



APPROVED

**LANCASTER BOARD OF SELECTMEN
Meeting Minutes
Of Monday, November 1, 2021**

I. CALL TO ORDER

Chairman Jason Allison called the meeting to Order at 6:00 P.M. via Zoom. He noted that the meeting was being recorded.

Join Zoom Meeting <https://us02web.zoom.us/j/82629903076>
Meeting ID: 826 2990 3076

Roll call was taken, Alexandra Turner, present, Jay Moody, present, Jason Allison present.

II. APPROVAL OF MEETING MINUTES

Jay Moody moved to accept the Lancaster Select Board Regular Meeting Minutes of October 4, 2021. Alex Turner seconded the motion. Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS – NONE

6:10PM **Public Hearing - Application for Sale of Motor Vehicles – Class I**
Notice is hereby given that a Public Hearing will be held on **Monday evening, November 1, 2021, at 6:10 P.M., via Zoom, 701 Main Street, Lancaster, MA** on application of GPI MA-TVI, Inc., dba IRA Toyota Route 2, Inc., 700 Old Union Turnpike, Lancaster, MA for a License to Sell New Motor Vehicles (Class I). All persons interested in and wishing to be heard on this matter are requested to appear at the aforementioned time and place. Written comment will also be accepted up to time of said hearing. – Select Board

Mr. Moody read the notice of the Public Hearing into the record and moved to open the Public Hearing. Ms. Turner seconded the motion.

Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

Town Administrator Orlando Pacheco explained that this is a transfer of an existing license to a new company. He noted the application has been reviewed by various departments and appears to be in good order. He would recommend approval.

Chairman Allison recognized Robert Kennedy representing the applicant, and opened comments to

the Select Board.

Ms. Turner noted there had been an email exchange about zoning requirements from Ryan Petchey, also representing the applicant. All questions have been resolved.

Mr. Moody asked the applicant if they operated other dealerships. Mr. Kennedy answered that Group One Automotive is a public company and has approximately 150 dealerships across the United States with about 30 in Massachusetts.

Ms. Turner asked if there were existing conditions as part of the permit. Mr. Pacheco noted that there are not conditions attached to a Class I license, although there are some restrictions on the property, particularly height requirement for signage. The current sign has a variance; the new applicant should be aware that they cannot go higher than the existing sign. This variance transfers with the property. He advised the applicant of same. Ms. Turner advised that in the future she would like this information included in her meeting packet. Mr. Pacheco noted that no negative comments were received from any department, board, or committee. No public feedback was received from residents.

Mr. Allison recognized resident Kathy Hughes. Ms. Hughes noted that she is a neighbor and that the area across the street from the dealership is an area of critical environmental concern, and she would ask that the applicant use environmentally friendly biodegradable soap when washing cars. Secondly, she expressed concern about any additional lighting.

Jon Zillioux responded for the applicant, stating that they have had the same concern at other locations and will use appropriate products. He does not foresee additional lighting.

Mr. Allison recognized Ladd Lavallee, 40 Fire Road 10. Mr. Lavallee recalls that when the dealership was originally built there was discussion about lowering the lights at night to reduce light pollution, although no solution ever materialized. He asks if this could be reconsidered.

Mr. Zillioux answered that they can definitely look at the situation, although it becomes a security concern. He will look into potential solutions.

Mr. Allison recognized Tom Christopher, 252 Fort Pond Road, Chairman of Lancaster Planning Board. Mr. Christopher noted that the prior owner had a complaint filed with the Conservation Commission relative to washing out of doors, with runoff going into retention basins. He asked that the new owners make sure that this is not a problem. Mr. Zillioux answered that there is now a car wash at the site so that washing is indoors with proper drainage to a tank that recycles the water.

Ms. Turner recalled that there had been past issues with parking not on the pavement, although this may have been solved by Mass. Soccer adding more parking. Mr. Allison asked that the Minutes of this meeting reflect that parking is limited to the paved areas. He asked that Mr. Pacheco attached a copy of special conditions for the permit to these Minutes.

