



**LANCASTER SELECT BOARD
Regular Meeting Minutes
of Monday, August 1, 2022
Nashaway Meeting Room, 2nd Floor, Prescott Building,
701 Main Street, Lancaster MA**

I. CALL TO ORDER

Chairman Stephen J. Kerrigan called the meeting to order at 6:01PM in the Nashaway Meeting Room located on the second floor in the Prescott Building, 701 Main Street, Lancaster, MA. He advised that the meeting was being recorded via ZOOM and is being broadcast by Sterling Lancaster Community Television.

Join Zoom Meeting: <https://us02web.zoom.us/j/83024559085>

Meeting ID: 830 2455 9085

Roll call vote taken, Jason A. Allison, present, Alexandra W. Turner, present, Stephen J. Kerrigan, present. Also present, Kate Hodges, Town Administrator.

II. APPROVAL OF MEETING MINUTES

Mr. Kerrigan asked for a motion to approve the minutes of June 15 and July 13. Ms. Turner offered this motion, seconded by Mr. Allison. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

Mr. Kerrigan asked for a motion to approve the minutes of June 13 and June 29 with a spelling correction in the June 13 minutes (Hodge to Hodges') and one change to wording in the June 13 minutes (strike word 'complaint' and replace with 'warning'). Mr. Allison made the motion to approve the minutes with amendments as specified. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [2-0-0]*

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS

Mr. Kerrigan introduced MaryAnne Cleary, who spoke about Nashoba Neighbors, an all-volunteer, nonprofit organization dedicated to helping members in Berlin, Bolton, and Lancaster. Ms. Cleary presented a PowerPoint deck, explaining that the mission of Nashoba Neighbors is to help people age at home, addressing gaps in services, such as transportation and small home tasks and repairs. This organization augments existing groups such as the Council on Aging or Friends of Seniors but does not replace them. Nashoba Neighbors is expanding their Board of Directors and their volunteer crew, and the goal of tonight's presentation was to engage the Select Board

and get their feedback regarding how Nashoba Neighbors could be most helpful. More information is available at nashobaneighbors.org.

Mr. Allison thanked Ms. Cleary for coming and urged her to reach out to the Board with any needs. Ms. Turner stated that she has recently retired from the Nashoba Neighbors Board of Directors and has always been impressed with the organization. She encouraged people to volunteer, noting that it does not have to be a burden or very time consuming.

Mr. Kerrigan recognized resident Rob Zidek. Mr. Zidek talked about the SHINE program, tax incentives for seniors, and doing a “proxy” work off. Ms. Hodges noted that it would be good to look at the Senior Means programs offered by some towns. Mr. Kerrigan recognized Catherine Pfau, President of the Nashoba Neighbors Board of Directors. Ms. Turner talked about SHINE and would like to have a presentation by SHINE on an upcoming agenda.

IV. BOARDS, COMMITTEES AND DEPARTMENT REPORTS - NONE

V. PUBLIC COMMENT PERIOD

Opportunity for the public to address their concerns, make comments, 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. Kerrigan noted that this is not a forum for attacks or for repetitive conversation. He then recognized Lisa Engel, 922 Main Street. She had questions about the status of hiring for the new positions in the Health and Human Services (HHS) department. Mr. Kerrigan explained that interviews for the Director position are ongoing. It is unlikely that the positions will be staffed by mid-August, although “hope springs eternal.”

Mr. Zidek talked about Environmental Justice, and his takeaways from a recent Environmental Justice Council meeting. He would like the Board to consider developing a set of Environmental Justice standards.

Mr. Kerrigan thanked George Franz for some good information he had posted on Facebook about Lancaster’s water. He recognized Mr. Franz to speak. Mr. Franz noted that in response to a note he had sent to the Superintendent of the Water District that the District had responded promptly. He noted that about 60% of the land in Lancaster is owned by non-profit organizations that pay no property taxes. He would like the Board to consider beginning a voluntary program, Payment in Lieu of Taxes, which is done in many other towns. Mr. Kerrigan noted that just this week a donation was received from Arctic Community Alliance.

VI. TOWN ADMINISTRATOR REPORT

1. General Community Updates

Ms. Hodges stated that because of vacation schedules, she observed that the Town Hall does get busy on Thursdays and expects activity to increase as Fall approaches. She noted that Town Hall is closed to the public on Fridays, but that employees are available by appointment.

2. Community Center Board of Health Report

Ms. Hodges reported that an exterminator has been to the Community Center and that any problems are not severe and have been treated. The World Farmers' Market has come in and are scheduling approvals for the smoke hood and the commercial stove. They have removed other items. One issue with multiple organizations using the same kitchen facilities is that they each need separate storage, so the room in back that was going to be a Recreation office, or a small conference room will now be storage for Health and Human Services, which hopefully will meet Nashoba Board of Health requirements. This will allow the organizations using the facility to be licensed to cook and serve food.

Ms. Hodges noted that they have called several commercial cleaning companies for quotes, but the quotes were very expensive; some of the items needed, like cleaning the rafters in the gym, cannot be done by volunteers, so she will continue to look for a solution.

