



LANCASTER SELECT BOARD
Regular Meeting Agenda via ZOOM™
Monday, August 2, 2021
6:00 P.M.

In accordance with the Open Meeting Law, please be advised that this meeting is being recorded and broadcast over Sterling-Lancaster Community TV

I. CALL TO ORDER

Chairman Jason A. Allison will call the meeting to Order at 6:00 P.M. via ZOOM™

Join Zoom Meeting

<https://us02web.zoom.us/j/84520992892>

Meeting ID: 845 2099 2892

One tap mobile

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Meeting ID: 845 2099 2892

Find your local number: <https://us02web.zoom.us/u/kbMb4Ahx5S>

II. PUBLIC COMMENT PERIOD

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.

III. APPROVAL OF MEETING MINUTES

Review and take action on Regular Meeting Minutes of July 19, 2021.

Review and take action on Special Meeting Minutes of May 27, 2021 and July 13, 2021.

IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS

Public Hearing (*continued from July 19, 2021*) LLEC's Application for Special Permit to Remove Earth Products Renewal.

V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE



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VI. TOWN ADMINISTRATOR REPORT

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

VII. ADMINISTRATION, BUDGET, AND POLICY

1. Massachusetts Bay Transportation Authority (MBTA) Advisory Board discussion to appoint a designee. (Allison)
2. Discussion on Principal Assessor candidate interview pool (Allison)
3. Capital Group Property – Peer Review (Allison)
4. Discussion to see that Senior Work-Off Program Applications are on line (Moody)
5. Discussion why Select Board's FOB Keys are now limited. (Moody)
6. Discussion on Building Commissioner and Inspector Recruitment (Moody/Turner)
7. Discussion on the completion of the Legal Council Request for Proposal (RFP) (Turner)
8. Discussion on Audit Services (Turner)
9. Discussion on Town acquired property – 0 Hardy Street. (Town Administrator)
10. Donation to Fire Department- Acceptance of gift from local resident Shirley Griffin Family Trust. (Town Administrator)

VIII. APPOINTMENTS AND RESIGNATIONS

Appointments (Vote may be taken)

Personnel Board – Jean Bean, term to expire - 6/30/2024

Re-Appointments (Vote may be taken)

Montachusett Regional Planning Commission – Thomas Christopher

IX. LICENSES AND PERMITS

- Review Renewal of Special Permit to Remove Earth Products for John E. Kanis, Inc. (Vote may be taken)
- Application for License for Public Amusements to be held on Weekdays (Vote may be taken)
Annual Bolton Fair - Dean & Flynn, Inc dba Fiesta Shows, August 12, 2021 from 5pm-10pm;
August 13, 2021 from Noon – 10pm and August 14, 2021 from 9am to 9pm.
- Application for License for Public Amusements to be held on Sundays (Vote may be taken)
Annual Bolton Fair - Dean & Flynn, Inc dba Fiesta Shows, August 15, 2021 from 9am-9pm.

X. OTHER/UNFINISHED BUSINESS

- **Annual Town Report**
Town Clerk to start compiling reports/work with departments



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- **Code of Conduct Policy**
Comments from Town Administrator & Human Resource Director. Posted on the website, waiting for additional feedback
- **Evaluation of Town of Lancaster Website/Communication Committee**
No action taken
- **North Lancaster Settlement**
In process of setting up closing date/transfer of title
- **DCAMM Land Sale Partnership**
Select Board member Alix Turner to discuss site walk scheduled with DCAMM
- **Aggregation**
Waiting for Select Board to advise on percentage of additional renewables, if any. Solicit new pricing after decision made.
- **Gazebo Ramp**
Final design reviewed, shared with Lancaster Historical Commission and Committee on Disability. Next step – schedule install and order materials.
- **Department Assistant (CDP)**
Select Board to take action on new position and determine hours
- **COVID Funding**
Finance to provide breakdown of existing CARES expenditures
- **Assessor Search**
Three applicants provided to the Select Board
- **Open Meeting Law (OML)/Records Training**
Set up date (preferably Wednesday evening)
- **Town Counsel Request for Proposal (RFP)**
Awaiting comments and edits from Select Board

XI. NEW BUSINESS *

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

XII. COMMUNICATIONS

- Select Board's next regular meeting will be held via Zoom on August 16, 2021 at 6:00pm

XIII. ADJOURNMENT

APPROVAL OF MEETING MINUTES



LANCASTER BOARD OF SELECTMEN
Meeting Minutes
Of Monday, June 19, 2021

I. CALL TO ORDER

Chairman Jason A. Allison called the meeting to Order at 6:00 P.M. via ZOOM™ . Roll call was taken, Jason A. Allison present, Jay M. Moody present, Alexandra W. Turner present. Town Administrator Orlando Pacheco was in attendance.

Meeting ID 851 9547 8788

Invite Link <https://us02web.zoom.us/j/85195478788>

II. PUBLIC COMMENT PERIOD

6:00 P.M. – 6:10 P.M. 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.

Chairman Allison recognized Denise Hurley, who presented a plaque to Select Board member Alix Turner and her team on behalf of the Lancaster Friends of the Seniors and the citizens of Lancaster, for all the hope they brought during the COVID pandemic, and for continuing to provide that hope. The plaque awards to Ms. Turner the Lancaster Hope Award. Ms. Turner offered her sincere thanks.

III. APPROVAL OF MEETING MINUTES

Mr. Allison reported that he has spoken to Mrs. Rocco and that the minutes planned for approval are not yet ready.

Mr. Moody moved to table the review and approval of the Special Meeting minutes of May 27, 2021. Ms. Turner seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, and Alexandra W. Turner Aye. Motion passed. [3-0-0]

IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS

Public Hearing – 6:05PM: *John E. Kanis' Application for Special Permit to Remove Earth Products Renewal Notice is hereby given that a Public Hearing will be held on Monday, July 19, 2021 at 6:05 P.M. via ZOOM, 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 Select Board'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. – Lancaster Select Board*

Mr. Moody read the announcement of the first Public Hearing, as detailed above, into the record.

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

Mr. Pacheco explained that John Farnsworth is in attendance as the engineer for the applicant, as well as Kayla Larson from Tighe & Bond, the Town of Lancaster's inspecting engineer.

Mr. Farnsworth explained that the Plan presented has been prepared by Farnsworth Engineering; Farnsworth Engineering has taken over for the original engineering company, Falco Engineering. Mr. Farnsworth presented the history of the property and the permit, explaining that the site has been a good neighbor, without violation, for three generations. They are applying for another two-year permit.

Because the time of the 2nd Public Hearing (LLEC) had been reached, it was determined that the first Public Hearing (Kanis) should be recessed. The 2nd Public Hearing (Kanis) should be opened, then and then recessed. This would allow the Board to return to the first public hearing while following appropriate procedure

Ms. Turner moved to temporarily recess the Public Hearing of the application of John E. Kanis for renewal of Earth Products. Mr. Moody seconded the motion. Jason A. Allison vote Aye, Jay M. Moody vote Aye, and Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

Public Hearing – 6:15 PM: *LLEC's Application for Special Permit to Remove Earth Products Renewal. Notice is hereby given that a Public Hearing will be held on Monday, July 19, 2021 at 6:15 P.M. via ZOOM, to consider the application of James Simpson, dba LLEC Inc., 139 Greenland Road, Sterling, MA for renewal of a Special Permit To Remove Earth Products (Sand and Gravel) from a parcel of land located westerly of I-90, Easterly of Jungle Road, identified on the Lancaster Assessors' Maps as Map 23, Parcels 7, location approximately 700 feet Easterly from the intersection with Jungle Road. A copy of the Application and Engineering Plans may be viewed in the Select Board'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. – Lancaster Select Board

Mr. Moody read the announcement of the second Public Hearing (James Simpson, LLEC Inc.) as detailed above, into the record.

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

Ms. Turner moved to temporarily recess the Public Hearing of the application of James Simpson, LLEC Inc., for renewal of Earth Products, until the Public Hearing for John E. Kanis has been completed. Mr. Moody seconded the motion. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

Ms. Turner moved to continue the Public Hearing of the application of John E. Kanis for renewal of Earth Products. Mr. Moody seconded the motion. Jason A. Allison vote Aye, Jay M. Moody, Aye, Alexandra W. Turner, Aye. Motion passed. [3-0-0]

Ms. Turner states that she only received Tighe & Bond's comments to the permit application late this afternoon, but it appears that it was received two or three days ago. Mr. Pacheco notes that the review came in today, and that the applicant is requesting no changes to the permit. Ms. Turner would like materials further ahead of time. It was clarified that the previous permit will expire August 19, 2021 and the new permit will continue until August 19, 2023. Mr. Pacheco notes that other materials were given to the Select Board prior to today; the only item received today was the letter from Tighe & Bond.

Ms. Turner would like a site walk with the Conservation Commission held on all earth removals permits. Ms. Larson addressed the site, noting that it is one of the best reclamation sites that she has seen. In comments Ms. Larson has noted that in the past the Select Board has chosen to waive the bond requirement due to the Town's long and positive history with this site and with this property owner. Ms. Turner offered several additional questions about groundwater which were addressed by Mr. Farnsworth and Ms. Larsen.

Ms. Turner would like to finalize her conditions following a site walk with the Conservation Commission and possibly the alternate Building Commissioners.

Mr. Allison invited residents to add their comments; none were seen.

Mr. Pacheco noted that he would not advise making changes to the existing permit, and that the Board does need to decide whether or not to waive surety. He noted that the Town uses this site to access their own earth removal site. This site is well below the truck trips per day defined in their permit, and does not removed much material. The Planning Board provided two comments, that the site is in a residential district and needs to follow all conditions of the Bylaw. Mr. Allison notes that Tom Christopher has issued a vote of confidence, discussing the site's 40 year record of protecting the habitat for endangered species on the property.

Mr. Turner asked Mr. Pacheco for renewal details on the Town owned earth product removal area and ask that he move forward on preparing that permit. Mr. Pacheco said that a draft permit could be prepared for the Board to review at it's next meeting.

Ms. Turner moved to close the Public Hearing for Kanis earth removal permit. Mr. Moody seconded. Jason A. Allison, vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

It was decided to continue with the second Public Hearing (LLEC, Inc.) before discussing conditions for the Kanis earth removal permit.

Ms. Turner moved to continue the Public Hearing for LLEC, Inc. Mr. Moody seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

James Simpson, the owner of LLEC, Inc. was not present. Mr. Pacheco suggested that this may be because the owner is continuing the permit but has not actually moved any material in almost four years. It was decided to ask questions of Ms. Larson to see how far the Board could go without the owner present. Ms. Larsen states that the last permit expired in 2018. This application is for 2018-2020, which would still be expired, so this application is for a two-year "catch-up." Conservation Commission restrictions in 2012 are still present in the new application. Ms. Larsen reports minimal to no change to the property in several years. She would recommend making sure that the applicant's surety bond is still active. She would not be opposed to site visits annually rather than twice a year.

Mr. Moody asked if there were issues on this site with finding the wells. Ms. Larsen does recommend that the wells are uncovered. Ms. Turner would like to do a site walk and would like to consult with the attorney at KP Law who worked on this permit some years ago, to see if he still recommends treating all permits like new permits.

Mr. Allison opened comments to the public.

Mr. Allison recognized Greg Jackson, 40 Farnsworth Way. Mr. Jackson stated that he believes that at a public hearing the applicant or his representative must be present. Mr. Pacheco will confer with Town Counsel.

Ms. Turner asked when the application was submitted; Mr. Pacheco responded that it was May 28, 2021. Ms. Turner wants legal questions on the next agenda to make sure that the Town does not miss a deadline.

Ms. Turner made the motion to continue the Public Hearing for James Simpson, LLEC, Inc. Mr. Moody seconded.. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS

A joint meeting was held with the Board of Health. John Farnsworth opened the Board of Health Meeting as posted at 7:11 p.m.; Mr. Farnsworth and BOH member Katherine Holden represented the BOH. Also attending was Tracy Gagnon, COVID-19 Coordinator.

Mr. Farnsworth reported that he has had calls asking about mandatory vaccinations for town employees. The BOH has been in continual contact with the Department of Public Health. The DPH is unaware of any towns in the Commonwealth that have enacted such rules.

Mr. Pacheco, in response to a question from Mr. Allison, stated that to the best of his knowledge there are three non-vaccinated town employees; they have come to him, he is not directly asking employees for vaccination status. It has been verified with Town Counsel that the Town has a legal right to ask.

Concern was expressed about Lancaster's overall low vaccination rate. The BOH has been proactive, making vaccines available, sponsoring clinics and outreach. Mr. Farnsworth noted that the Fire Department's help has been invaluable throughout the pandemic.

Mr. Allison recognized resident Greg Jackson who asked about Lancaster's vaccination rate. Mr. Farnsworth reported that it is about 49% right now.

Mr. Moody suggested polling employees about their wishes regarding masks. Mr. Allison stated that this might be helpful, but he wants to base policy decisions on expert guidance.

Mr. Allison asked Mr. Pacheco to confirm current policies; masks are required in town buildings for anyone who has not been vaccinated, as stated in the Governor's policy.

Ms. Holden moved to adjourn the Board of Health meeting; Mr. Farnsworth seconded. Roll call taken, Mr. Farnsworth and Ms. Holden present. Both members voted aye, BOH meeting adjourned.

VI. TOWN ADMINISTRATOR REPORT

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

1. Shared Streets Program

The Town received a grant in the amount of \$18,000 via the Shared Streets and Spaces Program. The funds will be used to install solar LED Crosswalks on Main Street. Kevin Bartlett was responsible for the application.

2. Complete Street

The Town has received a grant in the amount of \$400,000 from the Complete Streets program to install new sidewalks, and safety measures including ADA compliance, on Main

Street and ending at Whitcomb. Mr. Pacheco reported that he will start to prepare the bid documents and specifications once the Notice to Proceed has been received. It was noted that this is a very competitive grant and only 16 communities statewide were selected.

Ms. Turner asked about preliminary design that had been done in the past. Mr. Pacheco explained that the design has been done through the DPW using about \$60,000 of Chapter 90 funds.

This will need to be completed by December 31, 2023. Mr. Pacheco recommends starting as soon as possible so as to potentially be eligible for additional grant rounds.

VII. ADMINISTRATION, BUDGET, AND POLICY

1. Discussion on Personnel Board (Turner)

Ms. Turner would like to re-start the Personnel Board as defined in the Town's bylaws as voted at Town Meeting, most recently revised in 2009. She stated that a new method to manage personnel would need to follow a Town Meeting vote to abolish the established Personnel Board. She stated that she was aware that the Personnel Board does not apply to many people, but that it could help govern policy.

Mr. Moody supports bringing back the Personnel Board. He thinks that the current HR Director, while doing what we are hiring her for, is too much to pay. He would like to use the Personnel Board, with possibly an outside resource only needed when the Board faces a complicated problem or situation.

Mr. Pacheco explained that the HR experts at the Collins Center have advised the board against using a Personnel Board, although the Select Board is certainly within their right to staff the Personnel Board.

Ms. Turner moved to advertise and staff the three person Personnel Board. Mr. Moody seconded. Jason A. Allison, vote No, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [2-1-0]

Mr. Allison requested that Mr. Pacheco advertise for Personnel Board members on the town website, and also asked him to send the link for this advertisement to the Select Board members.