Mr. Allison recognized Mr. Lavallee again. Mr. Lavallee noted that when the original dealership was permitted there were many promises that did not come to pass. There had been elaborate

landscaping plans, screening all cars from Route 70, as well as formerly mentioned lighting plans. Because of this, neighbors worry about “uncodified promises” but noted that he appreciated the current applicant’s willingness to consider issues. Mr. Zillioux responded that, without making promises, he will meet with their corporate security team and do their best to see what they can do, balancing requests with safety and security.

Mr. Allison recognized Kathy Hughes of 80 Fire Road 11, again. She noted that during the past weekend a car with temporary license plates was driving on the private roads across from the car lots on Route 70. She noted that these roads are not all paved and have mud and potholes. She wanted to warn the new owners that these roads are private and are unsuitable for test drives. Mr. Zillioux will advise the staff at the dealership.

Mr. Moody moved to close the public hearing. Ms. Turner seconded. *Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]*

Mr. Moody moved to approve a Class I license to sell new motor vehicles to expire December 31, 2021. Ms. Turner seconded.

Ms. Turner wanted to make sure that we do refer back to the original site plan approval and the previous permits. She questioned the date of the permit; Mr. Pacheco advised that because permits run on a calendar year this would expire December 31, 2021, and then would become part of the annual renewal list.

Mr. Pacheco commented that relative to Ms. Hughes earlier comment about runoff, something to think about might be making sure that Mass. Youth Soccer uses environmentally appropriate fertilizer, because phosphorus from fertilizer that run off tends to be more harmful for the ponds area than anything. Ms. Turner agreed that this should be looked at; Mr. Allison asked her to bring this topic up for a future agenda.

Ms. Turner moved to amend the motion to include original conditions from the site plan approval and the existing conditions of the previous owner’s permit. Seconded

Vote taken on the amendment, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

Vote taken on the amended motion, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

6:30PM Interview – Community Development Planner Director

6:30 pm - Jasmin Farinacci
7:05 pm – Christopher Sullivan
7:40 pm - Marc Resnick

Mr. Allison reviewed the process for the Community Development Planner Director interviews. Candidates will be invited to make an introductory statement. Then each member of the Select Board will ask up to three questions. When that is done, the candidate will be asked to leave the Zoom meeting and the next candidate will be interviewed. When all three interviews are complete, all candidates are welcome to re-join the meeting and the Select Board will deliberate.

The first candidate was Jasmin Farinacci. Ms. Farinacci has been in planning for eight years. She began working for a civil engineering firm, then moved to a position of unofficial assistant planner in Wareham, then moved to Bridgewater. She is currently enrolled at Arizona State University where she is finishing her urban planning degree.

The second candidate, Christopher Sullivan has been involved in Planning for about 20 years and has a degree in landscape architecture. He has worked as an environmental planner, a recreation planner, and most recently as a Park Planner for the City of Manchester. He has worked as a Conservation Planner and has served on a Planning Board and a Capital Improvements Commission. He has done historic restorations and renovations, including helping to restore the Titanic Cemetery for the City of Halifax.

The third candidate, Marc Resnick, has been buying and rehabbing houses for five or six years and would like to go back to city planning, which he has done successfully for many years, including positions in Foxborough and Brockton.

