



**LANCASTER SELECT BOARD  
Special Meeting Minutes  
of Thursday, July 27, 2023,  
5:00 P.M.  
Prescott Building – Nashaway Room**

**ZOOM:** <https://us02web.zoom.us/j/83285264281>

**Meeting ID 832 8526 4281**

**I. CALL TO ORDER**

Chairman Stephen J. Kerrigan called the meeting to order at 5:00PM and advised that the meeting was being recorded and 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.*

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

**II. APPROVAL OF MEETING MINUTES**

Mr. Allison moved to approve the minutes of June 22, 2023. Mr. Kerrigan seconded the motion. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Abstain. Motion passed. [2-0-1].*

**III. PUBLIC COMMENT**

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

Sherry Cutler, 67 Harvard Road, praised the Police Department for their Junior Police Academy.

Cara Sanford, 350 Bull Hill Road, offered thanks to Tom Christopher for his many years of work on the Conservation Commission.

#### IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS

- **Introduction of New Building Commissioner, Mike Silva (began 7/5/23)**  
Mr. Silva was unable to attend because of scheduled inspections; this item will be on a future agenda. Town Administrator Hodges reported that the new Building Commissioner's vehicle has been received and the old vehicle will be placed on Municibid for scrap/auction.
- **Joint Select Board/Finance Committee Meeting – FY25 Budget**  
The Board concurred that this meeting will be Saturday, November 18<sup>th</sup> starting at 8:30 AM

#### V. TOWN ADMINISTRATOR REPORT

- **House Special Act No. 3025 & Senate Special Act No. 2043: Remote Access Modernize Municipal Meetings**  
Ms. Hodges has placed copies of this potential legislation in the Meeting Packet. It would allow members of boards and committees to attend meetings remotely and to count toward quorum. Documents used in remote meetings would have to be available to the public during the meeting. This would also allow the Town Moderator to declare that a Town Meeting could be remote or hybrid, but some technology would have to be worked out before this happens. This legislation is still in committee. Ms. Hodges will continue to update the Board on this topic. Ms. Turner suggested voting to support these bills; Mr. Kerrigan stated that he believed that it was premature; no action was taken.
- **High School Building Project Update**  
The School Committee will meet on Wednesday, August 2, when they will vote to incur debt for the High School Building project. The project will cost \$241 million; the district's share is \$178 million. Lancaster's share would be about \$52 million. Ms. Hodges noted that there is additional information in Meeting Materials.
- **Request for Proposals (RFPs) currently advertised**  
Ms. Hodges gave the Board an update. RFPs are currently being sought for the Master Plan, for the Community Center restrooms, and Phase II of the Historical Cemetery project. Details are available on the town website.
- **Human Resources matters**  
Ms. Hodges reported that Mary Frost, Treasurer-Collector, has announced her retirement. This position has been posted. Also posted are positions of Recreation Coordinator and Budget & Purchasing Director. Job descriptions/advertisements are in the Meeting Materials.

#### VI. ADMINISTRATION, BUDGET, AND POLICY

##### 1. **FY23 Fiscal Year Ending Report; FY25 Budget Instructions**

Ms. Hodges directed the Board to this memo in Meeting Materials; the numbers shown have not yet been audited. Budget Instructions have been provided to staff; staff is being asked to

submit both level-service and level-funded budgets, at least to begin the budgeting process. Ms. Turner raised the topic of software packages to help with the budgeting process, creating more transparency, and saving personnel time; Mr. Allison asked her to provide information that she has collected regarding which packages are currently in use by which towns; he will reach out to Town Administrators to see what problems this has solved. Ms. Turner stated that Stow and Maynard, as well as many others, are using these packages. Ms. Turner would like additional work done on revenue projections; she would like the Board to meet with the Finance Committee and/or department heads regarding revenue projections. Mr. Kerrigan stated that he believes that the Board already gets this information, although in many cases it is guesswork early in the process. Ms. Hodges stated that in projecting local receipts, they are only allowed to use prior year data.

## **2. DCAMM Property: General Update & Environmental Assessment Project**

Ms. Hodges reported that she has been working with MassDevelopment and subcontractor BSC. Based on the GIS “layers” the “piggery” area has Conservation land in perpetuity (Article 97), as well as areas of critical environmental concern (ACEC). This approximately 20 acres will never be able to be developed. She suggests that when the legislation comes back, that negotiations with DCAMM should happen to remove this part of the parcel, allowing it to remain as State Conservation land. If this is not done, the Town would have to pay for this part of the parcel for no potential return. Ms. Hodges suggested removing this parcel from the contract with BSC.

