



LANCASTER SELECT BOARD
Regular Meeting via ZOOM™
Wednesday, September 8, 2021 6:00 P.M.

I. CALL TO ORDER

Chairman Jason Allison called the meeting to Order at 6:00 P.M. via Zoom. He noted that the meeting was being recorded.

<https://us02web.zoom.us/j/82752443922>

Meeting ID: 827 5244 3922

Roll call was taken, Alexandra W. Turner, present, Jay Moody, present, Jason Allison present. Also present were Town Administrator Orlando Pacheco.

II. PUBLIC COMMENT PERIOD

6:00 P.M. – 6:10 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 read the following into the Minutes:

Dear Selectboard members with copy to Planning Board and Conservation Commission,

I am making a formal public request that the Select Board expedite the 2017 Settlement to either investigate if a settlement breach is happening or if there is a specific reason for its delay. It is 4 years next month. The posted Select Board agendas for several months now lists the same ambiguous status.

I am also formally requesting that the Select Board make a decision one way or another on its position with respect to 702 LLC's claim that the parcels for trade referenced in the 2017 settlement agreement are also to be credited towards open space set aside for this current Capital Commerce Center project on Lunenburg and McGovern Roads. In response to the normal MEPA public comment process, the developer's engineering firm, Bohler Engineering, sent me a copy of Attorney Thomas Bovenzi's letter to the MEPA analyst, Purvi Patel, appearing to state the Town of Lancaster's position on its behalf that the 2017 Settlement Land was sanctioned by the Town to serve as open space set aside for the Capital Commerce Center project filed with MEPA. I have sent you copies of this letter previously. Thank you.

Sincerely,
Cara Sanford. Speaking opinion as private Lancaster citizen

Dear Select Board Members,

Please see appended comments below regarding North Lancaster Land Use Agreement sent to the Board over a year ago. The response received from the Town Administrator on 8/13/20 indicated that discussions were under way to resolve this, but that it was the responsibility of the Select Board to execute the Agreement.

At that time, Mr. Pacheco confirmed that the Town had been paid and that North Lancaster, LLC had received the land they were promised. He indicated that a deeds for the Town's parcels were being prepared and reviewed by Town Counsel. A year has passed, but the Agreement has still not been completed.

Almost four years have passed since the Select Board approved the Agreement. The Town has not received the parcels it was promised and the Conservation Commission has not received reimbursement for expenses that was agreed to.

Again, I would suggest answering the following questions:

- 1) Who is responsible for executing the Agreement?
- 2) What actions must be taken to complete the Agreement?
- 3) What is the schedule for completion of these actions?

I would ask that the Town Counsel, who was paid to draft the terms of the Agreement, be asked to attend the next Select Board meeting to resolve these issues. I would appreciate your timely resolution of this matter.

Sincerely,
Greg Jackson -- Resident
Lancaster, MA

III. APPROVAL OF MEETING MINUTES

Review and take action on Regular Meeting Minutes August 16, 2021. - **Tabled**

IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS

6:10 PM. NOTICE OF PUBLIC HEARING PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

Under the provisions of Chapter 166, Section 22 of the General Laws, and any additions thereto or amendments thereof, a Public Hearing is scheduled for Wednesday at 6:10 pm on September 8, 2021 **via ZOOM** to consider a petition submitted by National Grid and Verizon New England, Inc.,

requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Lunenburg Road – National Grid to install 1 JO Pole on Lunenburg Road beginning at a point approximately 13 feet northwest of the centerline of the intersection of Laurel Hill Road/Lunenburg Road. New residential development being fed from new riser pole 9-5. LANCASTER SELECT BOARD

Discussion:

Mr. Greg Jackson asked if there were going to be trees removed and if so, has the Tree Warden been notified.

The National Grid Representative stated there are no requests for removal of trees.