Questions asked by the Select Board included:

- How would the candidate balance the need for commercial development with protection, such as the ACC? (Turner)
- How does the candidate stay up to date with innovations in the planning field? (Turner)
- What ideas would you share with Lancaster's boards and committees? (Turner)
- Describe your experience developing and writing grant applications. (Moody)
- The Planning Director also works with the Community Preservation Committee. Please talk about your knowledge and experience working on an Affordable Housing Plan or Open Space Plan. (Moody)
- Have you worked with CPA? (Moody)
- Please talk about your regional planning experience. (Moody)
- We've all worked with a board, or with an individual on a board, where the relationship has been "rocky." Please share an experience like this and how you handled it. (Allison)
- Please share an experience in which you held a public meeting which helped develop or address issues regarding land use or community plans. (Allison)
- How do you organize, plan, and prioritize your work? (Turner)
- I think it's important to have a group that includes Planning Board, Conservation, the Building Inspector, the Fire Department, and the Planner meeting on a regular basis. Do you think this is a good idea? (Moody)
- What would you see as your greatest challenge if you moved into this position? (Moody)
- Provide an example of a time when you were able to demonstrate excellent listening skills and, with specific examples, what was the situation and outcome. (Allison)

*** TAKEN OUT OF ORDER ***

Having extra time after Ms. Faranaci's interview, the Select Board addressed a later topic on the agenda,

- Common Victualler License – GPI MA-TVI, Inc. dba Ira Toyota Route 2, Inc. 700 Old Union Turnpike

Mr. Pacheco explained that this was a transfer of an existing license from Prime Toyota to GPI, the new owners of Ira Toyota, for a food service area in the dealership lobby. Ms. Turner moved to approve the Common Victualler License for GPI MA-TVI, Inc. dba Ira Toyota, to expire December 31, 2021. Mr. Moody seconded.

Mr. Pacheco verified that there are no known issues with this license.

Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

*** TAKEN OUT OF ORDER ***

Having extra time after Mr. Sullivan's interview, the Select Board addressed a later topic on the agenda:

Resignations

Plumbing Inspector – Thomas P. Soldi

Appointments

Plumber and Gas Inspector – Kenneth Poulin Jr.

Community Preservation Act Committee

- Linnea Lakin Servey - Resident at Large
- Barbara Foster – Housing Authority
- C. Peter Christoph – Planning Board.

Mr. Moody moved to accept the resignation of Plumbing Inspector Thomas P. Soldi. Ms. Turner seconded. It was confirmed that Mr. Soldi has had an interview with Sandi Charton, HR Director. Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

Mr. Moody moved to appoint Kenneth Poulin Jr., currently the Assistant Inspector, as Plumbing and Gas Inspector; Ms. Turner seconded. Ms. Turner would like to get input from the new Building Inspector since this position will report to him. After discussion the Select Board decided to table this appointment until the Building Inspector has had an opportunity to meet with Mr. Poulin.

Ms. Turner moved to table; Mr. Moody seconded. Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]. This will be revisited at the next regular Select Board meeting.

The Select Board moved on to consider appointments to the Community Preservation Act (CPA) Committee. Mr. Pacheco confirmed that the Committee, by statute, should include representatives

from the Planning Board, Conservation Commission, Historic Commission, Parks Commission (Recreation), Housing Authority, and two at-large members who do not serve as appointed or elected officials. All terms are three years.

Ms. Turner raised an issue with the Cultural Council. She explained that today is the deadline for appointments to this board and that they stand to lose money, about \$8,000, if these appointments are not made because a quorum is needed and the Cultural Council currently has only three members. She notes that Emily Taylor sent in an application two or three weeks ago and that Peter Christoph had applied a month or two ago. Mr. Allison asked Ms. Turner, since this item was not on the agenda, to discuss it under the “New Business” category later in the meeting.

Mr. Moody moved to appoint C. Peter Christoph as the Planning Board Representative to the CPA Committee with a term to expire in three years. Ms. Turner seconded.
Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye.
Motion passed. [3-0-0]

Mr. Moody moved to appoint Barbara Foster as the Housing Authority Representative to the CPA Committee with a term to expire in three years. Ms. Turner seconded.
Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye.
Motion passed. [3-0-0]

Mr. Moody moved to appoint Linnea Lakin Servey as an at-large member to the CPA Committee with a term to expire in three years. Ms. Turner seconded.
Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye.
Motion passed. [3-0-0]

Mr. Pacheco advised the Board that applications were received for another at-large member to the CPA committee, the Conservation Commission, and the Historic Commission, but were received after the agenda was closed, so these appointments will be scheduled to be on the agenda for the next regular meeting of the Select Board. Mr. Pacheco will follow up with the Recreation Commission.

