



**LANCASTER SELECT BOARD
Regular Meeting Minutes
of Monday, December 5, 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 6:00PM 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. Additional materials for Select Board meetings are available at <https://www.ci.lancaster.ma.us/administration-select-board> > Meeting Materials.

Join Zoom Meeting: <https://us02web.zoom.us/j/81755619261>
Meeting ID: 817 5561 9261

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. Allison moved to approve the minutes of November 12, 2022, November 14, 2022, and November 21, 2022. Ms. Turner seconded the motion. Ms. Turner noted that the minutes of November 12, the day-long meeting with the Finance Committee, should either insert the slides presented or refer people to where the presentation/meeting materials might be found. She moved to amend the minutes to insert, under Section II, after “This meeting was strictly informational; no deliberation was held, and no votes were taken.” the words “Refer to meeting materials found on Select Board Meeting Materials tab on website.” Mr. Kerrigan seconded the amendment. Mr. Allison suggested that this was a bad precedent. Ms. Turner stated that the minutes as presented do not present a “substantive capture.” Mr. Kerrigan stated that plenty of material is available for every meeting, and he would support including this as part of the header for every set of minutes.

Vote taken on amendment, *Alexandra W. Turner, Aye; Jason A. Allison, No; Stephen J. Kerrigan, No; Motion failed. [1-2-0].*

Mr. Kerrigan suggested a statement at the top of ongoing minutes stating that additional materials for the minutes below were available at the website. Ms. Turner moved to adopt this; the motion failed for lack of a second.

Vote taken on the original motion; *Alexandra W. Turner, No; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [2-1-0]*

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS

6:05PM Notice of Public Hearing – Tax Classification for Fiscal Year 2023

Mr. Kerrigan reading the legal notice into the record: *In accordance with G.L. c.40, §56, the Select Board will conduct a Public Hearing on the question of adoption of percentages of the total tax levy to be borne by each class of real property (residential, commercial, industrial, open space) and personal property for Fiscal Year 2023. The Hearing will be held as a hybrid meeting and by Zoom <https://us02web.zoom.us/j/81755619261> on Monday, December 5, 2022 at 6:05 P.M. All interested parties are invited to attend and be heard.*

Mr. Allison moved to open the aforementioned Public Hearing; Ms. Turner seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed; this Public Hearing is continued. [3-0-0]*

Mr. Kerrigan recognized David Manzello, President/Regional Assessor of Regional Resource Group, Inc. Mr. Manzello presented a packet explaining the Annual Tax Classification process.

The Fiscal Year 2023 Levy Limit and Amount to be Raised:

The following is a calculation of Lancaster's estimated levy for fiscal year 2023.

Fiscal Year 2022 Levy	\$20,305,497
Levy Increase allowed under Prop. 2 ½	507,637
New growth revenue (estimated)	337,710
Fiscal Year 2023 maximum allowable levy	21,150,844
Debt excluded under Prop. 2 ½	910,982
Maximum Levy (rounded by tax rate)	22,061,826
Levy Ceiling	32,084,091
Excess levy capacity	805.37

Valuations by Class Before Tax Shift

<u>Major Property Class</u>	<u>Valuation</u>	<u>Percent</u>	<u>Res vs CIP%</u>	<u>Prior FY %</u>
Residential	\$1,114,280,987	86.8250	86.8250%	85.6565
Commercial	\$ 87,097,209	6.7866		
Industrial	\$ 44,660,804	3.4800	13.175%	14.3435
Personal Property	<u>\$ 37,324,620.</u>	<u>2.9084</u>		
TOTAL	\$1,283,363,620	100	100	100

Tax Rates

Based on the shift factors, the Board of Assessors has calculated the following tax rate needed to raise the tax levy:

<u>Property Class</u>	<u>FY2022</u>	<u>FY2023</u>
Residential	\$19.45	\$17.19
Commercial	\$19.45	\$17.19
Industrial	\$19.45	\$17.19
Personal Property	\$19.45	\$17.19

The Assessors noted that the Fiscal Year 2023 rate is an estimate and may change upon the Department of Revenue review.

Tax Impacts

Fiscal Year 2023 residential valuations have increased by 17% compared to assessed values from last year, reflecting a very aggressive sellers real estate market.

The average residential tax bill calculation will change as follows:

FY2022 Average Single Family Valuation	\$ 389,200
Taxes at \$19.45 per thousand	\$ 7,569.94
Change	272.14
FY2023 Average Single Family Valuation	\$ 456,200
Taxes at \$17.19 per thousand	\$ 7,842.08
Change	3.59%

Recommendations

The Board of Assessors recommends that the Select Board adopt a residential shift factor of 1.0000 with a corresponding CIP factor of 1.0000, thereby maintaining the relative shares of overall tax burden borne by the residential property owners in the past years. **Based on the above assumptions a single tax rate of \$17.19/\$1000 would be classified for all property classification. Levying the amount of \$22,061,020.63 with excess levy capacity in the amount of \$805.37**

