

Meeting materials and information which accompanies Board topics and voted subjects may be found on the Town's website under the Administration tab, meeting materials or by clicking on the link below: <https://www.ci.lancaster.ma.us/administration-select-board/pages/meeting-materials>



**LANCASTER SELECT BOARD
Regular Meeting Minutes
of Monday, February 27, 2023
5:30 P.M.**

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 5:30PM in the Nashaway Meeting Room 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/82694693842>
Meeting ID: 826 9469 3842

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

Ms. Turner moved to approve the minutes of February 6, 2023, and February 13, 2023. Mr. Allison seconded the motion *Vote taken; Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE

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 tolerated.

No public comment was offered.

VI. TOWN ADMINISTRATOR REPORT

1. Update regarding Memorial School property restriction and potential uses

Ms. Hodges has forwarded all documentation from the Memorial School Reuse Committee as well as additional documentation to Town Counsel, authorizing Counsel to spend up to four hours to investigate property restrictions and potential uses. She anticipates a response by the meeting of March 20.

2. Recruitment/Staffing Updates

Ms. Hodges reported that candidates are being sought for the “revamped” Assistant Town Clerk position. This person will also be an Information Officer, managing social media and helping the Town to be more of a presence in online and written word as well as traditional Assistant Town Clerk duties. The budget will be modified to reflect this change.

3. Other Department Updates

No reports.

VII. ADMINISTRATION, BUDGET, AND POLICY

1. First Church Inter-Agency Agreement – proposal/discussion (taken out of order)

George Frantz explained that the First Church of Christ (The Bullfinch Church) has a historic clock on the belltower; historically it has been the responsibility of the Town to maintain the clock, purchased by the Town, while the church winds the clock and takes care of day-to-day operation. The clock has wooden gears that need some maintenance. Ms. Hodges recommends that costs related to the clock be assigned to General Maintenance. Mr. Frantz will forward estimates for annual maintenance. Mr. Allison asked where liability lies; it has been carried under the church’s umbrella policy for many years, but ownership and responsibility is murky; Mr. Frantz will provide more information. Resident Martha Moore contributed some historical information. Questions were raised about whether the Town or the Church own the clock, which pre-dates the separation of church and state. Mr. Allison suggested that after investigation, a solution might be for the Town to donate the clock to the Church.

2. The Board of Assessors (Turner)

Ms. Turner noted that the meeting with the Board of Assessors that set the tax rate was very productive. She stated that there was confusion about the “nuts and bolts” of tax bills and property assessments and would like to meet again to discuss this. Mr. Kerrigan and Mr. Allison both reported having no citizens contact them with questions and think that questions should be directed to the Assessors’ Office.

3. Public Records (Turner)

Ms. Turner would like to have results of Public Records Requests published online in the hopes of making Public Records requests more visible to the public. Mr. Kerrigan objected, stating that he does not see a problem that the Board might solve. Discussion continued with no resolution.

4. Lancaster Municipal Aggregation – Request for Proposal (RFP) planning

Mr. Kerrigan recognized Mark Cappadona of Colonial Power Group who spoke about “next steps” for municipal aggregation. The current contract will expire in December 2023. Mr. Allison moved to authorize Town Administrator Kate Hodges to act on behalf of the Town regarding the RFP for Municipal Aggregation. Ms. Turner seconded the motion. Ms. Turner noted that Lancaster does have an Energy Commission that should be used to assist in drafting the RFP, and if the Commission is not being used then perhaps it should be disbanded. Ms. Hodges noted that the Town has a consultant performing the duties that Ms. Turner had suggested might be done by the Commission. Mr. Kerrigan suggested that that Energy Commission could bring their recommendations to Ms. Hodges as part of the process, and that this was not part of the determination as to whether Ms. Hodges had authority to prepare the RFP. Mr. Cappadona explained his role as an energy broker. Ms. Turner asked if it were an option for Ms. Hodges and the Energy Commission to look at other energy brokers; Colonial Power has a contract with Colonial Power until December 2023. *Vote taken; Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