3. Keating/CEI peer review updates and schedule of next steps

Ms. Hodges reported that PJ Keating had not been invoiced for a previous peer review charge of \$8,000. This was taken care of, and PJ Keating paid immediately. There will be another invoice coming for about \$5,000. In light of their prompt payment, Ms. Hodges has authorized CEI to finish the peer review process. The Board discussed when they will need all materials in place in order to consider PJ Keating's October permit. Ms. Turner would like a meeting with both CEI and PJ Keating present to address flow meter issues, dust, and hydrology. She noted that PJ Keating was going to put in new transducers in April, so this should be on the radar (condition 25A). Mr. Kerrigan suggested telling CEI that the initial peer review is due on or around Labor Day so that the Board could meet on this topic in September.

4. Open Meeting Law Legislation Update

Ms. Hodges reported that the State Legislature has extended Zoom meeting allowances through March 31, 2023. Their language basically creates a permanent mandate for municipalities that says that meetings that involve public input in person, will also need to be on some remote platform to allow public comment. She noted that going forward this could be an expensive proposition, with multiple boards and committees meeting during the week, and that perhaps some of this should be rolled into the Capital Plan. The Board agreed that this should be on a future agenda, but not until the Board has actionable steps.

(Out of order)

Ms. Hodges thanked the group of people to the Friends of the Council on Aging, especially Denise Hurley, Jean Syria, Steve and Sheila Myette, Billie Jean, Deb, and Gary Renckowski, and many other folks for painting, kitchen cleaning, and a great job cleaning up the Community Center.

VII. ADMINISTRATION, BUDGET, AND POLICY

1. Town Meeting Clean-up (continued)

- Council on Aging (COA) from 9 members to 5 members; vote to determine how to do that

This is before the Legislature for approval. There are currently six members; one member has submitted her resignation so there are just enough members. The numbers are fine, but the staggering dates are now not correct because three members are set to expire in 2024. Ms. Turner said that one member being counted, Jo Agnes Santangelo is not a current member; Ms. Hodges said that there is no record of this person resigning. Mr. Kerrigan will call Mr. MacGrory to verify his term as well. Staggered dates will be adjusted.

2. Audit Committee

Mr. Kerrigan explained that this had last been discussed December 20, 2021, at which time the Board discussed the creation of the committee and agreed to solicit members, but it appears that the Board did not vote to do so. Mr. Kerrigan thinks that the charge of the committee needs to be defined. Ms. Hodges and Mr. Kerrigan thanked Kathi Rocco and Cheryl Gariepy for the work they have done to put together the history of this. Ms. Turner added that there had been a hold-up because at the time, Finance Committee members were not allowed to serve on other committees, but this was changed at Annual Town Meeting. Ms. Hodges notes that this committee has been referred to as an advisory committee, an ad hoc committee, and sometimes as an audit advisory board; these are very different things. Ms. Turner will work on defining the charge of the committee and will report back to the Board.

3. MART Representative

In the past Ms. Turner served as the representative to MART (Montachusett Area Regional Transit). Ms. Hodges attended a recent meeting and suggests that the representative would best be from the Health and Human Services Department or one of the related boards. This board meets at the same time as the Devens E911 Committee, which requires a Town Administrator as representative per their letters of incorporation. Ms. Turner explained that each community has one vote, but that vote is weighted by population, so the smaller towns do not have the same impact as Leominster, Fitchburg, or Gardner. Ms. Turner would be willing to take this on; the Board agreed to put this on the next agenda.

4. Discussion of Liaisons to Boards and Committees

- Assign Liaisons
- Define the role of Liaisons

Ms. Hodges has been researching this topic; generally, liaisons are appointed after Annual Town Elections or at some other time such as mid-year. In the past, liaisons from the Select Board have been appointed to the Planning Board, Economic Development Commission, Finance Committee, Library Trustees, Public Works, and Housing Authority. The liaison role is sometimes assigned to the Town Administrator, especially to the Council on Aging, the Disability Commission, the Historical Commission and the Historical Society, MART, the Conservation Commission, the Recreation Committee, the Board of Health, the Zoning Board of Appeals, and something called Ceremonies and Celebrations. These appointments have not been made for a few years. Typically, a Board member would be liaison to elected boards and the Town Administrator liaison to the appointed committees, but this is not carved in stone.

Mr. Allison stated that he thinks that enough research has been done and the Board should formalize a policy and move forward.

Ms. Turner said that she has been the liaison to the Planning Board, but in an informal way, because the Board has not appointed liaisons in a long time.

Mr. Kerrigan said the Board needs to define a policy and then to populate the defined openings. It was discussed that elected boards might be managed differently than appointed boards and committees, with a couple of exceptions, such as the Economic Development Committee (EDC). The EDC is not elected but would be treated like an elected committee. Ms. Hodges will define the different “buckets” to determine which boards and committees should have a Select Board liaison. She will also write a draft policy. This will be an upcoming agenda item. Ms. Turner would like a liaison to every board and committee; Mr. Kerrigan disagrees, in that boards that have staff would communicate with the Town Administrator on a day-to-day basis.

