



**APPROVED**

**LANCASTER SELECT BOARD  
Regular Meeting Minutes  
of Monday, May 15, 2023, 6:00 P.M.  
Prescott Building – Nashaway Room**

**ZOOM: <https://us02web.zoom.us/j/81409756185> Meeting ID 814 0975 6185**

**I. CALL TO ORDER**

Chairman Stephen J. Kerrigan called the meeting to order at 6:00PM and advised that the meeting was being recorded and broadcast by Sterling Lancaster Community Television.

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 May 3, 2023. Ms. Turner seconded. *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. BOARD, COMMITTEE, & DEPARTMENT REPORTS - NONE**

**V. PUBLIC COMMENT**

*Opportunity for the public to address their concerns, make comments and offer suggestions on operations or programs, except personnel matters.*

Mr. Kerrigan recognized Joe D'Eramo, 127 Harvard Road. Mr. D'Eramo talked about the Tax Fairness Committee formed by Annual Town Meeting; he would like to include the charge given at Town Meeting 2023, for the Committee to address Senior Means testing. Secondly, he expressed concern about the appointment of Deb Sanders as Assessor because Ms. Sanders is not a Lancaster resident.

Mr. Kerrigan recognized Jan Pirozzolo-Mellowes, 12 Neck Road. Ms. Pirozzolo-Mellowes voiced her objections to the proposed 40B project at 13 Neck Road, particularly the size and scope of the project. She will submit her comments to the State.

Mr. Kerrigan recognized Sebastian Malatos, 24 Neck Road. Mr. Malatos also objects to the proposed 40B project on Neck Road and will submit his comments.

Mr. Kerrigan recognized Martha Moore, 131 Center Bridge Road. Ms. Moore is concerned about the 40B project on Neck Road, citing issues with size and traffic. She will submit her comments to the State.

Mr. Kerrigan recognized Anne Ogilvie, 4 Turner Lane. Ms. Ogilvie spoke about Mr. Allison's appointment to the Montachusett Regional Transit Authority (MART) Advisory Board, stating that attendance has been sparse, and she would like other representative(s) at MART meetings.

Mr. Kerrigan recognized Susan Munyon, 96 Grant Way. Ms. Munyon would like the Energy Committee to be "resurrected," stating that a recent letter of application had not been addressed. Secondly, she questioned the charge of the Government Study Committee, asking when this Committee's work will wrap up. Mr. Kerrigan stated that he will look into the Energy Committee, and that while the Government Study Committee had originally been tasked with completing their work by February, this deadline was missed and the committee continues to work without a new deadline established.

Mr. Kerrigan recognized Kendra Dickinson, 402 Oetman Way. Ms. Dickinson thanked town officials for good work at the recent Annual Town Meeting and Annual Election.

Ms. Turner congratulated Mr. Allison on his recent re-election, and thanked townspeople and Ms. Hodges for the recent Annual Town Meeting and Annual Election.

## **VI. TOWN ADMINISTRATOR REPORT**

- **Recruitment Updates**

- Building Commissioner

Ms. Hodges explained that Building Inspector Brian Gingras' last day will be Friday; four candidates, all of whom are certified Building Commissioners, have been interviewed. Ms. Hodges explained the qualifications for a Building Commissioner rather than a local inspector, which should save the Town money in the long run; currently a licensed Commissioner needs to be paid to oversee the local inspector. In response to Ms. Turner's questions about the budget, Ms. Hodges explained that the position advertised falls within the budget.

- **Other Department or Town-Wide Updates**

- Community Center Grant, Environmental Resilience

Ms. Hodges reported that she applied for this grant, initially for \$5,000 in January, and it will allow for plantings and raised berms at the Community Center. An ADA pathway will be installed to the Community Garden, patio area, and parking. The planting will be done in the next week. Some donations for screened loam,

topsoil, and other items. The DPW will be doing the excavating, and currently town staff is watering the plants.

- Human Services, Digital Literacy Grant

Health Human Services Director Kelly Dolan received this grant in the amount of \$100,000 which will be used for software and devices to increase digital literacy for older adults. Additionally, some grant money will be used for infrastructure to install Apple or Samsung compliant applications so that homebound adults will be able to access services.

- Planning Department, OneStop for Community Development Master Planning Grant

This grant, through the Commonwealth of Massachusetts, will allow environmental and site assessments for the DCAMM property, which will start in the next two weeks. Another grant applied for (\$80,000) will assist with technical schematics for the Master Plan to make it more user friendly. A third grant applied for in the amount of \$60,000 will assist with signage for attractions within Lancaster.

Ms. Hodges explained that the rank-choice non-binding ballot for Town Meeting day preference could not be in the voting area, so it is available at the Community Center, the library, and the Town Clerk's office. Ms. Hodges will be putting it online, and the deadline has been extended to May 26 at 5:00pm.

