



APPROVED

**LANCASTER BOARD OF SELECTMEN
Special Meeting Minutes
Of
Thursday, May 27, 2021**

I. CALL TO ORDER

Chairman Jason A. Allison called the Special Meeting of the Board of Selectmen to Order at 6:00 P.M. via ZOOM™. Roll call was taken; present were Select Board members, Jason A. Allison, Jay M. Moody and Alexandra W. Turner. Town Administrator Orlando Pacheco was in attendance.

Join Zoom Meeting

<https://us02web.zoom.us/j/87119846222>

Meeting ID: 871 1984 6222

II. PUBLIC COMMENT PERIOD

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

Chairman Allison recognized resident George Frantz who commented that he likes Zoom Select Board meetings and hopes that they will continue.

Town Administrator Orlando Pacheco praised the work of the Board of Health, helping him and Fire Chief Mike Hanson with distributing food boxes to residents.

III. APPROVAL OF MEETING MINUTES

Review and take action on Regular Meeting Minutes of April 5, 2021 with edits
Review and take action on Special Meeting Minutes of April 14, 2021 with edits

Ms. Turner stated that she was not present April 5th

Mr. Moody moved to approve the minutes of April 5, 2021. Mr. Allison seconded the motion.

Mr. Moody seconded the motion. A vote was taken. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Alexandra W. Turner Abstains. Motion passed [2-0-1].

Discussion:

Ms. Turner questioned the minutes because she did not believe she was appointed to the Memorial School Reuse Committee, although watching the minutes later she was appointed. Ms. Turner moved to postpone the motion to the next Select Board meeting so that the issue could be clarified.

Ms. Turner moved to postpone the adoption of the meeting minutes of April 5, 2021. Mr. Moody seconded the motion. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Vote passed [3-0-0]

Ms. Turner moved to approve the Meeting Minutes of April 14, 2021. Mr. Moody Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Vote passed [3-0-0]

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| IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE |
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| V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE |
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| VI. TOWN ADMINISTRATOR REPORT - NONE |
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| VII. ADMINISTRATION, BUDGET, AND POLICY |
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1. **Review and may take action License for the electric car charging stations for 103 Hollywood Drive.**

Mr. Pacheco explained that he has received \$110,000 in grants thus far for this project, \$60,000 from National Grid and \$50,000 from DP. The final cost is still unclear; the goal is to complete the project within grant funds allowable. This would be five dual charged point target ports for the school parking area, allowing up to 10 cars, or perhaps lesser spaces, taking up less school parking area. To finalize the installation the Town will need to grant an easement at Town Meeting. To move forward the Select Board would need to approve National Grid to start the design process; they need to be able to realign the poles.

Mr. Moody moved to approve National Grid to start the design process; Ms. Turner seconded.

Discussion:

Ms. Turner asked when the final cost would be known; Mr. Pacheco stated that he anticipates the final number will be available in about a month. Ms. Turner asked several questions about pole hearings; Mr. Pacheco continued to explain that this is preliminary information.

Vote taken, Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Vote passed [3-0-0].

2. Discuss the May 4, 2021 Open Meeting Law complaint (Allison)

Mr. Williston submitted an Open Meeting Law complaint May 4. Mr. Allison apologized to Mr. Williston on behalf of the Select Board for a delayed response, and requested that the Select Board approve formalization of the response from Town Counsel. The Board verified that they will be able to review the response prior to it being sent to Mr. Williston.

3. Discuss the format for the Town Administrator performance review (Allison)

Mr. Allison likes the process used in Bolton and has received minor feedback from the HR Director. The review needs to happen by July 1. Mr. Allison proposes that Mr. Pacheco first do a “self review”; then the members of the Select Board individually complete a review, then the Chair compiles them with the help of the HR Director. The summary is delivered in open session. The individual reviews are disposed of, only the summary is retained.

Mr. Allison moves to adopt, for this year, the Bolton Town Administrator review process, the only change being that the Chair and the HR Director compile the results. Mr. Moody seconded the motion.

Discussion:

Mr. Pacheco stated that his only concern was that goals had not been established, and that even a self evaluation is difficult without goals or metrics. Additionally, he mentioned that because Ms. Turner had been a Board member for a very short period, this complicates the results.