5. Update One Day Liquor License Fees, effective 7/1/23

Ms. Hodges explained that the only change would be to the dollar amount; for some reason, to date, a beer and wine license is more expensive than an all-alcohol license. This has not been updated for at least fifteen years. The proposed fee would be a flat \$100 regardless of the type of alcohol served. Mr. Allison moved to accept the proposed One Day Liquor License Fees effective July 1, 2023. Ms. Turner seconded the motion. Mr. Kerrigan clarified that the new fee would be in place for events after July 1 regardless of when the application is received. *Vote taken; Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

6. Update Ambulance Fees, effective 7/1/23

Fire Chief Michael Hanson explained that ambulance fees have not been increased since 2014, at which time they were raised from \$500 to \$731 for a basic ambulance call. In District 8, of which Lancaster is one of 24 area towns, the average fee is approximately \$1,100. Chief Hanson is recommending a change to \$1,131.00 and would like to increase the mileage from \$28.00 to \$33.00 as seen in other communities. Mr. Allison moved to change the ambulance fee to \$1,131.00 and the mileage to \$33.00 per mile. Mr. Allison asked why the rate would not be higher; Chief Hanson explained that the difference between Medicare reimbursement and the patients’ out of pocket costs might be a problem for some residents. Ms. Turner asked if the Chief had the ability to work with residents who cannot afford ambulance services; Chief

Hanson confirmed that yes, he can work with residents as needed. Ms. Turner seconded the motion. *Vote taken; Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

7. Permission to Use Town Owned Land

Mr. Kerrigan recognized Drew Burdick, the Test Coordinator for the North America Deutsch Kurzhaar Club (NADKC), a dog testing organization (German Short Hairs). An event is planned for the Bolton Flats on April 15, 2023. He is asking permission to use the Pine Hill Road parcel; this is usually restricted because there is a police shooting range at the location. Police Chief Moody verified that he has no problem with this request and that the shooting range will not be used during this time. Mr. Allison expressed pleasure that the land would be used for dog training and testing. Ms. Turner asked for clarification on which piece of the land would be used; Mr. Burdick explained, and there is a map in the Select Board packet for this meeting. Ms. Turner moved to approve Mr. Burdick's request for use of a Wildlife Management Area for a dog training and testing event; Mr. Allison seconded. Ms. Hodges noted that there should probably be a policy governing this. *Vote taken; Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

8. FY2024 Budget Preview (Tabled from 2/6/23 Meeting)

- a. 7:00PM Joint Meeting with Finance Committee

[Note: Several parts of this agenda item are not clearly audible; multiple people speaking indistinctly at same time]

Finance Committee (FinCom) Chair Susan Smiley called the meeting of the Finance Committee to order at 7:00PM, taking a roll call. Richard Trussell, present; Emily Kerrigan, present; Jocelyn Mylott, present; Michelle Vasquez, present; Susan Smiley, present. Ms. Smiley noted that several files have been prepared and posted with the FinCom agenda including some analysis sheets. Mr. Kerrigan addressed any concerns about the timing of this meeting.

Ms. Hodges reviewed the Budget preparation, explaining that the structure of the Budget Book. Her hope is that following tonight's meeting the final iteration of the Book should be available online by late this week. She reviewed the state of the overall budget, noting that the budget issues did not happen overnight, nor are they the result of frivolity or waste. She reviewed the consequences of the rate of inflation versus growth of revenue. She reviewed visuals found in the Budget Book. In conclusion, revenues for FY24 are anticipated at about \$26 million, but this leaves a projected deficit of about \$1.35 million.

Ms. Hodges addressed the question, "what can be cut?" explaining that the proposed budget is a level service budget. There are limited line items that could be cut. She reviewed a variety of scenarios and concerns including the Town's bond rating and potential upcoming spending for a new high school.

