selectman - Town of Lancaster

Town Administrator's Office

On behalf of the Board of Directors of The Lancaster Fairgrounds, we give permission for the Nashoba Rock & Brew to serve alcohol at their events at the fairgrounds.

Date of the Event is June 15, 2024.

The Event Manager Rose Darden for the fairgrounds has been CORI checked.

Tips certified licenses to be provided.

Liability Insurance to follow.

Please let me know if you have any questions.

Best Regards,

Rose Darden 508-294-8516 cell

Lancaster Fairgrounds Event Manager



# TOWN OF LANCASTER, MASSACHUSETTS OFFICE OF THE TOWN OF LANCASTER RECEIVED BOARD OF SELECTMEN

APR 1 6 2024

Town Administrator's Office

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

TODAY'S DATE:	4112124		
APPLICANT'S NAM	E: ROSE DARDEN	TELEPHONE:_	508-294-8516
ORGANIZATION: _	BOUTON FAIR IN	lc.	
EVENT ADDRESS: _	318 SEVEN BRID	DE RD	
EVENT PURPOSE: _	VASHOBA ROCK + BRE	W - CARR FOUND	DATION FUNDRAISER
	6/15/24		
EVENT HOURS:	2-6 pm		
	Beer and Wine:	All Alcohol	:_ <b>/</b>
ATTENDANCE:	Approximate Number of	Persons in Attendance:	harity or Club Only)*
	Persons Under 21 in Atter	ndance: Yes	No_X
laws of the Common particularly with regai alcoholic beverages.	y Liquor License is granted, wealth of Massachusetts of to the minors. No person	concerning the sale and as under the age of twent	consumption of alcohol
1	POLICE DEPARTMEN	T OFFICIAL USE ON	LY
Approva	I Recommended	Approval Not Reco	ommended
Police Officer Require	ed: Yes	No	_
Comments/Conditions	:		
Date: 4 23	Police Chie	ef Signature	
	1000 0116	J. Signatur	

701 Main Street, Suite 1, Lancaster, Massachusetts 01523 T: 978-365-3326 F: 978-368-8486 E-Mail: opacheco@lancasterma.net



### TOWN OF LANCASTER, MASSACHUSETTS SELECT BOARD

Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523
Tel: 978-365-3326 (ext 1201) Fax: 978-368-8486

8-305-3326 (ext 1201) Fax: 9/8-368-848 Email:krocco@lancasterma.net Single Event Fee - \$20.00

Annual License Fee -\$100.00

Select Board's Office
TO MINITED RECEIVED

APR 16 2024

Town Administrator's Office

# APPLICATION FOR LICENSE THEATRICAL EXHIBITIONS, PUBLIC SHOWS, PUBLIC AMUSEMENTS AND EXHIBITIONS OF EVERY DESCRIPTION HELD ON WEEKDAYS

New Application Renewal
Name of Concern: JOHN + UESCIE CARR POUNDATION AT LANCASTER FAIRGROUNDS
Street Address of Concern: 318 SEVEN BRIDGE RD.
Mailing Address (if different): P.S. BOX 184 BOLTON
Contact Person & Title (Owner, Director, Manager, Other): JANID CARE   ROSE DARDEN
ROSE CEU 506-294-8516 Facsimile: E-Mail: INFOC BOLTON FAIR OLG
Describe in detail the proposed dancing, game, sport, fair, exposition, play, or entertainment of public diversion:
3RD ANNUAL NASHOBA ROCK-N-BREW FUNDRAISER FOR CARR FOUNDATION
FOOD   REER TRUCKS   ENTERTAINMENT 6/15/24
Hours of Proposed Entertainment: Starting Time:P.M. Ending Time:P.M.
The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.
Rose Duden for Novid Carr 4/12/24
Signature of Applicant Date SSN# or Tax ID Required: 84 - 463 9481
License Fee must be submitted with this form. Make check payable to Town of Lancaster. Mail Application Form, Workers' Compensation Affidavit, and check to: Select Board, Suite 1, 701 Main Street, Lancaster, MA 01523.
License Fee must be submitted with this form. Make check payable to Town of Lancaster. Mail Application Form,

\* Dancing applies to watching dance (e.g. Ballet).

A License issued under this Application applies to <u>weekday operation ONLY</u>. If entertainment is to be operated on Sundays, you also must file with the Select Board an APPLICATION FOR LICENSE FOR DANCING, SPORTS, GAMES, FAIRS, EXPOSITIONS, PLAYS OR ENTERTAINMENT OF PUBLIC DIVERSION ON SUNDAY, as well as an Application for a State License to the Commissioner of Public Safety, Attn: Special Licensing Division, One Ashburton Place, Boston, MA 02108-1618.

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<sup>\*\*</sup> Public Diversion includes, but is not limited to, flea markets, coin-operated amusements, ice and roller-skating, carousels, inclined railways, Ferris wheels, and exhibitions of firefighting.



### **TOWN OF LANCASTER, MASSACHUSETTS SELECT BOARD**

Prescott Building, 701 Main Street, Suite 1 Lancaster, MA 01523

Tel: 978-365-3326 Fax: 978-368-8486

Email: krocco@lancasterma.gov

Annual License Fee - \$400.00 Annual License Fee - \$100.00 w/M-Sat License Single Event - \$20.00

TOWN OF LANCASTER

RECEIVED Selectmen's Office Date Received APR 0 1 2024

Town Administrator's Office

### **APPLICATION FOR TOWN LICENSE** DANCING\*, SPORTS, GAMES, FAIRS, EXPOSITIONS, PLAYS OR **ENTERTAINMENT OF PUBLIC DIVERSION\*\* ON SUNDAY**

New Application V Renewal
Name of Concern: Touch a Truck Event  Street Address of Concern: 357 Stecling Road Lancaster, MA 01523  Mailing Address (if different): 3 Concerd Rd Millbury MA 01527  Contact Person & Title (Owner, Director, Manager, Other): Tothona Marchos - Events Organizar  Telephone: 978 333 601 Facsimile: E-Mail: tatiana marth 0587 2 gmail. G
Describe in detail the proposed dancing, game, sport, fair, exposition, play, or entertainment of public diversion: May 5,20 Hosted by Amazon Jo. Adventucess Club of Lancastic Brown and SDA chi
Multiple Trucks would be an exhibit in the lot of the Church for about to see and found about including Police and fire mate.  Hours of Proposed Entertainment: Starting Time: 10:00 A.M. Ending Time: 12:00 P.M.  NOTICE: No License issued pursuant to G.L. c.136, §4 shall be granted to permit activities before 1:00 p.m. without a License issued by the Commissioner of Public Safety, Attn: Special Licensing Division, One Ashburton Place, Boston, MA 02108-1618.
The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.  Signature of Applicant  Tax ID Required  Date
License Fee must be submitted with this form. Make check payable to Town of Lancaster. Mail Application Form, Workers' Compensation Affidavit, and check to: Select Board, 701 Main Street, Suite 1, Lancaster, MA 01523.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.

<sup>\*</sup> Dancing applies to watching dance (e.g. Ballet).