2. Proposal for chain of command communication channel (Allison)

Mr. Allison moved to have Mr. Pacheco work with HR Director Sandi Charlton to develop a chain of command communication plan for the staff. Ms. Turner seconded.

Discussion:

Mr. Allison explained that this would allow for escalation, so that if an employee has an issue they know who to go to.

Discussion was held as to whether to recognize meeting attendees who have raised hands; Mr. Allison wants those comments generally heard during the Public Comment section of the meeting.

Mr. Allison recognized HR Director Sandi Charton. Ms. Charton raised the point that the HR Director is someone that employees should feel comfortable approaching apart from the chain of command. One of the essential functions of an HR Director, in her opinion, is employee relations and hearing what employees have to say, certainly as an alternative, or before ever coming to the Select Board.

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

3. Formalize Town Administrator goals (Allison)

Mr. Allison explained that this discussion had begun at the last Select Board meeting, and that it had been decided that each member would write out FY222 Town Administrator goals to be compiled by the Chairman, and formalized at tonight's meeting.

Mr. Moody moved to accept the Town Administrator goals as presented below; the motion was seconded by Ms. Turner:

- Town Administrator to foster regular meetings with a Select Board liaison, FinCom liaison and Town Administrator by Sep 1, 2021
- Town Administrator to foster regular meetings with Planning Board liaison, Conservation Commission liaison, Building liaison and Town Administrator by September 15, 2021 to keep track of what is going on in town
- Town Administrator to create a plan by Oct 1, 2021 on how to reach all residents in town with town information
- Develop and present an initial plan by Oct 15, 2021 to measure the resident's overall satisfaction with town service
- Implement the resident's overall satisfaction plan by Dec 31, 2021 and provide monthly updates as to its status which would also allow a continuous feedback loop into the plan
- Create a plan by Feb 1, 2022 to determine if there are residents underserved of town resources and create a strategy to reach them
- Revisit and evaluate all town Bylaws by June 1, 2022 to ensure town policies and procedures are in line with them
- Within 30 days create a calendar for all town specific milestones and their dates for the next year including Town Meeting, Special Town Meeting, elections, performance reviews, contracts, project approvals, renewals, etc. Create a schedule for when to start work on these activities so they can be completed on time. Make this calendar publicly accessible to the town.

- Within 30 days create a list of all open projects. Throughout the year maintain on-going and historical status on these projects as well as deadlines being met/missed and why. Make this status accessible to the town through the town website.
- Within 14 days publish a schedule of when you will/will not be in your office in the Prescott building. Going forward, maintain in your Office365 Outlook Calendar the complete list of meeting times/locations which pull you away from the Prescott building. Once completed, share your Calendar with the Select Board, Executive Assistant, and HR. Going forward complete time sheets each and every week.

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

Mr. Allison asked Mr. Pacheco to provide feedback if any of the goals enacted seem unachievable, if he thinks any of the goals need adjustment, or if time frames are unreasonable.

4. Discussion on Building Commissioner vacancy (Moody)

Mr. Moody asked Mr. Pacheco for a status of the hiring plan for the Building Commissioner. Mr. Pacheco suggested that it may be difficult to find a Commissioner and that the Select Board might consider an Inspector instead, with a part-time Commissioner to oversee the Inspector. He went on to explain that other towns will be helpful in the short term as a professional courtesy, but that the search may take some time. Right now things are working, but the enforcement component of the position is missing. Mr. Pacheco urged the Board to decide how they want to proceed and if they want to have a search committee. The Board members want Mr. Pacheco to present his recommendations.

Ms. Turner would like to seek help from the State and states that this should be an attractive position for candidates, with a central location and wages that are in-line with those shown by the MMA. She would like to advertise with the MMA and with trade organizations/publications.

Mr. Allison wants to see a proposal/plan from Mr. Pacheco. Ms. Turner would like him to include the legal definitions and differences between Inspector and Commissioner.

VIII. APPOINTMENTS AND RESIGNATIONS

Appointments

Conservation Commission – Bruce MacGregor, term to expire June 30, 2024

Mr. Allison made a motion to appoint Bruce McGregor to the Conservation Commission, term to expire June 30, 2024. Ms. Turner seconded the motion.

Mr. McGregor addressed the Board, introducing himself and explaining his interest in becoming a member of the Conservation Commission.

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

Cultural Council – Ann Fleury, term to expire June 30, 2024

Mr. Moody moved to appoint Ann Fleury to the Cultural Council, term to expire June 30, 2024. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed.[3-0-0]

Re-Appointments

Board of Registrars – Heather LeBlanc (Unenrolled), term to expire June 30, 2024

Mr. Moody moved to re-appoint Heather LeBlanc to the Board of Registrars (Unenrolled), term to expire June 30, 2024. Ms. Turner seconded the motion. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed. [3-0-0]

IX. LICENSES AND PERMITS - NONE

X. OTHER/UNFINISHED BUSINESS

Mr. Allison re-iterated that he would like the Unfinished Business bullets to be more descriptive.

- **Annual Town Report**

Mr. Pacheco reported that the Town Clerk's office will be working on with Kathi Rocco from the Select Board office after she finalizes some work relating to the Annual Town Meeting. Ms. Turner stated that this is a Select Board responsibility and asked for a date that it will be ready. Mr. Pacheco stated that he does not have a date right now because some data has to be recreated. It was suggested that a lesser version, meeting the letter of the law, could be finished earlier. Ms. Turner would like a full version with all board and committee reports.

- **Code of Conduct Policy**

Mr. Pacheco has sent minor edits to the Select Board for their review; the IT Director will post the document on the website later this week.

- **Communication Committee**

Ms. Turner moved to establish a three person committee to evaluate the Town's website and to make recommendations for improvements, the committee to be established by September 1, 2021, with recommendations to be presented by November 1, 2021. Mr. Moody seconded the motion.

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

Mr. Allison asked Mr. Pacheco to form this committee and remove this item from the Unfinished Business list.

- **North Lancaster Settlement**

Mr. Pacheco reported that he still needs to follow up with Jonathan Eichmann.

- **DCAMM Land Sale Partnership**

Ms. Turner reports that she still needs to be in touch with her contact at DCAMM. Mr. Pacheco stated that the Board needs to focus on whether or not they want to proceed with the land sale partnership and if so, how they want to set that up. He suggested that another meeting with DCAMM is probably warranted sometime in the next month. The Board would like a site walk scheduled, and Mr. Pacheco will talk to SLTV about filming a video tour.

- **Aggregation**

Mr. Pacheco stated that he is still waiting for answers on how the Select Board would like to proceed.

- **Gazebo Ramp**

Mr. Pacheco reported that the plans have now been reviewed by the Center For Living and Working. They recommended some minor edits that have been sent to Mike McHugh at the Commission on Disability. He and Mr. Pacheco will speak in the next couple of days before giving guidance to the Fire Department on installation. Mr. Allison noted that Mr. Pacheco still needs to meet with the Historic Commission to review changes.

- **Department Assistant (CDP)**

Mr. Pacheco has sent the Board a memo with financial considerations. He states that the Town may be better served with more hours in this position due to the long period that the Town has gone without a Planner. In the memo, Mr. Pacheco has recommended that the Board approve the creation of this position and to make a change to the existing role, which has already been approved through collective bargaining. He recommends a 30 hour/week Department Assistant as opposed to 19 hour/week; some of this will be offset by reductions in the current amount of overtime. Ms. Turner asked that Mr. Pacheco re-send the memo.

Mr. Moody questioned whether or not a new Building Inspector/Commissioner would impact this funding depending on whether or not they are part-time or full-time. Ms. Turner would still like to see staffing information from surrounding towns.

- **COVID Funding**

Mr. Pacheco reported that the Finance Director is putting together a report as previously requested detailing COVID-19 monies received and spent. He hopes that by the next Select Board meeting he will have more information from the Department of the Treasury on how this funding can be used; there will be some money available for an electronic sign board with some stipulations.

- **Assessor Search**

Ms. Turner asked about the use of temporary help to alleviate some of the workload in the Assessors' Office. Mr. Pacheco explained that due to the regulatory nature of this office, only trained individuals would be of help, but that some of that is in process.

Mr. Pacheco reported that he has provided the Board with a memo regarding the Assessor position. He recommends that the Town reach out to Deb Sanders to see if she can provide some help, and that the Town reach out to Regional Resources Group.

The HR Director forwarded resumes to Mr. Allison today; the other two members of the Board have not seen them yet. Mr. Allison wants to move ahead and hire someone; he asked Mr. Pacheco to work with the HR Director in the morning to forward the resumes to the other two Board members. Mr. Allison suggests that once a Principal Assessor is hired, the Assessor will hire the Assistant.

XI. NEW BUSINESS

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

- **Open Meeting Law/Public Records Law Training Date**

Mr. Allison stated that the response sent in regard to a recent Open Meeting violation complaint said that we were going to arrange to have Open Meeting Law Training provided to all Town boards and committees covered by Open Meeting Law, and administrative staff that assist the boards and committees with agendas and minutes. Mr. Allison does not want this action to be specifically targeted to the Select Board, but to include all boards, committees, and administrative staff. Mr. Pacheco will try to arrange this on a Wednesday evening and to give attendees a couple of weeks' notice.

XII. COMMUNICATIONS - NONE

XIII. ADJOURNMENT

Select Board member Jay Moody offered a motion to adjourn the meeting at 9:58pm seconded by Mr. Allison. Jason A. Allison vote Aye, Jay A. Moody vote Aye, Alexandra W. Turner vote. [3-0-0]

Respectfully submitted

Jay M. Moody Clerk
Approved and accepted:



**LANCASTER BOARD OF SELECTMEN
Special Meeting Minutes
Of
Thursday, May 27, 2021**

I. CALL TO ORDER

Chairman Jason A. Allison called the Special Meeting of the Board of Selectmen to Order at 6:00 P.M. via ZOOM™. Roll call was taken; present were Select Board members, Jason A. Allison, Jay M. Moody and Alexandra W. Turner. Town Administrator Orlando Pacheco was in attendance.

Join Zoom Meeting

<https://us02web.zoom.us/j/87119846222>

Meeting ID: 871 1984 6222

II. PUBLIC COMMENT PERIOD

*6:00 P.M. - 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.
6:10 P.M.*

Chairman Allison recognized resident George Frantz who commented that he likes Zoom Select Board meetings and hopes that they will continue.

Town Administrator Orlando Pacheco praised the work of the Board of Health, helping him and Fire Chief Mike Hanson with distributing food boxes to residents.

III. APPROVAL OF MEETING MINUTES

Review and take action on Regular Meeting Minutes of April 5, 2021 with edits
Review and take action on Special Meeting Minutes of April 14, 2021 with edits

Ms. Turner stated that she was not present April 5th

Mr. Moody moved to approve the minutes of April 5, 2021. Mr. Allison seconded the motion.

Mr. Moody seconded the motion. A vote was taken. Jason A. Allison vote Aye, Jay M. Moody vote Aye and Alexandra W. Turner Abstains. Motion passed [2-0-1].

Discussion:

Ms. Turner questioned the minutes because she did not believe she was appointed to the Memorial School Reuse Committee, although watching the minutes later she was appointed. Ms. Turner moved to postpone the motion to the next Select Board meeting so that the issue could be clarified.

Ms. Turner moved to post phone the adoption of the meeting minutes of April 5, 2021. Mr. Moody seconded the motion. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Vote passed [3-0-0]

Ms. Turner moved to approve the Meeting Minutes of April 14, 2021. Mr. Moody Seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Vote passed [3-0-0]

IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE

V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE

VI. TOWN ADMINISTRATOR REPORT - NONE

VII. ADMINISTRATION, BUDGET, AND POLICY

1. Review and may take action License for the electric car charging stations for 103 Hollywood Drive.

Mr. Pacheco explained that he has received \$110,000 in grants thus far for this project, \$60,000 from National Grid and \$50,000 from DP. The final cost is still unclear; the goal is to complete the project within grant funds allowable. This would be five dual charged point target ports for the school parking area, allowing up to 10 cars, or perhaps lesser spaces, taking up less school parking area. To finalize the installation the Town will need to grant an easement at Town Meeting. To move forward the Select Board would need to approve National Grid to start the design process; they need to be able to realign the poles.

Mr. Moody moved to approve National Grid to start the design process; Ms. Turner seconded.

Discussion:

Ms. Turner asked when the final cost would be known; Mr. Pacheco stated that he anticipates the final number will be available in about a month. Ms. Turner asked several questions about pole hearings; Mr. Pacheco continued to explain that this is preliminary information.

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

2. Discuss the May 4, 2021 Open Meeting Law complaint (Allison)

Mr. Williston submitted an Open Meeting Law complaint May 4. Mr. Allison apologized to Mr. Williston on behalf of the Select Board for a delayed response, and requested that the Select Board approve formalization of the response from Town Counsel. The Board verified that they will be able to review the response prior to it being sent to Mr. Williston.

3. Discuss the format for the Town Administrator performance review (Allison)

Mr. Allison likes the process used in Bolton and has received minor feedback from the HR Director. The review needs to happen by July 1. Mr. Allison proposes that Mr. Pacheco first do a “self review”; then the members of the Select Board individually complete a review, then the Chair compiles them with the help of the HR Director. The summary is delivered in open session. The individual reviews are disposed of, only the summary is retained.

Mr. Allison moves to adopt, for this year, the Bolton Town Administrator review process, the only change being that the Chair and the HR Director compile the results. Mr. Moody seconded the motion.

Discussion:

Mr. Pacheco stated that his only concern was that goals had not been established, and that even a self evaluation is difficult without goals or metrics. Additionally, he mentioned that because Ms. Turner had been a Board member for a very short period, this complicates the results.

Mr. Allison stated that he has discussed this at length with the HR Director, and that this year the TA would only be evaluated on standard questions rather than goals. Ms. Turner might wish to abstain, but that it would be her call. Ms. Turner suggested that the Board and the HR Director might want to weight her results, and that during the election process she had spoken to the Ethics Commission and that they had told her not only that she could participate, but that she bears responsibility as a resident to do so. Ms. Turner supports the process as outlined.

Mr. Moody would support weighting the evaluations. Ms. Turner states that when there is a new board there needs to be “a line drawn in the sand” and the new board needs to all participate.

Ms. Turner noted that it's closely related to the next item on the discussion regarding timely reviews.

Mr. Allison reiterates that Mr. Pacheco will do a self-evaluation the week of the 7th. The Select Board will do their evaluations the week of the 14th. Mr. Allison and the HR Director will then compile the results so that they can be presented in a meeting prior to July 1.

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

4. Discuss a process for ensuring timely review of all employment contracts (Turner / Allison)

Mr. Allison moved that he Town Administrator will notify the Select Board four months in advance of any employment contract notification period. Ms. Turner seconded.

Discussion:

Mr. Pacheco suggested that he create a spreadsheet with all contract expirations shown so that the Board could review on an ongoing basis. Ms. Turner would like this information as part of the Select Board agenda. Additionally, she would like a similar tool created for any and all expirations, such as permits, reappointments, and legal deadlines.

Ms. Turner amended the motion to add all expirations; no second was heard.

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

5. Town Administrator to present a proposal on how to manage remote participation post June 15 (Allison / Turner / Moody)

Mr. Pacheco explained that Governor Baker has filed legislation to expand continued allowance for remote participation in meetings. We are working with IT now to be able to offer some form of hybrid model, although hybrid interaction can be difficult. We need to wait on a legislative solution. Ms. Turner would like to see more interactive comment included in meetings.