Mr. Allison stated that he has discussed this at length with the HR Director, and that this year the TA would only be evaluated on standard questions rather than goals. Ms. Turner might wish to abstain, but that it would be her call. Ms. Turner suggested that the Board and the HR Director might want to weight her results, and that during the election process she had spoken to the Ethics Commission and that they had told her not only that she could participate, but that she bears responsibility as a resident to do so. Ms. Turner supports the process as outlined.

Mr. Moody would support weighting the evaluations. Ms. Turner states that when there is a new board there needs to be “a line drawn in the sand” and the new board needs to all participate.

Ms. Turner noted that it's closely related to the next item on the discussion regarding timely reviews.

Mr. Allison reiterates that Mr. Pacheco will do a self-evaluation the week of the 7th. The Select Board will do their evaluations the week of the 14th. Mr. Allison and the HR Director will then compile the results so that they can be presented in a meeting prior to July 1.

Vote taken, Jason A. Allison, Aye, Jay M. Moody, Aye, Alexandra W. Turner, Aye, Vote passed [3-0-0].

4. Discuss a process for ensuring timely review of all employment contracts (Turner / Allison)

Mr. Allison moved that he Town Administrator will notify the Select Board four months in advance of any employment contract notification period. Ms. Turner seconded.

Discussion:

Mr. Pacheco suggested that he create a spreadsheet with all contract expirations shown so that the Board could review on an ongoing basis. Ms. Turner would like this information as part of the Select Board agenda. Additionally, she would like a similar tool created for any and all expirations, such as permits, reappointments, and legal deadlines.

Ms. Turner amended the motion to add all expirations; no second was heard.

Vote taken on original motion, Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

5. Town Administrator to present a proposal on how to manage remote participation post June 15 (Allison / Turner / Moody)

Mr. Pacheco explained that Governor Baker has filed legislation to expand continued allowance for remote participation in meetings. We are working with IT now to be able to offer some form of hybrid model, although hybrid interaction can be difficult. We need to wait on a legislative solution. Ms. Turner would like to see more interactive comment included in meetings.

6. Discussion on how the search committees are going and if we want to continue to use them (Moody)

All three members of the Select Board stated that they are pleased with the way current Search Committees are working and would like to expand this function in the future.

7. Kalon Farm

Mr. Moody brought forth this topic because Kalon Farm is advertising an event on June 19 that would attract thousands of people; he questioned how this sort of event should be licensed.

Mr. Allison recognized the Lancaster Fire Chief Hanson. Chief Hanson stated that this event cannot be held and should be cancelled because of several issues. The owner has been advised in the past about issues with the property and that zoning is not appropriate for events such as this. The owner needs to apply for relief from the Planning Board, but he has not done so.

Mr. Pacheco believes that events like this (a “Princess Run” or “Muddy Princess”) would need a Public Entertainment License from the Select Board, especially because this would not fall under an agricultural exemption. Mr. Pacheco will look into this further.

Building Inspector Tony Zahariadis. stated that the Kalon Farm situation is still in a “holding pattern” having not been to any of the appropriate boards as instructed. Tony Zahariadis. states that this does not fall under the purview of the Select Board, but should be left with the Planning Board, because it’s a straightforward zoning issue, with a business in a residential zone.

Ms. Turner stated that she believes it is important to bring this up to the Select Board because of potential problems that an event like this could cause.

Mr. Moody asked about the process for getting an Entertainment License. Mr. Pacheco explained that even if a property is agriculturally exempt and/or a nonprofit, they would still apply for an entertainment license; an example would be the Bolton Fair.

Ms. Turner asked if Kalon Farms was in Chapter 61, allowing for a reduced tax rate for farms; per Mr. Pacheco, no.

8. Discuss an update to BOS meeting agenda format to include Robert’s Rules for Unfinished Business (Allison / Turner)

- Link: <https://www.dummies.com/careers/business-communication/roberts-rules-unfinished-business-general-orders/>

Mr. Allison moved to update the Select Board agenda format to include Unfinished Business as defined by Robert’s Rules of Order. Ms. Turner seconded the motion.

Discussion:

Mr. Allison went on to explain that this would help to keep track of the status of items like the North Lancaster Settlement Agreement.

Vote taken: Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0].

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| VIII. APPOINTMENTS AND RESIGNATIONS - NONE |
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Resignations:

Memorial School Reuse Committee

Alexandra Turner, effective immediately

Mr. Moody moved to accept the resignation of Alexandra Turner from the Memorial School Reuse Committee, effective immediately. Mr. Allison seconded the motion.

