



**APPROVED**

**LANCASTER SELECT BOARD  
Regular Meeting Minutes  
of Monday, August 7, 2023  
6:00 P.M.  
Prescott Building – Nashaway Room**

**ZOOM:** <https://us02web.zoom.us/j/85856254816>

**Meeting ID 858 5625 4816**

**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.

Please note that some items were taken out of order due to assigned times for Public Hearings.

**II. APPROVAL OF MEETING MINUTES**

Ms. Turner moved to approve the minutes of July 27, 2023. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

**III. SCHEDULED APPEARANCES & PUBLIC HEARING**

6:10 pm Public Hearing for Renewal of Special Permit to Remove Earth Products

*Notice is hereby given that a Public Hearing will be held on **Monday, August 7, 2023 at 6:10 p.m. located in the Prescott Building, Nashaway Room – Second Floor, 701 Main Street, Lancaster and via Zoom***

<https://us02web.zoom.us/j/85856254816?pwd=L0huaWRJUXo0eno0d1M4TEp6cTRkZz09> to consider the application of John E. Kanis, Inc. 535 Harvard Road, Lancaster, MA, for renewal of a Special Permit To Remove Earth Products (Sand and Gravel) from a parcel of land located at the terminus of Pine Hill Road (0 Pine Hill Road) further identified on the Lancaster Assessors' Maps as Map 31, Parcels 4, easterly of B& M Railroad, westerly of Nashua River at the end of Pine Hill Road by DeFalco Engineering Services, 35 Pine Hill Road, Lancaster, MA. A copy of the Application and Engineering Plans may be viewed in the Town Administrator's Office, Prescott Building, 701 Main Street, Suite 1, Lancaster, MA

*between the hours of 9:00 a.m. and 4:00 p.m. Monday through Thursday. All persons interested in providing comment should attend and be heard.*

Ms. Turner moved to open the above-referenced Public Hearing, reading the legal notice into the record. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

Mr. Kerrigan recognized John Farnsworth, 35 Pine Hill Road, representing the applicant. Mr. Kerrigan noted that the Board had considered waiving this Public Hearing at a previous meeting but did not have a supermajority (unanimous) vote to do so, and therefore this Hearing was called. Ms. Turner thanked Mr. Farnsworth for his preparation, explaining that she had voted waiving the Public Hearing because everyone should have a chance to be heard, especially in a case like this where the applicant has had an excellent track record with the Town. Ms. Turner asked if the engineering firm Tighe & Bond has submitted their report to the Town, and asked a variety of questions regarding truck traffic and environmental issues. She would like the word “hydroseeding” to be removed since this is not accurate; Mr. Farnsworth explained that the land is actually being reforested. No public comment was heard. Ms. Turner moved to close the Public Hearing; Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

Mr. Allison moved to renew the Earth Removal Permit (Sand and Gravel) to John E. Kanis, Inc. Ms. Turner seconded. Ms. Turner discussed an amendment to the permit to omit the word “hydroseed,” but not finding language referencing “hydroseed” in the existing permit, no amendment was offered. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

6:20 pm      Public Hearing to consider a Petition submitted by National Grid

*Under the provisions of Chapter 166, Section 22 of the General Laws, and any additions thereto or amendments thereof, a Public Hearing is scheduled for **Monday August 7, 2023 at 6:20 pm in the Nashaway Meeting Room located on the second floor of the Prescott Building, 701 Main Street, Lancaster, MA and Zoom***

*<https://us02web.zoom.us/j/85856254816?pwd=L0huaWRJUXo0eno0d1M4TEp6cTRkZz09> to consider a petition submitted by National Grid, requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Mill Street Extension – National Grid to install 1 SO Pole on Mill Street Extension beginning at a point approximately 180 feet south of the centerline of the intersection of Lee Street and continuing approximately 15 feet in an east direction. Install new stub pole 35-84 in order to accommodate removal of tree guy.*

Mr. Allison moved to open the above-referenced Public Hearing, reading the legal notice into the record. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

No representative from National Grid was present. Mr. Kerrigan recognized Glenn Ryberg, 38 Mill Street Extension, who had questions; Mr. Kerrigan was able to answer concerns. Ms. Turner moved to close the Public Hearing; Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

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

- **Lancaster Board of Assessors – Abutter Lot Sales Program**

Mr. Kerrigan recognized Principal Assessor Bobbi-Jo Williams and Board of Assessors member Kristen Fox and explained that they were asked to speak to price per square foot questions in the Abutter Lot Sales Program. Ms. Williams asked if an appraiser would be involved to judge market value; she is concerned about a bylaw restricting pricing due to market value. Ms. Hodges explained that these are not buildable lots, and most likely the cost of an appraisal would be more than the value of the land in question. Ms. Williams explained that land falls into one of three categories, primary, residual, and undevelopable.