Ms. Hodges reviewed those costs over which the Town has no control, and those costs which might have some potential to cut. Even if all potential cuts were made, including closing Recreation (no beach, no free programs or events, limited access to community center gym); reducing library programs and hours of operations; reducing fire and police coverage, and reducing Social Services, the total saved would be about \$400,000, still leaving a shortfall of about \$1.1 million when school increases are factored. She does not advocate these cuts. It was noted that all the Town's union contracts will expire July 1; she is working with Finance Director Cheryl Gariepy to stagger union contracts for future years. Ms. Gariepy emphasized that continuing to use declining Free Cash is not sustainable.

Mr. Kerrigan opened the conversation to questions from Board members. All parties expressed thanks for the level of detail shown in the budget preparation.

Questions included:

Mr. Allison:

- How would an override continue year-over-year? How would we retain good employees?

Ms. Turner:

- Asked if printout of the budget book was available – Ms. Hodges will be putting this online.
- Asked questions about inflation rate going forward – Ms. Hodges explained how other communities have dealt with this in past years.
- Asked if deficits shown included debt on projects such as Town Hall – yes. Asked if HR function, new last year, could be eliminated – Ms. Hodges explained staff member for last two years, but in prior years large expense for Town Counsel to perform HR functions such as union negotiations.
- Asked about new positions in Health & Human Services – Ms. Hodges explained overall FTE (Full-time employee) reduction. Ms. Turner would like additional information; Mr. Kerrigan asked Ms. Turner to review page 95 in the Budget Book which explains this.

Mr. Allison:

- Would like to review each line item in the budget. Stated that he believes that there are areas that might be cut, but not cuts that would resolve the deficit.

Mr. Kerrigan:

- Stressed that the two Boards need to leave tonight's meeting with a plan going forward rather than scheduling more meetings.

Ms. Smiley:

- Asked for outline of what level services include, would like a copy of Ms. Hodges' PowerPoint presentation. Ms. Hodges explained that the narrative in the budget book explains level services.
- Asked about number of FTE's, questions about minute taker. Ms. Vasquez objected to discussing lesser items which will not create overall savings or significant changes to budget.

Mr. Trussell:

- Many questions need to be answered about line items, but the questions being posed will not solve the issues.
- Asked about ARPA spending deadlines. Noted that all revenues are not in place as of the start of the fiscal year.
- Wanted to establish that backup funds such as Free Cash come in during the fiscal year; would like to see more of a flow as to when revenues and expenses come in.
- Questions on timing of school building bond.
- Might like to consider some use of Free Cash to reduce override request below \$1.5 million. Ms. Gariepy responded, attempting to explain that there are laws governing what she can estimate for revenue. Group discussion of ARPA spending and prison mitigation funds.

Ms. Vasquez:

- Stated budget as presented is as lean as possible; Ms. Smiley stated that this is Ms. Vasquez' opinion but that she does not agree and thinks more consideration is needed.

Ms. Smiley:

- Wants to understand more about how cuts and how override would impact services. Not ready to make a decision at this point.

Mr. Trussell:

- Impact of upcoming affordable housing on budget and schools.

Mr. Kerrigan:

- Need to plan override to make sure that another override is not needed in the next few years. Ms. Vasquez spoke to multiple year planning.

Ms. Turner:

- Questions on "cherry sheet" revenues. Discussion ensued about how much should be left in Free Cash. Ms. Hodges stated generally understood principle is that 15% of overall budget should be Free Cash.
- Not suggesting using ARPA funding for operations, did not realize that the Board had voted to use ARPA funds for capital expenses.
- Stated that asking the "hard questions" is needed; Ms. Hodges objected, stating that the "hard questions" have been asked and answered. Discussion ensued.
- What happens if the override fails at the ballot box?