Mr. Moody made the Motion to close the Public Hearing at 6:22pm. Ms. Turner Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Amendment passed. [3-0-0]

Ms. Turner made the Motion to grant permission to install JO (Jointly owned) pole on Lunenburg Road. Mr. Moody Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Amendment passed. [3-0-0]

V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS

- **Recreation Commission – Discussion on Recreation Director Vacancy**

Recreation member Win Clark stated that their Recreation Director has resigned last month and is strongly advocating to have that job posted as soon as possible. He explained that the Recreation Director is needed as the programs have expanded significantly, pointing to the Thayer Memorial Park Renovation, tech programs and art programs. He further stated that with the Community Preservation Act, they were poised for another level of growth. Recreation Commission member Michelle Currier stated that they have expanded many programs for the Town and would like to continue to build these programs up.

Ms. Turner noted that the Recreation Director position is budgeted for and the Finance Committee should get involved. She suggested that the HR Director sit down with Recreation Commission and have her manage the job description for Recreation Director. She commented that this would be a good opportunity and supports this has a whole.

Mr. Clark stated that they would like to revisit the job description and would want to narrow down the highest priorities and with the help from the HR Director, it would be appreciated.

Mr. Moody inquired about the finances and amount of money brought in from the Recreation. He noted that many of the programs suffered due to Covid.

Mr. Allison stated that he is an advocate of the Recreation Commission, and he will do

whatever he can to grow the Recreation Commission.

Mr. Clark pointed out that income coming in is not their goal, but improvement of quality of life is.

VI. TOWN ADMINISTRATOR REPORT

Town Administrator Orlando Pacheco will update the Select Board on the following:

- **Legal Services Request for Proposals (RFP)**

Mr. Pacheco reported that the RFP for Legal Services has been sent to a list of law firms provided by Human Resources, as well as advertised in the Goods and Services Bulletin, the MMA (Massachusetts Municipal Association) Beacon, and on the Town website. Responses are due back 11/8/2021 at 4 pm.

- **Other Post Employee Benefits (OPEB) Returns**

The Town has now earned over \$1 million in income from the OPEB Trust Fund, with investments from the Public Reserves Investment Trust (PRT) fund. The Town itself has contributed \$1,942,838. The current OPEB Trust value is \$3,048,145 as of June 30, 2021.

- **Potential Special Town Meeting Warrant Articles**

With the Board looking to have a Special Town Meeting (STM) in October, Mr. Pacheco has compiled a preliminary list of potential articles for inclusion in the Warrant.

1. Police Chief removal from Civil Service
2. NGRID Easement for Electric Vehicle Charging Stations
3. Potential zoning change (North Lancaster)
4. Lunenburg Road discontinuance
5. Capital item(s):
 - a. Water Meters (DPW) \$250,000
 - b. Cemetery tree cutting (Historical Commission) \$15,000
 - c. MRE/LBMS Boiler (NRSD) \$100,000

- **Vaccination Clinics**

The Board of Health has scheduled vaccination clinics on September 13, 14, October 4, 5, and 13. All those in need of a vaccination are encouraged to attend.

- **Cultural Council Appointments**

The Lancaster Cultural Council currently has three members which is insufficient to be able to vote to allocate funds under the Massachusetts Cultural Council. The Town must have a minimum of five members to be able to vote and approve requests and we should expand the recruitment efforts. Applicants are limited to two (2) three (3) year terms.

- **OpenGov Software Platform**

Mr. Pacheco reported that we have received permission through CARES to implement the OPENGOV software platform. This is part of the Goals and Objectives to make information more easily accessible to residents. The budgeting and financial module we are utilizing will make data easier to access and understandable for residents not directly involved with municipal finance. It will also provide a more clear and transparent way to get information, without having to go through the town staff. The one-time conversion cost is \$56,000. We expect to have a “draft” ready for deployment by 12/31/21.

- **American Rescue Plan Act (ARPA) of 2021**

As part of the potential ARPA (American Rescue Plan Act of 2021) one of the funding categories is Water Infrastructure (along with sewer and broadband). In working with the DPW they have prepared a list of water line main replacements. This is not a prioritized list since the amount of line replacement would depend on funds allocated.