Ms. Williams suggested that a title search might be needed for some of the properties since there are many instances where the title is not clear. Ms. Hodges explained that only properties listed with clear title and for specific uses would be included. Mr. Kerrigan asked if the appraised value of property less the additional lot and with the additional lot could be determined and the difference between the two values could be the sale price. Ms. Turner stated that she agreed with Ms. Williams that the market is very fluid and having a set price might be problematic. Ms. Hodges stated that the per square foot price could be re-evaluated at any time, perhaps following setting the tax rate.

Ms. Hodges explained that to move forward with the program, a list needs to be developed with specific lots. Mr. Allison stated that he would be inclined to support a lower number, i.e., \$1.00 per square foot. Ms. Turner would encourage staff time to get this done. Mr. Kerrigan agreed with Mr. Allison's statement. Ms. Hodges stated that the next step would be to get the language to Land Counsel, and after that to Ms. Williams.

<b>V. PUBLIC COMMENT</b>
--------------------------

*Opportunity for the public to address their concerns, make comments, offer suggestions, or ask questions.*

Mr. Kerrigan recognized Jean Syria, 102 Bolton Road. Ms. Syria expressed concerns about an item on the agenda regarding a new fire truck. She would like streetlights back, new cruisers, and

a new dump truck for the DPW. She is concerned about the tax rate in light of the recent override and the upcoming school building costs.

Mr. Kerrigan recognized Joe D'Eramo, 127 Harvard Road. Mr. D'Eramo would like the Memorial School Reuse Engineering Study to consider many options, not just the pavilion. He suggested that the proposed pavilion is oversized and that perhaps some of the existing classrooms could be used for recreational purposes.

Mr. Kerrigan recognized Ralph Gifford, 861 George Hill Road. Regarding the lot pricing for the Abutter Lot Sales Program, Mr. Gifford stated that this is a "revenue maximization problem" and that these lots would be of no interest to anyone except the abutter, and that the price should be low to be attractive to the abutter so that this land could eventually be on the tax rolls.

Mr. Kerrigan recognized Board Member Jason Allison, 343 Brockelman Road. Mr. Allison related a recent experience of being witness to a car fire and his gratitude for how quickly Lancaster's first responders were to arrive on the scene.

## **VI. TOWN ADMINISTRATOR REPORT**

### **1. Review of Special Town Meeting & Election process & potential article/ballot language**

Ms. Hodges reported that the Superintendent has brought forth language to the three towns in the district that will become a Warrant Article.

### **2. Potential Special Town Meeting Articles (non-school)**

Ms. Hodges reported that one Article will be to ratify the Emergency Services Classification Scale because fire department personnel are no longer part of the Teamsters' Union. Inclusion of additional titles on the Classification scale will also be addressed. The Water Enterprise will have an article looking to amend their budget to purchase a truck with Chapter 90 Funds. The Planning Board will seek an amendment to the Accessory Dwelling Zoning Bylaw. There may be an amendment to the 2024 Capital Plan.

Ms. Hodges explained that the Board will need a Special Meeting on Tuesday or Wednesday of next week to approve and close the Warrant. It was decided that the Board will meet on Wednesday, August 16 at 5:30PM.

The Town Clerk has asked to waive mail-in voting for the Special Election and to schedule early in-person voting. Ms. Hodges will send this information to the Board for their approval.

## **VII. ADMINISTRATION, BUDGET, AND POLICY**

### **1. Lancaster Fire Department – Engine Replacement Program, Chief Michael Hanson**

Chief Hanson gave a short slide show presentation regarding the need to replace Engine #4, listed in the Department's current Capital Plan for replacement in 2024. It was last updated in

2016, at which time it was estimated that the repairs would last for about five years. Lancaster has been told by the manufacturer that this is the last truck of this model in operation nationally. New trucks are estimated to take 2-2-1/2 years at this point. In the last year, the quote for this replacement has increased by about \$300,000. There would be no cost to the Town until the truck is delivered.

Mr. Kerrigan would support the need to replace Engine 4, as would Mr. Allison. Ms. Turner asked about the funding source; Ms. Hodges stated that it would be the same line item currently being used under the Capital Plan; two of the trucks will fall off the budget this year. Ms. Turner asked what the interest rate would be; this is unknown at this time. The replacement truck would need to be custom built since current trucks are too large to fit into the South Fire Station. Ms. Turner asked about an electric truck; Chief Hanson stated that these are being tested but are not in general use in the United States. The existing truck would be returned to the manufacturer as part of the Bill of Sale. Ms. Hodges will bring this to the Finance Committee meeting next week for their consideration, and it would have to be approved at Town Meeting.

