



APPROVED

**LANCASTER SELECT BOARD
Regular Meeting Minutes
of Monday, January 22, 2024, 6:00 P.M.
Prescott Building – Nashaway Room & via ZOOM**

ZOOM: <https://us02web.zoom.us/j/83355597778>

Meeting ID 833 5559 7778

I. CALL TO ORDER

Select Board Chair Stephen Kerrigan called the meeting to order at 6:02 PM and advised that the meeting was being recorded and broadcast via Sterling-Lancaster Cable 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, Stephen J. Kerrigan, present. Also present, Kate Hodges, Town Administrator.

Mr. Kerrigan acknowledged the passing of Jay Moody, Lancasterian and former member of the Select Board, mentioning Mr. Moody's work on behalf of the town and love for the Town. Ms. Turner mentioned Mr. Moody's many interests and contributions; Mr. Allison called Mr. Moody an inspiration. Mr. Kerrigan called for a moment of silence.

II. APPROVAL OF MEETING MINUTES

Review and take action on the Select Board's Regular Meeting Minutes of November 20, 2023 (tabled) and January 8, 2024.

Mr. Allison asked that the November 20, 2023 minutes remain tabled until some additional information is forthcoming. He moved to approve the minutes of January 8, 2023. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; January 8, 2023 minutes approved. [3-0-0].*

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE

IV. PUBLIC COMMENT

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

Mr. Kerrigan recognized Ralph Gifford, 861 George Hill Road. Mr. Gifford had three points:

1. Honored Jay Moody's devotion, commitment, and service to Lancaster, appreciating that Mr. Moody took the time to encourage him to get involved;
2. Invited all to attend the 2nd Annual Black History Month Concert on February 17 at the College Church, beginning at 6:00PM. There will also be an Art Show beginning at 5:30PM and there will be free refreshments; and
3. Hawthorne Lane highlights a core governance issue; the Planning Board established the conditions, and the Select Board enforces the conditions. Mr. Gifford pointed out that this causes potential problems. He urged the Select Board to put in place systems that will ensure the collaboration and support required for success when multiple boards must work together to ensure success.

V. ADMINISTRATION, BUDGET, AND POLICY
--

1. Economic Development Committee (Turner)

Ms. Turner recalled that in 2022 at Town Meeting, Article 9, the Economic Development Committee was created as a five person advisory committee. Prior to this there had been an ad hoc committee that was disbanded. She reviewed reasons that this Committee should be reinstated, both because Town Meeting had requested this, and that businesses in town could use some assistance. She would request that the Board issue a call for volunteers, as well as determining the scope of work to be performed.

Mr. Kerrigan recalled that the last time that the Select Board sought volunteers for this committee there were no applicants, although he is willing to revisit the issue.

Mr. Allison does not believe this is necessary, since the Town already has two documents outlining and defining Lancaster's Economic Development, the Master Plan, and the North Lancaster Business Development. Mr. Kerrigan agreed, noting that in the two years since the May 2022 Town Meeting, the Board has not been petitioned by anyone wanting to be a member. Ms. Hodges called up earlier notes; that at the time this committee was created, members of the prior ad hoc committee spoke to the committee's charge, stating that it was too broad, and that it needed to be refined before appointing a new committee.

Mr. Kerrigan recommended that if Ms. Turner would like to pursue this, she should prepare a new charge in writing and submit it to be included on the agenda and in the Select Board packet so that the Board could review the new charge(s) and vote.

2. Public Records Requests (Turner)

Ms. Turner requested that this item be tabled. Mr. Kerrigan agreed to remove this item from the agenda rather than tabling it to an indefinite date, and when Ms. Turner is ready to proceed it can be on the agenda again.

3. Government Study Committee Progress Update

Mr. Kerrigan recognized Emily Taylor, 634 Main Street, Chair of the Government Study Committee. Ms. Taylor recognized Jay Moody, committee member, expressing condolences to his family on behalf of the committee.

Ms. Taylor reviewed the formation and the charge of the Government Study Committee (GSC). She explained the creation and implementation of a survey to measure residents' pain points with local government. Several focus areas were identified, and Ms. Taylor itemized these along with the committee's recommendations.

1. Development of a Standing Government Study Committee is recommended.
2. Put before Annual Town Meeting a vote to begin the process of expanding the Select Board. Survey results showed that 51% of respondents thought that a five person board would be preferred. Ms. Taylor noted that the GSC should not recommend the size of the Select Board, but their charge asks them to recommend that the issue be discussed and/or voted on. Ms. Hodges expressed concern that staff had not been involved in this conversation. Ms. Hodges and Mr. Kerrigan asked for further clarification about the GSC's intent to "begin the process." Some discussion was held as to why staff members had not participated in the survey or the discussion.
3. Looking at elected and/or appointed local boards; survey results indicate a preference to elect boards rather than appoint boards. Again, the GSC does not recommend that this be placed on a ballot; rather, they would like to see a Standing GSC explore this further.

Mr. Kerrigan asked if a Charter Commission might tackle all the topics enumerated above. Ms. Taylor stated that the GSC did not have the data to support this.