VII. ADMINISTRATION, BUDGET, AND POLICY
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1. **Discussion on Lancaster Economic Planning (Allison)**

- a) Lancaster Master Plan Implementation
https://www.ci.lancaster.ma.us/sites/g/files/vyhlf4586/f/uploads/plan_implementation_element_vix.pdf
- b) Lancaster Economic Develop Plan (Allison)
https://www.ci.lancaster.ma.us/sites/g/files/vyhlf4586/f/uploads/economic_development_plan.pdf

Mr. Allison gave an overview on the Lancaster Master Plan Implementation and Lancaster Economic Develop Plan. *(Please see attached)* Mr. Allison noted that the town is at an economic crossroad and it is critical that North Lancaster and the Route 2 corridor is developed. He further noted that the Town may be losing \$50 Million a year due to the lack of economic development. He spoke about the plan for North Lancaster and the 40R on Capital Group property which covers deficiencies of the types of business and improvements needed by the town to create revenue. Mr. Allison stated that there needs to be a focus in figuring out North Lancaster and pointed to the importance of the Economic Development Committee. He further stated that he would want to change up the appointed boards and committees if people deviate from advancing economic development in the Lancaster. Ms. Turner stated that Conservation Commission were also involved in the land use and while the Economic Development Committee is currently focused on Capital Group, they should be looking at the whole town including South Lancaster.

2. **Open Meeting Law support request (Allison)**

Mr. Allison would like a subject matter expert on Open Meeting Law to work with the Select Board to ensure that they are in compliance. Ms. Turner noted that this is part of Mr.

Pacheco's role; she also notes that in the past she has called the Secretary of State's office or Town Counsel if she had questions. Mr. Pacheco cautioned the Board that they are responsible for their individual behaviors, although he certainly will advise as asked. Mr. Allison noted that he needs Mr. Pacheco to come forward if he sees any action that is non-compliant. It was noted that in addition to the seminar recently presented to Town boards and committees, the Attorney General's office offers seminars several times annually.

3. Discussion on Select Board meeting minute generation (Moody)

Mr. Moody stated that he thinks that Mrs. Rocco should be present at every meeting to take minutes; Ms. Turner concurred. Mr. Allison stated that he thinks that the expectation should be that minutes are taken; there may be problems with Zoom, and that he thinks that it is up to Mr. Pacheco to make sure that minutes are taken. Mr. Moody thinks that the Executive Assistant needs to take minutes at every meeting. Ms. Turner expressed concern because at a recent meeting Zoom did not record minutes. Mr. Allison agreed that the expectation should be that minutes are done and that it is up to Mr. Pacheco to make it happen. Mr. Pacheco explained that while minutes are legal documents, recordings are not, and he wanted to make sure that the perception was that any issue with recording was a rare occurrence.

4. Senior Work-off Application with back up. (Moody)

Mr. Moody questioned recent paperwork received from Mr. Pacheco; his belief was that the Select Board had recently approved the application for the Senior Work-off Program but not other paperwork. Ms. Turner stated that there were some errors, or compliance issues, with the new form, and that there should not be an "asset test." Mr. Allison recalls that the Board agreed to adopt whatever the Town of Shirley had. Mr. Pacheco explained that Lancaster's regulations do not match the Shirley form; while Lancaster is adhering to the newly adopted form, the regulations do not match. Ms. Turner would like to remove restrictive regulations. Mr. Pacheco explained that the regulations, such as income limits, could be regulated, but that the Select Board had not done so, and he had provided paperwork to explain this to the Board. Mr. Moody moved to remove Lancaster's regulation, adopting Shirley's form only. Ms. Turner seconded. Mr. Allison asked Mr. Pacheco to explain the impact of deleting the regulations. Ms. Turner would prefer that the term guidelines was used instead of regulations and believes that the current regulations/guidelines are onerous. Ms. Turner would like to amend the presented motion to keep the form, but for Mr. Moody to work with Nicole of the Council on Aging to determine if the regulations/guidelines should be abolished or amended. Mr. Allison seconded.