Ms. Turner moved to remove the area known as “the piggery” from the contract with BSC. Ms. Allison seconded. Ms. Turner asked if this parcel could be used by a developer as an open-space offset to some development. Ms. Hodges explained that in a circumstance like this, the land is typically deeded over to the Town, which would mean that the Town would still have to pay for the land as part of the initial sale. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

## **3. Special Town Meeting & Special Election Calling**

A Special Town Meeting will need to be called in the Fall to deal with school funding. Ms. Hodges, after talking with other Town Administrators in the School District, suggests Monday, September 18 would fit regulatory timelines, with a Special Election date of September 25 if needed. Mr. Allison moved to call a Special Town Meeting on Monday, September 18. Ms. Turner seconded. Mr. Allison confirmed with Ms. Hodges that other articles and citizens’ petitions could also be included. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Mr. Allison moved to Open the Warrant for Special Town Meeting on Monday, September 18. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Ms. Turner moved to schedule a Special Election on Monday, September 25, 2023, with hours of 7am-8pm to be held at the Old Town Hall. Ms. Turner seconded. Some discussion was held

because this is Yom Kippur; Mr. Kerrigan stated that elections and meetings can be scheduled on Yom Kippur. Mr. Allison confirmed that the Special Election is only necessary if the vote for funding does not pass in all three towns at the Special Town Meeting. Timing requirements were discussed at length. Questions were asked about the availability of Early Voting; Ms. Hodges will find this out for the next Board meeting. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

#### **4. Abutter Lot Sales Program Draft Parameter Review/Acceptance**

Ms. Hodges explained that this program was approved at the Annual Town Meeting. In Meeting Materials she presents a draft of a Program Outline that has been vetted by Town staff including the Finance Director, the Principal Assessor, Treasurer-Collector, and the Planning Department. The Select Board is asked to recommend a price per square foot and a deposit about to be included with a letter of interest. The Principal Assessor states that pricing for a buildable lot is assessed at \$1.15 to \$1.72 per square foot, depending on the neighborhood, up to two acres. Over 2 acres would be considered residual, and would be assessed at \$0.14/square foot. Ms. Hodges noted that these are not traditional buildable lots and would be far below two acres, and that other communities range from \$1.00-\$5.00/square foot. Mr. Kerrigan would like to ask the Principal Assessor to attend a meeting to help answer additional questions. Ms. Turner would like Ms. Hodges to provide data from other communities, and questioned the provision that would only allow abutters to buy the lots in question, citing some communities where small spaces were used for things like community gardens or small parks. Ms. Hodges explained that this would fall back on the general Town Sales Program rather than the Abutter Lot Sales Program.

#### **5. Classification & Compensation Study, Collins Center**

Ms. Hodges explained that the last Classification and Compensation Study is now over a decade old and was done by a volunteer group. In recent union negotiations, competitive wages have been the highest concern. She has reached out to the Collins Center; the Collins Center works with the MMA (Massachusetts Municipal Association) and with UMass Boston and does a great deal of this work. She has sent the Board a memo which, in addition to current positions, lists some positions not currently part of the Town staffing. August will be a new round of the HR Community Compact, and Ms. Hodges will be applying for a grant to assist funding this study. The grant would also include updates to job descriptions.

Mr. Allison moved to approve working with the Collins Center on the Classification and Compensation Study. Ms. Turner seconded. Ms. Turner asked if the project would not go forward if the grant was not received, and asked why some positions were not included in the list. Ms. Hodges explained that contractual positions are not included. Ms. Hodges explained the use of “benchmark” positions. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

**6. New Classification Schedule ‘PS: Public Safety Officials – Provisional Adoption per Personnel Policies/Bylaw Regs.**

Ms. Hodges explained that since the Fire Union decertified, they then fall back on a Bylaw adopted at Town Meeting. The Bylaw has a compensation scale that neither matches or is appropriate for Fire or Emergency services. Ms. Hodges referred to a section in the Bylaw that allows the Select Board to authorize the Town Administrator to temporarily establish a compensation plan that will then be ratified at Town Meeting. Mr. Allison moved to authorize the Town Administrator to put in place a wage scale for the decertified Fire Department members. Ms. Turner seconded, asking questions about how personnel would be placed on the new scale. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

**7. FY25 Community Compact Grant, HR Best Practices**

Previously discussed, #5 above.