Mr. Kerrigan:

- Objected to statements that say more input is needed because it is new to the public; reviewed many public meetings about the budget have been held over the last six months. The purpose of this meeting is to determine whether this budget will be brought forward to Town Meeting, and that all members of the Select Board and FinCom have had the budget book for weeks. Ms. Turner disagreed, stating that this meeting was the first opportunity to discuss the Budget Book.

Ms. Smiley:

- FinCom has not had the opportunity to discuss the Budget Book. Ms. Vasquez disagreed.

Mr. Allison:

- Would like to deliberate; has questions about line items to provide continuous improvement.
- Would like to see reduction in paper.
- Why \$25,000 in phone costs?

Mr. Trussel:

- Considerations include: were we considering flow? Considering the elderly? Financially stable Town instead of constantly on the brink? Level or better services for money spent? Security for unforeseen issues? Stated these have all been discussed to his satisfaction. Willing to support override if future override is understood.

Ms. Hodges:

- Budget prepared with override request for \$1.5 million instead of \$1.33 million to create some security, prepare for union negotiations. Ms. Vasquez asked about COLA (Cost of Living Allowance) increases for staff; the budget as presented includes 2% COLA.

Ms. Vasquez:

- How long will it take to see revenues from new development? Discussion continued regarding new development.

Mr. Allison:

- Not trying to balance the budget but has questions on some line items.
- Public Records Officer, 20 hours/week. Ms. Hodges explained this has been cut with duties rolled into the Assistant Town Clerk job description. Ms. Turner asked for further details; the Assistant Town Clerk did have “webmaster” responsibilities which have been reassigned to IT. Ms. Turner asked additional questions about the Assistant Town Clerk position.
- Minute taker; Ms. Hodges explained this person does minutes for the Select Board and the FinCom. Mr. Allison noted that meeting duration impacts this line item. Ms. Turner asked why this was no longer part of the job description of the Executive Assistant. Ms. Gariepy noted that this position has saved on overtime. Ms. Hodges explained that this was changed about three years ago, and having the Executive Assistant perform this task would take away from projects and phone coverage.
- Why is change in legal costs so expensive? Ms. Gariepy stated that when the Select Board changed Town Counsel, fees for the selected new firm are higher. Ms. Hodges noted that several issues with former employees have incurred large legal fees. Public records requests, appeals, and Open Meeting law issues result in additional legal hours. Ms. Hodges notes that the upcoming DCAMM project is very complex and will involve many hours of legal work. Ms. Turner noted that prior Labor Counsel had suggested combining three unions, and she would like to talk about this further.
- Copier leases; Mr. Allison would like to see a reduction in paper, perhaps a yearly reduction of some percentage of paper use. Ms. Gariepy noted that water bills and street listings had been done by outside firms but have been brought in house. Mr. Allison noted that the senior population may need paper communications rather than digital.

- LogMeIn; Ms. Hodges explained this software.
- \$25,000 in phone costs. Mr. Allison suggested that providing every staff member with cell phones would cost less money. Mr. Kerrigan suggested something like “Ring Central”; Ms. Hodges reviewed the reasons for this cost, including things like hard lines in elevators, alarms, and more. Ms. Gariepy said that phones have not been reviewed in about ten years, and doing so might be useful.
- Postage. Ms. Gariepy explained that this covers all departments although it falls under the IT budget.
- Questions arose about cell phones – belong to DPW as per their contract; pagers are no longer used.
- A variety of questions were asked about office supplies for various departments.
- Police Chief Moody answered questions about police overtime; the main drivers are holiday pay, vacation time, personal days, court time, emergencies, and poor weather. He was asked questions about office supplies and vehicle supplies.

Ms. Turner:

- Asked about police staffing. Police Chief Moody reviewed staffing levels.

Mr. Allison:

- Why is no money budgeted for Health and Human Services programs or food? Ms. Hodges explained that Recreation is running the programs; Ms. Gariepy explained that formula grants and the revolving funds pay for programs; Ms. Hodges added that no tax dollars are used. Ms. Turner asked questions about serving meals; Ms. Hodges explained that existing staff rather than an In-House coordinator would serve meals, but that there is currently not a usable kitchen.