Following the third Planning Director candidate interview, all three candidates were invited back into the Zoom meeting. Mr. Allison thanked the search committee and thanked the candidates for applying. The Select Board deliberated, agreeing that all candidates were strong.

Mr. Allison moved to appoint Jasmin Farinacci as Planning Director, contingent on completing successful contract negotiation. Mr. Moody seconded.
Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

IV. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS

- Planning Board Chair Russ Williston to discuss Hawthorn Hill Planning Board Memo

Mr. Williston, Chairman of the Planning Board, sent the Select Board a memo regarding the Hawthorn Lane subdivision. Mr. Allison asked him to summarize this and to explain what action he would like the Select Board to take.

This subdivision of 11 homes was approved in 2016 by the Planning Board. It was approved with a flexible development special permit, allowing smaller than normal in exchange for designating 40% of the whole development as open space. This open space is required in Lancaster's bylaws to be either conveyed to the Conservation Commission or restricted for conservation and then conveyed to a homeowner's trust or a nonprofit so that it's never built on in the future. This did not happen.

They subsequently required a water pump station for this development, to provide adequate pressure to these 11 homes. It was built on the open space (shown on map) and it serves 11 or 13 homes, all together, in the cul-de-sac. A condition in the approval required that the homeowners in the subdivision all become owners of a Homeowner's Association (HOA). That was not done. The developer did show a trust declaration to the Town Counsel and Town Counsel turned it back with corrections and it was never returned to him. The Building Inspector issued permits and the homes have been sold.

Today there are outstanding issues with heavy equipment left on the cul de sac, running generators, and neighborhood complaints. The Planning Board has taken the Homeowners' trust that does exist and is registered and sent it to Counsel with the help of Mr. Pacheco. Town Counsel has agreed that this document is insufficient and was never approved by Counsel or the Planning Board. Town Counsel recommended that the Town stop reducing the performance bond on this development; the Planning Board did this during the summer.

Mr. Williston asks the Select Board to review the documentation and become aware of the outstanding issues, because this issue may end up needing resolution at Town Meeting. Mr. Allison asked Mr. Pacheco to formulate a memo of his understanding of the situation for distribution to the Select Board and the Planning Board, in order for them to determine next steps.

Lengthy discussion was held. Several differences of opinion were brought forward. It was proposed that Mr. Moody serve as a liaison on this project and that the Board will consider the options in another month.

Mr. Allison moved to appoint Mr. Moody as liaison; Ms. Turner seconded. Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote abstain; Alexandra W. Turner vote Aye. Motion passed. [2-0-1] It was discussed and determined that Mr. Moody will have access to Town Counsel as needed.

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.

Dear Select Board, I respectfully attach a public comment letter that I ask to be read in November 1, 2021 Select Board meeting. I would prefer that it gets read before finalizing any decision to have and when to have a Special Town Meeting, Sincerely, Rob Zidek.