**8. Nashoba Regional Dispatch Center Updates**

Ms. Hodges reported that the Town of Boxborough is looking to join the Nashoba Regional Dispatch Center as a permanent member. This might result in some cost savings, and would bring the Dispatch Center back to the number of towns originally participating (The Town of Ayer had left). Ms. Hodges has spoken to Fire and Police Chiefs as well as the Finance Director; all are in favor. Mr. Allison moved to allow the Town Administrator to vote in favor of allowing Boxborough to join the Nashoba Regional Dispatch Center as a permanent member. Ms. Turner seconded. (Ms. Turner had comments or questions that could not be heard on the recording.) *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

**9. Memorial School Reuse/next steps – Timeline, Tasks, and Determination re: future use, project planning, assessments and scope.**

Ms. Hodges explained that money had been set aside from ARPA funds to work on the project plan/engineering study, although the scope is currently vague. Mr. Kerrigan will work with Ms. Hodges to help better define the scope and the parameters for an engineering study. He would like to then bring the scope back to the townspeople in order to get feedback.

<b>VII. APPOINTMENTS AND RESIGNATIONS</b>
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Nominations:

- Montachusett Regional Planning Commission (MRPC) Freight Study Guiding Committee Member, Lancaster Rep.

Ms. Hodges explained that the MRPC has been conducting a freight study, primarily focused on Shirley and Ayer. Because of new construction in the Route 117/Route 70

area, they would like to expand this project for another year, including Lancaster. Ms. Turner would tentatively agree to represent Lancaster; Ms. Hodges will leave all the documentation “in the bucket” for her to pick up. Mr. Allison moved to appoint Alexandra W. Turner as the Lancaster representative to the MRPC Freight Study Guiding Committee; Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Dissolution of Ad Hoc Committee:

- Memorial School Reuse Committee

Mr. Kerrigan asked that this item be tabled since work is still being done. Mr. Allison moved to table this item; Ms. Turner seconded. Sherry Cutler, committee member, requested that the recent legal opinion be posted on the town’s website. Ms. Hodges stated that this is already on the website on the Select Board page and that it would be okay to post the link on the Memorial School Reuse Committee page as well. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Appointments:

- **Tax Fairness Committee Nominations & Appointments**

Mr. Kerrigan asked Ms. Hodges if nominations had been received from boards and committees. The Finance Committee and the Assessors have not nominated a member. Denise Hurley if appointed would be the representative from the Friends of the Council on Aging. Ms. Turner moved to appoint Denise Hurley (Friends of Council on Aging), Sheila Casey (at-large), and Susan Munyon (at-large) to the Tax Fairness Committee. Mr. Kerrigan seconded the motion. Mr. Allison expressed concern that all three names are not listed on the agenda; the motion was withdrawn. It was clarified that this is an ad hoc committee and therefore appointments have no expiration date.

Mr. Allison moved to appoint Susan Munyon to the Tax Fairness Committee; Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

The appointments of Denise Hurley and Sheila Casey will be tabled to the next meeting. Mr. Kerrigan recognized Denise Hurley, 102 Bolton Road, who spoke briefly about her desire to serve on this important committee.

- **Recreation Committee Nominations & Appointments (term to expire 6/30/2026)**

There are two applicants, Sherry Cutler and Jessica Williams, for one opening on the Recreation Committee. Because Ms. Cutler was present, the Board talked to her about her interest in the Committee; Ms. Cutler will be invited to introduce herself at the next meeting, and a determination and appointment will follow.

## VIII. LICENSES AND PERMITS

1. Application for Public Entertainment (Weekdays) and Sundays

*Dean & Flynn Inc., dba Fiesta Show, for the Annual Bolton Fair, August 11-13, 2022. (Thursday 5-10pm, Friday Noon-10pm, Saturday 9am-10pm, and Sunday 9am-9pm) at the Lancaster Fairgrounds, 318 Seven Bridge Road.*

Ms. Hodges stated that this item needs to be tabled because additional application information is needed. Mr. Allison moved to table the above referenced application to the August 7 Select Board meeting; Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

2. Special (One Dy) Beer & Wine License

*Bolton Fairgrounds, Inc. – Application for Special (One Day) Liquor License to serve All Alcohol at the Bolton Fair, August 11-13, 2023 (Storage Day August 10, 2023)*

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

3. Application for Public Entertainment (Weekdays) and Sundays

*Annual Bolton Fair, August 11-13, 2023 (Thursday 5-10pm, Friday Noon-10pm, Saturday 9am-10pm and Sunday 9am-9pm at the Lancaster Fairgrounds, 318 Seven Bridge Road.*

