



**LANCASTER SELECT BOARD
Meeting Minutes
of May 16, 2022**

I. CALL TO ORDER

Chairman Jason Allison called the Regular Meeting of the Select Board to Order at 6:00 P.M. via ZOOM™, noting that the meeting was being recorded.

Join Zoom Meeting

<https://us02web.zoom.us/j/82236648171>

Meeting ID: 822 3664 8171

Roll call vote taken, Jason A. Allison, present, Stephen J. Kerrigan, present, and Alexandra W. Turner, present.

The Select Board thanked former Board member Jay Moody for his service and welcomed new Board member Steve Kerrigan.

II. APPROVAL OF MEETING MINUTES

Mr. Allison moved to approve the Select Board meeting minutes of April 20, 2022 and meeting minutes of May 2, 2022. Ms. Turner seconded.

Ms. Turner stated that she has some changes; in the April 20 minutes, page 2 at the top, Ms. Turner had noted that the Land Trust should be recognized as the organizer of the Town Cleanup for Earth Day. Next, on page 3, fifth paragraph, Ms. Turner objected to the word 'legally.' Next, on page 12, Ms. Turner stated that there was an amendment offered by Mr. Moody reminding boards and committees that they could seek Counsel's help; Ms. Turner has written out this amendment and will provide it to the Town Administrator.

Mr. Allison suggested tabling the motion; he remembers some things differently and would like to have an opportunity to review the video. Mr. Allison moved to table the previous motion. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Abstain; Alexandra W. Turner, Aye. Approved, [2-0-1].*

III. TOWN ADMINISTRATOR'S REPORT

- **Overview of new Social Media handle/platform for official Town business**

Ms. Hodges, Town Administrator, announced that there is now officially Town of Lancaster social media presence in order to provide information to residents easily and on multiple platforms. There is a Facebook page, a LinkedIn profile, and an Instagram account. She will concentrate for now on adding the most critical information, and in the future will ask the Select Board to talk about how social media maintenance could fit into existing staffing levels.

- **DRAFT Social Media Policy outline**

Ms. Hodges has drafted a social media policy, distributed it to department heads, and is collecting feedback.

- **Comments and feedback received regarding Capital Group 40B Application to MassHousing. See memo to Residents and Boards/Committees from Town Administrator Kate Hodges, dated Tuesday, May 3, 2022.**

Ms. Hodges recapped that the Board sent and published a memo to citizens, boards, and committees on May 3, requestion feedback on the Capital Group's 40B application sent to MassHousing. The deadline for comments was last Friday. 36 individuals and several committees provided written responses. Ms. Hodges is now compiling the responses and will issue a memo summarizing the responses in advance of the May 23 meeting.

Ms. Hodges mentioned the FY22 Spending Freeze and the formation of the Governance Study Committee; both topics are expanded upon later in the meeting.

IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE

V. PUBLIC COMMENT PERIOD

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. Allison recognized Carol Jackson, 40 Farnsworth Way.

Ms. Jackson stated, *"Speaking as a resident, I noticed on your agenda you have Frank Sullivan to be reappointed for five years. That position was not posted and his term is not up until June 30, and it's very concerning that his is up and there's another member that has the same term length, expires June 30, and his name's not there to be reappointed and also in the Select Board's policies it says in no case shall appointments be made for more than three years unless specifically allowed by Town Bylaw or state statute, and in the Town Bylaw or the state statute*

five years is not there, so that's concerning as well. So I'd like to know why there was a reappointment scheduled for to day when it wasn't posted and why it's five years. Thank you."

Mr. Allison recognized Rebecca Young Jones, 94 Barnes Court.