Discussion:

Ms. Turner stated that there has been a great deal of confusion as to whether or not she was really on this committee. She wants the library to have representation on the committee. Her role on the committee was as a representative of the Community Center, so she would like to hold a seat for this.

There was discussion help about the appointment process, including the notification of the person who has been appointed. Mr. Pacheco explained that Mrs. Rocco and the Town Clerk worked on an internal procedure with shared software for appointments. Ms. Turner asked to clarify that all appointees receive a letter from the Select Board's office congratulating the person on their appointment and instructing them to see the Town Clerk to be sworn in.

Vote taken, Jason A. Allison vote No, Jay M. Moody vote No, Alexandra W. Turner vote No, Motion failed [0-3-0].

It was determined that Ms. Turner will continue to represent the Community Center on the Memorial School Reuse Committee until another Community Center representative is found.

Appointments:

Economic Development Committee:

To be considered as member: Glenn E. Fratto, 300 Red Tail Way

Mr. Allison asked Mr. Pacheco if the process had been followed for this appointment. Mr. Pacheco said yes, but that they have not heard back from the Chairman of the committee. Mr. Allison stated that hearing back is not necessarily part of the process, but that he had spoken to Phil Eugene, Chair of the Economic Development Committee, and that Mr. Eugene was impressed with the applicant's resume. Mr. Pacheco clarified that this appointment is for a one year term.

Ms. Turner moved to appoint Glenn E. Fratto to the Economic Development Committee for a term of one year. Mr. Moody seconded.

Discussion:

Mr. Allison questioned why the appointment had taken several weeks. Mr. Pacheco stated that he wasn't sure but that the email may have gone somewhere other than the Select Board office.

Ms. Turner would like to see people who are volunteering for a board appear before the Select Board so that the Board could make sure that the applicant understands expectations and the Board has an opportunity to ask them questions.

Vote taken, Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

Memorial School Reuse Committee:

Historical Commission Appointee – Mark Schyver

Historical Committee Appointee Alternate – Heather Lennon

Resident – Cynthia Lefebvre, 134 Packard Street

Mr. Allison asked Mr. Pacheco to supply the terms for the above-listed applicants. Mr. Pacheco stated that the terms for committee members representing other committees or entities has not been defined.

Additionally, Mr. Pacheco noted a change to the agenda; Heather Lennon should be appointed as Historical Commission Appointee and Mark Schyver should be appointed as the alternate. Mr. Allison asked about the term for applicant Cynthia Lefebvre; Mr. Pacheco stated that the Board would be unable to appoint Ms. Lefebvre, because since Ms. Turner has not resigned, there is no longer an opening.

Mr. Pacheco explained that when the committee had been formed it was designed to include seven members and did not have a member specifically filling a slot representing the LCC, although the Library and the Historical Commission are represented.

More discussion ensued about the make up of this committee; all abutting property owners had been sent a postcard to see if they were interested in serving.

Ms. Turner noted that she did not know how many people there are in this committee and what the terms are.

Mr. Allison suggested that the Select Board go ahead and appoint the representative(s) from the Historic Commission and ask Mr. Pacheco to clean up the member list to determine ongoing appointments. Ms. Turner suggested expanding the size of the committee to nine.

Mr. Moody moved to increase the size of the Memorial School Reuse Committee to nine. Ms. Turner seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

Ms. Turner made a motion to appoint Heather Lennon as Historical Commission Representative and Mark Schyver as Alternate Historical Commission Representative with terms to be determined; Cynthia Lefebvre as a member of the Memorial School Reuse Committee, one year term. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0].

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| IX. LICENSES AND PERMITS - NONE |
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1. Renewal Class II License – Modena Motor Group – Vote May be taken

Ms. Turner stated that the backup materials that she received answered all her questions. She then asked Mr. Pacheco to explain why some paperwork says that the applicant is a sole proprietor and other says bid partnership. Mr. Pacheco explained.

Mr. Moody moved to renew the Class II license for Modena Motor Group. Ms. Turner seconded the motion. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0].

2. Use of Town Green/Gazebo request: Thayer Memorial Library Summer Concert Series to be held on Wednesday s from 5pm-8pm on the following dates:

- June 30th , July 7th , July 14th , July 21st , and July 28th

Mr. Moody moved to approve the request from the Thayer Memorial Library for the Summer Concert Series on June 30, July 7, July 14, July 21, and July 28, 2021, 5:00 p.m. to 8:00 p.m. Ms. Turner seconded.