<sup>\*\*</sup> Public Diversion includes, but is not limited to, flea markets, coin-operated amusements, ice and roller-skating, carousels, inclined railways, Ferris wheels, and exhibitions of firefighting.

### **PUBLIC FORUM**

# TOWN OF LANCASTER OFFICE OF THE SELECT BOARD PRESCOTT BUILDING LANCASTER, MA 01523



### WARRANT FOR ANNUAL TOWN MEETING

MAY 6, 2024\* 7:00 PM

\*Meeting may be continued to 5/7124, starting at 7 PM should business not conclude.

# MARY ROWLANDSON ELEMENTARY SCHOOL & LUTHER BURBANK MIDDLE SCHOOL

103 Hollywood Drive• Lancaster, MA 01523

The Town of Lancaster is an Open Town Meeting form of Government.

The Town is committed to ensuring that each person who wishes to participate can do so in a manner that is consistent with the Americans with Disabilities Act (ADA.) Any individual requesting a reasonable accommodation should contact Health and Human Services Director Kelly Dolan via email: <a href="kdolan@lancasterma.gov">kdolan@lancasterma.gov</a> or by telephone 978-365-3326 ext. 1055. Reasonable accommodations are determined on an individual and confidential basis. Please make any requests for a reasonable accommodation on or before April 22, 2024; requests for accommodations received after this date may not be able to be fulfilled.

### Attention - Voters and Taxpayers

### Please bring this Warrant to the Annual Town Meeting

### Insert A Ballot Question

Question 1

Shall the Town of Lancaster vote to rescind its acceptance of Section 48 of Chapter 31 of the General Laws?

Yes No

### Fair and Concise Summary

Lancaster's sworn police officers are subject to the civil service laws based on Lancaster's 1968 acceptance of Section 48 of Chapter 31 of the General Laws. Other than the Chief of Police position, which was removed from the civil service system through special legislation, the remaining sworn police officer positions in the Lancaster Police Department are currently subject to the state civil service laws. Here, Question 1 seeks to rescind Lancaster's prior acceptance of Section 48 of Chapter 31 of the General Laws so the civil service laws will no longer apply to Lancaster's sworn police officers.

A yes vote on Question 1 would rescind Lancaster's prior acceptance of Section 48 of Chapter 31 of the General Laws, making the civil service laws in Chapter 31 of the General Laws inapplicable to any sworn police officer in Lancaster who is newly appointed or promoted to a higher rank after the effective date of the rescission, which would be the first day of the next month following the vote to rescind.

A **no** vote on Question 1 would not rescind Lancaster's prior acceptance of Section 48 of Chapter 31 of the General Laws, and the civil service laws in Chapter 31 of the General Laws would continue to apply to sworn police officers.

### WARRANT FOR ANNUAL TOWN MEETING IN THE TOWN OF LANCASTER

May 6, 2024

Mary Rowlandson Elementary & Luther Burbank Middle Schools - 7:00 PM

### Worcester, ss.

To any Constable of the Town of Lancaster in the County of Worcester,

### **GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Lancaster qualified to vote in the elections and Town affairs, to meet at Mary Rowlandson Elementary & Luther Burbank Middle Schools, 103 Hollywood Drive in said Lancaster on Monday, the sixth of May 2024, at 7:00 in the evening, and to act on the following:

# ARTICLE 1 FY25 Operating Budget

Select Board

To see if the Town will vote to raise and appropriate by taxation, or transfer from available funds and free cash, the sum of \$28,059,980 to defray the expenses of the Town and School Department beginning in FY2025, as follows:

ITEM	AMOUNT
Municipal Services	\$ 6,664,088
Risk Mgmt., Debt, Leases	\$ 2,369,198
Minuteman Regional Technical HS	\$ 2,138,738
Nashoba Regional School District	\$ 16,801,956
Assabet Valley Regional Technical HS	\$ 86,000
TOTAL	\$ 28,059,980

Or take any action relative thereto.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION FINANCE COMMITTEE RECOMMENDATION: AFFIRMATIVE ACTION

### ARTICLE2 Appropriation of Free Cash to Capital Stabilization

Select Board

To see if the Town will vote to transfer one million, two hundred ninety-six thousand, five hundred dollars (\$1,296,500) from Free Cash to the Capital Stabilization Fund or take any actions relative thereto.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION FINANCE COMMITTEE RECOMMENDATION: AFFIRMATIVE ACTION

### ARTICLE3

Renewable Energy Enterprise Fund

Select Board

To see if the Town will vote to appropriate one hundred seventy-six thousand, six hundred dollars (\$176,600), or any other sum of money, from the retained earnings of the Town's Renewable Energy Enterprise Fund to finance the operation of the Landfill Solar Array for the Fiscal Year beginning July 1, 2024, or take any action relative thereto.

**REVENUES** 

Sale of Solar Energy Credits \$176,600

Qualified Energy Bond Subsidy \$-

**EXPENSES** 

 Maintenance Expenses
 \$ 75,500

 Debt (P&I)
 \$101,100

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION FINANCE COMMITTEE RECOMMENDATION: AFFIRMATIVE ACTION

### ARTICLE4

### Water Enterprise Fund Budget Board of Public Works

To see if the Town will vote to appropriate the sum of \$1,228,250 or any other sum of money, from the Water Enterprise Fund, to finance the operation of the Water Department for the Fiscal Year beginning July 1, 2024, as outlined below:

Water Enterprise Appropriations

Salaries & Wages \$4 Z.360
Operational Expenses \$467.890

Reserve Fund <u>Transfers (out)</u> \$ 50.000

Debt Payments rinci \$175,000
Debt Payments (interest) \$ 98,000

TOTAL \$1,228,250

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

FINANCE COMMITTEE RECOMMENDATION: DELIEVERED AT TOWN MEETING

### **ARTICLE 5**

**Revolving Fund Account Budgets** 

Select Board

To see if the Town will vote pursuant to M.G.L. c.44 §53E1/2, to set the total amount that may be spent from the various revolving funds for the Fiscal Year beginning July 1, 2024, as follows:

#### **FUND I PROGRAM**

FY25

2,500

Health & Human Services	
Community Center	\$12,000
Recreation Committee	\$90,000
M.A.R.T. Services	\$50,000
Library Charges	\$ 9,500
Public Works Operations	
Stormwater Management	\$ 3,000
Duval Road Sewer	\$ 5,000
Recycling Center	\$ 258
Other Town Departments/Operations	
Planning Board	\$25,000
Community Development	\$ 2,500
Agricultural Commission	\$ 2,000

Or take any action relative thereto.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

**Publications** 

# ARTICLE& Compensation Plans Select Board

To see if the Town will vote to accept the Compensation Plans effective July 1, 2024, as shown on the below charts, or take any action relative thereto.