<b>VII. ADMINISTRATION, BUDGET, AND POLICY</b>
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- 1. Town Meeting & Annual Town Election**

Mr. Kerrigan congratulated Mr. Allison on his re-election, as well as the other candidates. He expressed gratitude to all candidates who ran.

- 2. Reorganization of the Board (as needed)**

All Board members agreed that they were satisfied with the current organization of the Board. Ms. Turner moved to ratify the Board's current structure; Mr. Allison seconded. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

- 3. Tax Fairness Committee**

The Board was directed to establish this committee at Annual Town Meeting (ATM). It will have seven members, it will be ad hoc, and will exist until a final report is brought to the Select Board. Mr. Kerrigan reviewed the makeup of the membership. Ms. Hodges reviewed the charge of the committee as presented at the ATM. Mr. Allison asked how a committee could be formed with some rules that required certain attendance for members to remain on the committee; Ms. Hodges will draft a document to be attached to the

committee definition. Mr. Allison moved to include attendance language into the “letter of incorporation” of the committee; Ms. Turner seconded the motion. Ms. Turner stated that this should be applied to all boards and that discretion should be applied. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Ms. Turner stated that this will take time to implement, so people should not expect immediate action. She also added that there is an asset test, and that many communities have removed this. Ms. Hodges explained that an asset test is a State requirement to use Circuit-Breaker funds. Ms. Turner questioned why the committee make-up did not include a member of the Select Board. Ms. Hodges cautioned that the committee’s final report would likely become a Select Board sponsored Town Meeting article.

Mr. Allison moved to approve the Tax Fairness Committee charge as presented May, 2023. Ms. Turner seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Mr. Allison moved to approve the makeup of the Tax Fairness Committee as presented May, 2023. Ms. Turner seconded, stating that like the Select Board, a member of the Board of Assessors should not be part of the membership since they would be reviewing the actual application for abatements and could be in conflict if they had also designed policy; other members did not concur. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Mr. Allison moved to approve the determination of process for letters of interest and appointment to the Tax Fairness Committee as documented May, 2023. Ms. Hodges asked the Board for a timeline; she can begin advertising tomorrow. The Board discussed making appointments at the second June meeting. Ms. Turner would like to interview the candidates for the four at-large positions. Mr. Allison would like to have a conversation with applicants but not to put them through a bona fide interview. Mr. Kerrigan would like to make the appointments at the same meeting that applications are reviewed. Because of the Juneteenth holiday, the date for the second June meeting is to be determined. Ms. Hodges will poll the Board members for availability.

**4. Personnel Bylaw, Next Steps – Review/Accept Policies and Procedures (V1 provided in February)**

Ms. Hodges explained that since the Bylaw was approved by the ATM, the next step is to create a personnel policy document that will fall under the Select Board, including everything related to employment in the Town. She sent this to the Board most recently in March, and since then hiring procedures have been added and sent to the Board. This can be added to later as issues arise.

Ms. Turner stated that the document created by Ms. Hodges is excellent and noted that many towns use a Personnel Board used as a citizens’ advisory committee to assist in developing policy. She would like to see this incorporated. Mr. Kerrigan would not like to

wait to implement the document and thought that the Personnel Board should be considered by the Government Study or Charter Committee. Ms. Turner would like this to be on an upcoming agenda; Mr. Kerrigan said that this could happen if there was something specific brought forth, rather than just a discussion. Mr. Allison disagreed with Ms. Turner's idea, stating that he would rather not "rehash the history of how we got to where we're at today," stating that he thinks the document is excellent and should move forward.

Mr. Allison moved to accept the Personnel Policies and Procedures as presented. Ms. Turner seconded. Ms. Hodges reminded the Board that this will be in effect June 1. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

## **5. Review High School Building Project Timeline**

Ms. Hodges reviewed the timeline as it stands today.

- The Building Committee needs to recommend the Scope and Budget for the project to the MSBA (Massachusetts School Building Association) by mid-June.
- The School Committee would then have to vote to approve the Scope and Budget sometime around June 21.
- By mid-July the MSBA reviews the Scope and Budget with the District at several public meetings.
- The MSBA gives their approval by the end of August.
- The District must secure funding by 120 days after MSBA approval. This means that in this 120 days, each of the three towns would have to hold a Special Town Meeting (STM), a ballot vote, and have favorable action with a majority; all three towns would need favorable action.
- The School Committee must vote to incur debt by the end of June, and then notify the Select Board within seven (7) days of that vote. Once notified, the Select Board has sixty (60) days to call the vote (STM).
- The District has asked the towns if the Special Town Meeting could be held on the same day; Ms. Hodges reports that this is probably not possible.