Mr. Kerrigan noted that although the tax rate is going down, that values have increased, so that taxpayers will see a net increase in property taxes, with the average homeowner seeing an increase of \$272.14. Bobbi-Jo Williams, Principal Assessor, noted that part of the reason that the rate has decreased is that debt service for a school building/renovation project has been completed. Ms. Turner asked why CIP had declined; Mr. Manzello replied that this was due to a strong residential market. Mr. Manzello explained that value of residential real estate grew by about 17%, commercial real estate growth, including agricultural property, grew more modestly at about 7%. Ms. Turner spoke about potential for future, but not current, split tax rates and about tax exemptions. She referred to work done by Barry Bluestone in 2014. Ms. Williams spoke about area towns that have previously had split tax rates and are now reversing those decisions. Mr. Allison asked what the relationship was between the vote on this tax rate and current financial/budget issues.

Ms. Turner moved that the Lancaster Select Board votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2023 tax rates and set the Residential Factor at 1.000, with a corresponding CIP shift of 1.000, pending certification of the Town's annual tax recap by the Massachusetts Department of Revenue. Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

IV. BOARDS, COMMITTEES, AND DEPARTMENT REPORTS

1. FY24 Budget Updates

- a. Draft General Fund Detail Sheets
- b. Draft Capital Plan (for discussion at 12/19/22 joint meeting with Finance Committee)

Ms. Hodges, with Finance Director Cheryl Garipey, showed a high level view of next year's budget, with major changes from this year's budget only in utility and insurance costs. They are working on breaking out school versus non-school expenses for better analysis. Personnel costs are, with a 2.75% cost-of-living increase for Town employees, anticipated to decline 1.1%, treating non-union and union employees equally. Right now the budget is carrying an increase for schools of 4-5%. This still leaves a shortfall of about \$614,000. Ms. Hodges talked about the potential numbers if there were an override of \$1.5M that would carry the budget for the next several years, at which point hopefully there is additional commercial/residential development that would alleviate some of the burden on homeowners. Ms. Hodges expressed concern that using Free Cash again to balance the budget would have a serious impact on the Town's bond rating. Discussion was held about debt service and potential future debt, and the reasons for insurance increases. Mr. Allison noted that the current shortfall for FY24 is about \$1.2 million and that without an override, knowing that about \$700,000 is due to the School District, drastic cuts and employee layoffs would be needed. Discussion continued relative to whether or not commercial/industrial development is or is not helpful to towns.

Ms. Hodges reviewed the current plans for Capital, with requests classified as urgent or desirable. Department requests/needs total \$5.75 million, with some requests having been deferred for up to ten years. Mr. Kerrigan noted that ARPA funding will not cover even the urgent requests. Urgent requests total about \$2.6 million. No debt or general fund impact is planned for FY24. Mr. Allison asked for an example of an urgent request. Ms. Hodges mentioned the old Town Hall, which currently costs significant money to heat, but there is no funding to upgrade the heating system, and deferring work causes the building to deteriorate further. Another example is that the bathrooms in the Community Center are not ADA compliant.

2. Discussion regarding Planning Board Public Hearing 12/12/22 relative to Citizens' Petition

The Planning Board will hold a Public Hearing on December 12 to consider the Citizen's Petition to reconsider the Enterprise Zoning in North Lancaster. There is some question as to who is sponsoring this article; in the Planning Board's posting the Select Board is identified as the sponsor. Town Counsel is comfortable with a citizen, the Planning Board, or the Select Board presenting the article. The target date for Special Town Meeting is January 28, 2023. Ms. Turner said that she has received a letter expressing concern about having the meeting on a Saturday; she would like to discuss this.

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 recognized Rob Zidek, 103 Kaleva Road. Mr. Zidek brought up the probability of having both a 40R and a 40B, or having neither one, as part of the North Lancaster development. He states that the best solution would be to have neither a 40B or a 40R. Mr. Kerrigan stopped the comment as being too directed at staff or boards.

Mr. Kerrigan recognized Kendra Dickinson, 402 Oetman Way, speaking as a private citizen. Ms. Dickinson thanked the Board and Ms. Hodges for providing a large amount of budgetary information. She talked about prioritizing deferred capital expenses and deferred maintenance.

VI. TOWN ADMINISTRATOR REPORT

1. Hiring Updates – Health & Human Services Department, Outreach & Activities Coordinator

Ms. Hodges welcomed and introduced Catlin Roy, who is a Licensed Social Worker with many years of experience working with older and disabled adults as well as children and families.

2. Update & Notification Regarding Grants Received in November

Ms. Hodges thanked IT Director John DiTommaso for working with her on a grant to bring better Wi-Fi and a dedicated server to the Town Hall. The grant is in the amount of \$98,000 and will be received by the end of the calendar year.

3. Other Departmental Updates

The Community Center is now available for rentals for programs such as basketball and physical fitness. Tags are available at the Police Station for the Giving Tree.