Ms. Young-Jones reviewed the highlights of a letter she had sent to The Item. She asks Lancasterians to ponder six things, noting that the entire letter could be read in The Item. Her points included: 1. The Capital Group has stated that there is \$4 million in taxes that will come from their big warehouse; Ms. Young Jones would like a "reality check" on this number. 2. Environmental issues of North Lancaster development, stating that the development will be in the Nashua River watershed. 3. The 40R is a great idea, but it would be in an environment justice area. She stated, "We have a bunch of different issues that need to be addressed, right now, so that will make it worse, especially with the trucks. We pushed back for a couple of years now and gotten some better proposals from Capital Group, so it would be nice if we could push back a little bit more, and maybe get a better proposal than this large warehouse. And then, finally, how are we going to work with Capital Group. The recent application for the 40B development seems to be a stick, not a carrot, and we still don't have the transfer of the 86 acres achieved."

Mr. Allison recognized Roy Mirabito, 944 George Hill Road.

Mr. Mirabito stated that he was speaking as a private resident, saying, "There are those in town of the opinion that we must get the residential to enterprise and 40R smart growth zoning articles to a popular vote as soon as possible. I agree with this viewpoint, but the zoning changes need to be addressed with two conditions. This process must be conducted respecting the elected boards of Lancaster and their authority and the laws of Massachusetts. and two, the citizens of Lancaster need full disclosure on the following issues and need to understand the completed memos of understanding between the town and developer. Anything less constitutes a lack of respect for the residents of Lancaster. My issues are as follows. One, why has the Select Board stated they have no appetite to discuss the 86 acres owed to Lancaster under the 2017 land agreement, and no appetite to litigate the same issue, prior to commencing negotiations with the developer. Conceding the prospect of litigation at this point, gives a green light to the developer to play hardball with this, and a variety of other issues, such as financial contribution to the town. Number two, how do we ignore and allow the area of critical environmental concern to be turned into huge warehouses, parking lots, and a wastewater treatment facility? Number three, how do we ignore our own traffic peer review study which predicts the level of service, of six of the seven major related intersections, will degrade to unsatisfactory levels. Number four - how do we ignore the related negative air and water health impact on our existing and proposed neighborhoods? And our children playing soccer next the industrial complex; do we not value the health of our children? Is this an appropriate site for our new neighbors, having a junkyard, a wastewater treatment facility, and 2.4 million square feet of distribution center as neighbors? The environmental justice concerns seem to have fallen upon deaf ears. Why has the developer not yet completed a MEPA application and review to reveal the state's opinion on these same issues? Seven, how can the Planning Board schedule a public hearing for the 40R zoning article when the proposed zoning change has yet to receive a preliminary certificate of eligibility from the Department of Housing and Community development? This is a requirement needed to hold such a hearing. According to a conversation with Bill Revelt of DHCD on May 10, this certificate

may be available by May 28. Not having this document in hand precludes the Planning Board from holding a public hearing and from being voted on at Town Meeting, so a May 2 vote at our Annual Town Meeting was a false ambition. Today we're being thrust forward to satisfy the immediate financial desires and subsidized housing goals of the Town. One thing that has not been taken into account, the most important group in Lancaster, and that is you and I. Zoning articles are critical to the future of our town. I ask the voters of Lancaster to obtain answers to the above questions. If not answered satisfactorily before being voted on, I feel the Lancaster we've all known and loved will become a memory, thank you.

Mr. Allison recognized Rob Zidek, 103 Kaleva Road.