6. Discussion on how the search committees are going and if we want to continue to use them (Moody)

All three members of the Select Board stated that they are pleased with the way current Search Committees are working and would like to expand this function in the future.

7. Kalon Farm

Mr. Moody brought forth this topic because Kalon Farm is advertising an event on June 19 that would attract thousands of people; he questioned how this sort of event should be licensed.

Mr. Allison recognized the Lancaster Fire Chief Hanson. Chief Hanson stated that this event cannot be held and should be cancelled because of several issues. The owner has been advised in the past about issues with the property and that zoning is not appropriate for events such as this. The owner needs to apply for relief from the Planning Board, but he has not done so.

Mr. Pacheco believes that events like this (a “Princess Run” or “Muddy Princess”) would need a Public Entertainment License from the Select Board, especially because this would not fall under an agricultural exemption. Mr. Pacheco will look into this further.

Building Inspector Tony Zahariadis. stated that the Kalon Farm situation is still in a “holding pattern” having not been to any of the appropriate boards as instructed. Tony Zahariadis. states that this does not fall under the purview of the Select Board, but should be left with the Planning Board, because it’s a straightforward zoning issue, with a business in a residential zone.

Ms. Turner stated that she believes it is important to bring this up to the Select Board because of potential problems that an event like this could cause.

Mr. Moody asked about the process for getting an Entertainment License. Mr. Pacheco explained that even if a property is agriculturally exempt and/or a nonprofit, they would still apply for an entertainment license; an example would be the Bolton Fair.

Ms. Turner asked if Kalon Farms was in Chapter 61, allowing for a reduced tax rate for farms; per Mr. Pacheco, no.

8. Discuss an update to BOS meeting agenda format to include Robert’s Rules for Unfinished Business (Allison / Turner)

- Link: <https://www.dummies.com/careers/business-communication/roberts-rules-unfinished-business-general-orders/>

Mr. Allison moved to update the Select Board agenda format to include Unfinished Business as defined by Robert’s Rules of Order. Ms. Turner seconded the motion.

Discussion:

Mr. Allison went on to explain that this would help to keep track of the status of items like the North Lancaster Settlement Agreement.

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

VIII. APPOINTMENTS AND RESIGNATIONS - NONE

Resignations:

Memorial School Reuse Committee

Alexandra Turner, effective immediately

Mr. Moody moved to accept the resignation of Alexandra Turner from the Memorial School Reuse Committee, effective immediately. Mr. Allison seconded the motion.

Discussion:

Ms. Turner stated that there has been a great deal of confusion as to whether or not she was really on this committee. She wants the library to have representation on the committee. Her role on the committee was as a representative of the Community Center, so she would like to hold a seat for this.

There was discussion help about the appointment process, including the notification of the person who has been appointed. Mr. Pacheco explained that Mrs. Rocco and the Town Clerk worked on an internal procedure with shared software for appointments. Ms. Turner asked to clarify that all appointees receive a letter from the Select Board's office congratulating the person on their appointment and instructing them to see the Town Clerk to be sworn in.

Vote taken, Jason A. Allison vote No, Jay M. Moody vote No, Alexandra W. Turner vote No, Motion failed [0-3-0].

It was determined that Ms. Turner will continue to represent the Community Center on the Memorial School Reuse Committee until another Community Center representative is found.

Appointments:

Economic Development Committee:

To be considered as member: Glenn E. Fratto, 300 Red Tail Way

Mr. Allison asked Mr. Pacheco if the process had been followed for this appointment. Mr. Pacheco said yes, but that they have not heard back from the Chairman of the committee. Mr. Allison stated that hearing back is not necessarily part of the process, but that he had spoken to Phil Eugene, Chair of the Economic Development Committee, and that Mr. Eugene was impressed with the applicant's resume. Mr. Pacheco clarified that this appointment is for a one year term.

Ms. Turner moved to appoint Glenn E. Fratto to the Economic Development Committee for a term of one year. Mr. Moody seconded.

Discussion:

Mr. Allison questioned why the appointment had taken several weeks. Mr. Pacheco stated that he wasn't sure but that the email may have gone somewhere other than the Select Board office.

Ms. Turner would like to see people who are volunteering for a board appear before the Select Board so that the Board could make sure that the applicant understands expectations and the Board has an opportunity to ask them questions.

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

Memorial School Reuse Committee:

Historical Commission Appointee – Mark Schyver

Historical Committee Appointee Alternate – Heather Lennon

Resident – Cynthia Lefebvre, 134 Packard Street

Mr. Allison asked Mr. Pacheco to supply the terms for the above-listed applicants. Mr. Pacheco stated that the terms for committee members representing other committees or entities has not been defined.

Additionally, Mr. Pacheco noted a change to the agenda; Heather Lennon should be appointed as Historical Commission Appointee and Mark Schyver should be appointed as the alternate. Mr. Allison asked about the term for applicant Cynthia Lefebvre; Mr. Pacheco stated that the Board would be unable to appoint Ms. Lefebvre, because since Ms. Turner has not resigned, there is no longer an opening.

Mr. Pacheco explained that when the committee had been formed it was designed to include seven members and did not have a member specifically filling a slot representing the LCC, although the Library and the Historical Commission are represented.

More discussion ensued about the make up of this committee; all abutting property owners had been sent a postcard to see if they were interested in serving.

Ms. Turner noted that she did not know how many people there are in this committee and what the terms are.

Mr. Allison suggested that the Select Board go ahead and appoint the representative(s) from the Historic Commission and ask Mr. Pacheco to clean up the member list to determine ongoing appointments. Ms. Turner suggested expanding the size of the committee to nine.

Mr. Moody moved to increase the size of the Memorial School Reuse Committee to nine. Ms. Turner seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

Ms. Turner made a motion to appoint Heather Lennon as Historical Commission Representative and Mark Schyver as Alternate Historical Commission Representative with terms to be determined; Cynthia Lefebvre as a member of the Memorial School Reuse Committee, one year term. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0].

IX. LICENSES AND PERMITS - NONE

1. Renewal Class II License – Modena Motor Group – Vote May be taken

Ms. Turner stated that the backup materials that she received answered all her questions. She then asked Mr. Pacheco to explain why some paperwork says that the applicant is a sole proprietor and other says bid partnership. Mr. Pacheco explained.

Mr. Moody moved to renew the Class II license for Modena Motor Group. Ms. Turner seconded the motion. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0].

2. Use of Town Green/Gazebo request: Thayer Memorial Library Summer Concert Series to be held on Wednesday s from 5pm-8pm on the following dates:

- June 30th , July 7th , July 14th , July 21st , and July 28th

Mr. Moody moved to approve the request from the Thayer Memorial Library for the Summer Concert Series on June 30, July 7, July 14, July 21, and July 28, 2021, 5:00 p.m. to 8:00 p.m. Ms. Turner seconded.

Discussion:

Mr. Allison asked Mr. Pacheco to add Gazebo ADA Accessibility to Unfinished Business.

Chairman Allison recognized Linnea Lakin who wanted to make sure that ADA compliance was “in full force” before any events were scheduled.

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

3. Use of Town Green/Gazebo request; Thayer Memorial Library Wingmaster’s Live Raptor Program from 1pm-2pm

Ms. Turner moved to approve the request from the Thayer Memorial Library for the Wingmaster’s Live Raptor Program on July 29, 1:00 p.m. to 2:00 p.m. Mr. Allison seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

4. Use of Town Green/Gazebo request: Thayer Memorial Library Animal Adventures Live Animal Program to be held on Wednesday August 11th from 6pm-7pm.

Ms. Lakin asked to finish her previous comment. She stated that she understands that the Select Board does not wish to discuss the accessibility of the gazebo right now, but that she thinks it is a paradox to schedule events without completing accessibility.

Ms. Turner moved to approve the request from the Thayer Memorial Library for the Animal Adventures Live Program on August 11, 6:00 p.m. to 7:00 p.m. Mr. Allison seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye, Motion passed [3-0-0].

Mr. Allison recognized resident George Frantz who suggested that while ADA accessibility is important, since only performers would be impacted by ADA accessibility to the gazebo, that it would be of less concern than if the audience needed accessibility. Ms. Lakin disagreed, stating that this was against ADA rules.

X. NEW BUSINESS

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

Mr. Moody noted that the flagpole and flag were up.

Ms. Turner noted the upcoming Memorial Day ceremonies. She also noted that the Lancaster Community Center's 10th anniversary will be on June 29 and explained the many activities to be held.

Ms. Turner wanted to include for a future agenda discussion of the current liaison system. She also wanted to note that the Commonwealth's state of emergency is over as of June 15, and wanted to know plans for opening town buildings.

Mr. Pacheco stated that in his discussions with the Board of Health, they want to continue to do appointment only, pending younger children being vaccinated. However, we probably do not have a choice as of June 15.

Town of Lancaster: That they wanted us to continue to do appointment only, I think, as they were getting through sort of the younger kids getting vaccinated now my only response to that which I think he acknowledges that now come June 15 I think we don't really have a choice.

Ms. Turner stated that she has read that Lancaster has received \$2.3 million in COVID-19 funding. She would like to discuss a comprehensive plan as to how this will be budgeted and spent. She would like this on the next meeting's agenda, and would like to know how the \$270K spent this far has been used. Mr. Pacheco cautioned that the federal government has not yet released guidelines as to how this money can be spent.

Mr. Allison noted that he would like to try to contain public comment to the public comment section of the agenda; he stressed that while participation is encouraged, Select Board meetings that go four hours in length are not sustainable.

Mr. Allison recognized resident Greg Jackson who wanted to discuss the Town's policy on opening buildings, masks, hand sanitizers. Mr. Pacheco stated that right now the intent is to resume business as usual on June 15 unless some other order compelled different action. Mr. Allison asked Mr. Pacheco to address concerns on this topic at the next Select Board meeting.

Ms. Turner asked Mr. Pacheco to clarify the number of charging stations that are being discussed. He explained that the discussion is a “not to exceed” number, but that it is most likely five chargers which would accommodate ten cars.

Alix Turner: One quick little thing I know you got to where we need that motion to adjourn for sure, but just as I was looking at the last things in my pack Orlando a quick question the national grid packet that was before us for the church or asked for 10 chargers the letter from May 17.

Recreation Director Andrea Shepard thanked the Board for approving the town wide yard sale and for their support for everything that the Recreation Commission is trying to do to improve the Town Beach. She also thanked community members and Mr. Pacheco.

XI. COMMUNICATIONS

- Next BOS Meeting will be held on June 2, 2021 at 6:00 pm via ZOOM
- Town Offices will be closed on Monday, May 31, 2021 in observance of Memorial Day.
- Special Town Meeting and Annual Town Meeting will be held on Monday, June 21, 2021 beginning at 7:00pm, located at the Bolton Fairgrounds, 318 Seven Bridge Road.

XII. ADJOURNMENT

Select Board member Jay Moody offered a motion to adjourn the meeting at 8:08pm; seconded by Mr. Allison. Jason A. Allison, Aye, Jay A. Moody, Aye, Alexandra W. Turner, Aye. [3-0-0]

Respectfully submitted

Kathleen Rocco
Executive Assistant

Jay M. Moody Clerk
Approved and accepted:



LANCASTER BOARD OF SELECTMEN
Special Meeting Minutes
Of Tuesday, July 13, 2021

I. CALL TO ORDER

Chairman Jason A. Allison called the meeting to Order at 6:00 P.M. via ZOOM™. Roll call was taken, Jason A. Allison present, Jay M. Moody present, Alexandra W. Turner present. Town Administrator Orlando Pacheco was also present.

<https://us02web.zoom.us/j/84661824509>

Meeting ID: 846 6182 4509

II. PUBLIC COMMENT PERIOD

6:00 P.M. – 6:10 P.M. 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.

Chairman Allison recognized resident John Farnsworth.

Mr. Farnsworth, speaking on behalf of the Board of Health, reported that he has received some calls about mandatory vaccinations for public facing town employees. While he thinks that everyone should be vaccinated, he stated that it is probably not prudent to mandate vaccinations. He asked the Select Board to help encourage vaccination. At some point he would like the Select Board to meet jointly with the Board of Health to discuss ongoing policy.

Mr. Allison recognized Frank Streeter, who stated that he strongly believes that the Town should have a policy mandating COVID vaccinations for first responders.

Mr. Allison recognized Kathy Hughes who wanted to share her thoughts about Town Meeting. She stated that especially toward the end that people found it increasingly difficult to understand what they were voting for, and that the Moderator should communicate clearly any changes from the warrant.

Mr. Pacheco read into the minutes a public comment received this date at 5:59 from Russ Williston. Mr. Williston is concerned and has contacted the Town Clerk several times, because the bylaws voted on at the Annual Town Meeting have not yet been sent to the Attorney General's office.

Although state law allows 30 days for this to happen, he is concerned that the enactment of the new bylaws will be significantly delayed. Additionally, Mr. Williston expressed concern that the member and contact links for the Planning Board on the town's website are not there, so that the Planning Board cannot be contacted through the website. He has contacted the Clerk's office to report this but it has not yet been corrected.

Mr. Pacheco also received public comment from Deb D'Eramo regarding aggregation. She understands that the Select Board will need to choose between the more expensive 100% green renewable energy option and the existing aggregation with lower electric supply rates. Mrs. D'Eramo would like to see the Town offer both options to residents. Mr. Pacheco advised the Board that he did respond, and it's because of the way our aggregation plan is structured. We are amending the aggregation plan to allow for multiple options, but that will take some time. Mr. Pacheco urged the Board to take this under consideration soon because pricing continues to increase substantially.

Mr. Pacheco advised that there was one more public comment from Roy Mirabito. Mr. Mirabito notes that during a recent meeting of the Planning Board, a board member mentioned that the Town had lost a legal case regarding AUC tax litigation. Mr. Mirabito asks the Select Board to explain the lawsuit, the resulting decision, and the implications for Lancaster. Mr. Pacheco has responded to the question stating that if there is pending litigation it cannot be discussed in this forum, and that he was not here for this decision, nor does he fully understand how it came to pass. Mr. Pacheco suggests that it might be a good idea for the Select Board to meet with the Board of Assessors in Executive Session to gain a better understanding of the issue.

III. APPROVAL OF MEETING MINUTES

Mr. Moody moved to approved the Select Board Minutes of May 19, June 2, and June 28, 2021. Ms. Turner seconded.

Ms. Turner offered an amendment to the minutes of May 19, page 7 of 12; regarding her appointment to the Memorial School Reuse Committee, to state that she was appointed to the committee. Mr. Moody seconded the amendment.

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

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

IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE

V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE

VI. TOWN ADMINISTRATOR REPORT

- 1) **Legal Services RFP-** Town Administrator Pacheco noted that he has drafted an RFP based on the discussions from the previous meeting. The Board should review the document and look at the dates as well. He would like to get the necessary feedback/comments incorporated to finalize the document and post in the necessary locations. He explained that the Board can use it or can re-write, but that he is looking for their guidance. The RFP will then have to go into the Goods & Services Bulletin which takes some time, and then will have to stay open for 30 days. Additionally he can send it to a distribution list from the MMA of potential law firms.

Mr. Moody questioned the dates shown; Mr. Pacheco explained that the date can be whatever the Board desires. It was clarified that KP Law continues to function as Town Counsel until a change is made. The Board will need to advise Mr. Pacheco as to their wishes for dates.