We, the voting residents in Lancaster request that you abandon all efforts to encourage, to plan, and to execute what will be an extremely hazardous and arguably unnecessary Fall Town Meeting. The impetus behind this meeting is an October 18, 2021 letter from Mr. William A. Depietri, who is the agent for 702 LLC and the President of Capital Group Properties, LLC, which are the companies that respectively own and plan to develop the land at the McGovern Boulevard project. Paraphrasing that letter, specifically the final concluding paragraph, Mr. Depietri demanded that, one, the town of Lancaster conduct a Town Meeting no later than February 2022 approximately, 60 days from this writing, with many holidays in between, and two, the town residents vote to approve a massive rezoning change in the McGovern Boulevard area that accommodates their i.e., 702 or Capital Group desires. Their recourse, if this does not happen in that area, is to develop that area in accordance with its existing zoning, a right that they already have and will continue to have. During the Select Board meeting on October 26, 2021, Mr. Depietri claimed that this quick turnaround is essential to the Capital Group, because their most sought after future tenant, the Target Corporation, is expressing impatience. Because this rezoning will have both high potential and high risk to all of Lancaster there are at present, many questions and issues to which resolution is absolutely essential. Answering these is imperative, because all of us must be fully aware of the complete picture in all aspects of this project and each of us must possess all of the relevant facts, understand all of the implications, and manage all of the risks, so we can vote on this historically critical matter with confidence. It is impossible to get even a small percentage of these issues resolved in less than two months, moreover, the list of concerns is growing faster than they are getting resolved. Sadly, key people in our town leadership repeatedly express their personal passion for this rezoning. Are your platforms to push really hard for residents to comply with Capital Group's rezoning demands? And, rather than postpone this critical and possibly irreversible vote to the Annual Meeting in the much warmer month of May, which is when important decisions like this are supposed to happen, our leadership is relentlessly pursuing a rush to a Special Town Meeting. in the next holiday filled weeks ahead. Considering that it will be too cold to schedule an outdoor meeting during which many cars would have to be idling and emitting deadly carbon monoxide, considering it will be dangerously unsafe to congregate indoors because the voter turnout may likely break records, making safe distancing for potentially infectious persons impossible and considering the failure of this issue to qualify as a town-wide emergency, we emphatically ask that the Select Board protect our health, protect our well being, and protect our lives by abandoning all plans with seemingly risky needed special town meeting. Respectfully, Rob Zidek, 103 Kalava Road

Dear Select Board members, please read this letter during the public comments section of the Select Board meeting on November 1. We, the undersigned, strongly believe that the town of Lancaster should not be holding large indoor gatherings of any kind, due to the current high COVID-19 transmission rates in Worcester County. The current CDC guidelines that apply to Worcester County are to follow masking and social distancing in indoor settings, and for those who are at higher risk to completely avoid indoor meetings. Asking residents to gather would unfairly discriminate against certain town resident populations and would prevent them participating in this important decision-making process. While other towns may have vaccination rates that make indoor meetings more feasible, Lancaster's rate remains low at about 53%. We would urge the Select Board to delay any large gathering including a Special Town Meeting to when outdoor meetings can be

held comfortably and safely, and local covert transmission rates are back down below high. We further request the Select Board ask the Lancaster Board of Health to render an opinion as to whether an indoor Special Town Meeting is in the best interest of the citizens of Lancaster, given the current transmission rates and vaccination status. Sincerely, Lois Wortley, 192 Fort Pond Road, Tim Wortley, 192 Fort Pond Road, Julie DeBono, 226 Fort Pond Road, Greg Debono, 226 Fort Pond Road, speaking as private citizens.

Mr. Allison recognized speaker Kathy Hughes.

Hi, Kathy Hughes, 80 Fire Road 11. I do agree as well that it is unsafe to have a Town Meeting in the event, with the vaccination rates of the town beings as low as they are. Secondly, though, and probably more important to me at the moment is we do seem to have quite a few questions. It's been nice to be able to ask the Capital Group about this development in North Lancaster. However, a number of those questions that I have or that are growing in my mind really are should be addressed to The town, and sort of given the debacle at Hawthorne I do worry that the Town is not equipped, perhaps with its current staffing, to be able to address a Town Meeting, to be able to address the concerns of such a massive project. So I would ask the Select Board that they organize a number of department heads, including the fire, the police, the assessors, all to attend a panel meeting, where the town can actually address the panel and ask questions of the Town, so that we can be assured the Town will be supported properly to be to be able to deal with any such massive development. Thank you.

Next Mr. Allison recognized speaker Karen Caviolli.