Mr. Zidek followed up on Ms. Young-Jones letter. He stated, "I offer insights and advice when the environmental or EJ topic that she addressed. Our state and federal EJ policies were established and are enforced around two unconditional requirements. meaningful involvement and fair treatment. Here is how they apply to us. Meaningful involvement requires the residents of communities with EJ concerns to be actively involved in all activities, hearings etc., pertaining to any development that could adversely affect them. But how do we involve people who don't live here? Again, the simple answer is advocacy. Goodrich Brook Estates is a very good example of that. EJ policy violations is one of the more convincing reasons by citizens of Lancaster in litigation trying to stop that 40B project. And McGovern Boulevard 40R and 40B are bad examples of meaningful involvement. For the past year and continuing today many points have been made about McGovern Boulevard 40R project, the extra money getting back to safe harbor that listening Capital Group website. But if we listen back to those meetings we hear very little in terms of advocacy for the beneficiaries of the 40R Program. Exceptions are numerous comments from the public. Sadly, those comments have elicited very few responses and zero action. Sdo Lancaster fails a meaningful involvement requirement for now. You, the Select Board, the Planning Board, the LAHT, can start making the necessary course corrections to establish and nourish that advocacy. Fair treatment requires that there be no disproportionate impact to the residents of communities with EJ concerns from the adverse consequences of a new and existing or in our case, a concurrently developed business. If a development affects all residents in an area equally, even if it's an undesirable impact, it is considered fair treatment from the EJ point of view. But if the Community with EJ concerns has to bear impacts that have very little or no effect on the rest of neighborhoods, and that is, by definition, unfair treatment. With the proposed 40R and 40B, the McGovern Boulevard traffic congestion, the noise, the poor air quality, will undeniably affect our new neighbors a lot more than they will the rest of us which isn't good for us either, but it's a lot worse for our new neighbors, and the clincher is pedestrian safety. The affordable housing residents, whether they drive, whether they walk, they motorcycle, they jog, they bicycle, they go get a coffee, they cross over to get an ice cream, there is very high risk of injury or death from all those trucks and employees' cars is 100% borne by the residents and virtually none by the rest of us, so we fail the fair treatment test as well. In summary, what Capital Group and this town are actively pursuing are attempting to contractually oblige each other and our vigorously campaigning to get unsuspecting voters to buy into is the very situation that our EJ policies were established to prevent.There is no way MEPA will ever approve either one and we should not wait for that failure to happen when it's fully within our and your capability to stop it before it ever evolves. Please take this seriously, remember that you represent

all residents, present and future. Don't ignore our new neighbors because you think they're not here, they are here and you just heard from them. Thank you.

Mr. Allison recognized Dee Hurley, 102 Bolton Road

Ms. Hurley thanked the voters who voted for her write-in campaign for the Board of Health position. Additionally, she is the President of the Friends of the Lancaster seniors. She invited the public to attend the Friends' meeting Friday at 10:30 at the Community Center. Secondly, the Friends have an event coming up, a concert at the Cornerstone Horse Ranch in Princeton. More information is available on their website.

Mr. Allison recognized Martha Moore, 131 Center Bridge Road.

Ms. Moore stated that she completely agrees with previous speakers. One of the things that bother her are that we don't know who holds title to a lot of parcels. She said, "I know there's a settlement agreement in disagreement around that, but there's also a lot of the other smaller parcels which we saw on the map one night a couple months ago, and they are not owned by Capital, they are not owned by 702 LLC or Lancaster LLC, they are owned by what we saw was individual names. When I asked this question of Capital, as Capital sent a representative to our Historical Commission meeting, when we had set it up to discuss the 40B per Kate's request to the folks in town, I asked the Capital Group why they didn't own all these individual parcels. They said they have deals pending, options pending, and that just seems a little risky business to me. I don't feel that I'm sure that all the studies that were done the traffic study, the environmental study, the fiscal impact, were really done with an objective eye. It didn't seem quite that way, especially when people in the audience were calling out and correcting a lot of the figures that Capital had provided, or rather the person that did the study. So I'm concerned about that and due to the size of this development, I would hope that, rather than negotiating with a developer, we would be working with a partner. And I don't see that happening here. We've got threats, we've got all types of things for that but there really isn't a true partnership. So that's the negative side as well, and I can't express enough the worry, the concern that I have, because once it's gone and can I just say and I'm sure I'm going to get flack for this, but this is ringing of the what looks to me like that cartoon character Black cat during the 40's or something ringing that bell, putting it in our face, is really disrespectful, and I just have to say that Jason. I can understand, but it just feels very disrespectful to me. Thank you."