### Regular Status: Administration - DPW Units - Clerical Unit

	GRAD£	Step1	Steo2	Step3	Step4	Steps	Step 6	Step7	Stepl	Step9	Step 10	Stea 11	Step 12
	A	48.02	49.22	50.45	51.71	53.00	54.32	55.68	57.07	58.50	59.96	61.46	63.00
(1	8	43.83	44.93	46.05	47.20	48.38	49.59	50.83	52.10	53.40	54.73	56.10	57.50
	C	40.01	41.01	42.04	43.09	44.17	45.27	46.40	47.56	48.75	49.97	51.22	52.50
!	đ	34.30	35.16	36.04	36.94	37.86	38.81	39.78	40.77	41.79	42.83	43.90	45.00
	Е	28.97	29.69	30.43	31.19	31.97	32.77	33.59	34.43	35.29	36.17	37.07	38.00
	Ji	25.91	26.56	27.22	27.90	28.60	29.32	30.05	30.80	31.57	32.36	33.17	34.00
**	G	24.39	25.00	25.63	26.27	26.93	27.60	28.29	29.00	29.72	30.46	31.22	32.00
	Н	22.86	23.43	24.02	24.62	25.24	25.87	26.52	27.18	27.86	28.56	29.27	30.00
	I	19.05	19.53	20.02	20.52	21.03	21.56	22.10	22.65	23.22	23.80	24.39	25.00

Regular Status: Fire Unit

GRADE	Stei>1	Step2	Step3	Step4	Steps	Step&	Step7	Steps	Step9	SteplO	Stepll	Step1Z
FF&	49.53	50.77	52.04	53.34	54.67	56.04	57.44	58.88	60.35	61.86	63.41	65.00
FFS	43.83	44.93	46.05	47.20	48.38	49.59	50.83	52.10	53.40	54.73	56.10	57.50
FF4	40.01	41.01	42.04	43.09	44.17	45.27	46.40	47.56	48.75	49.97	51.22	52.50
FF3	34.30	35.16	36.04	36.94	37.86	38.81	39.78	40.77	41.79	42.83	43.90	45.00
FF2	28.97	29.69	30.43	31.19	31.97	32.77	33.59	34.43	35.29	36.17	37.07	38.00
FF1	25.91	26.56	27.22	27.90	28.60	29.32	30.05	30.80	31.57	32.36	33.17	34.00

**Regular Status: Police Unit** 

GRADE	Step1	Step2	Step3	Step4	Step5	Step6	Step7	Step'&	Step9	Step_to	Step11	Stepll
POS	49.53	50.77	52.04	53.34	54.67	56.04	57.44	58.88	60.35	61.86	63.41	65.00
P04	41.90	42.95	44.02	45.12	46.25	47.41	48.60	49.82	51.07	52.35	53.66	55.00
P03	31.25	32.03	32.83	33.65	34.49	35.35	36.23	37.14	38.07	39.02	40.00	41.00
1>>02	26.30	26.96	27.63	28.32	29.03	29.76	30.50	31.26	32.04	32.84	33.66	34.50
POl	18.29	18.75	19.22	19.70	20.19	20.69	21.21	21.74	22.28	22.84	23.41	24.00

**Limited Status: Seasonal -Temporary- Part Time** 

GRADE	Stept	Step2	Step3	Step4	Steps	Step6	Step7	Step8	Steps	Step10
1	\$21.46	\$22.10	\$22.77	\$23.45	\$24.15	\$24.88	\$25.62	\$26.39	\$27.18	\$28.00
2	\$20.44	\$21.05	\$21.68	\$22.33	\$23.00	\$23.69	\$24.40	\$25.13	\$25.89	\$26.66
3	\$19.46	\$20.05	\$20.65	\$21.27	\$21.91	\$22.56	\$23.24	\$23.94	\$24.66	\$25.40
4	\$18.54	\$19.09	\$19.67	\$20.26	\$20.86	\$21.49	\$22.13	\$22.80	\$23.48	\$24.19
5	\$t7.65	\$18.18	\$18.73	\$19.29	\$19.a1	\$20.47	\$21.08	\$21.71	\$22.36	\$23.03
6	\$16.81	\$17.32	\$17.84	\$18.37	\$18.92	\$19.49	\$20.08	\$20.68	\$21.30	\$21.94
7	\$16.01	\$16.49	\$16.99	\$17.50	\$18.02	\$18.56	\$19.12	\$19.69	\$20.28	\$20.89
8	\$15.25	\$15.71	\$16.18	\$16.66	\$17.16	\$17.68	\$18.21	\$18.76	\$19.32	\$19.90

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

## ARTICLE 7 Pay Bills of Prior Year

Select Board

To see if the Town will vote to transfer Three Thousand Twenty-Nine Dollars and Four cents (\$3,029.04) from Free Cash to pay unpaid bills from Fiscal Year 2024 (detail below) or take any action relative thereto.

Department	Vendor	Amount	<b>Date</b>	<u>Purpose</u>
Police Department	Osterman Propane	\$1,020.16	3/9/23	Fuel
Police Department	Osterman Propane	\$ 697.49	4/6/23	Fuel
Fire Department	Superior Plus Propane	\$ 750.14	3/9/23	Fuel
Fire Department	Superior Plus Propane	\$ 561.25	5/31/23	Fuel

SELECT BOARD RECOMMENDATION: AFF

AFFIRMATIVE ACTION

#### **ARTICLE 8**

**Community Preservation Committee - FY25 Budget** 

Community Preservation Committee

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2025 budget, to vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses and all other necessary and proper expenses of the Community Preservation committee, with each item to be considered a separate appropriation, or take any action relative thereto:

### **Appropriations:**

From FY2025 estimated annual fund revenues for Committee Administrative Expenses:\$ 10,568.00

### Reserves:

From FY25 estimated revenues (10%) for Historic Resources Reserve	\$ 21,136.00
From FY25 estimated revenues (10%) for Community Housing Reserve	\$ 21,136.00
From FY25 estimated revenues (10%) for Open Space/Recreation Reserve	\$ 21,136.00
From FY25 estimated revenues (65%) FOR Undesignated Budgeted Reserve	\$137,381.00

NOTE: This budget anticipates FY25 CPA revenue of **\$177,505.00** from the local CPA surcharge and an estimated distribution of **\$33,851.00** (19%) from the statewide CPA Trust Fund, for total revenue of **\$211,356.00** 

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

### ARTICLE9

**Community Preservation Committee - FY25 Projects/Allocations** 

Community Preservation Committee

To see if the Town will vote to appropriate funds from the Community Preservation Fund, in the amounts recommended by the Community Preservation Committee, to be extended under the direction of the Town Administrator, for the projects listed and from the fund designation below, or to take any action relative thereto. **Each Project 1, 2, and 3, to be voted individually.** 

**Project 1:** Vote to appropriate \$3,500 from the Recreation/Open Space Reserve to rehabilitate/replace the entry gate at the town beach and to create a small shelter structure for the town beach gate attendant.

**Project 2:** Vote to appropriate \$70,000, with \$19,520 from the Historic Resources Reserve and \$50,480 from the CPA Undesignated Budget Reserve, for the Thayer Memorial Library to rehabilitate/preserve failing roof and basement masonry. The work will also repair/preserve the interior ceiling and walls damaged from water infiltration.

