



APPROVED

LANCASTER SELECT BOARD
Meeting Minutes
Mary Rowlandson Elementary School Auditorium
Monday, May 2, 2022
6:00 p.m.

I. CALL TO ORDER

Chairman Jason Allison called the meeting to order at the Mary Rowlandson Elementary School Auditorium at 6:00 p.m. on May 2, 2022. A roll call vote was taken, Jason Allison, present; Jay M. Moody, present; Alexandra W. Turner, present. Also present were Town Administrator Kate Hodges and former Interim Town Administrator Jeff Nutting.

II. ADMINISTRATION, BUDGET, AND POLICY

1. Review & Adopt Administrative Policies

a. AP #TBD: Use of Town Counsel

Ms. Hodges sent a memo to the Board recommending that an Administrative Policy be enacted that requests to speak to Town Counsel go through the Town Administrator or the Select Board for approval. It was noted that anyone can contact Counsel regarding Ethics issues or in an emergency. This should help to alleviate some of the Town's growing legal costs. Mr. Allison moved to adopt the policy; Ms. Turner seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

2. Amend oversight and reporting authority for Interim Human Resource Director from Select Board to Town Administrator

Mr. Allison moved to change the reporting authority for the Interim Human Resources Director from the Select Board to the Town Administrator. Ms. Turner seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

3. Review Response from Planning Board regarding N. Lancaster Opportunity

No response to letters from the Select Board has been received from the Planning Board. Ms. Turner noted that Mr. Mirabito, a Planning Board member, was present and could speak to the issue. Mr. Allison stated that the Select Board needed to hear from the Planning Board, not from individual members. Correspondence went to all members of the Planning Board prior to the Planning Board Chairman's last meeting although his has

resigned. Ms. Turner suggested attending the next Planning Board meeting to ask them directly about their intent to hold Public Hearing(s) regarding the North Lancaster opportunity. Mr. Allison asked Ms. Turner if she would be willing to do this, and she agreed to attend the next Planning Board meeting to ask them what the plan is for allowing residents to vote on the North Lancaster opportunity. She will report back to the Select Board.

4. **Select Board to refer proposed zoning map and bylaw amendments to the Planning Board pursuant to MGL c.40A, §5 - Rezoning those portions of the parcel identified as Assessors' Map 8, Lot 45 located within the Residential District, to the Enterprise District, such that the entirety of said parcel is located within the Enterprise District**

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Ms. Hodges reported that the Town has received the official application for permit eligibility from the Capital Group to Mass. Housing for the 40B. The Town has 30 days to respond. Ms. Hodges proposes to release this document as soon as tomorrow on both the Town website and the Town's new social media platform so that residents can review and submit comments. Resident comments should be received by Thursday, May 17, at 10:00 a.m. This will allow Ms. Hodges a week to compile. She requests that the Select Board hold a Special Meeting on May 23 to review the comments received, in a live or hybrid session so that people can participate. Ms. Hodges will then have a couple of days to refine the letter and return it to Mass. Housing by the 28th.

Mr. Allison moved to approve placement on the website and the new Facebook page, the received 40B application from the Capital Group. Mr. Moody seconded.

Ms. Turner questioned the use of social media, referring Ms. Hodges to the Town's social media policy, although in the interest of time she supports the use of Facebook. Ms. Hodges explained that she has reviewed the last three years of Select Board minutes and has found no items dealing with social media policy. She stated that she has found a policy that does not appear to ever have been enacted. Mr. Moody asked who will maintain the Facebook page. Ms. Hodges answered that the duties will be shared between herself and the Assistant Town Clerk, and that it will currently include only official documents and notifications from the Town, such as road closures and meeting notifications. Ms. Turner noted that there are currently several official Town Facebook pages, including pages from the DPW and the Community Center. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

The purpose of this agenda item is to regroup from the initial Public Hearing for the Enterprise / Back-Half rezone. Once a public hearing occurs, there is a six month term to get the issue on the Warrant. In this case the public hearing happened sometime in January. We are at risk of not being able to have the 40R and the Enterprise Rezone on the warrant at the same time. If we are targeting September for a Zoning Special Town Meeting, we are required to do this, to refer back to the Planning Board to have another public hearing so the two related items can be addressed together. Mr. Allison moved to refer proposed zoning map and bylaw amendments to the Planning Board pursuant to

MGL c.40A, §5 - Rezoning those portions of the parcel identified as Assessors' Map 8, Lot 45 located within the Residential District, to the Enterprise District, such that the entirety of said parcel is located within the Enterprise District. Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

(Out of order; in the interest of time, the Board addressed item 6 prior to item 5)

5. Take Positions on Town Meeting Warrant Articles

a. Town Operating Budget (Article 1)

Mr. Allison moved to support the Town Operating Budget. Ms. Turner seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

b. FY23 Capital Expenses (Article 2)

Ms. Turner stated that the Conservation Commission has leftover money in the FY22 budget because they did not have a Conservation Agent for part of the year, and that they are willing to use this money to do the remediation work rather than asking for approval of a capital expense. Mr. Nutting explained that FY22 payroll money cannot be used for this.