VI. ADMINISTRATION, BUDGET, AND POLICY

1. Reorganization of the Select Board

Mr. Kerrigan said that as the "new guy" his preference would be to stick with the current arrangement, with Mr. Allison as Chair and Ms. Turner as Clerk. For the purpose of discussion, Mr. Kerrigan moved to appoint Mr. Allison as Chair and Ms. Turner as Clerk. Mr. Allison seconded.

Ms. Turner, noting that she has worked with Mr. Kerrigan in the past, said that he ran a vigorous campaign based on unity, that he is an excellent orator, and that she had planned on

nominating him as Chair. She stated, “you’ve done a great job Jason, in many ways, but the focus of the, MOU, which I assume you don’t want to continue.” Ms. Turner stated that there had been much dissention in the past year; Mr. Allison disagreed, saying that he thought the Town “has been more united than it ever has been in the past.” Mr. Kerrigan noted that the Board could always call for reorganization at some point.

Ms. Turner said, “So Jason I think some of the things that we can learn from that we can do better, should you want to be Chair again, getting the items on the agenda would be great and do things like I agree with ... I know we don't comment on public climate but just trying, I think we need to try to calm down the town, I know I'm glad you see everything is half full that's a positive. I think that I do think, realistically, we have more division more hype heard from a lot of people which were all as a team and, as a town, I think people are looking forward to making positive choices, so I do think that we, we set the tone. I think we need to do a better job of setting the tone and recognizing certain you know you can't change something if you don't recognize it's a problem, so I think we have to recognize that we need to work on that and try to get that done so it sounds like you're up to the challenge and that we can approach it again if it gets added you know if it's crazy but there you go.”

Mr. Kerrigan offered an opinion that the Board might want to re-think the assignment of Chair to a term other than yearly, to better coincide with the budget cycle.

Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].

Next the Board addressed appointing a Board member to sign the warrants. Ms. Hodges pointed out that it would be difficult for Ms. Turner to sign the warrants because she is a Town employee. Ms. Turner stated that she has a letter from the Ethics Commission and that while she cannot sign her own, she can sign the rest of the warrant. Mr. Kerrigan said that he could be available to sign warrants. Mr. Allison asked if it were possible to have this responsibility delegated to the Town Administrator. Ms. Hodges has checked on this with Town Counsel; Counsel has agreed that this is possible and has provided a motion to make this happen if desired. Ms. Hodges noted that she is in a better position than the Board members to know what expenses are reasonable on a day-to-day basis, and that in her three weeks here she has seen some expenditures with which she is uncomfortable.

Ms. Turner stated that she feels extremely strongly that the Board should not abdicate this responsibility, and in fact she does not agree with having only one Board member sign the warrant, which the Board has done as a convenience in the last couple of years. She stated that the budget is a statement of policies, and that the warrant follows the budget. Mr. Kerrigan asked why the warrant signing had been delegated to one person; Ms. Turner said it was for convenience, but she would prefer to return to former practice where the Select Board would spend some time signing the warrants prior to or after their meeting, and had the opportunity to question the Town Administrator or the Finance Director on content.

Mr. Allison moved to authorize Town Administrator Kate Hodges to sign the warrants. Mr. Kerrigan seconded for purposes of discussion. Mr. Kerrigan noted that he might possibly vote

for this in the future, but that he would like to take some time to review the issue. Ms. Turner stated that while Ms. Hodges was certainly qualified to do so, but that signing the warrant should be part of a Select Board member's job. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, No; Alexandra W. Turner, No. Motion failed, [1-2-0].*