Project 3. Vote to appropriate \$35,000, \$16,020.00 from Open Space/Recreation Reserve and \$18,980.00 CPA Undesignated Budget Reserve, for professional land conservation and project management services required to complete the conservation of some or all of the five (5) tracks of land, totaling approximately 648 acres, that are part of the Nashua Wild & Scenic Rivers and Forests Project and identified as Lancaster Assessors Parcels 25-29, 28-1, 28-18, 29-1, 29-2, 29-12A, 29-14, 33-80 and 33-18, and funded by the US Forest Service, Forest Legacy Program. CPA funds will be used to pay for professional services to negotiate and draft conservation restrictions for the conserved Project Tracts, to be held by the Conservation Commission, for which professional service costs are not reimbursable. These conservation restrictions must be conveyed to a land trust, pursuant to requirements of the Community Preservation Act for property acquired in a CPA-funded project.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

# ARTICLE 10 Adoption of Prudent Investment Rule Select Board

To see if the Town will vote to accept the provisions of G.L. c.44, §54(b) to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule", or take any other action relative thereto.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

# ARTICLE 11 Ratification of the Acquisition of North Lancaster Land Select Board

To see if the Town will vote to authorize the Select Board to accept by gift, purchase, or eminent domain Assessor's Parcel Map 19, Lot 11 and Assessor's Parcel Map 14, Lot 15, on such terms and conditions the Select Board deems acceptable or take any action relative thereto.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

# ARTICLE 12 Approval of Parcel Considerations for Lancaster's Abutter Lot Sales Program Select Board

To see if the Town will vote to authorize the Select Board to dispose of the parcels listed below, consistent with the Town's *Abutter Lot Sales Program* adopted by Town Meeting in May 2023 (Article 13) which helps to facilitate the sale of certain smaller Town owned properties to abutting property owners consistent with the adopted policies and procedures; or take any action relative thereto.

PARCEL ID	VALUE,	ADDRESS	ACRES	OWNER
	(est.)			
147008000000035A	500	WHITE POND RD	0.08	LANCASTER TOWN OF
1470100000000310	900	SPEC POND BEACH AVE	0.147	LANCASTER TOWN OF
1470100000000710	8300	SPEC POND FULLER AVE	0.037	LANCASTER TOWN OF
1470100000000780	200	SPEC POND KINNEAR AVE	0.037	LANCASTER TOWN OF
1470100000001080	1700	SPEC POND VINCENT AVE	0.29	LANCASTER TOWN OF
147010000000108D	200	SPEC POND VINCENT AVE	0.037	LANCASTER TOWN OF
1470180000000500	1800	NO <b>MAIN</b> ST	0.301	LANCASTER TOWN OF

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

# ARTICLE 13 Adoption of M.G.L. Chapter 41 §21 Select Board

To see if the Town will vote, pursuant to G.L. c. 41, § 21, to direct the Select Board to include in the warrant for the 2025 annual town election the following question for submission to the voters:

Shall the town vote to have its Select Board appoint a chief of the police and fire departments who may be designated as the commissioner of public safety in accordance with Section 101 of Chapter 41 of the Massachusetts General Laws?

or take any action relative thereto.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

# ARTICLE 14 Transfer of Care, Custody and Control of Blood Town Forest Select Board

To see if the Town will vote pursuant to G.L. c. 40, § 15A, to transfer a parcel of land identified as Assessor Map Parcel 28-1 to the Conservation Commission to ensure the care, custody, control and management of said parcel is overseen by the Conservation Commission and to authorize the Conservation Commission to convey a permanent Conservation Restriction over said parcel to ensure its continued protection =or to take any action relative thereto.

SELECT BOARD RECOMMENDATION:

CONSERVATION COMMISSION RECOMMENDATION: AFFIRMATIVE ACTION PLANNING BOARD RECOMMENDATION:

AFFIRMATIVE ACTION

# ARTICLE 15 Ratification of Veteran's Tax Exclusion Select Board

To see if the Town will ratify the vote to accept the provisions of Massachusetts General Law Chapter 59, Section SN, approved by the voters at Special Town Meeting on October 1, 2012, as Article 3, thereby establishing a Veterans Tax Abatement Program to take effect July 1, 2024, or take any action related thereto.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

# ARTICLE 16 Amendments to Town Code Part I, Chapter 92- "Hawkers & Peddlers" Select Board

To see if the Town will vote to amend the Town's General Bylaws by regulating door-to-door soliciting and canvassing in the Town of Lancaster, as follows:

1. Amending the title of Chapter 92, to read as "Hawkers, Peddlers, and Canvasing and Solicitation"; And

2. By adding a new Article III in Chapter 92, entitled "Canvasing and Solicitation", as follows:

# **Article III Canvasing and Solicitation**

# Section 92-20: Purpose

This Article is for the purposes of protecting the privacy of the residents of the Town of Lancaster, to prevent fraud, to deter and protect the residents against crime, and to protect residents against annoyance. The provisions of this Article have neither the purpose nor intent of infringing upon or denying rights protected by the Constitutions of the United States and the Commonwealth of Massachusetts, and instead constitute reasonable time, place and manner restrictions on door-to-door soliciting and canvassing in the Town of Lancaster.

### Section 92-21: Definitions

The following words as used herein shall be considered to have the meanings herein ascribed thereto:

- a. License the photo identification on card issued to the licensee.
- b. Person any individual, firm, co-partnership, corporation, company, association or joint-stock association, society, organization, or league and includes any trustee, receiver, assignee, agent or other similar representative thereof, except as otherwise excluded by this article.
- c. Premises a building or portion of a building used for residential purposes, including the real estate upon which any such building is located, provided that the predominant use of the real estate is for residential purposes.
- d. Solicit or Solicitation includes any one or more of the following activities:
  - i. Seeking to sell or to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character, or description whatever.
  - ii. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication.
  - iii. Seeking to obtain gifts or contributions of money, clothing or any other valuable item for the support or benefit of any charitable or nonprofit association, organization, corporation, group or project except as otherwise excluded by this article. Seeking to distribute literature except as otherwise exempted.

### Section 92-22: Application for Licensure

Every person who engages in door-to-door solicitation for any purpose, except as otherwise excluded by this article, either as a principal or agent, shall, before commencing business in the Town of Lancaster make written application under oath for a license to the Chief of Police, unless otherwise exempted under Section 92-34. The application form shall require the following information:

- (1) The name, permanent address, telephone number, and temporary address, if any.
- (2) A physical description of the applicant, setting forth the applicant's age, height, weight, color of hair and eyes.
- (3) A copy of the individual's driver's license, or other proof of identity, as may be reasonably required.

- (4) The name, address and telephone number of the person, firm, association, or corporation that the person represents or is employed by, or whose merchandise is being sold.
- (5) A brief description of the business the individuals wishes to conduct and of the methods to be used in furtherance of said business.
- (6) The make, model, and license number of any vehicle to be used by the applicant in the conduct of the business.
- (7) A statement as to whether the applicant has been convicted of any crime or ordinance violation related to any prior solicitation by the applicant within the last five years, the nature of the offense and the place of conviction.
- (8) A statement as to the period during which the applicant intends to carry out the solicitation.

The Police Chief shall not issue a license unless the above required information has been provided by the applicant or an explanation has been given for the applicant's inability to provide any of the foregoing information.

### Section 92-23: Photograph of Applicant

The applicant shall permit the Police Department of the Town of Lancaster to photograph said applicant for identification purposes.