Select Board member Ms. Turner offered a motion to amend the motion to keep the form adopted from the Town of Shirley but for Mr. Moody to work with the Council on Aging to determine if the current regulations/guidelines should be abolished or amended; seconded by Mr. Allison. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. [3-0-0]

Returning to the original (now amended) motion, Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. [3-0-0]

5. Change the date of Town Meeting. (Moody)

Mr. Moody stated that this had been covered earlier in the meeting. Ms. Turner asked if anything was time-critical for the Fall Town Meeting. Mr. Pacheco stated that if the easement for National Grid was not completed by Thanksgiving that it could carry over until next year, and that if the Police Chief moving from Civil Service was dealt with it would be a good thing. Mr. Allison stated that he does not want any Board to hold up the process but that the date does not have to be set in stone right now. It was agreed that Mr. Pacheco will provide some financial impact numbers for the next meeting. Mr. Allison stated that outreach will be important for this Special Town Meeting.

6. Select Board's role in the Coronavirus Aid, Relief and Economic Security (CARES) Act and the full accounting of all spending and reimbursements (Moody & Turner)

Ms. Turner stated that she thinks that this topic was covered earlier. She went on to state that this is an important topic; Mr. Moody concurred. Mr. Turner would like to form an ARPA Advisory Committee to monitor and approve spending.

7. Discussion on Vaccine Mandates (Turner)

Ms. Turner would like a Town mandate, ensuring that all Town employees have received the COVID vaccine. She went on to talk about the business impact to Lancaster if there is no impact, and that insurance costs may rise in towns without a mandate. Mr. Moody suggested weekly testing as an adjunct to vaccination. Mr. Allison would like to hear a motion rather than sharing his opinion before a motion is offered.

Ms. Turner asked Mr. Pacheco how many town employees are not vaccinated; Mr. Pacheco stated four. Ms. Turner moved to mandate COVID vaccines to all town employees, with the exception of employees with religious or health reasons; employees who do not wish to comply are subject to weekly testing on their own time and at their own expense.

Discussion: Mr. Allison stated that in his opinion the Board of Health needs to be involved in this decision. It was agreed that the Select Board needs to understand the ramification of a mandate and that the Board needs to act concurrently with the Board of Health.

Vote taken on previously presented motion; Jason A. Allison No; Jay Moody, Abstain; Alexandra W. Turner Aye. Voted failed for lack of majority. [1-1-1].

Mr. Allison asked Mr. Pacheco to explain the protocol for the Select Board to ask other boards to attend a Select Board meeting; Mr. Pacheco explained that the Select Board could invite independently elected Boards to meet jointly, but that other boards would attend as a professional courtesy rather than as a requirement.

Mr. Allison moved to allow Ms. Turner to formally invite the Board of Health to a joint upcoming meeting. Mr. Moody seconded. Vote taken, Jason A. Allison, Aye; Jay Moody, Aye, Alexandra W. Turner, Aye. Motion passed, [3-0-0].