Ms. Turner moved that the warrants will be signed by a majority of the Board on a weekly basis. Mr. Kerrigan seconded for purposes of discussion. Ms. Turner said that the Board would need to work with the Town Administrator and the Finance Director on how to present the warrant to the Board, but two of three Board members could go to the Finance Director's office and review the warrant. She stated that she had done this in Mr. Moody's absence and that it does not take long. Ms. Hodges noted that she has reviewed the document that Ms. Turner has from the State, but that it was written before Ms. Turner was a Board member and it says that she could participate in the discussion if the discussion was about the budget as a whole, but that in order for Ms. Turner to sign the warrant, everything related to the Community Center would need to be broken out into a separate warrant, and that there is a cost associated with doing this. Ms. Turner replied that every department has their own expense budget so she just does not sign the pages that came from her department. Ms. Hodges replied that although there are multiple cost centers there is only one warrant, including all expense budgets. Ms. Turner stated that this is why she got a written report and that she is allowed to sign, suggesting that Ms. Hodges could check again with Counsel if she liked. Ms. Hodges stated that Ms. Turner would have to do that; Ms. Turner said that she will be happy to do that because she would not want to be in conflict in any way, but she thinks that this is an important part of the duties of being on the Select Board.

Mr. Kerrigan suggested that the opinion sought from Counsel should be as specific as possible to this particular task. He suggested that, since there are a few things to figure out, that the Board appoint one person to sign the warrant.

Mr. Allison expressed concern that there could be a mistake that could reflect on his teammate, Ms. Turner. He said that he does not want to reach out to Ethics or to Counsel because there could still be risk. Ms. Turner said that she will support appointing Mr. Kerrigan in the short term, but she will get something in writing.

Ms. Turner withdrew the motion to require a majority of the Board to sign the warrant.

Mr. Allison moved to make Steve Kerrigan the authority to sign the warrant. Ms. Turner seconded, noting that when she receives a favorable letter back from the Ethics Commission, she would like to join him. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

2. FY22 Spending Freeze Memo from Town Administrator, Kate Hodges, to Department Heads dated May 10, 2022.

Ms. Hodges will be meeting with the Finance Committee tomorrow; she reports that there has been discussion about using accounts other than the general fund. Mr. Allison asked if Ms. Hodges needed action from the Board; Ms. Hodges said no, this was an informational item.

3. Review of New Personnel Documents, Annual Performance Reviews

- a. Management
- b. Administrative-Clerical

Mr. Kerrigan asked if these were new forms; he thinks they're great and likes that they are divided between Management and Administrative-Clerical. He suggests that down the road there might be a few inter-disciplinary questions added.

Ms. Hodges will make a few edits suggested by department heads and then will accompany this with a letter. She would like this done at the end of one fiscal year/beginning of new fiscal year as part of annual goal setting. She recommends that the Board have a goal-setting session.

Mr. Kerrigan noted that doing them all at once is a lot of work for department heads and that they need to start early. Some discussion was held on doing performance reviews on an employee's anniversary date versus all at once.

4. Draft Charge for Governance Study Committee – review and vote may be taken

Ms. Hodges explained that she drafted this document based on both barriers to and triumphs of our form of government. Ms. Turner asked if the goal of reporting back to the Select Board on February 1 was too ambitious; Ms. Hodges anticipates that the entire process will be a lot of work and that the total project will most likely take about three years.

Mr. Allison moved to accept the Governance Study Charter as written. Mr. Kerrigan seconded. Ms. Turner asked if this could be advertised as soon as approved. Ms. Hodges noted that there were already two applicants. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

5. Select Board Delegation of Certain Duties to the Town Administrator

Ms. Hodges introduced a discussion about personnel management. She sees that delegation of authority for personnel management, some years ago, went from the Board to the Town Administrator. She explained the two schools of thought on this; if a board handles this, they need a quorum and often cannot react quickly; if the Select Board handles personnel issues in Executive Session, the employee who may be facing disciplinary action still has their name /title published as part of the meeting, often uncomfortable in a small community. Neither solution "screams welcoming workplace." Secondly, it is incumbent on those setting the goals

to measure how they are being set; this becomes difficult if the Board is involved. In Lancaster, both ways have been used in the past, although nothing has been codified, and in the absence of a Charter, the Town Administrator's responsibilities need to be made clear. Ms. Hodges suggested that this is a discussion that the Board needs to have.

Mr. Kerrigan stated that if we are going to give Ms. Hodges the job, we need to give her the responsibilities; it's very hard to manage people without having the authority to manage people. He would like to review a proposal.