Hi, Karen Caviolli, 117 Fire Road 11. Mine sort of piggybacks on that. Something that's come up in the last couple of meetings is the fact that first we heard that the warehouse was going to be two shifts from seven to 11pm and Bill Depietri said it was going to be 24 hours so 24/7, I'm sure 365 days a week, which is very scary. It was mentioned, there might be some ordinances limiting that but I've looked through what I can see on the website and I'm just wondering how we can find out if there are limits, and if they're not it's a really scary proposition to have that going on 24/7 in our backyard, thank you.

Mr. Pacheco noted that he has not found anything in the bylaws and that Bill DePietri said not 24/7, but two 10-hour shifts. Mr. Allison cautioned against responding to Public Comment and noted that there are three minutes left in the meeting.

Mr. Allison recognized Martha Moore; Ms. Moore was not heard, so Mr. Allison moved on, recognizing Anne Ogilvie.

Ms. Ogilvie said, "Thank you, Mr. Chairman and hello, I offer public comments tonight on items within Section seven and ten on the agenda. Regarding agenda item seven number one, the proposal to make the Economic Development Committee a permanent committee, I think that there have been significant issues with this committee from the perspectives of both residents and the Select Board. I propose that, since the Select Board Chair proposed on October 18 to disband the committee, that more time is needed to assess the performance of the committee before making it permanent. Perhaps Select Board members might set a 12-month timeline to evaluate the progress

that committee has made with regard to economic development in Lancaster, and determine at that time whether to make this committee permanent, disband it, or re-evaluate their charge. Regarding agenda item 10 Unfinished Business, I respectfully request that the Select Board and Town Administrator provide an update on the North Lancaster land agreement. The Town Administrator received a letter from Capital Group Properties dated October 18, two weeks ago, alleging multiple failures of Lancaster Town Counsel to properly execute the four-year-old agreement. This letter is available on the Affordable Housing Trust website. We've not yet seen any movement by the Select Board in two weeks to address this letter, meanwhile, one public meeting with the developer has been completed last week, and there is another one planned for tomorrow. Last week, residents were interrupted when asking specific questions about the agreement at the showcase with the developer. If indeed the town's agents did not meet the deadlines articulated in the agreement, then residents deserve to know and I would hope to see Executive Session scheduled to fully understand what happened and what recourse, the town may have. I respectfully request that before the Select Board continue with any public meetings focused on the developer's proposed new projects that this outstanding piece of old business is thoroughly addressed, thank you.

VI. TOWN ADMINISTRATOR REPORT

Town Administrator Orlando Pacheco will update the Board on the status of current projects pending.

- CARES ACT Spending Follow up
- Devens HHW Audit/Assessments
- DOT Shared Streets Completion
- ARPA Small Business Loan Program

The Town Administrator's Report was not presented or discussed at this meeting.

VII. ADMINISTRATION, BUDGET, AND POLICY

1. Tabled agenda item 10/18/21 - Discussion to make the Economic Development Committee a permanent committee. Vote may be taken (Moody)
2. Tabled agenda item 10/18/21 - Electric Aggregation Agreement (Moody)
3. Tabled agenda item 10/18/21- Site Walk – Keating (Moody)
4. Tabled agenda item 10/18/21 -Landfill mowing (Moody)
5. Discuss a date for Fall Town Meeting (Moody/Allison)

Mr. Allison noted that there was one minute left in the meeting and that this would allow the Board to discuss one more item. He requested that they discuss a date for a Special Town Meeting, potentially February 15, 2022. He asked Mr. Pacheco for input. Mr. Pacheco answered that from a financial perspective this would be ideal, and from a land-use perspective, which has its own timeline. *Mr. Allison moved to schedule a Special Town Meeting for February 15, 2022. Ms. Turner*

seconded for discussion.