Mr. Allison moved to support the Lancaster Fire Department Engine Replacement Program as presented by Chief Hanson. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

## **2. Personnel Policies – New Section Inclusion “Public Safety”**

This is part of the Personnel Policies and Procedures manual. Ms. Hodges has sent a memo on this topic to the Board. Once the pay scale has been approved, language needs to be added regarding ranks and promotions. There is also qualifying language regarding sick and personal time. Ms. Turner moved to add a new subsection “Firefighter Promotional Opportunities” within the existing Classification and Compensation Chapter of Lancaster’s Policies and Procedures Manual adopted by the Select Board on May 15, 2023 as laid out in the Meeting Materials packet for this meeting. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

Mr. Allison moved to add new and clarifying language regarding Sick and Personal leave within the existing Attendance and Time Off Provisions Chapter within Lancaster’s Policies and Procedures Manual as laid out in the Meeting Materials packet for this meeting. Ms. Turner seconded the motion. *Chi taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

## **3. Memorial School Reuse – Draft Scope & Outline for Request for Proposals (RFPs)**

Ms. Hodges has sent a 58-page document to the Board. She suggests not-to-exceed \$120,000 from ARPA funds; criteria for rating the proposals received is outlined in the document. She outlined the broad variety of uses that this RFP would address. All members of the Board expressed concern about incurring additional debt should the project go forward.

Mr. Allison moved to bring this RFP forward and release it for bid. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

**4. Online Financial/Software Programs (Turner/Allison)**

Ms. Turner will get the list of contacts and the towns she has spoken with to Mr. Allison.

**5. Review & Update of Town Fees (Turner)**

Ms. Turner asked to table this item; Mr. Allison moved to table this agenda item and Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Motion passed. [3-0-0].*

**6. Montachusett Regional Planning Commission (MRPC) Transportation Improvement Program (TIP) Amendment (Turner)**

Ms. Turner noted that the comment period for the TIP Amendment ends on the 14<sup>th</sup> and requested that Ms. Hodges post the program information on the town website so that residents can comment. Ms. Turner noted that much of the plan does not pertain to Lancaster.

<b>VIII. APPOINTMENTS AND RESIGNATIONS</b>
--

**\*\* Taken out of order \*\***

Appointments:

**Tax Fairness Committee Nominations & Appointments:**

*Open Seats: 3 Members-At-Large, 1 Finance Committee & 1 Board of Assessor*

- Sheila Casey
- Denise Hurley

Mr. Allison moved to appoint Sheila Casey as an At-Large member and Denise Hurley as representing the Friends of the Seniors to the Tax Fairness Committee. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

**Recreation Committee Nominations & Appointments (1 seat open, term to expire 6/30/2026)**

*Open Seats: 1*

- Sherry Cutler
- Jessica Williams

Mr. Allison moved to appoint Sherry Cutler to the Recreation Committee, term to expire 6/30/2026. Ms. Turner seconded the motion. The Board thanked candidate Jessica Williams and hopes she will apply for a future open *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

## **Zoning Board of Appeals**

*Open Seats: 1*

- Eric Jakubowicz

Ms. Turner moved to appoint Eric Jakubowicz to the Zoning Board of Appeals. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0]*

## **IX. LICENSES AND PERMITS**

**\*\* Taken out of order \*\***

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.*

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

2. Application for Public Entertainment on Sundays

*Tyrod's Annual Car Show, September 10, 2023 at the Lancaster Fairgrounds, 318 Seven Bridge Road.*

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

3. Application for Special (One Day) Liquor License

*Tyrod's Annual Car Show, September 10, 2023 at the Lancaster Fairgrounds, 318 Seven Bridge Road.*

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

## **X. COMMUNICATIONS**

**\*\* Taken out of order \*\***

- Select Board's next regular meetings will be held on Tuesday, September 5<sup>th</sup> (due to the Labor Day holiday on 9/4) starting at 6:00PM and on September 18 prior to Town Meeting.
- Special Town Meeting called for Monday, September 18, 2023. The meeting will be held in the Mary Rowlandson and Luther Burbank schools starting at 7:00pm
- Special Town Election called for Monday, September 25, 2025. Polls open from 7:00AM – 8:00PM
- Miscellaneous Correspondence & Memoranda

## **XI. ONGOING PROJECTS & OLD BUSINESS**

Mr. Allison reports, regarding the Town Administrator Review, that he has spoken to Town Counsel regarding concerns and that his questions have been answered. He would like to begin the process and to give Board members two weeks to complete the paperwork that he has forwarded to them.

Mr. Kerrigan noted that in the budget just passed by the State, Lancaster has been allocated \$90,000 (\$80,000 for infrastructure at the Community Center and \$10,000 for furniture for the Library). He extended thanks to Senator Cronin and Representative Kilcoyne.

Ms. Turner reported the MRPC Freight Study Committee is looking for public input on truck traffic in the area, which could create opportunities for future grants. She would like to form a group to look at this; comments are due by the 21<sup>st</sup>. Ms. Hodges noted that some comments have already been submitted by herself and the Planning Director. Mr. Kerrigan asked, since this was new business, if Ms. Turner would write something up for discussion at the Special Board meeting on the 16<sup>th</sup>.

## **XIII. ADJOURNMENT**

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

Respectfully submitted,

Kathleen Rocco  
Executive Assistant

**APPROVED**

Alexandra W. Turner, Clerk