Mr. Allison moved to approve the above referenced application; Ms. Turner seconded. Mr. Allison asked if traffic and parking plans were the same as last year; Ms. Hodges replied that yes, it would be the same except for some small changes to the Demolition Derby plans. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

4. Application for Public Entertainment (Weekdays) and Sundays

*Bay State Antique Truck Show (ATCA), to be held on August 26<sup>th</sup> & August 27<sup>th</sup>, 2023, from 8:00am to 4:00pm at the Lancaster Fair Grounds, 318 Seven Bridge Road.*

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

5. Special (One Day) Beer & Wine License

*American Cancer Society – Bicycles Battling Cancer Cycling Fundraiser, to be held on September 17, 2023, from 6am-6pm at 132 Fort Pond Inn Road.*

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

6. Request for Use of Town Green

*Lancaster Historical Commission requests the use of the Town Green on September 3, 2024, from 9am-10am.*

Mr. Allison moved to approve the above referenced application; Ms. Turner seconded. Mr. Allison expressed concern about approval over a year in advance. Heather Lennon, Historical

Commission, explained that there were many groups involved with this event. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

7. Application for Use of the Town Green & Gazebo

Lancaster Friends of the Seniors – Community Event – Vance Gilbert Concert to be held on September 23, 2023, from 10am-4pm

Mr. Allison moved to approve the above referenced application; Ms. Turner seconded. Denise Hurley, Friends of the Seniors, explained that this is a folk music concert. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

<b>IX. NEW BUSINESS</b>
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Tentative Special Town Meeting Date – September 2023 \*\* Discussed earlier in meeting \*\*

<b>X. OLD BUSINESS</b>
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- North Lancaster Development Update

Ms. Hodges explained that she is still waiting for the 40R language to come back from the Attorney General, and that the re-zone did go through. The MEPA (Massachusetts Environmental Protection Agency) review is ongoing, and she hopes to have more information by September.

- TA Review (Allison)

Mr. Allison asked first if the Board would approve the process that he has outlined. Ms. Turner stated that she has not had a chance to review the documentation, but she trusts that Mr. Allison has the knowledge and experience needed to create the process. Mr. Allison moved to accept the process for Town Administrator review as outlined; Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

Mr. Allison asked if any member of the Board felt the need to recuse themselves from the Town Administrator review. Mr. Kerrigan said no; Ms. Turner said that she was not sure what Mr. Allison was getting at. Mr. Allison requested of the Chair that Mr. Allison has the authority to speak with Town Counsel regarding potential Conflicts of Interest. Mr. Kerrigan said that, yes, Mr. Allison is welcome to speak with appropriate Counsel on this issue, because it is important that Ms. Hodges gets the review she deserves and is due.

- Vendor Fees & Fairgrounds Use Surcharge; Earth Removal Permit Fees (Turner)

Ms. Turner reported that towns she has contacted have many varied structures for earth removal fees. She suggests forming a group similar to the Tax Relief Committee to study this further. Mr. Kerrigan asked Ms. Turner to write up her findings for the Board to review.

- Energy Committee Update & Membership Analysis (Turner)

Ms. Turner said that some local towns still have an Energy Committee while others have disbanded this committee. She stated that Lancaster is unique in having a Climate Coalition which advocates for energy savings. She recommends that the Board uses a process like the Town of Harvard, where the committee meets to review the Aggregation Program. Mr. Kerrigan asked if, since the existing committee has not met in several years what should be done. Ms. Turner moved to disband the existing committee; Mr. Allison seconded. Ms. Turner would like the Board to consider appointing an ad hoc committee at a later date to review the aggregation. Mr. Kerrigan asked Ms. Hodges if Energy Committee members should be notified that the committee has been disbanded; since the Chair is Ms. Turner's husband, she can advise him of this action. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

## **XI. COMMUNICATIONS**

- Select Board's next meeting will be held on Monday, August 7, 2023
- Miscellaneous Correspondence & Memoranda - None

## **XII. EXECUTIVE SESSION**

Mr. Allison moved that the Select Board enter into Executive Session pursuant to M.G.L. c.30A §21(a)(2) to conduct a strategy session in preparation for negotiations with nonunion personnel including the positions of: Collector-Treasurer, Recreation Coordinator, and Budget & Purchasing Administrator, and not to reconvene in Open Session thereafter. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

## **XIII. ADJOURNMENT**

Respectfully submitted,

Kathleen Rocco  
Executive Assistant

**APPROVED**

Alexandra W. Turner, Clerk