If the STM is held mid-September and favorable action does not happen unanimously, the School Committee would vote to have another ballot vote in all three towns. This would then come back to the Select Board, and the Special Election would be held probably the first week in October. It is not determined if all three towns would have this Special Election on the same day. This second election would total all ballots in all three towns as though it were all one town with three different polling places; the District would pay for this second election if needed.

An outstanding question is whether or not old school building debt will go away or be done when new debt is incurred.

## **6. Review Approved Capital Projects**

Ms. Hodges listed the mailing for the Disabilities Commission Emergency Preparedness book, another cruiser, cameras for the cameras that are cloud-based so that they can be accessed by Police Dispatch, restoration of records damaged by water in the old Town Hall, shade trees, \$250,000 for library windows, IT infrastructure, money set aside for the Master Plan, Building Department vehicle. The school needs \$161,000 for HVAC, \$225,000 for sprinkler and fire alarm maintenance, heating pump for new boilers, carpets in the office and library. \$50,000 was allocated for the study of a new public safety complex, but Ms. Hodges has discussed this with the Fire and Police chiefs, and recommends not funding this at this time, so that \$50,000 would remain available for capital expenses. This would leave \$1,130,750 in needs, with another \$300,000-\$400,000 in available funds; Ms. Hodges will come back to the Board to set additional priorities.

Ms. Turner stated that she has reviewed past meeting minutes and does not believe that the use of ARPA funds for capital projects was ever brought to a vote. She would like to put a hold on capital projects, less the ones that are committed, while reviewing recommendations made by the prior consultant and including the Finance Committee in recommendations. She would like to consider additional projects like the Old Town Hall as possible projects. Mr. Kerrigan opined that the Old Town Hall would take all available money, that this plan has been under discussion since August, and that an extensive meeting was held with the Finance Committee. He stated that the capital plan had been approved as part of the overall budget, and that we would recommend that the Board vote to endorse the plan as presented. Mr. Allison believes that the plan has already been accepted and prioritized. Discussion continued at length; no action was taken.

For a point of clarification, Town Administrator Hodges read into the minutes the voted taken on February 27, 2023 at the Select Board meeting with Finance Committee regarding the overall budget:

*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]*

Ms. Hodges explained that the Town Budget as proposed did included the Capital Budget as well as the Operating Budget.

## **7. 40B Application, MassHousing, 13 Neck Road**

The Select Board has received a letter regarding an application for a 40B development on Neck Road; information is on the town website (under Community Development and Planning). The Board will collect feedback to be aggregated and submitted to the state. Ms. Hodges advised residents that when submitting feedback that they should indicate whether or not they would like their name and/or email submitted with their feedback. Feedback is requested by June 5 at 5:00pm. Feedback can be sent to Jasmin Farinacci, Director of Community Development and Planning. Ms. Hodges advised that the Select Board could submit comments either individually or collectively. Mr. Allison spoke about Affordable Housing requirements in Massachusetts, noting that an answer cannot just be “no,” but should have an alternative suggestion.

Mr. Kerrigan recognized Martha Schmidt, 115 Harvard Road (also owns house at 13 Neck Road), who is concerned about eleven units on a small lot, and with noise, traffic, sewer, and other issues. Mr. Kerrigan encouraged her to submit comments by June 5.

## **VIII. APPOINTMENTS AND RESIGNATIONS**

Ms. Turner moved to accept, with regret, the resignation of Thomas Christopher from the Conservation Commission, effective May 31, 2023. Mr. Allison seconded. *Vote taken; Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [3-0-0]*

Mr. Allison moved to accept the following Annual Appointments, Term to expire June 30, 2024:

- ADA Coordinator – Kelly Dolan
- Chief Procurement Officer – Kate Hodges
- Animal Control Officer – Phyllis Tower
- Animal Inspector (Barn Brook) – Phyllis Tower
- Keeper of the Lock Up – Police Chief Everett Moody
- MART Advisory Board Designee – Kelly Dolan
- Measurer of Wood & Bark – Ronald W. Valinski
- Sealer of Weights & Measures – Ronald W. Valinski
- Town Counsel & Labor Counsel – Miyares and Harrington, LLP

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

Mr. Allison moved to accept the following Re-Appointments, Term to expire June 30, 2026:

- Agricultural Commission – Peter Jakubowicz
- Affordable Housing Trust – Victoria Petracca, Carolyn Read, Jason Allison (Mr. Allison’s term to expire May 11, 2026)
- Animal Control Commission – Adrienne Gadoua, Christine Burke
- Board of Assessors – Deb Sanders

- Board of Appeals – Matthew Mayo
- Board of Registrars – Elizabeth Cahill
- Collector Treasurer – Mary Frost
- Commission on Disability – Michael McCue, Eugene Brazeau
- Conservation Commission – Thomas Seidenberg
- Council on Aging – Nichole Jimino Kanis, Jay M. Moody
- Historical Commission – Heather Lennon, Amy Brown
- Memorial School Re-Use Committee – Sherry Cutler, Carolyn Read
- Recreation Committee – Kimberly Shah, Thomas Wood