VIII. APPOINTMENTS AND RESIGNATIONS

Appointments

Personnel Board – Staggered terms of three years

- Jean Bean
- Jay Riley
- Denise Hurley
- Stan Starr

Mr. Allison stated that he would entertain a motion to appoint the above listed individuals. Ms. Turner noted that at the Select Board meeting of August 2, Ms. Bean's application had been received, and that Mr. Moody had contacted individuals on the street listing who might be likely candidates; Ms. Turner's recollection is that the deadline for applications was second meeting in September. Mr. Moody stated that he has had several conversations with the HR (Human Resources) Director, and that the HR Director told him that applicants should have a background in HR. Mr. Allison stated that he had listened to the tape of the 8/2/21 meeting, and that his belief was that appointments would happen at tonight's meeting. Ms. Turner stated that she has notes from the 8/2/22 meeting, and that she disagrees. Ms. Turner states that she has spoken extensively with the HR Director. She states that the HR Director believes that there are flaws in the Bylaw that creates and defines the Personnel Board and that a Board should not be formed and convened prior to correction of the Bylaw at a Town Meeting or Special Town Meeting. Ms. Turner stated that this is similar information as to what she conveyed to the Recreation Committee at their meeting last night. Mr. Pacheco stated that based on his meetings with Ms. Charton, HR Director, that she needs to articulate the specific issues with the current Personnel Bylaw prior to action by the Select Board; Mr. Pacheco suggests that since he and the members of the Select Board seem to have different interpretations of conversations with the HR Director, the Board needs to meet as a whole with Ms. Charton to clarify outstanding issues. No action was taken on this topic.

Finalize Principal Assessor Appointment

At Mr. Allison's request, Mr. Pacheco reported that he has met with the Union and the HR Director, Sandi Charton. The HR Director prepared a memo to the Select Board, included in tonight's packet, allowing Ms. Williams to be appointed as Principal Assessor at Step 2, with a move to Step 3 effective July 1, 2022. The Board would make a good faith effort to adopt the State statute allowing for advancement upon certification (similar to statutes in place for the Treasurer/Collector and the Town Clerk, dependent on Town Meeting approval), for additional compensation of up to 10%, not to exceed \$1,000 annually. The agreement states that the Principal Assessor would be certified within eighteen (18) months to receive this additional pay. Mr. Pacheco, at Mr. Allison's request, reviewed the definition of certification. Mr. Allison asked if there were additional requirements for the Principal Assessor to complete continuing education requirements; no per Mr. Pacheco. Ms. Turner questioned the job description based on confusion at prior meetings; she also questioned the

consequences if the Principal Assessor fails to meet certification goals. Mr. Pacheco reiterated that Town Meeting action would be incumbent on attaining certification, and that certification does not change grade or step, but authorizes an additional \$1,000 annually. Mr. Pacheco will add this item to the list of potential articles for a Special Town Meeting.

Ms. Turner moved appoint Bobbi Jo Williams as Principal Assessor effective September 13, 2021. Seconded by Mr. Moody.

Discussion: Ms. Turner noted that she would like clarification as to what happens if Ms. Williams fails to become certified; Mr. Pacheco explained that she would not receive the additional compensation.

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

Mr. Allison thanked Ms. Williams and welcomed her to her new position on behalf of the Select Board.

Select Board Finance Liaison - to be determined

Mr. Pacheco noted the Finance Committee has this item on their next meeting agenda. Mr. Allison suggested that Mr. Moody might want to take on this position due to his role approving warrants, or that Ms. Turner might be interested due to her role working with CARES money, or that he might be interested due to his interest in long-term planning.

Mr. Allison moved to appoint Mr. Moody as the Select Board's liaison to the Finance Committee. Ms. Turner seconded the motion but wanted to note that there should be a scheduled agenda item whereupon this individual reported back to the Select Board on a regularly scheduled basis. Ms. Turner had additional questions as to how Open Meeting Law would impact this position. Mr. Pacheco explained that it is important to recognize that Select Board members cannot speak solely as individuals, but that they must recognize their status as Board members. Vote taken. Jason A. Allison, Aye, Jay A. Moody, abstain, Alexandra W. Turner, Aye. Motion passed [2-0-1].

Select Board Personnel Liaison – to be determined

Mr. Allison suggested that this item be tabled; the Select Board concurred. No action taken.

Massachusetts Bay Transportation Authority (MBTA) Advisory Board – to be determined

Mr. Pacheco reported that after reaching out to Boards and Committees; no response was received. Ms. Turner stated that she would be willing to take on this role because in her role as Council on Aging Director she currently works with the Montachusett Regional Committee.