### Section 92-24: Issuance of License and Fee

- 1. No later than ten (10) calendar days after filing of such application, the Chief of Police, or his designee, shall issue the applicant a license in the form of a photo identification card showing the name and address of the licensee and authorizing the individual to solicit for the purposes described in the application subject to the bylaws of the Town of Lancaster and the laws of the Commonwealth of Massachusetts. Failure by the Chief of Police to act on an application within ten (10) calendar days shall constitute approval of said application.
- 2. Grounds for disapproval of an application:
  - i. Applicant has a conviction in any state or federal court of the United States or any court of a territory of the United States for any of the following named offenses committed within the last seven (7) years: burglary, breaking and entering, larceny, robbery, receiving stolen property, assault, fraud, sexual misconduct as specified in Chapter 265, Sections I3B and 22 through 24, and Chapter 272, Sections 53A, of the General Laws, unlawfully carrying weapons, or the attempt of any such offense.
  - ii. Applicant is a person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as a Level 2 or Level 3 Sex Offender, as such person have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of sex crimes; or
  - iii. The failure to include any of the information requested in the application.
- 3. The fee for such license shall be \$25 and said license shall expire one year from the date of issue, or on the day of its surrender or revocation, or on the filing of an affidavit of its loss to the Police Department.
- 4. An applicant who has been a resident of the Town of Lancaster for at least six months shall be exempt from the fee.

# Section 92-25: Nontransferable and Requirement of Display.

The photo identification card provided by the Police Department shall be nontransferable and shall entitle the licensee for the period indicated therein and for the purposes specified therein to solicit in the Town of Lancaster, provided that the licensee shall always have in their possession while soliciting and shall further conspicuously display the photo identification card.

### Section 92-26: Notification of Changes to Police Department

If while the licensee is pending or during the term of any license granted thereon, there is a change in fact, policy or method that would alter the information given in the application, the applicant or licensee shall notify the Police Department in writing within 24 hours of such change.

### Section 92-27: License not to Constitute Endorsement

Said license does not constitute an endorsement by the Town of Lancaster nor by any of its departments or officers of the purpose or of the person conducting the solicitation.

### Section 92-28: Posted Premises

No person shall engage in solicitation upon any premises without a prior invitation from the occupant thereof if such premises is posted against such solicitation by means of a notice prominently displayed upon which is printed the legend "no solicitors" or words of similar import. For the purposes of this section, the premises shall be deemed posted against solicitation if there is exhibited, on or near the main entrance to the premises or on or near the main door to any residence located thereon, a sign at least three inches by four inches in size which bears the above legend in letters at least I/3 inch in length.

### Section 92-29: Prohibited Activities

- 1. No person shall engage in solicitation prior to 9:00 am or one half-hour after sunset, local time, on any day.
- 2. No person shall engage in solicitation in a manner that constitutes a nuisance under this bylaw.
- 3. No person engaged in solicitation shall, at the time of initial contact with a prospective customer or donor, fail to identify himself and the purpose of the solicitation.
- 4. No person engaged in solicitation shall misrepresent the purpose of his solicitation or use any false, deceptive, or misleading representation to induce a sale or contribution, or use any plan, scheme or ruse which misrepresents the true status or mission of the person making the call. No person engaged in making a solicitation as defined in this article shall violate any of the provisions of Chapter 93A of the General Laws of Massachusetts said chapter being entitled "Regulation of Business Practices for Consumers' Protection," the current provisions of which are hereby adopted and by reference made a part hereof.

## Section 92-30: Nuisance

The practice of any individual or group going in and upon private residences in the Town, not having been requested or invited to do so by the owner(s) or occupants of said private residences, for the purposes of soliciting after the owner has requested the individual to depart from the premises, either orally or in writing, is declared to constitute a nuisance under this article.

## Section 92-31: Revocation of License

Any license issued under the provisions of this article may be revoked by the Chief of Police of the Town of Lancaster after notice and hearing for any of the following causes:

- Fraud, misrepresentation, or false statement contained in the application for license;
- Fraud, misrepresentation, or false statement made in the course of carrying on the business as solicitor;
- Any violation of this article;
- Conviction of a crime which would make the individual ineligible for a license under this article; or
- Conducting the business of soliciting in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.

## Section 92-32: Revocation Hearing

Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing at least three (3) calendar days prior to the hearing. Within three (3) calendar days of the close of the revocation hearing, the Chief of Police shall provide written notice of their determination to the licensee.

## Section 92-33: Appeals

Any person aggrieved by the action of the Chief of Police in the revocation of a license shall have the right of appeal to the Select Board. Such appeal shall be taken by filing with the Select Board, within fourteen (14) calendar days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Select Board shall set a time and place for a hearing on such appeal, and at least five (5) calendar days prior to the hearing, provide notice of the hearing to the licensee in writing. The decision and order of the Select Board on such an appeal shall be issued within thirty (30) calendar days of the close of the hearing and be final and conclusive.

# Section 92-34: Exemptions

- 1. The provisions of this article shall not apply to children 14 years old or younger who solicit under the supervision of an adult who shall be at least 18 years old and to whom the provisions of this article shall apply.
- 2. The provisions of this article shall not apply to any person delivering newspapers, fuel, dairy products or bakery or other foodstuffs to regular customers on established routes in the Town of Lancaster.
- 3. The provisions of this article shall not apply to route salesmen or other persons having established customers to whom they make periodic deliveries and who may from time to time call upon prospective customers along their regular service route to solicit an order for future periodic route deliveries.

### Section 92-35: Violations

Whoever violates any provision of this article may be penalized by the noncriminal method of disposition as provided in MGL c. 40, § 21D, or by filing a criminal complaint at the appropriate venue. The penalty shall be \$100 for the first offense, \$200 for the second offense, and \$300 for the third offense.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

### **ARTICLE 17**

Acceptance of M.G.L. relative to creditable service for call Firefighters

Select Board

To see if the Town will vote to accept the provisions of M.G.L. c.32, §4(2)(b) and M.G.L. c.32, 84(2)(b½), to allow permanent, intermittent, or call firefighters to be credited with full-time service for the purpose of calculating retirement benefits in accordance with Chapter 32 of the Massachusetts General Laws and other applicable laws and collective bargaining agreements; or take any other action thereon.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

ARTICLE 18
Amendments to Town Code I, Ch.10 §1.0 & §10-8 "Animal Control"
Select Board

To see if the Town will vote to take the following action for the purposes of amending the Town's Animal Control Bylaw:

- 1. Amend the definition of Animal Control Officer, in Section 10-1 of the General Bylaws, by adding the bolded and underlined text as follows:
  - ANIMAL CONTROL OFFICER -An officer appointed by the Board of Selectmen, or its designee, and authorized to enforce Sections 136A to 174E, inclusive, of Chapter 140 of the General Laws and this bylaw.
- 2. Authorize the Select Board, on behalf of the Town, to petition the General Court for passage of a

special law to dissolve its existing Animal Control Commission created by Chapter 179 of the Acts of 2004; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

An act authorizing the Town of Lancaster to dissolve its Animal Control Commission

Section 1. Chapter 179 of the Acts of 2004, An Act Providing for An Animal Control Commission In The Town Of Lancaster, is hereby repealed.