6. Discussion on American Rescue Plan Act (ARPA) requests

- a. Boiler Replacement, Mary Rowlandson Elementary School
- b. Planning Director and Building Commissioner request

Ms. Hodges recapped the ARPA funds use to date. The Board has previously voted to use ARPA funds for the ambulance replacement, for one school boiler at \$150,000, and for \$70,000 for IT servers. Once we subtract that from the ARPA monies, coupled with what was spent on COVID supplies and a few other things, there is \$628,478 remaining.

Ms. Hodges met today with the School Superintendent and the Facilities Manager for the district, and the other boiler at Mary Rowlandson Elementary School is also in failure and will need to be addressed in 16-18 weeks. Because action was not taken quickly enough on the previously failed boiler, the school district needed to rent some temporary boilers, costing the Town an additional \$40,000. She requests that the Board take action on the school boiler this evening, and then at an upcoming meeting would like to discuss other priorities for the ARPA funds.

Ms. Hodges did not request action on the Planning Director/Building Commissioner request at this point; this request was presented at a previous meeting. She noted that this request needs to be considered along with requests from the Police Department and other departments that may not have been asked.

Mr. Kerrigan moved to authorize expending up to \$150,000 from the ARPA money for boiler replacement at the Mary Rowlandson Elementary School as described by the Town Administrator. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

7. Discussion on Affordable Housing Trust Appointments

- a. Member of the Select Board
- b. Ex-officio non-voting member

Mr. Allison recognized Victoria Petracca, Chair of the Lancaster Affordable Housing Trust (LAHT). Ms. Petracca explained that the LAHT is required by statute to have a member of the Select Board as one of the Trustees. Until recently this position was served by Jay Moody who is no longer a member of the Select Board. Additionally, bylaws state that the Town

Administrator is a designated ex officio member. She noted that in some towns the ex officio member can be a designee of the Town Administrator. The Select Board LAHT member generally serves for the length of their term on the Select Board. Mr. Allison moved to appoint Steve Kerrigan to the Lancaster Affordable Housing Trust for the duration of his Select Board term. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Hodges would like to serve in the Town Administrator ex officio position on the LAHT.

Ms. Turner was disappointed as the liaison for the Planning Board, when a recent Select Board Meeting was scheduled in conflict with a Planning Board meeting, and asks the Board to be cognizant of scheduling issues.

VII. APPOINTMENTS AND RESIGNATIONS

Ms. Hodges noted that she was the ADA Coordinator for her former community and would be glad to assume that role for Lancaster.

Resignations:

The Lancaster Director of Community Development and Planning letter to inform the Select Board that Chairman Russ Williston has submitted a letter of resignation from the Planning Board dated April 12, 2022.

- Outline process and timeline for temporary appointment to fill Planning Board vacancy (term to expire?)
- Outline process and timeline for temporary appointment to fill Ad Hoc MOU (Memorandum of Understanding) Committee for North Lancaster

The Select Board was noticed on April 26. The vacancy is able to be filled by a joint appointment by the Select Board and the Planning Board. Ms. Hodges asks that any interested parties submit their application to Ms. Hodges or Ms. Rocco. She has already heard from two applicants and will forward all applications to members of the Select Board and the Planning Board.

Ms. Hodges asked the Board to decide when they would like to meet in a joint meeting with the Planning Board so that she can post it appropriately. The current deadline for applications is June 9, although there has been a Planning Board member request to change this date to June 8 so as to allow a joint meeting on the 9th.

Mr. Kerrigan asked if this appointment would be for the remainder of Mr. Williston's term or until the next election; and then does that election fill the remainder of the term. Ms. Hodges said that it is her understanding that the appointment is for the remainder of Mr. Williston's term; she will find out when that will expire. Mr. Kerrigan noted that this is important to know because some people might be willing to assume the role for 10-11 months, but not for 3-4 years.