Ms. Turner:

- Stated that the beach has not made money in recent years, and has lost money. Ms. Vasquez noted that it made money in the last fiscal year. Ms. Turner suggested reducing staff, for example not having lifeguards. Others suggested this might be a liability issue.

Mr. Allison:

- Asked for explanation of the Library Technician role; Ms. Hodges explained.
- Mr. Allison suggested that level services is not enough, and that investment is needed, especially in the library, in Health and Human Services, and in town roads.

Ms. Turner:

- Asked about the Facilities Specialist position. Ms. Hodges explained that this position is changing to a non-union salaried position and that there would be savings in overtime.
- Why has outside cleaning company cost been reduced? Ms. Hodges explained that recent renovations mean that some carpet cleaning is no longer needed.
- Stated that Community Center gutters were replaced two years ago with wooden gutters, so estimates for gutter needs may be incorrect.

Mr. Trussell:

- Concerned that the Select Board has prepared the budget rather than the Finance Committee, and that next year the FinCom should have prepared the budget and be presenting to the Select Board.

Ms. Smiley:

- Stated that the Finance Committee needs more time to work with this budget.

Ms. Mylott:

- Thinks a summary of the budget book would be helpful to residents. Members of both boards agreed.

Mr. Allison moved to approve the Fiscal Year 2024 Town Budget as proposed. Mr. Trussell asked how soon this would be public information. Ms. Hodges stated that she needs to correct a few items and should have it available online by the end of the week. Ms. Turner seconded the motion. Ms. Turner verified with Ms. Hodges that the only staff addition in the budget would be a part-time budget analyst and that additional personnel shown for the Fire Department have been removed from the budget. *Vote taken; Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

Ms. Vasquez moved to approve the Fiscal Year 2024 Town Budget as proposed. Ms. Kerrigan seconded. Ms. Smiley stated that she would like to have an amended budget. *Vote taken; Richard Trussell, Aye; Emily Kerrigan, Aye; Michelle Vasquez, Aye; Jocelyn Mylott, Aye; Susan Smiley, Aye. Motion passed. [5-0-0]*

VIII. APPOINTMENTS AND RESIGNATIONS
--

Resignation

Memorial School Reuse Committee: Win Clark, effective immediately. Ms. Turner offered a motion to accept said resignation. Mr. Allison seconded. Mr. Kerrigan offered thanks to Mr. Clark for his contributions. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

IX. LICENSES AND PERMITS

Special One Day Liquor (Malt & Wine) License Application ** taken out of order **

Applicant: First Church of Christ

Events:

- St. Patrick's Day Dinner – Saturday, March 18, 2023; and
- Bulfinch BEE 5K run – Saturday, May 6, 2023

Mr. Allison offered a motion to approve the aforementioned license applications; Ms. Turner seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

X. NEW BUSINESS - NONE

XI. COMMUNICATIONS

- Select Board's next Regular Meeting will be held on Monday, March 6, 2023 at 6:00pm. By Zoom only; Mr. Kerrigan noted that this will not be a live meeting.
- Miscellaneous Correspondence and Memoranda

XII. ONGOING PROJECTS & OLD BUSINESS - NONE

- **Division of Capital Asset Management and Maintenance Property (Hodges) - tabled**
 - Update regarding Special Legislation
 - Updated Timeline Reviewed

XII. ADJOURNMENT

Ms. Vasquez moved to adjourn the meeting of the Finance Committee. Ms. Smiley seconded. *Vote taken; Richard Trussell, Aye; Emily Kerrigan, Aye; Michelle Vasquez, Aye; Jocelyn Mylott, Aye; Susan Smiley, Aye. Motion passed. [5-0-0]*

Ms. Turner moved to adjourn the meeting of the Select Board. Mr. Allison seconded the motion. *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
Date: 3/6/2023