Section 2. This act shall take effect upon its passage.

and

3. Striking Section 10-8 of the General Bylaws and inserting, in place thereof, the following:

# § 10-8. Animal Control Commission.

The Select Board shall act as Animal Control Commission and shall be charged with evaluating animal control problems by collecting necessary data, hearing expert opinions, holding public hearings, and other activities to ensure informed decision making and to make recommendations to resolve Animal Control matters.

Provided, however, that if said amendment to Section 10-8 of the General Bylaws is approved by the Attorney General pursuant to G. L. c. 40, § 32, the Town Clerk shall refrain from posting notice of this bylaw's adoption under said statute, until the effective passage of a special law repealing Chapter 179 of the Acts of 2004;

Or to take any other action thereon.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

# ARTICLE 19 Hawthorne Lane Citizen's Petition

To see if the Town will vote to accept the layout of Hawthorne Lane as a public way, along with associated roadway improvements, water and drainage infrastructure, and open space access, in the location depicted as "proposed minor street" on the plan entitled "Definitive Subdivision Plan," prepared by Whitman & Bingham Associates, LLC, Leominster, dated October 6, 2015, said plan recorded with the Worcester County Registry of Deeds in Plan Book 934, Plan 43, or to act in a manner relating thereto.

SELECT BOARD RECOMMENDATION: AFFIRMATIVE ACTION

# ARTICLE20 Act Increasing the Membership of the Select Board of the Town of Lancaster Citizens' Petition

To see if the Town will vote to authorize the Select Board to file a petition with the General Court to enact legislation which would provide that notwithstanding any other general law or special law to the contrary, that at the next annual town election after passage of such legislation, but not earlier than the 2026 Annual Town Election, the Lancaster Select Board shall consist of five (5) members, and which would provide, without limitation, a process for an election to fill the two (2) new positions, for no change to the term of office of then currently serving members, and for staggered terms of the five (5) members of the Select Board; provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition; and to act on anything relating thereto.

# AN ACT increasing the membership of the Select Board of the Town of Lancaster

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- SECTION 1: Notwithstanding any provision of any general or special law to the contrary, the number of members of the Select Board of the Town of Lancaster shall be increased from three (3) to five (5). The Select Board shall annually elect a chairperson from among its members.
- SECTION 2: At the first Annual Town Election following acceptance of this act by the voters of the Town, but in no event prior to the 2026 Annual Town Election, three (3) Select Board members shall be elected. The candidate receiving the highest number of votes in that election shall serve a three (3) year term, the candidate receiving the second highest number of votes shall serve a two (2) year term, and the candidate receiving the third highest number of votes shall serve a one (1) year term. Thereafter, as the terms of Select Board members expire, successors shall be elected for terms of three (3) years.

The terms of those members currently serving as Select Board members at the time of adoption of this act shall be unchanged by the adoption of this act.

SECTION 3: This act shall be submitted for acceptance to the voters of the Town of Lancaster at the next Annual or Special Town Election following its passage, in the form of the following question which shall be placed on the official ballot:

"Shall an act passed by the General Court entitled, 'An Act increasing the membership of the Select Board of the Town of Lancaster' be accepted?"

If a majority of the votes cast in answer to the question is in the affirmative, sections 1 and 2 of this act shall thereupon take effect, but not otherwise.

SECTION 4: Section 3 of this act shall take effect upon its passage.

SELECT BOARD RECOMMENDATION: NEGATIVE ACTION

And you are directed to serve this Warrant by posting up attested copies thereof at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House, and the Prescott Building, in said Town seven days at least before the time for holding said meeting. Hereof fail not and make due return of the Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

SELECT BOARD OF LANCASTER
The
Stephen Kerrigan, Chair
Qll.A(
Jason Allison, Members
Olyanda Inn
Alexandra Turner, Clerk

### **CONSTABLE'S CERTIFICATION**

I hereby certify under the pains and penalties of perjury that I posted an attested a copy of this Warrant at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House, and the Prescott Building on the date attested. I further certify that this Warrant was posted in accordance with the By-laws of the Town of Lancaster and the provisions of M.G.L. c.39 §10.

Constable Signature

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The full text of the Warrant is available in the Prescott Building and Thayer Memorial Library.

The Waffant will also be available in limited print at the Annual Town Meeting.



# Warrant for Annual Town Election May 13, 2024 The Commonwealth of Massachusetts

### Worcester, ss.

To any Constable of the Town of Lancaster in the County of Worcester,

### **Greetings:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Lancaster qualified to vote in the elections and Town affairs, to elect by ballot, on Monday, the thirteenth day of May, 2024, at the Town Hall Auditorium, 695 Main Street, in said Lancaster, the following Town Officers:

Selectboard	One for three years
Finance Committee	Two for three years
Planning Board	One for five years
Board of Health	One for one year
Board of Health	One for three years
Board of Public Works	One for three years
Library Trustees	Two for three years
Nashoba Regional School District Committee	One for three years

### Question I

Shall the Town of Lancaster vote to rescind its acceptance of Section 48 of Chapter 31 of the General Laws?

The polls will open at 7:00 A.M. and will remain open until 8:00 P.M.

And you are directed to serve this Warrant by posting up attested copies thereof at the South Lancaster Post Office, the Center Post Office, the Town Hall, and the Fifth Meeting House, in said Town, seven days at least before the time of holding said Town Election. Hereof fail not and make due return of the Warrant with your doings thereon to the Town Clerk at the time and place of elections aforesaid.

### **CONSTABLE'S CERTIFICATION**

I hereby certify under the pains and pena/Jies of per <sup>j</sup> u <sup>ry</sup> that I posted an attested copy o	of this Wa"ant at the South Lancaster Post $^{m{OJJl}}$ ce, the Center Post
Office, the Town Halt and the Fifth Meeting House on the date attested. Surther certify	that this Warrant was posted in accordance with the By-laws of the
Town of Lancaster and the provisions of M.G.L c.39, §JO.	

Attest: _		Date	
	Constable	- · <u>-</u>	

### 2024 ANNUAL TOWN ELECTION

# Question #1 - 'Removal from Civil Service'

Pursuant to the Commonwealth's Acts of 2004 – FY2005 State Budget, §§ 285-288, 'Town of Lancaster Voter Information,' "... The Board of Selectmen of the Town of Lancaster shall, at least 10 days before any election at which a binding or non-binding question shall be submitted solely to the voters of said town, cause to be posted in one or more locations in the town and/or the Town's official website ... and make available at each polling place, the full text of such questions, a fair and concise summary of each question...and said Board of Selectmen shall seek such written arguments [proponents and opponents of any such question]... containing no more than 250 words..." as outlined below.

# **Question 1**

Shall the Town of Lancaster vote to rescind its acceptance of Section 48 of Chapter 31 of the General Laws?

> Yes No

# **Fair and Concise Summary**

Lancaster's sworn police officers are subject to the civil service laws based on Lancaster's 1968 acceptance of Section 48 of Chapter 31 of the General Laws. Other than the Chief of Police position, which was removed from the civil service system through special legislation, the remaining sworn police officer positions in the Lancaster Police Department are currently subject to the state civil service laws. Here, Question 1 seeks to rescind Lancaster's prior acceptance of Section 48 of Chapter 31 of the General Laws so the civil service laws will no longer apply to Lancaster's sworn police officers.