Mr. Allison moved to appoint Alexandra Turner as Select Board Liaison to the MBTA Advisory Board; Mr. Moody seconded. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

Re-Appointments

Memorial Day Committee – Term of Office is One Year per Town Bylaw, term to expire 6/30/2022

- Barbara Foster
- Donna Sanginario
- Karen Shaw
- Ann Fuller
- Jennifer Lapen
- Alphonse Russo

Mr. Moody moved to appoint the above referenced persons to the Memorial Day Committee, term to expire 6/30/2022. Seconded. Ms. Turner noted that Mr. Russo no longer lives in Lancaster. It was verified that the Memorial Day Committee, by definition, has no residence requirement. It was determined that the other applicants should be appointed with Mr. Russo omitted in the short term. Mr. Moody re-submitted the motion without Mr. Russo's name. Ms. Turner seconded. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

Resignations (Vote may be taken)

Economic Development Committee – Mark Grasso, effective 9/8/2021.

Ms. Turner moved to accept Mr. Grasso's resignation; seconded by Mr. Moody. The Select Board thanked Mr. Grasso for his service. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

IX. LICENSES AND PERMITS

Special (One Day) Liquor License Applications:

Event- Bicycles Battling Cancer Cycling Fundraiser to be held on September 25, 2021 from 7am-4pm at 132 Fort Pond Inn Road, Lancaster. Organization – American Cancer Society, Inc.

Ms. Turner asked if this involved the Police Department or road closures or notification to the neighborhood. Mr. Pacheco explained that this falls under the purview of the Police Department. Chief Moody explained further and explained that there are no requirements for road closures. Ms. Turner asked if police details were required; Chief Moody answered that this is typically donated by the police department.

Motion made by Mr. Moody to accept above mentioned application; seconded. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

Event – 45th Annual Horseshed Fair to be held on October 2, 2021 at the First Church of Christ grounds, Main Street. Organization – First Church of Christ, Unitarian.

Ms. Turner had a variety of questions regarding the liquor application; it was clarified that this event is on church property, not on the Town Green.

Motion made by Mr. Moody to accept above mentioned application; seconded. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

Rental Applications - Use of Town Owned Building & Town Green

Event – Tree Lighting and Gazebo will be decorated to be held on December 5, 2021 from 6:30pm-8pm. Organization – Lancaster 4H

Motion made by Mr. Moody to accept above mentioned application; seconded. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

Event – Easter Egg Hunt on the Town Green to be held on April 10, 2022 from 7:30am-9:30pm. Organization – Lancaster 4H

Motion made by Mr. Moody to accept above mentioned application; seconded. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

Event – Friends of Thayer Memorial Library Annual Book Sale to be held on Wednesday, September 29, 2021 -Wednesday, October 13, 2021 at the Town Hall Auditorium. Organization – Friends of Thayer Memorial Library

Motion made by Mr. Moody to accept above mentioned application; seconded. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

Event – 10th Anniversary party for the Lancaster Community Center to be held on Saturday, September 18, 2021 (rain date September 19th) from 3-6pm on the Town Green. Organization – Lancaster Community Center

Motion made by Mr. Moody to accept above mentioned application; seconded by Mr. Allison. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Abstain. Motion passed [2-0-1].

Event – The Beauty Around Us to be held in the Town Hall Auditorium from November 9, 2021 – November 22, 2021. Organization – Lancaster Community Center and Council on Aging. Ms. Turner, speaking on behalf of the Lancaster Community Center, explained that this function is funded through a grant from the Lancaster Cultural Council.

Motion made by Mr. Moody to accept above mentioned application; seconded by Mr. Allison. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Abstain. Motion passed [2-0-1].

