



**LANCASTER BOARD OF SELECTMEN
REGULAR MEETING MINUTES OF DECEMBER 15, 2008**

I. CALL TO ORDER

Acting Chairman Jennifer Leone called the Regular Meeting of the Board of Selectmen to order at 6:05P.M. in the Dexter Meeting Room, Thayer Memorial Library, 717 Main Street, Lancaster, Massachusetts. Mr. Sonia was present. Mr. Williams was absent. Orlando Pacheco, Town Administrator, was also present.

II. PUBLIC COMMENT

6:00 P.M. - Opportunity for the public to address their concerns, make comment and offer
6:10 P.M. suggestions on operations or programs, except personnel matters. Complaints or criticism directed at staff, volunteers, or other officials shall not be permitted.

No one appeared for public comment.

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS - None

IV. TOWN ADMINISTRATOR'S REPORT

Regional Household Hazardous Waste Facility:

Several Middlesex County Towns are looking to create a Regional Household Hazardous Waste Facility at Devens, to be open to the public twenty (20) days per year. The project is being put on hold to solicit additional funding from the Commonwealth to build out the necessary infrastructure to make the site safe and secure.

It is the desire to have all aspects of this in place within twelve (12) months.

Landfill Re-Use Joint Meeting: (See Minutes of 12/1/08-p. 2)

Mr. Pacheco indicated that he has spoken with the Planning Director and it was agreed that a joint meeting of the Board of Selectmen, Board of Health, Planning Board and Board of Public Works be scheduled for January 12, 2009 at 7:00 P.M. in the Town Hall Auditorium. Tighe and Bond will be invited to present their draft and to solicit Board and public comments before finalizing its report.

V. APPROVAL OF MEETING MINUTES

The Minutes of December 1, 2008 were tabled.

VI. APPOINTMENTS AND RESIGNATIONS

Conservation Commission Membership:

On motion Ms. Leone, seconded by Mr. Sonia, it was voted, as recommended by the Conservation Commission, to appoint Ruth Anderson from an Associate Member to a Regular Member to fill the unexpired term caused by the resignation of John Ledoux, term to expire June 30, 2010.

Historical Commission Membership:

On motion Ms. Leone, seconded by Mr. Sonia, it was voted to appoint Heather L. Lennon, 294 Nicholas Drive, Lancaster, MA as a member of the Historical Commission to fill the unexpired term caused by the resignation of David Knott, term to expire June 30, 2011.

VII. ADMINISTRATION, BUDGET, AND POLICY

Board of Selectmen Meeting Schedule for 2009:

The Board of Selectmen has set its meeting schedule for 2009 on the following Mondays in the Dexter Meeting Room, Thayer Memorial Library, 717 Main Street, Lancaster, MA at 6:00 P.M., unless otherwise noted:

- January 12th at 5:00 P.M.
- January 26th
- February 9th and 23rd
- March 9th and 23rd
- April 13th and 27th
- May 4th (Annual Town Meeting) and 18th
- June 1st and 15th
- July 6th and 20th
- August 3rd and 17th
- September 21st
- October 5th and 19th
- November 2nd and 16th
- December 7th and 21st

May 4, 2009 Annual Town Meeting:

Deadline for submission of all zoning and Citizen Petition related articles for the Annual Town Meeting Warrant is Monday, March 2, 2009 at 4:00 P.M. The deadline for all other articles will be March 31, 2009 at 4:00 P.M.

32 Carter Street:

After careful review of the responses to the 32 Carter Street RFP, we are recommending that the Board award the property at 32 Carter Street to Habitat for Humanity of North Central Massachusetts. While both responses were more than adequate, we feel the Habitat for Humanity response was stronger than the Montachusett Enterprise Commission's (MEC) response for the following reasons.

1) Buyer Financing-Habitat for Humanity provides its own financing for the selected individual or family, thus avoiding the need to go to the credit markets. This will make it much easier for an individual or family to obtain the financing needed. MEC does not provide any internal financing. An individual or family must obtain a mortgage through a more traditional method of financing, which under the current conditions may be difficult for some individuals. Habitat for Humanity only requires a down payment between 1-4% of the sale price, as well as offering a 30 year mortgage at 0%. This makes the monthly payments low to insure the individuals will be able to afford the home in the long term at a price not factored by the Town of Lancaster's median income. MEC would not be able to accomplish this, since it can not control the buyer's financing terms.