A YES vote on Question 1 would rescind Lancaster's prior acceptance of Section 48 of Chapter 31 of the General Laws, making the civil service laws in Chapter 31 of the General Laws inapplicable to any sworn police officer in Lancaster who is newly appointed or promoted to a higher rank after the effective date of the rescission, which would be the first day of the next month following the vote to rescind. This does not affect current sworn police staff.

A NO vote on Question 1 would not rescind Lancaster's prior acceptance of Section 48 of Chapter 31 of the General Laws, and the civil service laws in Chapter 31 of the General Laws would continue to apply to sworn police officers.

### A 'YES' VOTE



A YES vote removes Lancaster Police from Civil Service (CS). CS can best be defined as a tedious statute consisting of 233-pages of rules and precedents for roles and processes

which no longer fit the standards for modern-day municipal personnel management. CS hampers Lancaster's ability to recruit and hire the most talented candidates as the current weighted criteria and scoring matrix for appointments and promotions are based on test scores and local residency. A lack of modernization in CS has caused MA to fall behind other leaders in public sector administration. The repeal of CS affords the town better flexibility and freedom – the Town can hire people who are best suited for positions based on a variety of factors. Without the restraints of CS, town leaders can design hiring and promotional standards consistent with the values and priorities of the Town. Under the CS model, speed and efficiency are the last principles served as the State has historically been unable to keep up with community's new and innovative recruitment and classification efforts. Lancaster's list of eligible candidates is outdated and, in many cases, flawed. While we seek to modernize hiring and promotional procedures, neither process can advance using the current system. The removal from CS allows Lancaster the ability to assess candidates fairly and completely by considering the individual wholistically – their education, experience, supervisory acumen, and professional capacity.

# A 'NO' VOTE



A **NO** vote maintains the current practice whereby the Commonwealth of Massachusetts oversees the hiring and promotional opportunities for Lancaster Police. The current system boasts an established process for managing personnel that has been extended to cities and towns for decades. While many communities have chosen to remove themselves from Civil Service (CS), voting no allows Lancaster to continue its current practice of hiring, promoting, evaluating, and disciplining staff and continues to have the State's central personnel office as overseer. Under the CS model, the State controls the entire HR processes for Lancaster Police –including approving new job titles, generating and scoring qualifying exams, maintaining lists of candidates, and monitoring agency compliance. State control of the process removes any notions or fear of political bias and provides applicants living in Lancaster a better chance of securing police positions in Town. Under the CS model, the Town *must* offer jobs to top scorers *only* and then work down the list of candidates, as ranked by score.

# X. **NEW BUSINESS**



Ruth A. Bourquin Senior & Managing Attorney (617) 482-3170 ext. 348 rbourquin@aclum.org

> Jessica J. Lewis Staff Attorney (617) 482-3170 ext. 334 jlewis@aclum.org

Re: Restrictions on Political Signs and Speech

Dear City and Town Managers and Administrators of the Commonwealth of Massachusetts:

We have become aware that several municipalities in the Commonwealth have ordinances restricting the ability of residents to display signs, including political signs, on private property in residential neighborhoods. Some of these ordinances limit the period before and after an election during which residents may place signs of support or opposition on election-related issues on private property.

This letter is to remind you that, under the U.S. Constitution and the Massachusetts Declaration of Rights, cities and towns may not impose unreasonable restrictions on political speech nor impose content-based restrictions on the display of signs unless such restrictions are narrowly tailored to serve a compelling interest. For the reasons that follow, if you have an ordinance restricting residents' ability to post political signs in their yards, windows, vehicles, or other pieces of private property, we urge you to discontinue enforcement of the law and to repeal it.

The First Amendment and Article 16 prohibit the government from encroaching on residents' rights to free speech, which include the right to speak on political and electoral issues. Political speech, and particularly political speech on private property, is entitled to the highest form of protection.

While municipalities have considerable authority to regulate the display of signs on public property in a content-neutral way, the authority to do so on private property is severely diminished by constitutional protections of civil liberty and, in particular, free speech. In *City of Ladue v. Gilleo*, 512 U.S. 43, 58 (1994) (citations omitted), the Supreme Court said:

A special respect for individual liberty in the home has long been part of our culture and our law; that principle has special resonance when the government seeks to constrain a person's ability to *speak* there. Most Americans would be understandably dismayed, given that tradition, to learn that it was illegal to display from their windows an 8-by-11-inch sign expressing their political views. Whereas the government's need to mediate among various competing uses, including expressive ones, for public streets and facilities is constant and unavoidable, its need to regulate temperate speech from the home is surely much less pressing.

# Political Signs and

Accordingly, the Court in *City of Ladue*, held that an ordinance prohibiting homeowners from displaying any signs on their property except residence identification signs, for sale signs, and safety hazard warning signs was unconstitutional because it simply "prohibits too much speech." *Id.* at 55. The Court was specifically concerned that the ordinance broadly banned political signs on private property, or foreclosed an entire medium of communication to political speech. *Id.* Restricting the display of political signs on private property is a violation of the First Amendment (and Article 16) rights of private individuals. *Members of the City Council of Los Angeles v. Taxpayers for Vincent*, 466 U.S. 789 (1984).

In *Reed v. Town of Gilbert, Arizona*, 576 U.S. \_\_\_, 135 S.Ct. 2218 (2015), the Supreme Court struck down a municipal ordinance that exempted from a general ban various categories of lawn signs based on content, i.e. the topic discussed or the idea or message expressed. In doing so, the Court held that these types of sign ordinances constitute "content-based regulations of speech" and are subject to "strict scrutiny." *See id.* at 2224. Under the test of "strict scrutiny," content-based laws, e.g. laws that target and limit political signs differently than others, are "presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests." *Id.* at 2226. In *Reed*, the town's two justifications for the ban, "preserving the Town's aesthetic appeal and traffic safety," were ruled insufficient under this test. *Id.* at 2231-2232. The First Amendment prevents a township from "achieving its goal by restricting the free flow of truthful information." *City of Ladue*, 512 U.S. at 48 (quoting *Linmark Associates, Inc. v. Willingboro*, 431 U.S. 85 (1977)).

What towns may lawfully do is "regulate the physical characteristics of signs" without regard to the sign's content. *Id. See also Matthews v. Town of Needham*, 764 F.2d 58, 59 (1st Cir. 1985) (time, place, and manner restriction of speech must advance a significant governmental interest, be justified without reference to the content of the speech, and leave open ample alternative channels for communication of the information). Hence, municipalities may have reasonable, content-neutral laws uniformly applicable to all signs requiring, for instance, that the signs be no larger than certain dimensions and be placed in a manner so as not to impede visibility on the roads by motorists.