Application to Erect Temporary Banner Along or Across a Public Way

Friends of Thayer Memorial Library request to place two banners facing traffic each way on the Town Green for Friends Annual Book Sale. To be displayed from September 18, 2021 – October 12, 2021. Mr. Moody questioned the statement “along or across.” Susan Munyon, member of the

of the Friends of the Thayer Memorial Library explained that it is in the same place as it has been in past years. Mr. Moody objects to any signage on the Town Green. Ms. Turner suggests moving the location to in front of the “Town of Lancaster” sign or by the South Lancaster Green. In past years it has been hung next to the Town Green. There was some suggestion that one tree that currently held the banner is now gone. Ms. Turner suggested approving the application for other Town-owned property.

Motion made by Mr. Moody to accept above mentioned application for town-owned property other than the Town Green; seconded. Vote taken. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. Motion passed [3-0-0].

X. OTHER/UNFINISHED BUSINESS

- **Annual Town Report**

Town Clerk to start compiling reports/work with departments. Mr. Pacheco anticipates completion end of calendar year.

- **Code of Conduct Policy**

Comments received from Public are on file with Select Board’s office. Mr. Pacheco will forward said comments to the Select Board for their review at an upcoming meeting.

- **Evaluation of Town of Lancaster Website/Communication Committee**

No action taken; Mr. Pacheco notes that it is posted on the website. Mr. Allison asked Ms. Turner if this action item could be closed; Ms. Turner would like a call for members to be in newspapers; Mr. Allison asked that existing policy be followed.

- **North Lancaster Settlement**

In process of setting up closing date/transfer of title. Mr. Pacheco states that we have everything needed by the Town to complete this action; we need an Assignment and Assumption Agreement from Capital Group. He has reached out to Bill Dipietri who will get back to him on this. If this cannot be turned around quickly, Mr. Pacheco states he will work with Capital Group to have this resolved quickly. If it cannot be turned around soon, Mr. Pacheco will request an explanation as to why, and the Town will need to engage Counsel in a different manner.

- **DCAMM Land Sale Partnership**

Select Board member Alix Turner to discuss site walk scheduled with DCAMM/Meeting Scheduled for 9/29/21. Ms. Turner reports that the site walk has happened and that it was interesting and beneficial. She will work with Ms. Rocco to schedule a dedicated meeting for the evening of 9/29. Mr. Pacheco will arrange to have this meeting posted immediately.

- **Aggregation**

Waiting for Select Board to advise on percentage of additional renewables, if any. Solicit new pricing after decision made. Ms. Turner states that she thought that the Energy Commission was waiting for some things and the Nashoba Climate Coalition was also waiting for information. Mr. Pacheco is unaware of materials they need, but knows that

these groups would like another meeting in conjunction with Colonial. Mr. Pacheco cautioned the Select Board that all options are difficult now because of the time that has elapsed; Colonial tells Mr. Pacheco that the cost of energy is up over 10%. Mr. Pacheco will make sure that Colonial is at the next Energy Commission meeting, which should happen within the next week or so.

- **Gazebo Ramp**

Mr. Pacheco reports that *materials have been ordered*, and that the goal is to have this completed in time for Halloween on the Green. Ms. Turner asked if there is a permanent path to the gazebo; Mr. Pacheco explained that there is no permanent path but that there will be an ADA compliant removable mat.

- **Department Assistant for Community Development & Planning (CDP)**

Temp. help is being solicited/Select Board to take action on new position and determine hours.

Mr. Allison states he has spoken to the person in the office and that the current temp is working out well. No long term solution has been finalized; Mr. Pacheco has provided a memo to the Select Board. Ms. Turner states that Mr. Pacheco was to solicit temporary help and that the Finance Committee would need to be involved with the creation of a permanent position. Mr. Moody expresses concern that a Building Commissioner and a Planner need to be hired. Mr. Pacheco states that Senior Tax Work-off staff has been helpful, and that a permanent solution is needed, and that there is no one to staff the office in case of vacation or sick time. Ms. Turner would like to look at solutions in other towns and their models. Mr. Allison states that he would like to fill this role. Mr. Moody would like to wait until other positions are filled. Mr. Pacheco states that a regulatory position cannot be filled with temps. Ms. Turner states that needs more information on financial impacts; Mr. Pacheco replies that he has provided all this information some time ago, and that the position requested would support the Zoning Board of Appeals and the Board of Health, allowing the existing person in the office to focus on Planning. Discussion was held about comparing workflow versus comparing compensation. Mr. Allison requests that this is an agenda item for the next meeting and that Ms. Turner is provided with her requested information.