It was decided that Board members will review and send their comments to Mr. Pacheco by Thursday so that he will have time to compile them for the next meeting, and the Board will be able to ratify the document at the next meeting.

Mr. Moody would support the use of additional attorneys for functions such as land use.

- 2) **Vaccination Clinics-**The Board of Health had a vaccination clinic on July 6, and another upcoming clinic on July 27 at the College Church on 336 Main Street. Direct outreach is being made to those who have yet to receive the COVID vaccine.

Ms. Turner expressed concern over Lancaster's low rate of vaccination. She would like to meet jointly with the Board of Health. Mr. Allison asked Mr. Pacheco to arrange this.

- 3) **Food Boxes-**We are attempting to secure a final round of food boxes since the distribution from MEMA will be coming to an end. We have secured suitable storage with our current partnership with AUC. Individuals in need of a food box can go through the Board of Health, Fire Department, or Selectmen's Office. The exact number available is unknown at this time but we are looking to secure 450 boxes for the Town of Lancaster. He noted they have continued to work with MEMA.
- 4) **Assistant Town Clerk-**The Town Clerk has officially appointed Amie Martin as the new Assistant Town Clerk. Mr. Pacheco commented that they are happy Ms. Martin has accepted and has started her transition. Ms. Martin has been working on a number of website issues; Mr. Pacheco asks for patience as she continues her training, but reports that over the next few weeks everything should be smooth sailing.
- 5) **0 Hardy Street –** Mr. Pacheco reports that at the request of abutting properties he is looking to inquire if the Board is willing to sell, in an open process, the property identified as 0 Hardy Street. This is an unbuildable small lot that look like it could be put on the tax rolls

by selling to a direct abutter. He asked the Board how they would like to proceed, if at all, and that he would notify direct abutters. Mr. Allison asked Mr. Pacheco to write a memo for the Board explaining how this would happen so that the Board could entertain the topic. Mr. Moody asked for a sketch of the location.

Ms. Turner requested a list of all Town-owned land or any land already foreclosed or in tax title to help with ongoing strategy.

- 6) **Assisted Listening Device** – Mr. Pacheco reported that through our grant from the Massachusetts Office on Disability we have installed an Assisted Listening System in the Nashaway Room. This should be a benefit to those hearing impaired when we go back to in-person meetings. The item was identified in the ADA Transition Plan. This will be especially useful when in-person meetings resume.

VII. ADMINISTRATION, BUDGET, AND POLICY

1. Selectmen Bylaws and Procedures states permanent committees and Boards have residents appointed not from outside of Town, Assessors (Moody)

Mr. Allison explained the issue; bylaws and procedures state that permanent committees and boards are made up of residents, but there is a non-resident on the Board of Assessors. Mr. Pacheco stated that not all assessors have been from town because assessors must have taken a state-mandated course. Ms. Sanders was appointed because she had the qualifications. In some communities the assessor has to be on the Board of Assessors, but that is not true in Lancaster.

Mr. Allison asked if the bylaw says that non-residents can be appointed or not. Mr. Pacheco says it appears to be more of a preference than a mandate, and there is nothing in policies or procedures stating that an assessor must be a resident. Mr. Pacheco noted that if Ms. Sanders were to be removed from the position tomorrow without a replacement, the Town would be unable to set a tax rate.

Mr. Moody would like to advertise by email or bulletin board for a resident to be appointed.

Ms. Turner states that in her opinion the Assessor needs to be separate from the Board of Assessors because the Board would be the source to appeal decisions of the Assessor. She would like to bring in Bobby Jo Williams to discuss her role and workload.

Ms. Turner wants a list of all appointments made, how many people are on each committee and expiration dates. There are problems with the committee and board lists on the website.

Further discussion continued to explain that the residency requirement is a preference rather than a requirement, and is a policy rather than a bylaw. Mr. Pacheco noted that there is also an additional opening on the Board of Assessors.

Further discussion was held about who is responsible for updating boards and committees on the town website. Mr. Pacheco explained that this will be one of the Assistant Town Clerk's responsibilities.

Ms. Turner moved to form a Website and Communication Committee, made up of three residents who are interested in improved communication to bring to the Select Board suggestions for an improved website and suggestions for social media, with a report to be presented to the Select Board in no later than two months. Mr. Moody seconded the motion. No action taken.

Mr. Allison stated that he does not believe this solves the problem of boards and committees not having proper listings.

Ms. Turner tabled her motion and requests that this be added as an item on the next agenda. Mr. Allison seconded. No action taken.

Mr. Allison asked Mr. Pacheco how much time would be needed to go through the entire website and make sure that all boards and committees and appointments are accurate. Mr. Pacheco stated a couple of days. Mr. Allison will add this to unfinished business for the next meeting. Mr. Moody stated items are missing from the Town Calendar on the website. Mr. Allison requested that if board members see website issues, they should email them to Mr. Pacheco with a copy to the other board members and they can be followed up at the next meeting.

Mr. Allison asked Mr. Pacheco to note that unfinished business should include formation of a town website feedback committee and evaluation of the town website for information accuracy.

2. Annual Town Report (Moody)

Mr. Moody inquired as to the status of the Annual Town Report. Mr. Pacheco will check with the Town Clerk, and advised board members that they may want to speak to the Clerk in order to better understand the challenges. Many of the Town Departments have submitted or re-submitted their reports. Mr. Moody noted that there were only two deaths announced at the Annual Town Meeting, although there have been more. Ms. Turner noted that if the Annual Town Report is not completed in a timely fashion, the Select Board may be subject to fines.

Mr. Allison asked Mr. Pacheco to add this item to Unfinished Business.

3. Initial conversation of Code of Conduct and Harassment Policy (Moody)

HR Director Sandi Charlton has sent a draft copy of a Code of Conduct and Harassment Policy, provided by MIAA, to the Select Board for review and potential adoption.

Ms. Turner would like to form a committee of citizens to review the policy. Mr. Allison would prefer that Mr. Pacheco work with the HR Director to bring a draft together and the Board would vote to approve. Ms. Turner states that the policy as presented is very limited to insurance risk.

It was determined that the document will be posted on the town website for a week to solicit feedback. Mr. Pacheco will compile comments to be incorporated into the document and the Select Board will revisit this agenda item as future Unfinished Business.

4. Senior Work-Off Program (Moody)

Michelle MacDonald, representing the COA, brought this issue back to the Board, reporting that the COA likes the form used by the Town of Shirley.

Discussion was held. It was noted that if the Select Board approves the form as presented, changes can be made at a later date.

Ms. Turner moved to accept the Senior Work-Off Program form as presented. Mr. Moody seconded the motion.

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

5. Discussion of hiring a Department Assistant in the Community Development & Planning and Inspectional Services (Moody)

Mr. Moody states that this topic has become more complicated with the resignation of the Building Commissioner.

Mr. Moody suggested that Senior Work-Off staff might help with the workload in this department rather than hiring an additional person. Mr. Pacheco explained that this position is to alleviate some of the workload on Deb Sanders; there are already Senior Work-Off participants in the office performing non-regulatory duties. Mr. Pacheco further explained that some of the complications in the Planning Office are due to lack of a Planner and building permits, not just for new construction but for renovation.

This new position would help avoid employee burnout and create some redundancy in the office for better service and coverage.

Ms. Turner would like to see creative alternatives such as use of a floater who could be used by several departments. She is reluctant to add a new position outside of the budget cycle. Mr. Pacheco stated that the one person currently in the office is expending over \$15,000 annually in overtime pay due to workload.

Mr. Allison would like Mr. Pacheco to prepare a proposal with financials for this position. Ms. Turner would like to see staffing solutions for surrounding towns, including every department.

6. Setting goals for Town to be used to develop policies and guides for Board decisions (Turner)

Ms. Turner would like these goals to tie in with the goals that the Board will define for the Town Administrator, and would like to see five and ten year goals. She would like all goals to be “SMART” goals (Specific, Measureable, Achievable, Relavant, Time Bound). She suggests using the Town’s Master Plan as guidance. Her primary goal, or perhaps objective, is to restore trust and transparency, communication, and exceptional customer service.

Mr. Allison would like the conversation to be about one year goals.

Ms. Turner offered her five year goals, to balance services and taxes for Lancaster residents, to stabilize taxes and improve Lancaster’s quality of life through exemplary customer and resident services, to optimize our physical environment and cultural opportunities through using our best asset, our people. To reach the goals set forth in the Master and comprehensive plan in following with demographic trends. For one year goals, Ms. Turner would like to see increased trust and transparency and improved communication and exceptional customer service.

Mr. Allison suggested that this might go on the next agenda. His three proposals for the upcoming year are, 1. Hire a Planner; 2. Proactive support of the Economic Development Committee and finalizing a direction in North Lancaster, and 3. Create a plan for how to update the Town’s Master Plan.

Mr. Moody suggests that plans for the upcoming year would include affordable housing in order to stay ahead of the State’s 10% requirement, sustainable development for the entire town, and working with the Finance Committee to ensure the Town’s future financial health.

All members agree that five and ten year planning is important. It was agreed that this would be a separate agenda item under Unfinished Business to go on a future agenda.

7. Initial Town Administrator goal discussion for upcoming year (Allison/Turner)

Mr. Allison proposed that each Board member read the goals that they have prepared to be read into the minutes, and then the goals can be adopted at the next meeting.

Ms. Turner asked if Mr. Allison had met with Mr. Pacheco regarding Mr. Pacheco’s goals; Mr. Allison stated that he is not looking for input, but rather that the Board compile a superset of goals for next week’s decision. Ms. Turner notes that goals need to be quantifiable and measurable.

Mr. Allison’s goals are as follows:

1. Within 14 days publish a schedule of when you will or will not be in your office in the Prescott building. Going forward, maintaining your office 365 outlook calendar, the complete list of meetings times and locations which pull you away from the Prescott building. Once completed share your calendar, with the Select Board, Executive Assistant and HR. Going forward complete timesheets each and every week.
2. Within 30 days create a calendar for all town specific milestones and their dates for the next year, including town meeting, special town meetings, elections, performance reviews, contracts, project approvals, renewals etc. Create a schedule for when to start work on these activities, so they can be completed on time, and make this calendar publicly accessible to the town.
3. Within 30 days, create a list of all open projects throughout the year, maintain ongoing and historical status on these projects, as well as deadlines being met or missed and why. Make this status accessible to the town through the town website

Mr. Moody's goals:

1. For the Select Board to be more involved in the Town's fiscal future, to be aware of finances through the course of the year
2. Communications with everything in Town, including the website
3. More information about grants that we apply for

Ms. Turner's goals:

1. To restore trust through transparency, communication and exceptional customer service; for Mr. Pacheco to develop a plan to do so to help both intra and inter office and community and to ask for the tools required to do so, in writing, within 30 days and with monthly updates to the Board and then an annual review.

Mr. Pacheco noted that he needs specific examples of where transparency and communication can be improved and that it should be a public discussion. He states that there are some software tools that may be beneficial in that data can be provided quicker and faster, but otherwise specifics are needed.

Mr. Allison will email the Board members his goals with a copy to the HR Director and asks the Board members to do the same so that he can compile them for the next meeting.

8. Proposal to establish quarterly check-in on Town Administrator Performance (Allison)

Mr. Allison moved to establish quarterly check ins on the Town Administrator's performance. Mr. Moody seconded.

Mr. Allison stated that the Board needs to see some improvement, and that this would allow the Board to check in with HR every three months to make sure that goals are being met.

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

VIII. APPOINTMENTS AND RESIGNATIONS

Reappointments:

- **Maribeth Eugene-Animal Control Commission (Term to expire June 30, 2024)**

Mr. Allison asked Mr. Pacheco if all procedures have been followed for this appointment. Mr. Pacheco responded that they have, and that prior nepotism issues have been resolved because Phil Eugene has decided not to see reappointment.

Ms. Turner moved to appoint Maribeth Eugene to the Animal Control Commission, term to expire June 30, 2024. Mr. Moody seconded the motion. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0]

- **Michael Burke – Board of Assessors (Term to expire June 20, 2024)**

Mr. Moody moved to appoint Michael Burke to the Board of Assessors, term to expire June 20, 2024. Ms. Turner seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0]

Resignations:

- **Building Commissioner – Tony Zahariadis, (effective July 8, 2021)**

Mr. Allison asked Mr. Pacheco for comments. Mr. Pacheco stated that Mr. Zahairiadis was clear in his exit interview and that he will be missed. Mr. Allison asked for documentation; Mr. Pacheco explained that the exit interview had been conducted by the HR Director and suggested that Mr. Allison might have a conversation with her for further details.

Mr. Pacheco stated that going forward we will be working with the two alternate Building Commissioners and that we are trying to compile inspections so that at least two days a week one of them can do multiple inspections. We will not in the short term be able to schedule emergency inspections. Depending on the length of the vacancy, the existing budget will cover this plan. We no longer have a regional agreement in place with Boylston and Sterling; we may need to consider a full time Building Commissioner to attract a candidate.

Mr. Moody suggested that we might consider hiring a Building Inspector rather than a Commissioner, because as long as he was currently in school to get his Commissioner's license, this would be acceptable.

Ms. Turner stated that we need to set a clear advertisement, and that we should get some advice from the State.

Mr. Allison proposed that Mr. Pacheco put together a proposal before the next Select Board meeting as to how to move on this.

Ms. Turner moved to accept the resignation of Tony Zahariadis as Building Commissioner, effective July 8, 2021. Mr. Moody seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0]

- **Recreation Committee – Joe Kennedy (effective immediately)**

Mr. Pacheco reported that the Select Board has received the resignation of Joe Kennedy from the Recreation Committee, effective immediately. The Board noted that this is a great loss, and that Mr. Kennedy’s contributions over many years to the Town Beach, to Youth and Adult Basketball, and to the day-to-day operations of the Recreation Committee have been invaluable.

Ms. Turner moved to accept the resignation of Joe Kennedy as a member of the Recreation Committee, with deep regret, effective immediately. Mr. Moody seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0]

IX. LICENSES AND PERMITS - NONE
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1. **Special (One Day) Beer & Wine License (Vote may be taken)Bolton Fairgrounds, Inc. – Application for Special (One-Day) Liquor License to serve Wine/Beer at the Bolton Fair, August 13h – 15th, 2021 (Storage Day August 12, 2021)**

Mr. Moody moved to approve a Special (One-Day) Liquor License to Bolton Fairgrounds, Inc. to serve wine and beer at the Bolton Fair, August 13-15, 2001 (Storage Day August 12, 2021). Ms. Turner seconded the motion.

Discussion:

Mr. Pacheco clarified the Board’s role in issuing licenses and explained that several aspects of the Beer and Wine license fall under the purview of the Police Department. He also noted that there are limits on how many days one entity can have a one day license during a year.

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

2. Application for Public Entertainment (Weekdays) and Sundays (Vote may be taken): Annual Bolton Fair, August 13 –15, 2021. (Thursday 5-10pm, Friday Noon – 10pm, Saturday 9am-10pm and -Sunday 9am-9pm) at the Lancaster Fairgrounds, 318 Seven Bridge Road.