Ms. Turner asked is if it made sense to support an architectural study of the library, when this would undoubtedly result in a future large price tag once the scope of work needed is determined, considering the projected difficult financial year expected next year. Mr. Nutting noted that if you look at the debt schedule over the next five years, it declines by about \$750,000, so that there will be internal debt capacity to handle this. Ms. Turner asked if this money would be needed for a new school; Mr. Nutting replied that a new school was at least four years away.

Mr. Allison moved to support Article 2. Ms. Turner seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

c. Article 3 – Water Enterprise Fund / Annual Budget

Ms. Turner noted that the Water Department, per bylaw, should submit a plan every year to the Select Board, and this should be included in the future. Mr. Allison moved to support Article 3; Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

d. Article 4 – Water Enterprise / Design for new water lines

It was clarified that the Water Enterprise Fund will pay for the design. Mr. Allison moved to support Article 4; Ms. Turner seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

e. Article 5 – Renewable Energy Enterprise Fund

Mr. Allison moved to support Article 5; Mr. Moody seconded. Ms. Turner asked if we were done with the debt schedule for this; Mr. Nutting said no, not for about 20 years more. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

f. Article 6 – Revolving Fund Account

Mr. Allison moved to support Article 6; Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

g. Article 7 – Community Preservation Annual Budget

Ms. Hodges noted that this article presents the minimum budget required by statute. Mr. Allison moved to support Article 7; Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

h. Article 8 – Amend Finance Committee Bylaw

Mr. Allison moved to support Article 8; Ms. Turner seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

i. Article 9 – Economic Development Committee Bylaw

Ms. Hodges noted that an error was caught today, and that Town Meeting needs to amend the motion for this article to match as printed in the handout, not as printed in the Warrant. Mr. Allison moved to support Article 9; Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

j. Article 10 – Amend Council on Aging Bylaw

Mr. Allison moved to support Article 10; Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Abstain; Jason Allison, Aye. [2-0-1].*

k. Article 11 – Government Study Committee

Mr. Allison moved to support Article 11; Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

l. Article 12 – 2% Increase for Non-Union Wages

It was noted that this should be done annually. Ms. Turner moved to support Article 12; Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Abstain; Jason Allison, Aye. [2-0-1].*

m. Article 13 – Discontinue Old Lunenburg Road

Mr. Allison moved to support Article 13; Mr. Moody seconded. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, Aye; Jason Allison, Aye. [3-0-0].*

n. Article 14, Citizens Petition, was not addressed.

(Out of order; in the interest of time, the Board addressed item 6 prior to item 5)

6. **Discuss & replace one member of Lancaster Ad Hoc MOU Committee due to member voluntary resignation mid-term.**

The Chairman of the Planning Board, Russ Williston, also served on the MOU/MOA Ad hoc Committee. Because he has resigned from the Planning Board, this also creates an opening on the MOU/MOA Ad hoc Committee. Mr. Allison moved to fill this open seat

by advertising for 30 days for any Lancaster resident to apply, for the Select Board to review applications and make an appointment. Ms. Turner seconded for discussion; her thoughts are that the opening should be referred back to the Planning Board to have them fill the opening so that they have a seat at the table. Mr. Moody noted that a Planning Board member could certainly apply for the opening along with any other resident. *Vote taken, Jay M. Moody, Aye; Alexandra W. Turner, No; Jason Allison, Aye. [2-1-0].*

III. OPERATIONS & DEPARTMENT MATTERS

1. Review & Discuss Trees on Town Common Issue

Mr. Nutting opened, saying that there was no current plan to plant or remove trees on the Town Common, and that the Select Board would need to approve. Ms. Hodges brought up the implications of MGL 30B because the Common is public land (Mass. Procurement/ need to formally accept gifts). Ms. Turner said that the Community Center planned to plant a large elm tree for Earth Day in memory of Shirley Griffin, and that the tree was donated by the Land Trust and the Friends of the Seniors. The tree will be placed next to the “Lancaster” sign at the Old Town Hall, not on the Common, and there are also plans to replace the Thayer lilacs in memory of Marie Espinola, along the handicapped ramp. Ms. Hodges explained that memorials on Town property have their own set of rules, and it must be determined if a memorial planting is named in perpetuity, and if the tree or plant dies is there is an obligation to replace it. It was determined that because process was not determined or followed, the current planting plans must be delayed.

IV. CORRESPONDANCE & NOTICES

1. Open Meeting Law Complaint dated April 16, 2022, from Mr. Patrick Higgins, PO Box 290, Northport, Alabama 35476 alleging wrongdoing by members of the Select Board

Mr. Allison thanked Mr. Higgins, who apparently watches out for the Select Boards in many towns, for helping to make Lancaster a better town.

V. ADJOURNMENT

Mr. Moody moved to adjourn the meeting. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Jay M. Moody, Aye; Alexandra W. Turner, Aye. [3-0-0].*

Respectfully submitted

Kathleen Rocco
Executive Assistant

APPROVED

Approved and accepted: June 6, 2022