But, as noted above, preventing political signs on private property during certain periods of the year is not content-neutral, and such laws fail strict scrutiny. City of Ladue, 512 U.S. at 55. Candidates have a right to begin their campaigns before, and continue their campaign for public support after, the dates allowed by such laws. Likewise, residents have a right to express their political views by posting yard signs at any time, including as a way of communicating with neighbors their approval or disapproval of a past election outcome and hopes for the next. The Supreme Court has made clear that these forms of speech are protected under the First Amendment and may not be unduly burdened. See City of Ladue, 512 U.S. at 54, 57. Furthermore, time limits favor incumbents by giving those already in office, and therefore with greater name recognition, an advantage. See id. at 51 (finding that impermissibly underinclusive laws may represent a governmental attempt to give one side of a debate an advantage). Thus, an interest in 'leveling the playing field' for candidates in an election may not be a valid compelling interest.

# Political Signs and Speech

Recently, in a case brought by ACLU of Massachusetts, the U.S. District Court permanently enjoined the City of Holyoke from enforcing an ordinance, or any future ordinances, restricting lawn signs during certain months of the year and bumper stickers all year round. The court declared the ordinance unconstitutional. <a href="https://www.aclum.org/en/cases/molloy-et-al-v-city-holyoke">https://www.aclum.org/en/cases/molloy-et-al-v-city-holyoke</a>. ACLU of Massachusetts also recently engaged with the Town of Scituate about its zoning ordinance which limits the ability of political candidates to post campaign signs on private property, and the Scituate Board of Selectmen voted to suspend enforcement of the ordinance. <a href="https://www.aclum.org/en/news/scituate-votes-suspend-restrictions-political-signs">https://www.aclum.org/en/news/scituate-votes-suspend-restrictions-political-signs</a>.

To comply with the law and respect the free speech rights of your residents, we urge you to change any law that specifically prohibits the display of political signs on private property or which otherwise places unique rules on the display of signs based on the sign's message or content.

Please do not hesitate to contact the ACLU of Massachusetts if you have any questions about this letter. We can be reached at (617) 482-3170.

Sincerely,

Ruth Bourguin

Ruth a. Bourge

Jessica Lewis



Date 4/16/2024

Town of Lancaster:

Lancaster Select Board, Prescott Building 701 Main St 2<sup>nd</sup> Floor Lancaster Ma 01523

Lancaster Conservation Commission, Prescott Building 701 Main St Suite 4 Lower Level Lancaster Ma 01523

Lancaster Planning Board, Prescott Building Suite 4 701 Main St Lancaster Ma 01523

Lancaster Board of Assessors, Prescott Building 701 Main St 1st Floor Lancaster Ma 01523

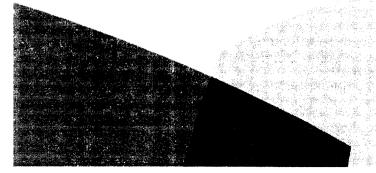
Lancaster Town Forest Committee, Thayer Memorial Library, 717 Main St Lancaster Ma 01523

Lancaster Town Clerk, Prescott Building, 701 Main St Suite 2 Lancaster Ma 01523

Sent Via US 1st class Mail, Return Receipt Requested 4/16/2024

Notice of Intent to sell or convert residential land, non ch 61 but still in first right of refusal term.

RE: 7 Bridge Rd ANR Lot, Plan attached



Keith P. Kopley
351 S. Ashburnham Rd
Westminster Ma 01473
978-394-4489
KalonFarm@live.com
www.KalonFarm.com



Bk 53070 Pg 190, Map 30 Lot 128

Owner Described as Kalon Farms Inc

Attached plan, 1 ANR lot on 7 Bridge Rd rd as part of parcel owned by Kalon Farm Inc. Subject to Town First Right of Refusal until 6/30/24. Property is not in Ch61 at this time but ROFR is in tact until 6/30/24. Property is also subject during this same term to Rollback or Convey tax (whichever greater).

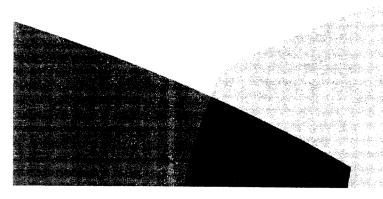
Owner requests: Town of Lancaster Waiver of first right of refusal on the lots on plan provided owned by Kalon Farms Inc

Please also send written confirmation of any Rollback or Conveyance tax, if applicable

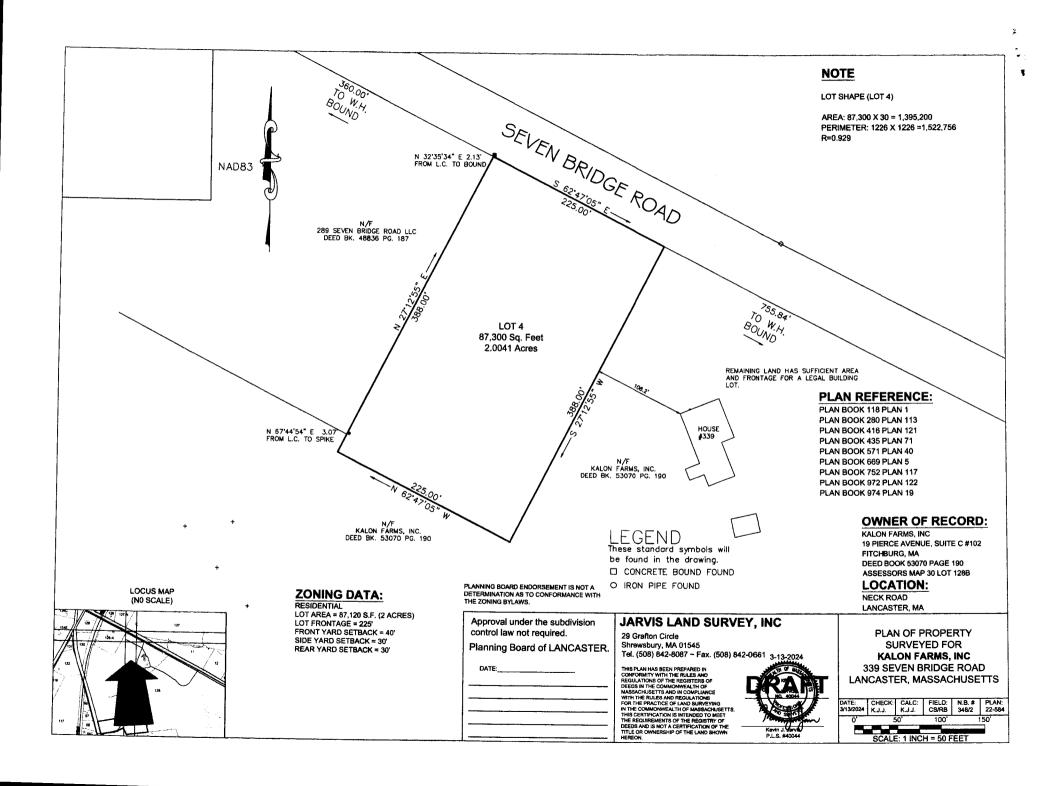
Please feel free to contact me with any questions

Sincerely,

Keith P. Kopley



Keith P. Kopley
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Westminster Ma 01473
978-394-4489
KalonFarm@live.com
www.KalonFarm.com



# **COMMUNICATIONS**