Ms. Hodges reminded the Board that they might ask if anyone was interested in assuming Mr. Williston's seat on the MOU committee. Mr. Allison noted that at the May 2 Select Board meeting it was decided that this seat was open to any resident, and was not necessarily tied to the Planning Board. Applications or letters of interest should be sent to the Town Administrator or to the Select Board by June 2. The opening has already been advertised.

Ms. Turner stated that when the MOU Committee was formed, positions were designated by role, not by person, in order to encourage interdisciplinary cooperation, and one of the defined roles was Planning Board Chair or designee. Mr. Allison explained that the Select Board had voted to change this on June 2, and that the Board had agreed to convert this role.

Mr. Allison recognized Roy Mirabito, Planning Board Chair. Mr. Mirabito requested that the deadline for the Planning Board opening letters of interest remain at June 9. The Planning Board will be meeting the following Monday, and they suggested that this could be a joint meeting with the Select Board to interview and select the candidate for the Planning Board opening.

Annual Appointments – Term to expire June 30, 2023: (review & vote may be taken)

Ms. Turner moved to appoint Kate Hodges as ADA Coordinator, Kate Hodges as Chief Procurement Officer, Phyllis Tower as Animal Control Officer, Phyllis Towner as Animal Inspector (Barn Brook), and Brian Gingras as Fence Viewer, with all terms to expire June 30, 2023. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Mr. Kerrigan moved to appoint Alexandra Turner as MART Advisory Board Designee, term to expire June 30, 2023. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to appoint Ronald W. Valinski as Measurer of Wood & Bark, Ronald W. Valinski as Sealer of Weights & Measures, Miyares and Harrington, LLP as Town Counsel, and Mirick O'Connell as Labor Counsel. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Re-Appointments: (review and vote may be taken)

Ms. Turner noted that some positions are missing from this list and that according to policy, re-appointments should happen in June. She asked if the other Board members had concerns about doing this early; Msrs. Allison and Kerrigan have no concerns. Ms. Hodges sees no problems procedurally.

Ms. Turner moved to appoint Susan Miner to the Agricultural Commission, Term to expire 6/30/25 and Robert Foney to the Animal Control Commission, Term to expire 6/30/25. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner nominated Frank Sullivan to the Zoning Board of Appeals (ZBA), term to expire 6/30/27 (Five-year term). Mr. Kerrigan seconded. Ms. Turner stated that according to bylaws, the Select Board appointments are 1-3 years. She stated that she looked up the state statute and found nothing relative to ZBA terms, so she believes that a five-year appointment is inconsistent with Lancaster's bylaws. Ms. Hodges will review with Ms. Rocco, who manages appointments and resignations. Mr. Kerrigan moved to table this appointment until further clarification is had; Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, motion tabled. [3-0-0].*

Ms. Turner requested that Ms. Hodges check on the appointment of Dennis Hubbard to the ZBA; she believes his term is expiring, but his name is not on the re-appointment list.

Ms. Turner moved to appoint Joy Peach, Joan Richards, and Mark Schryver as Members of the Historical Commission, with all terms to expire 6/30/25, and Jean Watson as an Associate Member of the Historical Commission, term to expire 6/30/25. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to appoint Mark Renczkowski and Monica Tarbell to the Recreation Committee, terms to expire 6/30/25. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to appoint Mary Perreira (D) to the Board of Registrars, term to expire 6/30/25. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