Mr. Moody moved to approve an application for Public Entertainment (Weekdays) and Sundays for the Annual Bolton Fair, August 13 –15, 2021. (Thursday 5-10pm, Friday Noon – 10pm, Saturday 9am-10pm and -Sunday 9am-9pm) at the Lancaster Fairgrounds, 318 Seven Bridge Road. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0]

3. Application for Public Entertainment (Weekdays & Sunday) (Vote may be taken): Bay State Antique Truck Show (ATCA), to held on August 28th & August 29, 2021 from 8:00am to 8:00pm at the Lancaster Fair Grounds, 318 Seven Bridge Road.

Mr. Moody moved to approve an application for public entertainment (Weekdays and Sunday) for the Bay State Antique Truck Show (ATCA) to be held on August 28 and August 29, 2021 from 8:00 a.m. to 8:00 p.m. at the Lancaster Fairgrounds, 318 Seven Bridge Road. Ms. Turner seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0]

4. Application for Public Entertainment on Sundays (Vote may be taken): British Motorcycle Show & Swap Meet – to be held on September 19, 2021 from 6:30 am-5pm at the Lancaster Fairgrounds, 318 Seven Bridge Road.

Mr. Moody moved to approve an application for Public Entertainment on Sundays for the British Motorcycle Show and Swap Meet, to be held on September 19, 2021, from 6:30 a.m. to 5:00 p.m. at the Lancaster Fairgrounds, 318 Seven Bridge Road. Ms. Turner seconded. Jason A. Allison vote Aye, Jay M. Moody vote Aye, Alexandra W. Turner vote Aye. Motion passed [3-0-0]

X. OTHER/UNFINISHED BUSINESS

- **North Lancaster Settlement**

Mr. Pacheco reported that we are waiting for Jonathan Eichmann to return from vacation on July 16th. We are waiting on KP to set a closing date now that they have ensured that all encumbrances are gone. Ms. Turner wants to make sure that if we do not have clear title that we are protected in perpetuity. Mr. Allison asked Mr. Pacheco to update this item of unfinished business with a sub-bullet indicating status.

- **DCAMM Land Sale Partnership**

Mr. Pacheco has provided Ms. Turner with a DCAMM contact so that she can liase with them. Ms. Turner reports that her contact at DCAMM, Lisa, is currently on vacation, but that Ms. Turner plans on calling her tomorrow.

- **Aggregation**

Mr. Allison asked for an expanded title for this topic on future agendas so that it is more clear to people reading the agenda. Mr. Pacheco explained that the objective here is for the Board to decide how it wants to procure, if any, additional renewable power. Ms. Turner would like the Energy Committee to weigh in on this topic. Mr. Pacheco will meet with the current Chair of this committee but warns that this is a time sensitive issue. It was agreed that this topic will remain on the agenda as unfinished business.

- **Juneteenth Holiday**

Mr. Pacheco reported that we are waiting to hear from employee unions; this new holiday will be subject to collective bargaining. It was decided to remove this item from the agenda unless the unions bring it forth.

- **Gazebo Ramp**

Mr. Pacheco reports that the plan was submitted to the Commission on Disability and then was forwarded to the Fire Association. It was reviewed by the consultant who prepared Lancaster's ADA Transition Plan, and they have come back with some additional recommendations. There is some discrepancy about how wide the ramp should be and the required level of the railing. This has all been documented, and the next step is to move to the construction phase. Mr. Pacheco noted that the ramp has to be piled into the ground and as such is not moveable.

Mr. Allison would like to see an email from the Commission on Disability and from a Building Commissioner or Acting/Alternate that approves the plan.

Mr. Pacheco reported that there are a couple of ways to handle pricing, but that there may be time constraints. There are some grant programs that might help to offset the cost, but applications may not open until October. The construction is probably a two-day job. Originally the price would have been about \$4,000, but since the price of wood has skyrocketed, the price is almost double and would be the responsibility of the Town.

Mr. Allison asked Mr. Pacheco to put all the information together for the Board's review, and especially because the ramp will not be moveable, to meet with the Historical Commission and get their feedback.

Ms. Turner wanted to know where the previous ramp was, and questioned if it could be sold, used elsewhere, or donated. Mr. Pacheco suggested that it might tie in with long range plans for the Town Beach. The old ramp is currently behind the facility maintenance shed in the municipal complex parking lot.

- **Administrative Assistant (CDP)**

[This item has already been addressed during this meeting; keep on Unfinished Business Agenda; change wording to Department Assistant.]

- **Senior Tax Abatement Program**

[This item has already been addressed during this meeting; remove from Unfinished Business.]

- **COVID Funding**

Mr. Allison would like this topic to have expanded wording for more clarity.

Mr. Pacheco reports that the Town has received or is going to receive COVID related funding from two sources, ARPA, and CARES. Ms. Turner states that she sees that we have spent about \$270,000 of this money today and she would like to see where the money has been spent. Mr. Pacheco explains that the ARPA money is geared toward water, sewer, and broadband infrastructure.

Ms. Turner would like a report on this at on a future agenda.

- **Assessor Search**

Mr. Pacheco reports that an Interim Principal Assessor, Bobby Jo Williams, has been appointed, and the permanent role needs to be filled. Mr. Allison asked if Mr. Pacheco had posted the job; Mr. Moody and Ms. Turner believe that this is still in the hands of either a search committee or the Personnel Board, but that a decision has never been made as to how to proceed.

Ms. Turner states that she would like to establish a committee quickly to help guide the hiring of many vacancies.

Mr. Pacheco expressed concern that one committee may not be qualified to effectively hire different specialties. Ms. Turner states that they will be guided by the HR Director.

Mr. Pacheco confirmed that the Assessors job has already been posted and that there have been applicants for two and a half months, so we need to take those applicants and decide who to hire. Mr. Allison reiterated that we have candidates and asked the Board how they wished to proceed. Ms. Turner stressed that this must be done carefully because she hopes that the person hired would be with the Town for another 30 years.

Ms. Turner and Mr. Moody would both like to form a search committee to hire an Assessor. Mr. Moody recommends establishing a three or five member committee, and

tasking this committee with reviewing the resumes and bringing forward the best three candidates to the Select Board for final review and a job offer.

Mr. Allison recognized Bobbi Jo Williams, currently Interim Principal Assessor. Mrs. Williams offered a history of the hiring process. The position was posted in April, with closing date for applications posted as May 17. She applied for the position quickly; she has been with the Assessor's office for six years and has done continued education to work toward Massachusetts Assessors Accreditation. No one has spoken to her about the status of her application. Two weeks ago she was appointed Interim Assessor.

Mrs. Williams stated, that she completely overwhelmed in the office, right now, because everything within the office is based on Mass General Laws. She noted that having knowledge as it was mentioned in the beginning; one must have to pass the Assessing one course that's offered by the state. Mrs. Williams stated that she did that immediately when she started. Ms. Williams further commented that, as she had explained to Ms. Turner a few weeks ago, that it is difficult to be happy with the Interim position in light of the amount of work, and the revenue that the office is losing because she cannot do both jobs in the office. Mrs. Williams states that she is becoming "burnt out" and is working long hours daily, and that she is tired of waiting for Boards and Committees. She noted that she is frustrated because she has worked hard and feels that she is not getting appropriate consideration. She continued to say that she doesn't know how much longer she can function alone in this office, and unfortunately one can't just get someone in to file or answer phones.

Mr. Allison apologized to Mrs. Williams and stated that he had not heard about these issues prior to tonight. He asked her if she had spoken to her boss and/or Mr. Pacheco. Ms. Williams said that yes, she had. She then continued to explain that she had spoken to the HR Director and had been dissatisfied with the conversation.

Mr. Allison stated that he had only received one letter from the Town Administrator that requested her appointment as Interim Principal Assessor. He conveyed his displeasure that the situation had not been resolved. Mr. Allison told her that he would expect her to go to her boss or to the Town Administrator, and the HR Director was not her boss, but that it is not OK that she's getting burnt out.

The Select Board held a lengthy discussion on the merits of various methods of hiring. Ms. Turner supports forming a Standing Search Committee; Mr. Allison does not support this.

Mr. Allison would like Mr. Pacheco to immediately recommend an action plan to the Board that could be put in place in emergency session. Mr. Moody suggests that they could quickly have Mr. Pacheco and Ms Charlton go through the resumes and recommend candidates to the Board. Mr. Allison and Ms. Turner recommended other variations to the makeup of the Search Committee.

Ms. Turner would like the Select Board to discuss the Personnel Board as an agenda item at an upcoming meeting. Mr. Allison said that it could be on an upcoming agenda, although for the record he is not in favor of a Personnel Board and would not support it, but the Board can discuss it. Mr. Allison states he requested that a Search Committee be formed for this position at the last meeting but that it did not happen. Mr. Moody states that he has always wanted to have a Personnel Board, but that will take a while and he would like to get the current issue with the Assessor's Office solved immediately.

Ms. Turner stated that the Personnel Board was established by the voters of Lancaster and that it is wrong for the Select Board to willfully ignore it. Mr. Allison stated that it is a priority for HR to make a proposal on how to revisit the personnel bylaw. He will request that the Personnel Board be on next Monday's agenda.

Mr. Allison would like to ask Mr. Pacheco and the chain of command to work with Mrs. Williams to develop an action plan. Mr. Moody would like to immediately select three people and ask them to review resumes and bring three candidates to the Select Board.

Mr. Moody moved to establish a committee of three or four people to review resumes and come back with three candidates to the Select Board. Ms. Turner seconded.

Discussion:

It was suggested that members include Assessor Mike Burke, the HR Director, and someone from Finance, perhaps the Finance Director Cheryl Gariepy. Ms. Turner would like a broader based committee. She would like to ask Mr. Pacheco to look for solutions to help Mrs. Williams now, for example using an Interim from the Massachusetts Municipal Association (MMA).

Ms. Williams expressed additional frustration, in that if she does get this position, will it be another ten weeks waiting for the Assistant's position to be filled? Mr. Allison asked her to bring this to the chain of command.

Mr. Pacheco told the Board that if they will agree that the three people suggested are agreeable, he will ensure that they review resumes and make their recommendations by Friday. Mr. Allison wants Mr. Pacheco to write a proposal as to how the office will be covered should Ms. Williams be awarded the position.

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

Mr. Allison asked Mr. Pacheco to put Personnel Committee discussion on next Monday's agenda.

XI. NEW BUSINESS

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

Mr. Allison stated that he has received consistent feedback from the Planning Board about Barrett Planning Group LLC and that he has not been able to resolve the issues. He asks Mr. Pacheco to work with the Planning Board to come to resolution and to document this in an email. Mr. Allison will forward more information on this topic to Ms. Turner and Mr. Moody.

- Open Meeting Law/Public Records Law Training Date

Mr. Pacheco reported that based on a request from the HR Director, KP Law has agreed to do a free Open Meeting Law Public Records Law training for the Select Board. He is looking for a date and time agreeable to the Board, and if they would like it as part of a regular meeting or special meeting. Other boards and committees would be welcome to attend if the date and time work for them.

Mr. Allison stated that he thought the request for training was for Town employees. Mr. Pacheco explained that Town employees already have this training from a variety of sources such as professional organizations.

Mr. Allison asked Mr. Pacheco to look again at the recommendation to verify the suggested audience, and to let him know.

XII. COMMUNICATIONS

- Next BOS Meeting date will be held on Monday July 19, 2021 at 6pm via Zoom

XIII. ADJOURNMENT

Select Board member Jay Moody offered a motion to adjourn the meeting at 9:00pm, seconded by Mr. Allison. Jason A. Allison vote Aye, Jay A. Moody vote Aye, Alexandra W. Turner vote Aye. [3-0-0]

Respectfully submitted

Kathleen Rocco
Executive Assistant

Jay M. Moody Clerk
Approved and accepted:

SCHEDULED APPEARANCES & PUBLIC HEARINGS



TOWN OF LANCASTER
OFFICE OF THE
SELECT BOARD

Jason A. Allison, Chairman
Jay M. Moody, Clerk
Alexandra W. Turner, Member

Orlando Pacheco, Town Administrator
Kathleen A. Rocco, Executive Assistant

MEMORANDUM

TO: BOARD OF APPEALS, BOARD OF ASSESSORS, BOARD OF HEALTH,
BUILDING COMMISSIONER, COLLECTOR-TREASURER,
CONSERVATION COMMISSION, DEPARTMENT OF PUBLIC WORKS,
FIRE DEPARTMENT, PLANNING BOARD, POLICE DEPARTMENT, TOWN
CLERK

FROM: Kathleen Rocco, Executive Assistant

CC: Select Board

DATE: June 25, 2021

RE: Notice of Public Hearing –Special Permit Removal of Earth Products Renewal

The Board is in the process of reviewing LLEC, Inc.'s application for the above –referenced. Our office would appreciate your cooperation by assisting us in this process. Attached please find the following:

- Application for Special Permit Removal of Earth Products Renewal (Maps may be viewed on the Selectmen's office);
- Town of Lancaster Notice of Public Hearing; and
- Department Comment Sheet.

Please complete the Department Comment Form, with any comments you feel appropriate on said License Application.

Please return the form(s) to the Selectmen's Office **no later than Friday, July 16, 2021.**

Thank you for your assistance in this matter.

Enclosures



TOWN OF LANCASTER, MASSACHUSETTS
BOARD OF SELECTMEN
Town Hall, 695 Main Street, P.O. Box 293
Lancaster, MA 01523-0293
Tel: 978-365-3326 Fax: 978-368-8486

Town Clerk's Office
Date & Time Received

RECEIVED

MAY 28 2011

Board of Selectmen

**APPLICATION FOR SPECIAL PERMIT
REMOVAL OF EARTH PRODUCTS**

1. Applicant's Name: LL EC Inc.
2. Applicant's Address: 139 Greenland Rd. Sterling, Ma. 01564
3. Name of Business or Concern (If operating other than individual): LL EC Inc.
4. Business Address (If different than address listed under Question 2): _____
5. Location of Property (Street Address): Westerly of I-190, Easterly of Jungle Rd.
6. Assessors' Atlas: Map/Sheet No. 23 Parcel No. 7 Lot No. _____
7. Location approximately 700 feet N S E W from the intersection with Jungle Rd.
8. Evidence of Property Ownership (Attach Deed, Lease, other): _____
9. Name and Address of Engineer or Firm Responsible for plans, specifications, compliance, etc? _____
Andrussick Land Surveying P.O. Box 91 Princeton, Ma. 01591
10. Engineering plans and specifications prepared (date): July 2012

SCOPE OF WORK

11. Cubic yards to be excavated/removed from site: 30,000 Area: 14 1/2 Acres
12. Type of earth product(s): Peat _____ Loam _____ Gravel _____ Rock _____ Other Sand
13. Proposed date of completion of excavation: 24 months Of Removal _____
14. Duration of Request (Minimum of 6 months; maximum of 24 months): 24 Months
15. Reason for Request: to remove earth products

16. Estimated cost for erosion control, grading, seeding, or reclamation: _____

17. Bond Required: _____
(To be determined by the Town)

18. Have you been issued a Special Permit for earth products removal before? Yes _____ No _____

If yes, when was it last issued? 2018 For what period? 24 Months

THE FOLLOWING MUST BE SUBMITTED AS PART OF THIS APPLICATION:

1. Three (3) copies of a registered, engineered plot plan of the area showing existing grades and proposed finished grades and the distances from the excavation to the side and rear property lines.
2. Three (3) copies of the registered, engineered plot plan reduced to 11" x 17" on white paper.
3. Three (3) sets of engineering specifications.
4. Evidence of Property Ownership as required under Question 8.
5. **Check for Permit Application Fee** (\$250 for one (1) year; \$500 for two (2) years).
6. **Check for \$1,000 for Professional Engineering Review Fees.** The Applicant shall be required to forward to the Town any engineering costs exceeding the \$1,000 review fee estimate.