VII. ADMINISTRATION, BUDGET, AND POLICY

1. Draft/Proposal – Financial Audit Committee (Turner)

Ms. Turner has sent a draft to the Board. She has received some feedback from Board members and from Ms. Hodges. She has incorporated the changes. This committee would direct the scope of the Audit, directs the Audit, and reports back to the Board, the Finance Committee, and to the community. Ms. Turner reports that the Inspector General's office recommends this as an "independent lens." Mr. Kerrigan questioned the role of this committee in the current cycle; there is currently an Audit underway, and this is the last year of the contract for the current Auditing firm. Ms. Turner explained that they would work with the Auditor to understand the function and would present the management letter written by the Auditors. Mr. Kerrigan is inclined to table this until he has spoken to the Inspector General, especially because the Audit is in process. Ms. Turner states that this is the ideal time to form this committee. Ms. Turner moved to Table the Discussion; Mr. Allison seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

The Board took a 3-minute recess at this point.

2. DCAMM Property Update (Town Admin)

Ms. Hodges reported on her meeting with DCAMM last week. Previous materials were reviewed; Ms. Hodges has loaded all the documents to a shared drive that has been established with DCAMM. She will be meeting with DCAMM's Real Estate Planning Vice President on site next week, followed by a meeting in Ms. Hodges' office to draft a preliminary Scope of Work for the Building Assessments and to do an Environmental Phase I and Phase II. Once these reports are in, then the hope would be that an RFP would be put out to interested developers relative to what can be done with the property. Those responses would then be assessed by the Town in the manner that the Board determines. Ms. Hodges stated that her opinion, shared by MassDevelopment, is that an RFP should not be put out until the environmental reports are done. She stated that she is concerned that if there is not a plan in place by Summer of 2023, that taking ownership of the property could present an astronomical increase to property and liability insurance. Mr. Kerrigan notes that the disposition of the property needs to be determined by the end of 2023. Ms. Turner stated that her contact at DCAMM will be able to attend a January Select Board meeting. Mr. Kerrigan noted that the Board could, while this work is going on, be communicating with neighbors and abutters.

VIII. APPOINTMENTS AND RESIGNATIONS

Re-Appointments

Affordable Housing Trust: Debra Williams and Frank Streeter terms to expire June 30, 2024 (two year term)

Ms. Turner moved to appoint Debra Williams and Frank Streeter to two-year terms on the Affordable Housing Trust, terms to expire June 30, 2024. Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

IX. LICENSES AND PERMITS

1. Review and take action on the following ABCC licenses for 2023

Michael's Bridge Diner – Retail License to Sell Wine & Malt and Common Victualler License

Ms. Turner moved to approve a Retail License to Sell Wine & Malt and Common Victualler License for Michael's Bridge Diner for 2023. Mr. Allison seconded. Ms. Turner asked Ms. Hodges for a copy of the most current alcohol regulations. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

2. Review and take action on the following 2023 Renewal License Applications

Mr. Allison moved to approve the following licenses for 2023:

1. Cumberland Farms – Common Victualler
2. Dunkin Donuts – Common Victualler
3. Mobile/Exxon – Common Victualler
4. Trolley Stop – Common Victualler
5. Murphy's Hot Dog Truck – Lunch Cart License
6. Sterling National Country Club – Dispensing Food or Beverages to Members & Guest of Clubs
7. Crawford Truck Sales, Inc. – Class II
8. F.J.S. Auto, Inc. – Class II
9. Nationwide Auto Recycling, Inc. – Class III and Collector & Dealer of Junk
10. JC Madigan – Class I
11. RBI Motors – Class II
12. Ron Bouchard Auto Sales, Inc. - Honda – Class I and Class II
13. Ron Bouchard Dodge, LLC – KIA – Class I and Class II
14. Ron Bouchard Auto Sales, Inc. - Nissan – Class I and Class II
15. Route 117 Used Auto Parts, Inc. – Class II, Class III and Collector & Dealer of Junk

Ms. Turner seconded. Ms. Turner noted that she has sent questions about some of these to Ms. Hodges; Ms. Hodges confirmed that she has answered these questions. *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 matters not reasonably anticipated by the Chair.

Ms. Turner, noting that she is the Town's representative to the Restoration Advisory Board, has been made aware that live antique hand grenades have been found in the Oxbow Area

(Harvard/Lancaster) and that there has been an increase in magnet fishing in the local area. She explained that residents who see any unexploded ordinance or any metal scrap that they are not sure of, that they should report it to the Select Board office or to the Police Department. This would even apply to antique cannonballs.

XI. COMMUNICATIONS

- Next Select Board Hybrid Meeting will be held on Monday, December 19, 2022 at 6:00pm
- Due to Monday Holidays occurring during the month of January, the Select Board will meet that month on Tuesday, January 3rd and Tuesday, January 17th, 2023.

XII. ONGOING PROJECTS & OLD BUSINESS

- Liaison Roles, Policies & Appointments – Review Draft Proposal (Turner)
- Public Records Requests Inventory & Handling, Policy Proposals (Turner)

Ms. Turner moved to table the items above and to remove them from the agenda. Mr. Allison seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

XIII. ADJOURNMENT

Mr. Allison moved to adjourn the meeting. Ms. Turner 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

Alexandra W. Turner, Clerk
Approved on: 12/19/22