2) Price-While both respondents would set a price that would be deemed affordable, based on the standard set by the Department of Housing and Community Development, the method used would be

different. MEC would set a price based somewhere in the affordability range. While this is sufficient, the approach from Habitat for Humanity would be to set a fixed price of \$150,000 well below the 80% median income threshold.

3) Buyer Pool-Both organizations would most likely try to find eligible buyers locally if possible. However, Habitat for Humanity has an advantage in that it already has a current pool of buyers. This means the home, once completed could be occupied at a much quicker rate. While MEC had a more aggressive construction timeline, the fact that a buyer would have to be solicited and then obtain bank financing could lead to the property not being occupied as quickly.

Both organizations use a community based approach to development. MEC does a great public service of using students from Montachusett Vocational High School on their projects. Habitat for Humanity use volunteers, many of them certified or licensed in construction trades. We feel that the Town would be greatly served by doing business with either one of these organizations. We hold both of them, and the people who work for them, in the highest regard. However, for the reasons noted above we feel that Habitat for Humanity of North Central Massachusetts is better suited to handle this project under the current circumstances.

On motion by Ms. Leone, seconded by Mr. Sonia, it was voted to award the project to Habitat for Humanity and to authorize the Town Administrator to execute all documents pertaining to this project.

Department of Revenue Water Department Study:

The audit of the Water Enterprise Fund has been completed by the Department of Revenue. A joint meeting will be scheduled with the DPW to review the findings.

Capital Projects: (See Minutes of 12/1/08-p. 3)

Only capital projects that have been started will be allowed to continue. Mr. Pacheco indicated that what needs to be done will continue and what can be put off will be put off'. The exception is Central Fire Station where the design and bidding will be completed, but the project will not move forward.

On motion by Mr. Sonia, seconded by Ms. Leone, it was voted to complete ongoing projects and close out funds that remain to the general fund after completion.

VIII. LEGAL NOTICES AND PUBLICATIONS - None

IX. LICENSES AND PERMITS

2009 Licenses Issued:

On motion by Ms. Leone, seconded by Mr. Sonia, it was voted to issue licenses for calendar year, 2009 as attached to these Minutes, with the exception of:

JTM Auto Body, Inc., d/b/a Lancaster Auto Sales, 164 High St. Ext., Lancaster
(no application for renewal received as of this date)

Sterling Property Management, LP, Sterling National Country Club, Sterling, MA
(no application for renewal received as of this date)

Charlotte Creighton, d/b/a College Town Inn, 12 Old Common Rd., Lancaster
(pending approval of the Fire Chief and Building Inspector re: fire-related issues)

X. COMMUNICATIONS

Conservation Commission Fee Increase:

A letter was received from the Conservation Commission advising that a new fee schedule will be implemented, effective December 4, 2008. The update schedule will be placed on file.

Department of Correction FY09 Mitigation Payment:

Notification was received from the Department of Correction advising that the FY2009 Mitigation payment to the Town of Lancaster in the amount of \$47,250.02 has been processed for the Town of Lancaster. This amount is based on the average state inmate population housed at Souza Baranowski Correctional Facility for the period July 1, 2007 through June 30, 2008.

XI. OTHER BUSINESS

XII. NEW BUSINESS

NRSD Shortfall – DOR Audit:

An audit of the NRSD showed a difference of \$135,276 between what the town paid the Nashoba Regional School District and what it should have been paid, due to a miscalculation of a school building reimbursement.

Mr. Pacheco stated that when the district figured out the assessment, it used a reimbursement figure of \$767,634 which reduced the amount the town paid the district. The Dept. of Revenue said the reimbursement was \$632,634 and indicated that the Town owned the school district the \$135,000 difference.

“I don’t believe the Town should have to pay that amount”, Mr. Pacheco said.

XII. ADJOURNMENT

Board adjourned at 6:45 P.M.

John P. Sonia, *Acting Clerk*
Approved and accepted:

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