Ms. Turner suggested that the Board of Health needs to play a role in determining the space and structure of the meeting, as well as local cable for sound and technical support. She noted that she understands people's concerns about getting together but noted that there may need to be action on DCAMM sooner than February. She went on to say that there is a cost and a time for calling a Town Meeting for even the small items, and while she hesitates to do so, it may need to be done. She asked Mr. Pacheco if there was anything in the budget that would need to be addressed before the end of the year. Mr. Pacheco answered not by the end of the calendar year, but there are items that will need to be addressed before the end of the fiscal year. He explained that part of why mid-February would be a good choice would be that the Town will already be involved in the FY23 budget cycle and will be in a better position to close out the current year's books.

Ms. Turner said that the Board needed to have a more comprehensive discussion. It was confirmed that a Special Town Meeting legally must be posted for 14 days. Mr. Moody thinks that until we know where we're going to do it, there's a problem.

Mr. Allison stated, "This Board, in my opinion, needs to figure out if it's going to be a Board of action or inaction. So, I've been working with Orlando to try to figure out when we can have a Town Meeting. February 15 is months away and we have lots of time to figure out the articles, we have lots of time to figure out and to debate what's going to be on it, meet with the Board of Health. We've got lots of time to cancel it, but I really don't want to send a message to residents and to potential development partners that that we are dragging our feet. So, I get that people may feel that this is a quick request, but I think we've been talking about this for months. It has been on the agenda here for multiple days. Everyone's had an opportunity to ask any questions to Orlando, or any questions to anybody, so I'm prepared to vote on it. But I will go with my teammates and what they want to do. So that's the only discussion I have, so let's take a vote, unless there's a an amendment or a subsidiary motion someone would like to make. OK, so the motion on the floor is to schedule for Special Town Meeting on February 15.

Ms. Turner voted no because she does not think it's quick enough to take action on DCAMM.

Mr. Moody asked what day of the week February 15 fell on. Mr. Pacheco replied that it was a Tuesday; most town meetings are held on Mondays but he was trying to avoid Valentine's Day. Mr. Moody noted that the 40R should be ready by that point. Mr. Pacheco thinks the 40R will be ready before that, but he was thinking of closing out the books with the DOR (Department of Revenue). That would probably be done by the end of the calendar year, so we would have time to make the necessary adjustments to the operating budget and have that ready for February.

Mr. Moody asked when the school boiler replacement needs to be addressed. Mr. Pacheco explained that there are temporary solutions in place but that would definitely be an article.

Mr. Moody stated that he would vote for the February 15 meeting, understanding that it could always be changed.

Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote No. Motion passed. [2-1-0]

6. Discuss potential Select Board articles for Fall Town Meeting (Moody/Allison)
7. Incentivize residents to get Covid vaccine. (Allison)
8. Create link on website for public comments (Allison)
9. Create email address regarding North Lancaster public comments (Allison)
10. Limit written public comment to 3 minutes (Allison)
11. Honor 2021 retiring police officers (Turner)
12. Perkins School - status and plans (Turner)
13. Department of Public Works (DPW) to make priority for water (Moody)

VIII. APPOINTMENTS AND RESIGNATIONS

*** TAKEN OUT OF ORDER; Addressed earlier in meeting ***

Resignations

Plumbing Inspector – Thomas P. Soldi

Appointments

Plumber and Gas Inspector – Kenneth Poulin Jr.

Community Preservation Act Committee

- Linnea Lakin Servey - Resident at Large
- Barbara Foster – Housing Authority
- C. Peter Christoph – Planning Board.

IX. LICENSES AND PERMITS

*** TAKEN OUT OF ORDER; Addressed earlier in meeting ***

- Common Victualler License – GPI MA-TVI, Inc. dba Ira Toyota Route 2, Inc. 700 Old Union Turnpike

X. OTHER/UNFINISHED BUSINESS

- **Vaccine Mandate Policy**
- **Hybrid Select Board Meetings**
Town Administrator Pacheco was tasked to put together a proposal on how the Select Board Could approach some sort of hybrid meeting.
- **Code of Conduct Policy**
The HR Director is currently compiling comments received into a document for the Select Board. This should be available for the Board's review in a couple of weeks.

