

**APPROVED**



**LANCASTER SELECT BOARD  
Regular Meeting Minutes  
Of August 16, 2021**

**I. CALL TO ORDER**

Chairman Jason A. Allison called the Regular Meeting of the Board of Selectmen to Order at 6:00 P.M. via ZOOM™. Present were Select Board members Jay M. Moody, and Alexandra W. Turner and Town Administrator Orlando Pacheco.

Join Zoom Meeting

<https://us02web.zoom.us/j/85750090755>

Meeting ID: 857 5009 0755

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**II. PUBLIC COMMENT PERIOD**

6:00 P.M.      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*

Mr. Moody made the following statement: “I would like to make a statement as a member of the Select Board. There have been statements made lately that have not been proper, I believe that all committees and boards have the best intentions for Lancaster. There are always going to be differences between what we all believe is the best path to take. We can and will have different views, but we all have to have the love of the town, as our goal. We can disagree on items, but must work together to get agreements in our future and the peoples’ vote is the final word.”

### III. APPROVAL OF MEETING MINUTES

Review and take action on Regular Meeting Minutes August 2, 2021.

*A vote was taken to approve the Regular Meeting Minutes of August 2, 2021. Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. [3-0-0]*

### IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS

- Director of Community Development and Planning Search Committee  
Mark Grasso, Chair, will provide update and status report regarding recruitment of this important position. Discussion on Planning Board's letter regarding Town Planning Director.

Mr. Grasso provided the Select Board with a final job posting authored by the Search Committee. Mr. Grasso noted that there was substantial disagreement regarding the reporting structure, therefore was removed as a compromise. He further stated that who manages the Planning Director will have to be dealt with at a later date.

Mr. Grasso posed to the Select Board if they would approve the ad and authorize the expenditure to post it through the Massachusetts Municipal Association (MMA) as well as several other organizations. It was noted that the ad will be posted for forty-five (45) days, however interviews will begin as soon as there are appropriate applicants.

Mr. Allison asked the Mr. Pacheco to get an opinion from the Town's Labor Counsel regarding language for a potential reporting structure and how it works in the existing town bylaw.

- Public Hearing (*continued from August 2, 2021*) LLEC's Application for Special Permit to Remove Earth Products Renewal.

Jim Simpson was present on behalf of LLEC to request a renewal of his Earth Products Removal Permit. Mr. Simpson explained that very little actual earth removal is taking place and the primary use has been bringing in topsoil to be screened. The activity on site has been limited to 1-2 trucks per days. Mr. Simpson stated that much of the site has been reclaimed naturally.

Mr. Allison requested the Town Administrator follow up on the letter sent from the Planning Board.

Ms. Turner stated that while things looked good there were a few due diligence items she wanted to address 3 items prior to issuing any approval. The confirmation of the surety (bond) was in place, the location and reading of the monitoring well that Tighe and Bond identified as not being able to find, and a site visit conducted by the board to review any of the operations.

Mr. Simpson welcomes the site visit. She said the well is on site but the vegetation most like has hidden the well from view. He stated he will locate the well and take a reading. If he can not locate the well, he committed to installing another groundwater monitoring well.

The Board closed the public hearing.

<b>V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE</b>
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<b>VI. TOWN ADMINISTRATOR REPORT</b>
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Hazard Mitigation Plan Update

Town Administrator Pacheco reported that they are starting work on developing a new Hazard Mitigation Plan (HMP) with the assistance of Montachusett Regional Planning Committee (MRPC). He noted that he has spoken with the Town's CARES Act liaison and the funding source is appropriate. The Plan will take at least 6 months to complete. The HMP, once approved by the Massachusetts Emergency Management Agency (MEMA), will also make the Town eligible for a number of federal emergency management/public safety related grant programs. Previously, there was a regional plan developed by MRPC that is not going to be updated. The expected cost will be \$25,000.

Vaccination Clinics

The Town has hosted 2 additional vaccination clinics through the Board of Health. Town Administrator Pacheco noted that they have vaccinated an additional 60 residents through these clinics. He further noted that they are continuing to collaborate with the State as well on the mobile vaccination van to provide additional services to any residents, including assisting neighboring towns when available.