Ms. Turner seconded the motion, and offered an amendment deleting Deb Sanders from the list, stating that Ms. Sanders should not be eligible for appointment because she is not a Lancaster resident. Discussion ensued, with Mr. Kerrigan and Ms. Hodges stating that Town Bylaws do not require town residency for appointment; Ms. Turner would like to discuss this as part of a future agenda. No second was heard, so no vote was held on Ms. Turner's proposed amendment. Mr. Kerrigan noted that while David Stadtherr is listed on the agenda, he does not wish to be re-appointed. *Vote taken on the original motion; Alexandra W. Turner, No; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Motion passed. [2-1-0]*

## **IX. LICENSES & PERMITS**

### Rental Application for Lancaster Town Green

*Applicant: Thayer Memorial Library – Rachel Rosengard*

*Date(s): August 12, 19 and 26, 2023 Time: 10:30 – 11:30 am*

*Program: "Animal August on the Town Green"*

Ms. Turner moved to approve the application detailed above; Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

### Special (One Day) Liquor License for Wine & Malt

*Applicant: Sterling Street Brewery*

*Event: FC Stars Event*

*Location: FC Stars Complex, 70 McGovern Boulevard*

*Dated & Time: Friday, May 26, 2023, from 4pm-8pm*

Ms. Turner moved to approve the application detailed above; Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

### Application for License for Theatrical Exhibitions, Public Shows, Public Amusements and Exhibitions of Every Descriptions held on Weekdays.

*Profound Market at Lancaster Fairgrounds, 318 Seven Bridge Road to be held on Saturday, June 10, 2023, from 8:30am- 5:00pm.*

Ms. Turner moved to approve the application detailed above; Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*



Application for License for Town Licenses Dancing, Sports, Games, Fairs, Expositions, Plays or Entertainment of Public Diversion on Sunday

*Profound Market at Lancaster Fairgrounds, 318 Seven Bridge Road to be held on Sunday, June 11, 2023, from 10:00am-5:00pm.*

Ms. Turner moved to approve the application detailed above; Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Special (One Day) Liquor License

*Application for the Bolton Fair, Inc., 318 Seven Bridge Road, for the Event Profound Market from June 10, 2023 (8:30am-5:00pm)– June 11, 2023 (10:00am- 5:00pm) (Delivery Date June 9, 2023) for All Alcohol – Non-Profit*

Ms. Turner moved to approve the application detailed above; Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Application for License for Theatrical Exhibitions, Public Shows, Public Amusements and Exhibitions of Every Descriptions held on Weekdays.

*For Nashoba Rock & Brew (Carr Foundation Fundraiser) at the Lancaster Fairgrounds, 318 Seven Bridge Road on June 17, 2023, from 2pm-6pm*

Ms. Turner moved to approve the application detailed above; Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Special (One Day) Liquor License for All Alcohol

*For Nashoba Rock & Brew (Carr Foundation Fundraiser) to be held at the Lancaster Fairgrounds, 318 Seven Bridge Road, on June 17, 2023, from 2pm-6pm.*

Ms. Turner moved to approve the application detailed above; Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, Aye; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

<b>X. NEW BUSINESS</b>
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Mr. Allison moved that all requests for town staff time or resources be funneled through the Select Board Chair. Ms. Turner seconded. Mr. Allison explained that this would create better efficiencies. Ms. Turner stated that the members are all equally elected and should have equal access. Mr. Kerrigan thought that this was already policy; Mr. Allison and Ms. Turner said that the current policy applied to the use of Town Counsel. Ms. Turner moved to approve the application detailed above; Mr. Allison seconded the motion. *Vote taken, Alexandra W. Turner, No; Jason A. Allison, Aye; Stephen J. Kerrigan, Aye. Motion passed. [2-1-0]*

Ms. Turner brought up revenue enhancements and would like to look at fee schedules such as fees for vendors at certain events, as well as liquor licenses and some others. It was verified that liquor license fees were recently changed. Mr. Kerrigan encouraged Ms. Turner to prepare a list that

could be addressed at an upcoming meeting. She would also like to address fees for earth product removal.

#### **XI. COMMUNICATIONS**

- Town Offices will be closed on Monday, May 29, 2023, in observance of Memorial Day
- Select Board's next Regular Meeting will be held on Monday, June 5, 2023, at 6:00pm

#### **XII. ONGOING PROJECTS & OLD BUSINESS - NONE**

#### **XIII. ADJOURNMENT**

Mr. Allison moved to adjourn the meeting of the Select Board. Ms. Turner 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**

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Alexandra W. Turner, Clerk  
Date: June 5, 2023