- **North Lancaster Settlement**

The Board has received a letter from the Capital Group outlining the North Lancaster settlement and requesting a meeting. Mr. Allison suggests assigning a liaison to Capital Group to meet with the landowner(s) and the developer who could be a facilitator, and who could engage with all parties on a regular basis. Ms. Turner expressed frustration that the project has taken so long to get to this point. Mr. Allison would like to be considered for the liaison role. Mr. Moody discussed how well the Affordable Housing Trust has worked with the Capital Group to jointly plan for the residents of Lancaster to bring about items from dog walking areas and playgrounds to lower rates on affordability. No conclusion was reached; Mr. Allison asks that this item is left on the agenda, but he will not bring it up again.

- **Division of Capital Asset Management and Maintenance (DCAMM)**

Addressed in earlier presentation

- **Aggregation**

The Select Board has received a memo from the Energy Commission following their meeting with Colonial. Mr. Pacheco reports that he is expecting official pricing from various suppliers to service the aggregation load tomorrow. Mr. Pacheco advises that the best approach right now is a 12-month contract, at which point we could evaluate the impact of additional renewables. He noted there will be some “sticker shock” with the electric bills.

- **Gazebo Ramp**

Materials have been ordered and the goal is to have this completed by Halloween is on target. Mr. Pacheco reported that Dig Safe will need to be called for this project.

- **Status Barrett Planning Group**

Mr. Allison directed the Board’s attention to a memo from Mr. Pacheco on this topic. He notes that Mr. Pacheco is “trying to make it work” and that he was displeased with the way that the Planning Board Chairman had spoken to the Town Administrator. Ms. Turner asked that this discussion be continued at the next meeting so that she has an opportunity to review the material.

- **Audit Services**

Powers & Sullivan is under contract for the FY22 Audit. Mr. Pacheco reported that this is an exempt service but can do a quote. Ms. Turner would like to assemble an Audit Committee.

XI. NEW BUSINESS - NONE

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

XII. COMMUNICATIONS

- Select Board Special meeting will be held via Zoom on November 2, 2021 at 6:00pm.
- Town Offices will be closed on Thursday, November 11, 2021 in observance of Veterans Day
- Select Board’s next regular meeting will be held via Zoom on November 15, 2021 at 6:00pm.

XIII. ADJOURNMENT

Mr. Allison moved to table all outstanding items on this agenda to the next regularly scheduled Select Board meeting.

Mr. Pacheco asked if the Board was okay using the existing Town Administrator (TA) report, available for anyone to read online, rather than re-submitting for the next meeting. Ms. Turner stated that she can ask her questions next time. Mr. Allison suggested that if the Board members have any questions about the TA report that they should reach out to Mr. Pacheco this week.

Ms. Turner seconded the motion but had a question. She stated, “While I respect and really appreciate the fact that we're ending at nine o'clock and I think we're more effective when we're refreshed, we are letting too much stuff go. So either I would suggest that for under new business either think about doing more meetings or longer meetings or some other alternative.”

Vote taken, Jason A. Allison vote Aye; Jay M. Moody vote Aye; Alexandra W. Turner vote Aye. Motion passed. [3-0-0] All outstanding agenda items will be moved to the next agenda.

Select Board member Jay Moody offered a motion to adjourn the meeting; seconded by Ms. Turner.

Ms. Turner would like to discuss extending meetings or having additional meetings, asking Mr. Allison how to make that an agenda item. Mr. Allison apologized for keeping everyone ten minutes late.

Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. [3-0-0]. Meeting adjourned.

Respectfully submitted

Kathleen Rocco
Executive Assistant

APPROVED

Jay M. Moody Clerk
Approved and accepted: December 6, 2021