- **Town Counsel Request for Proposal (RFP)**

Advertised as of 9/1/2021.

This has been completed; responses are requested by November 8, 2021 at 4:00 pm.

- **Review Renewal of Special Permit to Remove Earth Products for LLEC**

Site walk and new well and confirm accurate zoning and a letter of credit in lieu of a bond.

A site inspection was held with the Board of Health on September 7, 2021. A draft permit is ready for the Board's approval.

Ms. Turner moved to approve a permit to remove earth products, according to the application for Jim Simpson, LLEC, from August 20, 2020 to August 20, 2022. Seconded.

Discussion:

Ms. Turner reports that she has spoken to the applicant about removing native soil in accordance with Town Bylaws. Mr. Pacheco notes that the Town will need a copy of the applicant's new bond on October 1, 2020. Mr. Allison amended the prior motion to stipulate that the bond requirement must be adhered to and that the native soil remains.

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

- **Status Barrett Planning Group**

Planning Board is requesting \$8000 be placed back in their revolving account.

Mr. Pacheco has provided the Select Board with a memo; correspondence is also attached. Mr. Pacheco states there is no reason to deny vendor payment unless the Planning Board can demonstrate that the vendor has failed to meet the terms of the contract. Mr. Pacheco recommends a reserve fund transfer; this would be up to the discretion of the Finance Committee. Ms. Turner states that Mr. Williston, Planning Board Chair, had asked that his letter be read into the record. Mr. Allison states that he is aware that there is a difference of opinion between the Select Board and the Planning Board, but that there is no action for the Select Board to take. Ms. Turner thinks that the subject deserves further discussion because it appears that the situation was handled inappropriately by the Select Board. Mr. Allison requests that the item be placed on a future agenda if Ms. Turner would like to continue the conversation.

- **Audit Services**

Powers & Sullivan is under contract for the FY22 Audit.

Ms. Turner would like to solicit bids for Audit Services and to create an agenda item establishing an Audit Committee.

- **0 Hardy Street**

No objections (few responses) from Boards and Committees. Value has been re-adjusted to \$1,100.00.

Property was listed as buildable but is a non-buildable land locked parcel. Mr. Pacheco has met with the Assessors and explained that he needs a "refreshed" value to move forward. The Assessors have re-valued the property at \$1,100.00. Some discussion has been held as to whether or not, dating to the 1920's, that this parcel may have been a right-of-way. Mr. Pacheco states that some additional deed work should be done to make sure the Town is getting full and fair value.

- **Special Town Meeting**

Tentative date Monday, October 4, 2021, pending feedback for other Boards and Committees.

Mr. Allison would like to close this action item because it will be managed differently.

XI. NEW BUSINESS

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

XII. COMMUNICATIONS

- COVID Coordinator Update – Tracy Gagnon
Vaccination rate is now up to 51%; still below the Commonwealth's average rate of 67.1%. There are currently 16 active COVID cases spread through 14 residences. Mr. Allison asked for clarification as to whether or not this number includes the prison.
- Notification and Reminder to Stakeholders on Military Munitions within former Fort Devens. Two additional unexploded munitions have been discovered while doing sitework for the Commonwealth Fusion facility; provided to the Town of Lancaster for informational purposes.
- Select Board's next regular meeting will be held via Zoom on Monday, September 20, 2021 at 6:00pm

XIII. ADJOURNMENT

Seeing no further business, on Motion and Seconded to adjourn at 10:00PM, it was unanimously voted.

Respectfully submitted

Jay M. Moody Clerk
Approved and accepted: 9/20/2021