VIII. LICENSES AND PERMITS

Ms. Turner moved to approve a License for Theatrical Exhibitions, Public Shows, Public Amusements and Exhibitions of Every Descriptions held on Weekdays for Profound Market at Lancaster Fairgrounds, 318 Seven Bridge Road to be held on Saturday, June 11, 2022, from 8:30am-5:00pm. Mr. Kerrigan seconded. Ms. Turner asked if applications had gone to appropriate departments, i.e., Police, Fire, Board of Health, Building Inspector. Ms. Hodges said that she believed they had been distributed as usual. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to approve a License for Town Licenses Dancing, Sports, Games, Fairs, Expositions, Plays or Entertainment of Public Diversion on Sunday for Profound Market at Lancaster Fairgrounds, 318 Seven Bridge Road to be held on Sunday, June 12, 2022, from 10:00am-5:00pm. Mr. Kerrigan seconded. Ms. Turner asked Ms. Hodges if it was appropriate for her to make a motion contingent on approval by departments as noted in the previous motion. Ms. Hodges said that there was a person at the Fairgrounds making sure that all approvals are in order at the same time the Select Board is approving the License. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to approve a Special (One Day) Liquor License Application for the Bolton Fair, Inc., 318 Seven Bridge Road, for the Event Profound Market from June 11, 2022 (8:30am-5:00pm)– June 12, 2022 (10:00am- 5:00pm) (Delivery Date June 10, 2022) for All Alcohol – Non-Profit. Mr. Kerrigan seconded. Ms. Turner again asked about making the motion contingent on approval by appropriate boards and departments. Mssrs. Allison and Kerrigan both stated that they were leery of contingencies as part of any motion, and that if Ms. Turner had questions about the preparation of the motion she should ask Ms. Hodges. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to approve a Special (One Day) Liquor License Application for Beer and Wine to Little Bear Stables for their fund raiser /grand opening, located at 61 Moffett Street, Lancaster, to be held on May 21, 2022, from 11:00am-4:00pm. Mr. Kerrigan seconded. Ms. Turner said that she has spoken to Ms. Hodges about this; there are conditions set forth by Mass. Department of Agriculture, and Ms. Turner hopes that the Police, Fire, Health and Building Departments have been consulted, especially since this is a first event for this applicant. Ms. Hodges explained that she received a call from the today to advise that the applicant has been issued a Cease and Desist order from the Mass. Department of Agriculture relative to this event. Police Chief Moody was recognized by the Chair; there seems to be some conflicting information regarding the applicant's non-profit status, but they do meet the Police Department's criteria for an event. It was determined that although the State has some issues with non-profit status having been filed but not yet approved, that the only issue facing the Board is the granting of the liquor license, which receives favorable recommendation from the Police Department. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to approve a Town of Lancaster Application for Use of Town Green/Gazebo for the Thayer Memorial Library for weekly activities to be held on Thursdays and Fridays (May 2022 – October 2022) for story times, outside weather permitting, at 10:30am. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

IX. OTHER/UNFINISHED BUSINESS

X. NEW BUSINESS

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

XII. COMMUNICATIONS

- Select Board will hold a Special Meeting (Hybrid) on May 23, 2022, at 6pm in the Nashaway and via ZOOM.

Ms. Hodges, in response to Mr. Allison's questions, explained that the IT Director has worked with Lancaster Sterling TV, and we have a new piece of equipment called an Apple. It was tested earlier today, and essentially it will allow people to speak and be heard in the room while also engaging other persons in the room. As Chair, Mr. Allison

will have a keyboard that he will use to control who is talking and whether you want to alternate between individuals in the room and an individualized ZOOM or whether you can see the entire room. It will be recorded, similar to current Select Board meetings.

Ms. Turner noted that the Planning Board will be meeting at the same time as this meeting and wondered if the Board would like to meet earlier so that the Planning Board could be part of the 40B meeting. Mr. Allison stated that he has not heard from the Planning Board but that he and Ms. Hodges would investigate possibilities. Mr. Allison recognized Roy Mirabito, who stated that he had sent an email to Ms. Hodges last week regarding the simultaneous scheduling of both meetings, noting that due to high COVID transmission rates he did not think that an in-person meeting was a good idea. Ms. Hodges explained that she had responded to Mr. Mirabito that the meeting would be on ZOOM as well as in person with a copy to Mr. Allison. Mr. Allison will need to review the email; he will review and respond.

- Town Offices will be closed on Monday, May 30, 2022, in observance of Memorial Day.

XIII. ADJOURNMENT

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

Respectfully submitted

Kathleen Rocco
Executive Assistant

APPROVED

Alexandra W. Turner, Clerk
Approved and accepted: June 6, 2022