Ms. Turner stated that she wanted to clear up some issues, especially around why the staff was not included in discussions; she asked Ms. Taylor if she had ideas to include staff input. Ms. Taylor stated that if a Standing Committee was formed she would hope that the Select Board would help to encourage staff participation. Ms. Turner stated that at last year's Town Meeting it seemed that an article proposing a 5-man Select Board failed because people were waiting for the Government Study Committee report. Ms. Turner noted that changing the size of the Select Board would be a multi-year process at best. Ms. Turner agreed that the issue of elected versus appointed boards and committees requires more information and education.

Mr. Allison asked Ms. Taylor for her opinion, whether hers or the committee's, on the questions asked in the definition of the GSC. Ms. Taylor stated that she does not feel qualified to opine on these questions because the GSC membership did not specifically address these questions and survey information does not provide definitive answers. Mr. Allison asked what problem would be solved by changing the size of the Select Board. Ms. Taylor explained that there had not been time to explore this topic further.

4. Hawthorne Lane Development

Ms. Hodges summarized the project and problems with this development to date, explaining the extended deadline calendar created by the pandemic state of emergency.

The five-year date will expire in May 2024 for several issues. Ms. Hodges explained that documentation has been forwarded to Town Counsel; Counsel will plan to address questions on February 5th. Additionally, Ms. Hodges clarified the role of the Select Board on these issues; this primarily belongs to the Planning Board or the Zoning Board of Appeals, but the Select Board is trying to be helpful to resolve issues. Outstanding issues include the status of a bond that may or may not exist; a path to approve the roadway; Conservation Commission issues with a lot that is the site of a pump station, and others.

Mr. Kerrigan asked the Board to provide Ms. Hodges with questions that could be answered at the February 5th meeting after going to the Planning Board and to Town Counsel.

Ms. Turner asked if the Select Board can require bonds on a project; she would like an accounting of what monies from the Hawthorne Lane bond have been expended. She would like to see a Town requirement for bonds on projects over a certain dollar amount. She would like to make sure that information is sent to an appropriate abutters' list. Ms. Hodges noted that a communication is being sent to abutters about the February 5th meeting. Ms. Turner would like further information on the status of the road; Ms. Hodges reported that the DPW Superintendent states that the road is in compliance with town requirements. Ms. Turner would like the Select Board to work in conjunction with the Planning Board to create language, or see if other towns have language, to preclude non-conforming roads from being accepted at Town Meeting. Ms. Hodges explained that you cannot preclude Town Meeting action. Ms. Turner asked for information on the status of the land that the pumping station is on. Ms. Hodges explained that it is in a holding pattern and will need to be past due on taxes for over 1-1/2 years prior to the Town taking it for tax title.

Mr. Allison recapped the mess created at Hawthorne Lane, and the ongoing problems faced by the residents. He proposes involving the Conservation Commission and soliciting solutions, none of which will be perfect.

Mr. Kerrigan recognized Larry Shoer, 750 George Hill Rd. Mr. Shoer read from a letter that he and Emily Rose have sent to the Select Board. Additionally, he noted that the Planning Board should be the enforcement body for compliance with requirements, but that he has been to the Planning Board and has been told that they have no enforcement authority, rather that the Building Commissioner enforces code compliance. Ms. Hodges and Mr. Kerrigan addressed this.

Mr. Kerrigan recognized Mr. Hafeez, 51 Hawthorne Lane. Mr. Hafeez stated that he had met with the new Planning Director in December who had told him that Ms. Hodges was the decision maker. Mr. Hafeez reviewed the history of the project, citing very minor issues remaining. He will be back to the meeting on February 5th and hopes to have some clarification at that time.

Mr. Kerrigan recognized Ralph Gifford, 861 George Hill Road. As a neighbor to the Hawthorne Lane project, he too has been told by the Planning Board that the Select Board is the decision making authority. He asked if using a betterment process like the Sewer Commission uses, might be appropriate.

VI. TOWN ADMINISTRATOR REPORT

- **Fiscal Year 2025 Budget**

A draft version of the budget book has been distributed showing a \$8,910 decrease in municipal expenses year-over-year. There is a reduction of three (3) FTEs (Full-Time Employees) and a re-addition of a Police Lieutenant, a full-time firefighter, and an archivist for the library, and a groundskeeper. Minuteman Schools will be less than last year; Nashoba Regional Schools will increase by about \$650,000 for a net increase to schools of \$434,678. In totality, the increase for the average house will be about \$0.45.

The Finance Committee and Select Board will meet jointly to review this on January 29th.

- **Human Resources Updates**

Ms. Hodges reported that Kevin Bartlett, DPW Superintendent, has accepted a position in the Town of Clinton. His last day will be February 16. When the Commissioners appoint an interim Superintendent, Ms. Hodges will advise the Board.

- **Classification and Compensation Plan**

Ms. Hodges reports that this is in the process of being finalized by the Collins Institute with the exception of the Police and Fire Departments.

VII. LICENSES AND PERMITS - NONE

X. EXECUTIVE SESSION

Mr. Allison moved to enter Executive Session for the purpose of discussion regarding strategy with respect to litigation in the matters of Lancaster Historical Society pursuant to Section 21(a)(3) and not to reconvene in open session. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

X. COMMUNICATIONS

- Next Select Board meetings will be held on Monday, February 5, 2024
- Town Offices will be closed on Monday, February 19, 2024 in observance of Presidents' Day
- Miscellaneous Correspondence and Memorandums

IX. ADJOURNMENT

Respectfully submitted,

Kathleen Rocco
Executive Assistant

APPROVED

Alexandra W. Turner, Clerk