Main Street (117 ) Bridge

Mr. Pacheco reported that Beta Group Inc., the Town's design engineer is close to finalizing the 100% design plans for the Main Street Bridge on 117 (this is located by the Bartlett Pond Recreational Area). A copy of the 25% design is attached. The design will have to be submitted to MassDOT for final approval and a cost estimate put together. The Board and Finance Committee should discuss a financing plan. Mr. Pacheco noted that he did secure a \$500,000 grant for the project and expects the cost to come in near \$2 million based on the discussions with the engineer; the bridge must meet stream crossing standards which is a cost driver for the project.

<b>VII. ADMINISTRATION, BUDGET, AND POLICY</b>
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1. Formalize Special Town Meeting Schedule (Allison)

The Board tentatively set a Special Town Meeting date for October 4, pending notification and feedback from other boards and committees. Mr. Pacheco suggested that while he thought the next Town meeting would be indoors that he did not think things were headed in that direction. Mr. Pacheco stated there were some articles already in the works and that having a Special Town Meeting would alleviate the workload for the Annual Town Meeting. The Special Town Meeting would need to be posted 14 days prior to the meeting

Mr. Turner stated that Board needs to consider in the future when to open and close the warrant and advise residents of any other items.

2. Discussion on insert with the next tax bill explaining Community Preservation Act (CPA) and the way to apply for the exemptions (Moody)

Mr. Moody requested that an insert be placed in the property tax bills explaining to people what the Community Preservation Act (CPA) is and that exemptions are available for those who qualify. Mr. Moody provided a sample. Mr. Pacheco stated that this could be done as long as it did not increase the postage. Mr. Allison suggested that the document be put in a pdf and placed on the website

3. Honor Madison Hughes for being a member of the US Olympic Rugby Team (Moody)

Mr. Moody wanted to acknowledge the accomplishments of Madison Hughes as Captain of the US Rugby team and provided an article from the Telegram. The Board suggested that once Town Meeting is finalized that Mr. Hughes be invited to be recognized by the Town

4. Discussion on the status of the Atlantic Union College tax lawsuit (Turner)

The Board discussed the resolution of the tax dispute between the Town and Atlantic Union College. Ms. Turner stated there is a lot of concern about the financial impact. Mr. Pacheco stated he believe that's why the Board of Assessors has been looking to meet in executive session prior to just putting numbers out. Ms. Turner also suggested that perhaps any final agreement would need to be approved by the Board. Mr. Pacheco said that the financial impact of the overlay was not funded by taxes, that she had asked for legal costs and Mr. Pacheco had said that he would find them, and that he would inform the Board and set up a meeting with the Assessors.

Mr. Moody asked if this had any impact on the sale of the college. Mr. Pacheco responded that he didn't think so although any funds would provide cash for improvements needed to move the process along.

## VIII. APPOINTMENTS AND RESIGNATIONS

### Re-Appointments

John Ledoux to the Board of Sterling-Lancaster Community Television (SLCT), term to expire 9/2024

*Moved to appoint John Ledoux to the Board of Sterling-Lancaster Community television (SLCT), term to expire 9/2024, Seconded. Vote taken, Jason A. Allison Aye, Jay M. Moody Aye, Alexandra W. Turner, Aye. Vote passed [3-0-0]*

### Appointments

Kristen Fox to the Board of Assessors – Kristen Fox, term to expire 6/30/2022

*Moved to appoint Kristen Fox to the Board of Assessors, term to expire 6/30/2022. Seconded. Vote taken, Jason A. Allison Aye, Jay M. Moody Aye, Alexandra W. Turner, Aye. Vote passed [3-0-0]*

### Resignations

Andrea Kiuru-Shepard as Recreation Director effective immediately

*Moved to accept the resignation of Recreation Director Andrea Kiuru-Shepard, effective immediately. Seconded. Vote taken, Jason A. Allison Aye, Jay M. Moody Aye, Alexandra W. Turner, Aye. Vote passed [3-0-0]*

Donna Rosander from the Cultural Council, effective immediately

*Moved to accept the resignation of Cultural Council member Donna Rosander, effective immediately. Seconded. Vote taken, Jason A. Allison Aye, Jay M. Moody Aye, Alexandra W. Turner, Aye. Vote passed [3-0-0]*