The applicant certifies that it has filed all state tax returns and paid all state and local taxes required by law and agrees to comply with the terms of its permit and applicable law, and all rules and regulations promulgated thereto. I further certify that the information contained in this application is true and accurate and also authorize the Permitting Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.

Signed under the pains and penalties of perjury.

 _____ DATE SIGNED 5.24.21
INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE
OFFICER OR APPLICANT

NOTE: The filing of this application does not permit the Applicant to remove earth products. Removal of earth products may not commence until the Board of Selectmen issues a special permit.

BOND DEPARTMENT - NOTICE OF CANCELLATION

**NGM Insurance Company
4601 Touchton Rd East Ste 3400
P.O. Box 16000
Jacksonville, FL 32245-6000**

Issued to you as: **Obligee**

**Town of Lancaster
695 Main Street
Lancaster, MA 01523**

The Company hereby gives you notice of cancellation in accordance with bond conditions of:

Bond Number: .S-253770	
Principal:	L L E C Corp
Type of Bond:	License/Permit
Classification:	Removal of Sand and Gravel
License Number:	
Remarks:	removal of sand & gravel
Original Date of Issue:	9/30/2005
Cancellation Effective:	9/30/2021

By virtue of this notice the bond will be cancelled and all liability of said company will cease at and from the time and date stated above without further notice.

Such action is caused by reason of:
Agent No Longer Represents NGM/ODIC/MSA

Copies of this notice were mailed to:

Principal:
L L E C Corp
139 Greenland Rd
Sterling, MA 01564

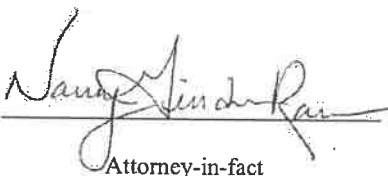
Obligee:
Town of Lancaster
695 Main Street
Lancaster, MA 01523

Additional Principals:

Additional Obligees:

AGENCY: 20-0435 The Herlihy Insurance Grp Inc

COMPANY: NGM Insurance Company

By:  Date: 6/9/2021
Attorney-in-fact

**TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
APPLICATION FOR SPECIAL PERMIT
TO REMOVE EARTH PRODUCTS RENEWAL**

Notice is hereby given that a Public Hearing will be held on Monday, July 19, 2021 at 6:15 P.M. via ZOOM, to consider the application of James Simpson, dba LLEC Inc., 139 Greenland Road, Sterling, MA for renewal of a Special Permit To Remove Earth Products (Sand and Gravel) from a parcel of land located westerly of I-90, Easterly of Jungle Road, identified on the Lancaster Assessors' Maps as Map 23, Parcels 7, location approximately 700 feet Easterly from the intersection with Jungle Road. A copy of the Application and Engineering Plans may be viewed in the Select Board'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.

LANCASTER SELECT BOARD

Jason A. Allison, Chairman

Jay M. Moody, Clerk

Alexandra W. Turner, Member

The Item – 7/2/21 & 7/9/2021 (2x)



300 foot Abutters List Report

Lancaster, MA
July 13, 2021

Subject Property:

Parcel Number: 023-0007.0
CAMA Number: 023-0007.0
Property Address: 0 BROCKELMAN RD

Mailing Address: LLEC INC
139 GREENLAND RD
STERLING, MA 01564

Abutters:

Parcel Number: 018-0012.0
CAMA Number: 018-0012.0
Property Address: 2680 NO MAIN ST

Mailing Address: DECOSTE STANLEY L JR & ERIN M
2680 NO MAIN ST
LANCASTER, MA 01523

Parcel Number: 018-0012.A
CAMA Number: 018-0012.A
Property Address: 0 BROCKELMAN RD REAR

Mailing Address: DURKIN JOHN D TRUSTEE BASHAW
REALTY TRUST
18 WEATHERBEE ST
ACTON, MA 01720

Parcel Number: 023-0005.0
CAMA Number: 023-0005.0
Property Address: 0 BROCKELMAN RD REAR

Mailing Address: LANCASTER TOWN OF
701 MAIN ST SUITE 1
LANCASTER, MA 01523

Parcel Number: 023-0006.0
CAMA Number: 023-0006.0
Property Address: 267 BROCKELMAN RD

Mailing Address: NASHAWAY FARMS LLC
237 BROCKELMAN RD
LANCASTER, MA 01523

Parcel Number: 023-0008.0
CAMA Number: 023-0008.0
Property Address: 0 BROCKELMAN RD

Mailing Address: OWNER UNKNOWN
0 BROCKELMAN RD
LANCASTER, MA 01523

Parcel Number: 023-0009.0
CAMA Number: 023-0009.0
Property Address: 0 BROCKELMAN RD

Mailing Address: D & R FARMS, INC
765 BROCKELMAN RD
LANCASTER, MA 01523

Parcel Number: 023-0010.0
CAMA Number: 023-0010.0
Property Address: 0 BROCKELMAN RD REAR

Mailing Address: GOODALE WILFRED EST
0 BROCKELMAN RD REAR
LANCASTER, MA 01523

Parcel Number: 023-0011.0
CAMA Number: 023-0011.0
Property Address: 0 BROCKELMAN RD REAR

Mailing Address: D & R FARMS INC
765 BROCKELMAN RD
LANCASTER, MA 01523

Parcel Number: 023-0012.0
CAMA Number: 023-0012.0
Property Address: 0 BROCKELMAN RD

Mailing Address: LANCASTER TOWN OF
701 MAIN ST SUITE 1
LANCASTER, MA 01523

Parcel Number: 023-0014.0
CAMA Number: 023-0014.0
Property Address: 0 BROCKELMAN RD REAR

Mailing Address: LANCASTER TOWN OF
701 MAIN ST SUITE 1
LANCASTER, MA 01523



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

7/13/2021

Page 1 of 2



300 foot Abutters List Report

Lancaster, MA

July 13, 2021

Parcel Number: 023-0015.0
CAMA Number: 023-0015.0
Property Address: 0 BROCKELMAN RD REAR

Mailing Address: LANCASTER TOWN OF
701 MAIN ST, SUITE 1
LANCASTER, MA 01523

CERTIFIED COPY

Debra A. Sanders

Debra A Sanders, Member
Lancaster Board of Assessors

July 13, 2021

2 pages



www.cai-tech.com

7/13/2021

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Page 2 of 2

Abutters List Report - Lancaster, MA



0 Brockelman Rd

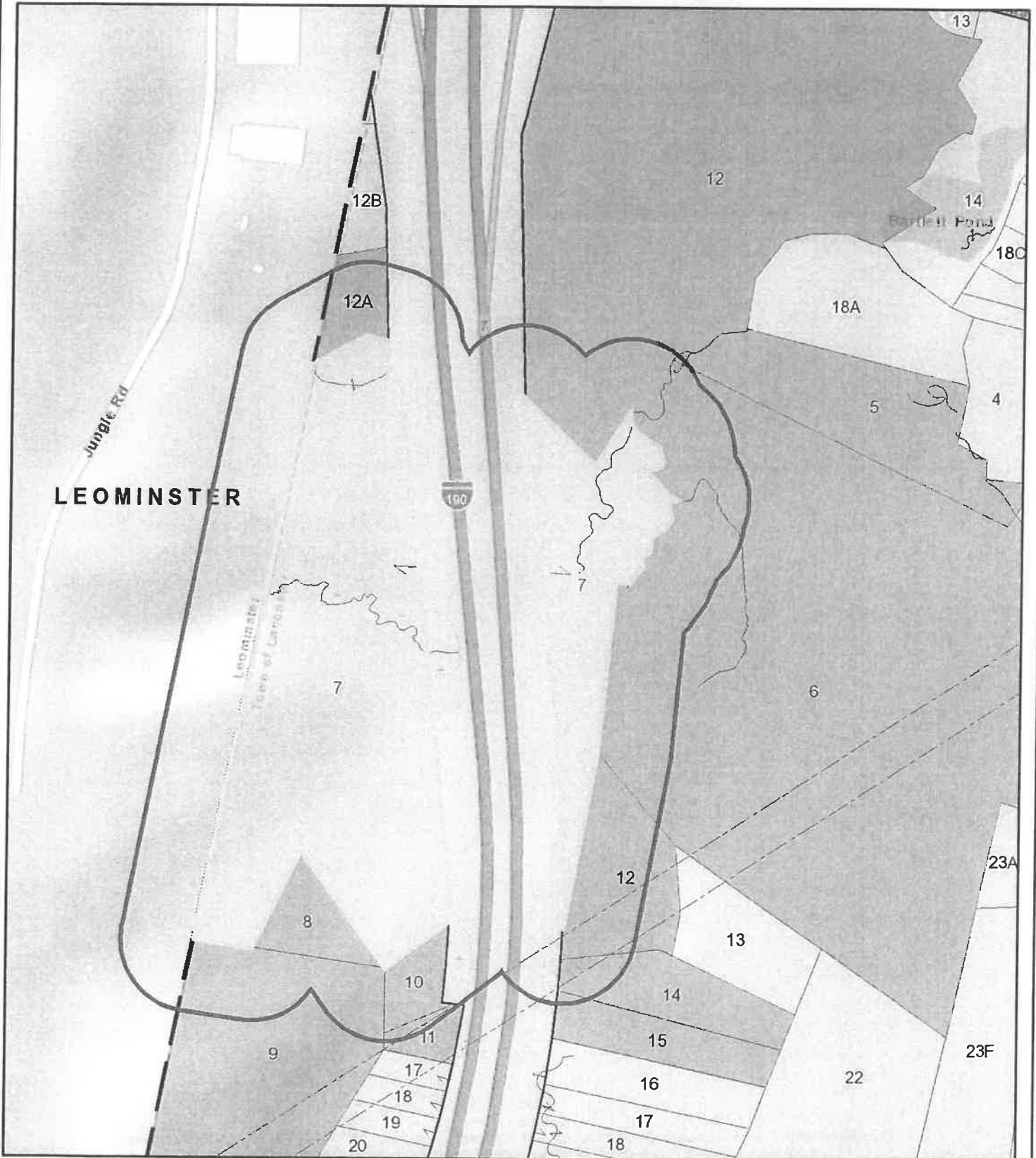
Lancaster, MA



July 13, 2021

1 inch = 555 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

July 7th, 2021
701 Main Street
Lancaster, Massachusetts

TO: Lancaster Board of Selectmen
RE: Department Comment Form
Application for Special Permit Removal of Earth Products Renewal
LLEC, Inc

Regarding the "Application for Special Permit Removal of Earth Products Renewal" from LLEC Inc, regarding Map 23 Parcel 7, the Planning Board offers the following comments:

1. This parcel is entirely within the "Light Industry 2" district.
2. This parcel falls within the Water Resource Protection overlay district. (See the Lancaster Zoning Overlay Map.) Refer to Lancaster Zoning Bylaws under 220-39 for the permitted and prohibited uses in this district. Prohibited use (h) is: "Earth, removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material (including mining activities) to within six feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey, except for excavations for building foundations, roads, or utility works." The Planning Board recommends that before issuing the permit you request that the applicant present a plan showing the depth of groundwater at the site: assure that the applicant is aware of the depth of groundwater and will not remove products within six feet of groundwater.
3. The application does include an estimate for "Cost for erosion control, grading, seeding or reclamation" and does not list a required bond. The Planning Board recommends that you require a bond for grading, seeding and reclamation required by our Earth Products Removal bylaws to protect against the possibility that the new permit might expire without renewal and without those requirements having been met. Although neither the applicant nor town may anticipate any such issues, this protects the town against that risk.

In discussion among our board, certain members thought the remediation mentioned in item 3 may already be complete on this site.

Thank you for the opportunity to comment on this application.

On behalf of the Lancaster Planning Board,



Russell W. Williston, Chair



TOWN OF LANCASTER
OFFICE OF THE Select Board

DEPARTMENT COMMENT FORM

DEPARTMENT/BOARD NAME: Collector / Treasurer

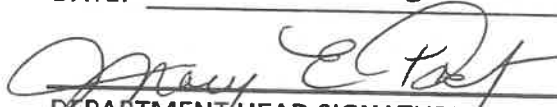
Applicant: LLEC, Inc.

Requests: Application for Special Permit Removal of Earth Products Renewal

Location: 139 Greenland Road, Sterling, MA 01566

COMMENTS: No comments parcel 23-7

DATE: 6-30-21


DEPARTMENT HEAD SIGNATURE

NOTE: IF A CODE VIOLATION EXISTS, PLEASE CITE THE RULE OR REGULATION.



**TOWN OF LANCASTER
OFFICE OF THE Select Board**

DEPARTMENT COMMENT FORM

DEPARTMENT/BOARD NAME: Lancaster Police Department

Applicant: LLEC, Inc.

Requests: Application for Special Permit Removal of Earth Products Renewal

Location: 139 Greenland Road, Sterling, MA 01566

COMMENTS: no comment

DATE: June 29, 2021

Everett L. Moody
DEPARTMENT HEAD SIGNATURE

NOTE: IF A CODE VIOLATION EXISTS, PLEASE CITE THE RULE OR REGULATION.

LLEC, INC.



**TOWN OF LANCASTER, MASSACHUSETTS
BOARD OF SELECTMEN
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

In accordance with Article 12 of the Zoning Bylaws, the Board of Selectmen hereby grants to the Applicant a Special Permit to remove earth products, subject to the conditions noted herein.

Name of Applicant/Grantee: James Simpson

Address of Applicant/Grantee: 139 Greenland Road, Sterling, MA 01566

Company Name: LLEC, Inc.

Company Address: 139 Greenland Road, Sterling, MA 01566

Permit Issue Date: August 20, 2016

Permit Expiration Date: August 20, 2018

Conditions:

1. **Description of Area:** All earth removal and related site work shall be in accordance with the approved Earthen Products Removal plans for Gravel Removal Special Permit, dated July 2012, as prepared by Andrysick Land Surveying, and as modified by the terms and conditions of this Special Permit. Also, modifications to the plans for the Central Excavation portion of the site, as notated on the Notice of Intent Plans dated July 31, 2012, and in agreement with the resulting Conservation Commission Hearing of August 21, 2012 have become conditions of this permit.
2. The site shall be restored with a minimum depth of nine inches of loam which shall be capable of supporting grass growth unless the applicant can document a lesser amount pre-exists on site, in which case the applicant will be responsible for the lesser amount. The site shall be restored upon completion of the earth removal authorized by this special permit. The area shall be hydroseeded and the planted area shall be protected from erosion during the establishment period using sound conservation practices. Areas that wash out shall be repaired immediately. Trees or shrubs of prescribed species shall be planted to provide screening and reduce erosion during the establishment period.
3. No top or subsoil shall be removed from the site. An estimated 5,000 cubic yards will be stripped from the site, but due to the ongoing restoration program, less than 1,000 cubic yards will be stockpiled at any one time. Estimated amount of earth products to be removed is 395, 700 cubic yards.