5. Discussion of Select Board members working through the Town Administrator and staff individually

Mr. Kerrigan stated that he hopes that Board members suppress the urge to call town staff directly to ask for things, rather than going through the Town Administrator. He would like to develop a working understanding that will best help town staff to do their work. Mr. Allison agrees, noting that the MMA (Massachusetts Municipal Association) states that the Select Board is a policy making board, not engaged in day-to-day activities. Ms. Turner concurs.

VIII. APPOINTMENTS AND RESIGNATIONS
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Resignations:

Minuteman School Committee member – Jennifer Leone

Council on Aging – Ann Mazzola, effective immediately

Mr. Kerrigan thanked both Ms. Leone and Ms. Mazzola for their contributions. Ms. Turner moved to accept the resignations of Jennifer Leone from the Minuteman School Committee and Ann Mazzola from the Council on Aging. Mr. Allison seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

Reappointments

Council on Aging – Linda Cutler, term to expire 6/30/2025

Ms. Turner moved to reappoint Linda Cutler to the Council on Aging, term to expire 6/30/2025. Mr. Allison seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

IX. LICENSES AND PERMITS

1. Application for Public Entertainment (Weekdays and Sundays)

Dean & Flynn Inc., dba Fiesta Shows, for the Annual Bolton Fair, August 11-14, 2022. (Thursday 5-10pm, Friday Noon-10pm, Saturday 9am-10pm and Sunday 9am-9pm) at the Lancaster Fairgrounds, 318 Seven Bridge Road.

Mr. Allison moved to grant a renewal Public Entertainment permit (Weekdays and Sundays) to Dean & Flynn Inc., dba Fiesta Shows, for the Annual Bolton Fair, August 11-14, 2022. (Thursday 5-10pm, Friday Noon-10pm, Saturday 9am-10pm and Sunday 9am-9pm) at the Lancaster Fairgrounds, 318 Seven Bridge Road. Ms. Turner seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

2. Application for Hawker & Peddler License

Ms. Hodges explained this requires no action; there was a misunderstanding between the Nashoba Board of Health and the applicant.

3. Application for use of the Town Green/Gazebo

The Thayer Memorial Library has applied for the use of the Town Green/Gazebo for Animal Adventures of Bolton, on August 6, 13, 20, & 27, from 10:30am-12:30pm.

Ms. Turner moved to grant a permit to the Thayer Memorial Library for the use of the Town Green/Gazebo for Animal Adventures of Bolton, on August 6, 13, 20, & 27, from 10:30am-12:30pm. Mr. Allison seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

X. NEW BUSINESS

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

XI. COMMUNICATIONS

- Select Board's next hybrid meeting will be held on Monday, August 15, 2022, at 6:00pm.

The Board will be returning to their regular schedule of first and third Mondays of the month. This would cause the first September meeting to conflict with Labor Day; Mr. Kerrigan asked the Board to consider this for discussion at the August 15 meeting.

- Popham Report – May 2022 Landfill Environmental Monitoring Report

Ms. Hodges advised the Board that this report requires no action and is included in their packets. Ms. Turner would like this topic to be placed on an upcoming agenda. Ms. Turner noted that this should be part of the budget and that the report shows that there may be some items that will have a cost.

- Maxon Frelick letter

Ms. Hodges read the letter received from Mr. Frelick, aged 11. Mr. Frelick would like a sidewalk on his street. There are many walkers who would benefit from a sidewalk, and Mr. Frelick would be able to ride his bike other than in the graveyard. Additionally, Mr. Frelick notes that his mother would like a sewer hookup. Mr. Frelick enclosed a nice picture. Mr. Kerrigan thanked him for his interest and requested that this item be left on the agenda until such time as the Board could meet with him.

- Payment in Appreciation of Services Provided from RFK Community Alliance (Perkins) Letter

Ms. Hodges notes that the Board should have a gift policy, probably in line with State policies, requiring a vote at public meeting for gifts over \$500.00. She will draft a policy for an upcoming agenda. Ms. Turner offered a motion to accept, with thanks, the generous gift of \$10,000 from the RFK Community Alliance. Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

Ms. Turner stated that PILOT (Payment in lieu of taxes) money is something that should be pursued since so much of Lancaster is owned by non-profits or the Federal Government, i.e., Devens. Mr. Kerrigan noted that this gift is not PILOT money, but a thank you for services.

XII. EXECUTIVE SESSION

Ms. Turner moved to enter Executive Session to discuss the discipline or dismissal of, or complaints against the Community Development & Planning Office Manager, pursuant to M.G.L. c30A, Section 21(a)(1) and not to reconvene in Open Session thereafter. Mr. Allison seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

Respectfully submitted,

Kathleen Rocco
Executive Assistant

APPROVED

Approved and accepted, on August 16, 2022
Alexandra W. Turner, Clerk