## IX. LICENSES AND PERMITS - NONE

## X OTHER/UNFINISHED BUSINESS

- **Annual Town Report**

Mr. Pacheco stated the Town Clerk has started to start compiling reports/work with departments. Mr. Allison requested if Mr. Pacheco could set a date for completion. That is not setting a deadline for staff as it will not get done well, but to give the Board more of an idea on expectation. Mr. Pacheco stated he would work with the Town Clerk to get this done and Mrs. Rocco is supporting the effort. Most departments have submitted reports and it should be done in a few months, but he would have to speak with the Town Clerk regarding a timeframe.

- **Code of Conduct Policy**

Comments received from public are on file with BOS

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

Mr. Pacheco stated was not sure what the actual scope was. Mr. Allison ask that he go back and review the previous meeting, but the Board did give an indication of the charge. Mr. Pacheco stated that he would get the vacancies posted

- **North Lancaster Settlement**

Mr. Pacheco gave the Board an update and stated that it was finished and that KP sent update to Capital's trust, and Ms. Turner asked for deadlines.

- **DCAMM Land Sale Partnership**

Select Board member Alix Turner to discuss site walk scheduled with DCAMM/Meeting Scheduled for 9/29/21

- **Aggregation**

Mr. Pacheco stated that the Energy Commission met last week and they are currently review the aggregation as well as other issues. Waiting for Select Board to advise on percentage of additional renewables, if any. Solicit new pricing after decision made.

- **Gazebo Ramp**

The Fire Association is putting the estimate together for the materials and expect to place the order in the next week. All work should be completed by Halloween

- **Department Assistant (CDP)**

Mr. Pacheco reported that Deb Dennis does have some Senior Tax work-off help. Deb is working with Sandi on additional temp. help but nothing finalized yet

- **Assessor Search**

The Board is looking to schedule interviews in the coming days and coordinating with HR

- **Open Meeting Law (OML)/Records Training**

Mr. Pacheco stated that Attorney Mark Reich was scheduled to do the training on August 25<sup>th</sup> at 6pm via zoom and the event would be posted on the Town Calendar

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

The RFP was finalized being prepared for advertising. Mr. Allison asked if Mr. Pacheco had received a list of firms from HR yet. Mr. Pacheco stated he would confirm with the HR Director and make sure those parties received the RFP directly. It would also be posted in the MMA's Beacon, and goods and services bulletin.

- **Review Renewal of Special Permit to Remove Earth Products for John E. Kanis, Inc.**

*Select Board moved to approve the Special Permit to Remove Earth Products for John E. Kanis, Inc., Seconded. A vote was taken. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed. [3-0-0]*

Ms. Tuner stated there was some concern about the cost of the inspection and perhaps the Town should consider another vendor. Mr. Pacheco responded that there was value in the continuity of service and the cost to the vendor should be what determines the Town's vendor for performing services. Ms. Turner did re-iterate that it was not about Tighe and Bond or the Services the Town receives, as much as a good practice to re-bid services on a more regular basis.

- **Status Barrett Planning Group**

Mr. Pacheco stated that he felt the only path forward was a reserve fund transfer for the Planning Board. Mr. Allison stated this may be something we just won't agree on but Orlando is preparing a Memo and we can review at the next meeting.

- **Audit Services**

Powers & Sullivan is under contract for the FY22 Audit; Ms. Turner stated that the Town needs to decide how its going to bid these services at some point in the future.

**XI. NEW BUSINESS \***

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

Mr. Allison noted that he recently received free tickets to the Annual Bolton Fair from the Bolton Fairgrounds, Inc., in which he gave his tickets to town employees. Ms. Turner noted that she gave her tickets to Seniors.

**XII. COMMUNICATIONS**

- Town Offices will be closed on Monday, September 6, 2021 for Labor Day.
- Select Board's next regular meeting will be held via Zoom on Wednesday, September 8, 2021 at 6:00pm

**XII. ADJOURNMENT**

Seeing no further business, Ms. Turner made the Motion to adjourn and Moody Seconded. It was unanimously voted.

Respectfully submitted

**APPROVED**

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Jay M. Moody Clerk  
Approved and accepted: December 20, 2021