Discussion:

Mr. Allison asked Mr. Pacheco to add Gazebo ADA Accessibillity to Unfinished Business.

Chairman Allison recognized Linnea Lakin who wanted to make sure that ADA compliance was “in full force” before any events were scheduled.

Vote taken, Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

3. Use of Town Green/Gazebo request; Thayer Memorial Library Wingmaster’s Live Raptor Program from 1pm-2pm

Ms. Turner moved to approve the request from the Thayer Memorial Library for the Wingmaster’s Live Raptor Program on July 29, 1:00 p.m. to 2:00 p.m. Mr. Allison seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

4. Use of Town Green/Gazebo request: Thayer Memorial Library Animal Adventures Live Animal Program to be held on Wednesday August 11th from 6pm-7pm.

Ms. Lakin asked to finish her previous comment. She stated that she understands that the Select Board does not wish to discuss the accessibility of the gazebo right now, but that she thinks it is a paradox to schedule events without completing accessibility.

Ms. Turner moved to approve the request from the Thayer Memorial Library for the Animal Adventures Live Program on August 11, 6:00 p.m. to 7:00 p.m. Mr. Allison

seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

Mr. Allison recognized resident George Frantz who suggested that while ADA accessibility is important, since only performers would be impacted by ADA accessibility to the gazebo, that it would be of less concern than if the audience needed accessibility. Ms. Lakin disagreed, stating that this was against ADA rules.

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

Mr. Moody noted that the flagpole and flag were up.

Ms. Turner noted the upcoming Memorial Day ceremonies. She also noted that the Lancaster Community Center's 10th anniversary will be on June 29 and explained the many activities to be held.

Ms. Turner wanted to include for a future agenda discussion of the current liaison system. She also wanted to note that the Commonwealth's state of emergency is over as of June 15, and wanted to know plans for opening town buildings.

Mr. Pacheco stated that in his discussions with the Board of Health, they want to continue to do appointment only, pending younger children being vaccinated. However, we probably do not have a choice as of June 15.

Town of Lancaster: That they wanted us to continue to do appointment only, I think, as they were getting through sort of the younger kids getting vaccinated now my only response to that which I think he acknowledges that now come June 15 I think we don't really have a choice.

Ms. Turner stated that she has read that Lancaster has received \$2.3 million in COVID-19 funding. She would like to discuss a comprehensive plan as to how this will be budgeted and spent. She would like this on the next meeting's agenda, and would like to know how the \$270K spent this far has been used. Mr. Pacheco cautioned that the federal government has not yet released guidelines as to how this money can be spent.

Mr. Allison noted that he would like to try to contain public comment to the public comment section of the agenda; he stressed that while participation is encouraged, Select Board meetings that go four hours in length are not sustainable.

Mr. Allison recognized resident Greg Jackson who wanted to discuss the Town's policy on opening buildings, masks, hand sanitizers. Mr. Pacheco stated that right now the intent is to resume business as usual on June 15 unless some other order compelled different action. Mr. Allison asked Mr. Pacheco to address concerns on this topic at the next Select Board meeting.

Ms. Turner asked Mr. Pacheco to clarify the number of charging stations that are being discussed. He explained that the discussion is a “not to exceed” number, but that it is most likely five chargers which would accommodate ten cars.

Alix Turner: One quick little thing I know you got to where we need that motion to adjourn for sure, but just as I was looking at the last things in my pack Orlando a quick question the national grid packet that was before us for the church or asked for 10 chargers the letter from May 17.

Recreation Director Andrea Shepard thanked the Board for approving the town wide yard sale and for their support for everything that the Recreation Commission is trying to do to improve the Town Beach. She also thanked community members and Mr. Pacheco.

XI. COMMUNICATIONS

- Next BOS Meeting will be held on June 2, 2021 at 6:00 pm via ZOOM
- Town Offices will be closed on Monday, May 31, 2021 in observance of Memorial Day.
- Special Town Meeting and Annual Town Meeting will be held on Monday, June 21, 2021 beginning at 7:00pm, located at the Bolton Fairgrounds, 318 Seven Bridge Road.

XII. ADJOURNMENT

Select Board member Jay Moody offered a motion to adjourn the meeting at 8:08pm; seconded by Mr. Allison. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. [3-0-0]

Respectfully submitted

Kathleen Rocco
Executive Assistant

APPROVED

Jay M. Moody Clerk
Approved and accepted: August 2, 2021