**TOWN OF LANCASTER, MASSACHUSETTS
BOARD OF SELECTMEN
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

4. Provisions for dust control shall be in place prior to commencement of the earth removal operations. Abutting public right-of-ways and abutters shall be kept clear of construction debris and dust.
5. Dust Control measures shall be undertaken as specified in the approved plans.
6. Active work areas shall be limited to five (5) acre parcels in each of the Northern and Central Excavations, in accordance with the approved phasing plans.
7. At least two (2) of the five (5) acres shall be restored before work commences (including building haul roads) on the subsequent phases. All restoration work shall be completed within 30 days after expiration of a permit or upon cessation of operations within any phase.
8. A maximum slope of three foot horizontal to one foot vertical (3:1) is required; 4:1 within any buffer zone of a resource area as shown on the approved plans.
9. The hours and days for which trucks are allowed to remove earth materials from the site shall be limited to 7:00 am – 4:30 pm Monday through Friday and 8:00 am – Noon on Saturdays, except for Federal and State Holidays. Alteration of this time schedule may be accomplished only by prior approval of the Board of Selectmen.
10. All entrances to the facility shall be gated and locked to prevent unauthorized entry during non-working hours. Proper signage must also be posted within the site to advise drivers of site conditions. Truck entering signs shall also be erected along the abutting right-of-ways to warn motorists of truck traffic from the site.
11. Truck trips from the site shall not exceed 32 (loads) within any given day. Alteration of this trip schedule may be accomplished only by prior approval of the Board of Selectmen based upon an approved traffic management plan approved by the Chief of Police.
12. A minimum of two (2) groundwater-monitoring wells shall be installed. Groundwater levels shall be checked on a quarterly basis and data provided to the Town. A minimum depth to groundwater separation of 6-feet shall be maintained at all times. Areas which fall within the Town's water resource overlay district shall maintain a minimum depth to groundwater separation of 10-feet. Two respective monitoring wells shall be installed in the following locations:
 - a. Near the southernmost extent of the Central Excavation approximate to the intersection of the 200' riparian zone buffer and the Zone II wellhead protection buffer



**TOWN OF LANCASTER, MASSACHUSETTS
BOARD OF SELECTMEN
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

- b. Near the southeastern corner of the Central Excavation approximate to the location of the 100' wetland buffer and the 200' riparian zone.
13. Provide a minimum of three (3) permanent benchmarks with elevations for each active phase of the operation.
14. The land shall be left so that natural storm drainage leaves the property at the original natural drainage points and so that the total discharge at peak flow, and the area of drainage at anyone point, is not increased, and so that the hydrograph of any post-development receiving body of water is the same as that of the pre-development hydrograph per the approved plans.
15. No stumps shall be buried on-site.
16. A Surety Bond, Irrevocable Standby Letter of Credit, or Cash Account in the amount of \$50,000 shall be provided to the Town prior to commencement of any work authorized under this special permit in order to secure compliance with the terms and conditions hereof. The Surety Bond, Irrevocable Standby Letter of Credit, or Cash Account shall remain in effect during the term of the Special Permit.
17. The excavations, fills or side cuts shall be set back a minimum of one hundred (100) feet from the abutter's property lines or public right-of-way. The following exceptions apply:
- a. The 100-foot buffer is waived for the western portion of the site which abuts the existing earth removal operation in Leominster in order to provide access to the LLEC, Inc. site.
18. No areas should be excavated so as to cause accumulation of standing water. Excavation areas shall be graded to provide positive drainage in accordance with the approved stormwater management plan.
19. Agent(s) assigned by the Board of Selectmen shall conduct inspections. All costs for outside consultant services used for inspection purposes shall be paid for by the permit holder. Funds shall be deposited into a Consultant Review Account. Inspections shall be scheduled on a semiannual basis and at other times as needed.
20. Recommendations for permit compliance cited in inspection reports shall be addressed by the Applicant before the next subsequent inspection, or the permit may be subject to revocation by the Board of Selectmen following a hearing.
21. Separate from the normal permit renewal process, the Applicant shall remain vigilant in renewals of local and federal stormwater and wetlands permits for the facility so that current permits do not expire while operation of the facility continues.



**TOWN OF LANCASTER, MASSACHUSETTS
BOARD OF SELECTMEN
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

22. If any conditions of this permit are violated, the permit is subject to revocation by the Board of Selectmen following a hearing.
23. This permit shall not be assigned to any other person other than the person or entity named herein, unless authorized in writing by the Board of Selectmen.
24. By exercising this special permit, the permit holder agrees to permit reasonable access onto the subject premises by the agents and employees of the Lancaster Board of Selectmen for inspection purposes consistent with the requirements of Condition 19.
25. By exercising this special permit, the permit holder agrees that he will not excavate in such a manner as to leave dangerous and unsightly conditions on the premises as a result of the excavation.

Date of Public Hearing and Continuances: N/A

Location of Hearing(s): N/A

Notice of Hearing, Names of newspapers: *The Lancaster Times-*_____ ; *The Clinton Item -*

Date of Public Notice: N/A

Certified List of Abutters: N/A

DECISION FINDINGS:

With respect to the Special Permit, the Board finds, after soliciting and reviewing comments from other Town boards, departments, agencies, staff, and interested persons that reasonable measures have been or will be taken to:

- (a) Ensure that all requirements applicable to the special permit are fulfilled;
- (b) That the specific site is an appropriate location for the uses proposed;
- (c) That there is safe access from roads adequate for the traffic expected, adequate parking is provided and internal circulation is adequate for emergency vehicles;

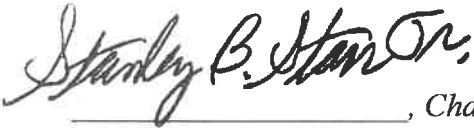


**TOWN OF LANCASTER, MASSACHUSETTS
BOARD OF SELECTMEN
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

- (d) That the Board of Health requirements for water and sanitation arrangements will be followed;
- (e) That the use as developed and operated will not adversely affect the neighborhood;
- (f) That the purposes of the Bylaw are substantially met.

The Board of Selectmen, the Permitting Authority, hereby grants this Permit on behalf of the Town of Lancaster.

BOARD OF SELECTMEN:


_____, Chairperson
Stanley B. Starr, Jr.

Date: Sept 19, 2016

32-3440-11-03
May 18, 2021

Orlando Pacheco, Town Administrator
Town of Lancaster
695 Main Street, Suite 1
Lancaster, MA 01523

Re: **LLEC, Inc.**
Special Permit to Remove Earth Products
April 2021 – Biannual Inspection

To Whom It May Concern:

As stipulated in the Special Permit to Remove Earth Products issued to LLEC, Inc., the spring biannual site inspection was conducted on Friday, April 9, 2021. Kayla Larson of Tighe & Bond, Inc. was on-site to inspect the facility with respect to the operational requirements specified in the most recent permit effective between August 20, 2016 and August 20, 2018. Jim Simpson of LLEC, Inc. was available for comment via phone call during inspection. A report of field inspection observations is attached.

Current Activities

No excavation activities were being performed at the time of inspection.

Inspection Observations

It appears that the approximate elevation of the base of the Central Excavation remains at an elevation of approximately 320 feet. Since the previous biannual inspection, the recently reclaimed portions of the Central Excavation limits have continued to establish vegetation. The site continues to be used for stockpiling of materials.

Groundwater separation appeared to be in compliance, based on measurements obtained from both groundwater monitoring wells that were installed in the Central Excavation area.

The Northern Excavation appeared to remain at an elevation of approximately 315 feet. This estimate was based on a benchmark elevation established by Andrysick Land Surveying at Well A within the excavation area. Well A is flush with the ground and could not be located during the inspection due to the heavy vegetation that covered the area. No active excavation is occurring within the Northern Excavation and it is primarily being used as an area for stockpiling.

Multiple stormwater controls including berms around the site, sediment catching fore-bays, and silt fencing/haybales appeared to be still in place.

Evidence of recent ATV activity was not noted at the time of inspection. Historical attempts to discourage their activity by way of a locking gate and signage have been unsuccessful, as the ATV's find alternate routes into the facility. Jim Simpson will have to continue to remain vigilant in maintaining reclaimed portions of the facility for the duration of the EPR permitting period.

Corrective Actions

There were no corrective actions noted during this quarterly inspection.



The continued operation of the facility appears to be in general conformance with the Special Permit to Remove Earth Products, effective August 20, 2016 to August 20, 2018.

The current permit is expired, and a Special Permit renewal is required. Requests have been made for a permit renewal at each of the 4 biannual inspections of 2019 and 2020.

The next biannual inspection is scheduled for September 2021.

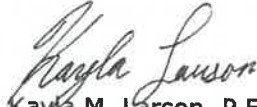
If you have any questions, please contact me at (508) 471-9610 or KMLarson@TigheBond.com or Antonio J. da Cruz at (508) 471-9617 or AJDaCruz@TigheBond.com.

Sincerely,

TIGHE & BOND, INC.



Antonio J. da Cruz, P.E.
Vice President



Kayla M. Larson, P.E.
Project Engineer

Enclosures

Copy: Lancaster Board of Selectmen (w/encl)
Tony Zahariadis, Interim Building Commissioner (w/encl)
James Simpson, LLEC, Inc. (w/encl)
File (w/encl)

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Town of Lancaster, Massachusetts
Special Permit to Remove Earth Products
Inspection Form

Facility: LEC
Inspection Date: 4/9/2021
Inspector: KML

Earth Removal Operation is in Permit Compliance Y N

Contact: Jim Simpson
LEC, Inc.
139 Greenland Road
Sterling, MA 01564
(978) 479-8542

Active Cell: NONE

Depth of Excavation: ~320' Comment: NO CHANGE

Description of Current Activities:

SITE MOSTLY BEING UTILIZED FOR STOCKPILING.

NO SIGNIFICANT EXCAVATION ON SITE
SINCE THE PREVIOUS INSPECTIONS.

Dust Issues? Y N If yes, comment:

SAND ON SITE WAS DRY; BUT MINIMAL
TRAFFIC IN & OUT OF SITE.

Dust Control Measures In Place:

Erosion and or Stormwater Issues? Y N If yes, comment:

Erosion and Stormwater Control Measures In Place:

SITE IS BERMED AND SWALE IN PLACE.
SURFACE RUNOFF DIRECTED TO CONSTRUCTED WETLAND.

Town of Lancaster, Massachusetts
 Special Permit to Remove Earth Products
 Inspection Form

Facility: LLCC
 Inspection Date: 4/9/2021
 Inspector: KML

Site Security Issues? Y N If yes, comment:

Site Security Measures In Place:

LOCKING GATE + SIGNAGE IN PLACE.

Groundwater Separation Compliance? Y N Comments:

NO ACTIVE EXCAVATION OCCURRING IN AREA OF WELL A - WELL COULD NOT BE LOCATED.

COULD NOT LOCATE WELL C DUE TO VEGETATION. NO EXCAVATION OCCURRING ON SITE.

GW Well #		Measured Depth to GW:	Well Elevation
A		CNL	318.64
B		8.80' (DRY)	328.84
C		CNL	326.04

SITE RESTORATION

Restored Grades in Compliance Y N If no, comment:

RECLAIMED AREAS CONTINUE TO SEE GROWTH.

Depth of Loam: 7

Vegetation Established? YES

Town of Lancaster, Massachusetts
Special Permit to Remove Earth Products
Inspection Form

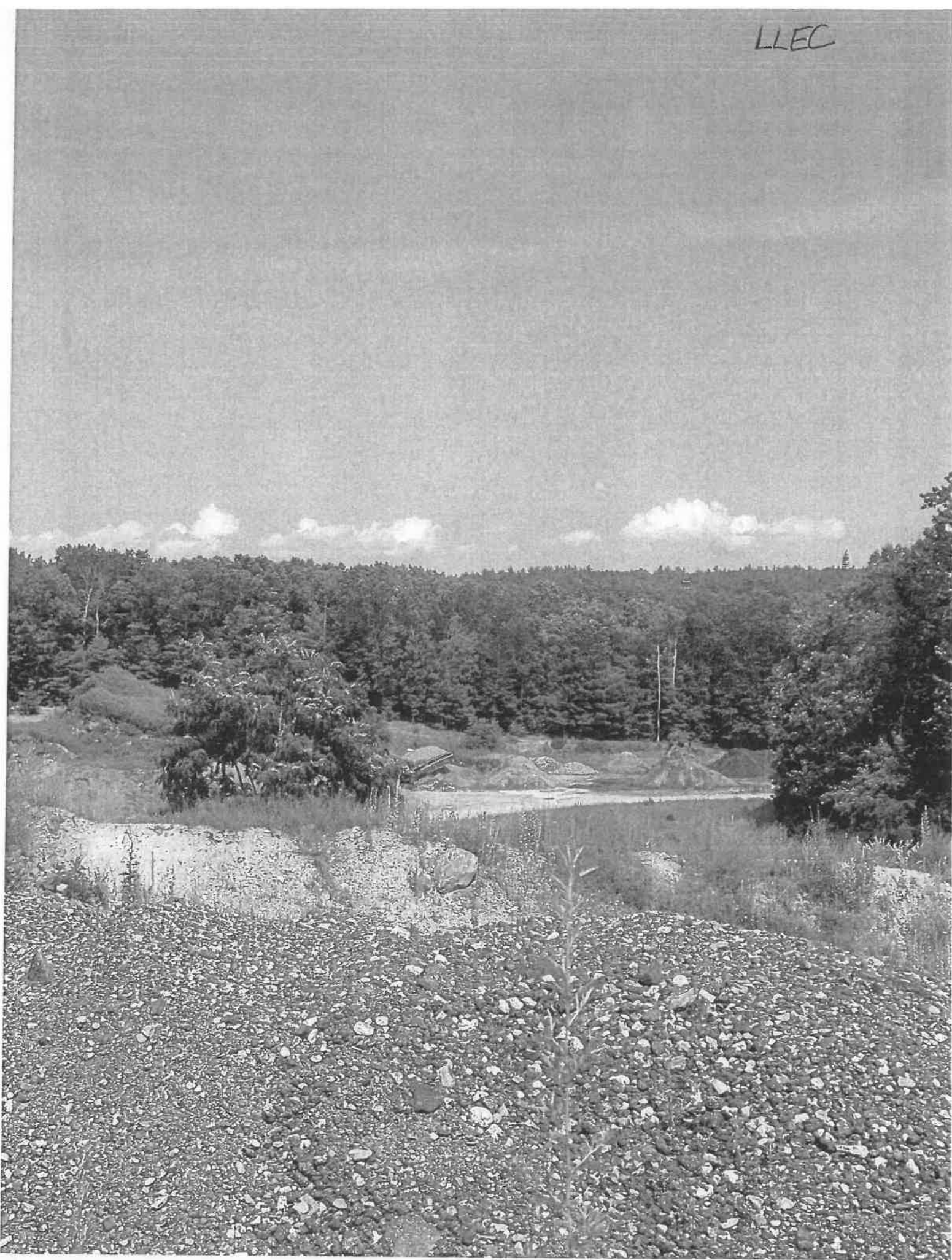
Facility: LLRC
Inspection Date: 4/9/2021
Inspector: KML

Other Comments:

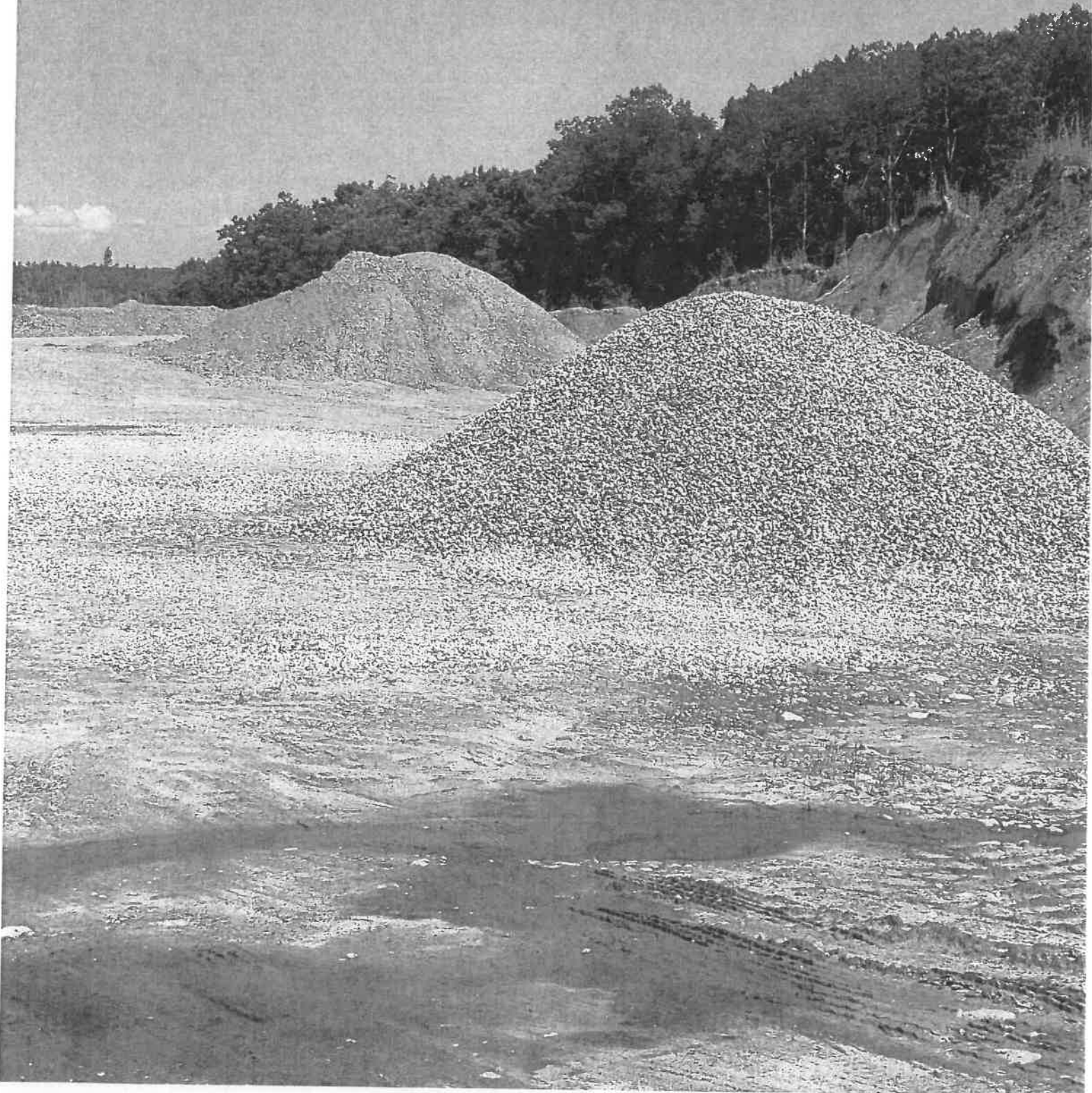
NEW PERMIT RENEWAL REQUIRED.

JIM SIMPSON AVAILABLE FOR RESPONSE
DURING INSPECTION.

LLEC



LLEC



32-3440-11-03
November 13, 2020

Orlando Pacheco, Town Administrator
Town of Lancaster
695 Main Street, Suite 1
Lancaster, MA 01523

Re: **LLEC, Inc.**
Special Permit to Remove Earth Products
September 2020 – Biannual Inspection

To Whom It May Concern:

As stipulated in the Special Permit to Remove Earth Products issued to LLEC, Inc., the September biannual site inspection was conducted on Monday, , 2020. Kayla Larson-Dubois of Tighe & Bond, Inc. was on-site to inspect the facility with respect to the operational requirements specified in the most recent permit effective between August 20, 2016 and August 20, 2018. A report of field inspection observations is attached.

Current Activities

No excavation activities were being performed at the time of inspection.

Inspection Observations

It appears that the approximate elevation of the base of the Central Excavation remains at an elevation of approximately 320 feet. Since the previous biannual inspection, the recently reclaimed portions of the Central Excavation limits have continued to establish vegetation.

Groundwater separation appeared to be in compliance, based on measurements obtained from both groundwater monitoring wells that were installed in the Central Excavation area.

The Northern Excavation appeared to remain at an elevation of approximately 315 feet. This estimate was based on a benchmark elevation established by Andrysick Land Surveying at Well A within the excavation area. Well A is flush with the ground and could not be located during the inspection due to the heavy vegetation that covered the area. No active excavation is occurring within the Northern Excavation and it is primarily being used as an area for stockpiling.

Multiple stormwater controls including berms around the site, sediment catching fore-bays, and silt fencing/haybales appeared to be still in place.

Evidence of recent ATV activity was noted at the time of inspection but did not appear to be recent. Historical attempts to discourage their activity by way of a locking gate and signage have been unsuccessful, as the ATV's find alternate routes into the facility. Jim Simpson will have to continue to remain vigilant in maintaining reclaimed portions of the facility for the duration of the EPR permitting period.

Corrective Actions

There were no corrective actions noted during this quarterly inspection.

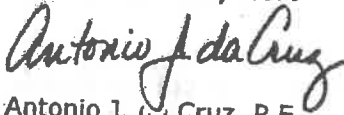


The continued operation of the facility appears to be in general conformance with the Special Permit to Remove Earth Products. The current Special Permit to Remove Earth Products expired on August 20, 2018. A Special Permit renewal is required. The next biannual inspection is scheduled for March 2020 pending permit renewal.

If you have any questions, please contact me at (508) 471-9610 or KMLarson@TigheBond.com or Antonio J. da Cruz at (508) 471-9617 or AJDaCruz@TigheBond.com.

Sincerely,

TIGHE & BOND, INC.



Antonio J. da Cruz, P.E.
Vice President



Kayla M. Larson-Dubois, P.E.
Project Engineer

Enclosures

Copy: Lancaster Board of Selectmen (w/encl)
Tony Zahariadis, Interim Building Commissioner (w/encl)
James Simpson, LLEC, Inc. (w/encl)
File (w/encl)

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Town of Lancaster, Massachusetts
Special Permit to Remove Earth Products
Inspection Form

Facility: LLEC, INC.
Inspection Date: 9/21/2020
Inspector: KML

Earth Removal Operation is in Permit Compliance Y N

Contact: **Jim Simpson**
LLEC, Inc.
139 Greenland Road
Sterling, MA 01564
(978) 479-8542

Active Cell: NONE

Depth of Excavation: ~320' Comment: NO CHANGE

Description of Current Activities:

NO SIGNIFICANT EXCAVATIONS ON SITE
SINCE THE MARCH 2020 INSPECTION.
STOCKPILES CONTINUE TO BE UTILIZED
ON SITE, ONE TRUCK LOADED DURING
INSPECTION.

Dust Issues? Y N If yes, comment:

Dust Control Measures In Place:

NONE NEEDED.

Erosion and or Stormwater Issues? Y N If yes, comment:

Erosion and Stormwater Control Measures In Place:

SITE IS BERMED AND SWALE IN PLACE.
SURFACE RUNOFF DIRECTED TO CONSTRUCTED WETLAND.

Site Security Issues? Y XN If yes, comment:

SOME ATV TRACKS NOTED, BUT DID NOT APPEAR TO BE RECENT

Site Security Measures In Place:

LOCKING GATE + SIGNAGE IN PLACE.

Groundwater Separation Compliance? Y XN Comments:

WELL A W/N NORTHERN EXCAVATION NOT LOCATED, BUT NO ACTIVE WORK IN THAT AREA.

COULD NOT LOCATE WELL C DUE TO VEGETATION, NO ACTIVE EXCAVATION OCCURRING.

GW Well #		Measured Depth to GW:	Well Elevation
A		CNL	318.64
B		8.90' (0.24)	328.84
C		CNL	326.04

SITE RESTORATION

Restored Grades in Compliance Y XN If no, comment:

RECLAIMED AREAS CONTINUE TO SEE VEGETATIVE GROWTH.

Depth of Loam: _____

Vegetation Established? YES

**Town of Lancaster, Massachusetts
Special Permit to Remove Earth Products
Inspection Form**

Facility: LLRC INC
Inspection Date: 9/21/2020
Inspector: KML

Other Comments:

NEW PERMIT RENEWAL REQUIRED.

Town of Lancaster, Massachusetts
Special Permit to Remove Earth Products
Inspection Form

Facility: LLEC, INC
Inspection Date: 3/27/2020
Inspector: KML

Earth Removal Operation is in Permit Compliance Y N

Contact: Jim Simpson
LLEC, Inc.
139 Greenland Road
Sterling, MA 01564
(978) 479-8542

Active Cell:

Depth of Excavation: N320

Comment: NO CHANGE

Description of Current Activities:

NO SIGNIFICANT EXCAVATIONS HAVE OCCURRED SINCE THE SEPTEMBER 2019 INSPECTION.

STACKPILES REMAIN ON SITE.

Dust Issues? Y N If yes, comment:

Dust Control Measures In Place:

NONE NEEDED

Erosion and or Stormwater Issues? Y N If yes, comment:

Erosion and Stormwater Control Measures In Place:

SITE IS BERMED + SWALE STILL IN PLACE. SURFACE RUNOFF DIRECTED TO CONSTRUCTED WETLANDS

Town of Lancaster, Massachusetts
Special Permit to Remove Earth Products
Inspection Form

Facility: ULPC, INC.
Inspection Date: 3/23/20
Inspector: KMCL

Site Security Issues? Y N If yes, comment:

SOME ATV & OFF ROAD BIKE TRACKS WERE OBSERVED

Site Security Measures In Place:

LOCKING GATE + SIGNAGE IN PLACE

Groundwater Separation Compliance? Y N Comments:

TOP OF WELL A WITHIN THE NORTHERN EXCAVATION NOT LOCATED - NO ACTIVE WORK IN NORTHERN AREA.
WELL C COULD NOT BE LOCATED ON PERIMETER OF EXCAVATION - BUT NO ACTIVE EXCAVATION CURRENTLY.

GW Well #	Measured Depth to GW:	ELEV.
<u>A</u>	<u>CNL</u>	<u>318.04</u>
<u>B</u>	<u>890' (DRY)</u>	<u>328.84</u>
<u>C</u>	<u>CNL</u>	<u>326.04</u>

SITE RESTORATION

Restored Grades in Compliance Y N If no, comment:

RESTORATION AREAS CONTINUE TO SHOW SIGNS OF GROWTH

Depth of Loam: _____

Vegetation Established? YES

Town of Lancaster, Massachusetts
Special Permit to Remove Earth Products
Inspection Form

Facility: LLC, INC
Inspection Date: 3/27/20
Inspector: KML

Other Comments:

NONE

32-3440-11-03
June 15, 2020

Orlando Pacheco, Town Administrator
Town of Lancaster
695 Main Street, Suite 1
Lancaster, MA 01523

Re: **LLEC, Inc.**
Special Permit to Remove Earth Products
March 2020 – Biannual Inspection

RECEIVED
JUN 22 2020
Board of Selectmen

To Whom It May Concern:

As stipulated in the Special Permit to Remove Earth Products issued to LLEC, Inc., the September biannual site inspection was conducted on Friday, March 27, 2020. Kayla Larson-Dubois of Tighe & Bond, Inc. was on-site to inspect the facility with respect to the operational requirements specified in the most recent permit effective between August 20, 2016 and August 20, 2018. A report of field inspection observations is attached.

Current Activities

No excavation activities were being performed at the time of inspection.

Inspection Observations

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Groundwater separation appeared to be in compliance, based on measurements obtained from both groundwater monitoring wells that were installed in the Central Excavation area.

The Northern Excavation appeared to remain at an elevation of approximately 315 feet. This estimate was based on a benchmark elevation established by Andrysick Land Surveying at Well A within the excavation area. Well A is flush with the ground and could not be located during the inspection due to the heavy vegetation that covered the area. No active excavation is occurring within the Northern Excavation and it is primarily being used as an area for stockpiling.

Multiple stormwater controls including berms around the site, sediment catching fore-bays, and silt fencing/haybales appeared to be still in place.

Evidence of recent ATV activity was noted at the time of inspection. Historical attempts to discourage their activity by way of a locking gate and signage have been unsuccessful, as the ATV's find alternate routes into the facility. Jim Simpson will have to continue to remain vigilant in maintaining reclaimed portions of the facility for the duration of the EPR permitting period.

Corrective Actions

There were no corrective actions noted during this quarterly inspection.



The continued operation of the facility appears to be in general conformance with the Special Permit to Remove Earth Products. The current Special Permit to Remove Earth Products expired on August 20, 2018. A Special Permit renewal is required. The next biannual inspection is scheduled for Sepmteber 2020 pending permit renewal.

If you have any questions, please contact me at (508) 471-9610 or KMLarson@TigheBond.com or Antonio J. da Cruz at (508) 471-9617 or AJDaCruz@TigheBond.com.

Sincerely,

TIGHE & BOND, INC.



Antonio J. da Cruz, P.E.
Vice President



Kayla M. Larson-Dubois, P.E.
Project Engineer

Enclosures

Copy: Lancaster Board of Selectmen (w/encl)
Tony Zahariadis, Interim Building Commissioner (w/encl)
James Simpson, LLEC, Inc. (w/encl)
File (w/encl)

J:\W\W3440 Lancaster\LLEC\Inspection Reports\LLEC Insp Rep 2020-03-27.doc





**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD**

NOTICE OF DECISION

Notice is hereby given that the Lancaster Select Board has granted a Special Permit to LLEC Inc., 139 Greenland Ave., Sterling, MA 01564, affecting the rights of the owner/applicant with respect to the use of land identified on Lancaster Assessor's Map 23, Parcel 7, said property being the premises described by deed recorded in the Worcester District Registry of Deeds at Book 32432, Page 312.

The Select Board further certifies that the decision attached hereto is a true and correct copy and that the decision and all plans referred to therein have been filed with the Lancaster Town Clerk and Planning Board.

No permit or other relief granted by this decision shall take effect until the decision has been certified by the Town Clerk to be final by written endorsement hereon, and this decision is recorded at the applicant's expense in the Worcester District Registry of Deeds, indexed in the grantor index under the name of the record owner.

ANY APPEAL FROM THE DECISION OF THE BOARD MUST BE FILED IN COURT PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 17 AND NOTICE THEREOF FILED WITH THE TOWN CLERK WITHIN TWENTY (20) DAYS AFTER THIS DECISION IS FILED WITH THE TOWN CLERK.

The rights granted by this decision must be exercised, and in the case of a permit to construct, construction must commence within the time specified by M.G.L. c. 40A or the rights shall lapse unless extended or renewed. Special permits shall be exercised within two (2) years unless a shorter duration is specified.

Certified this ___ day of August, 2021

LANCASTER SELECT BOARD:

Jason A. Allison, *Chair*

TOWN CLERK CERTIFICATE

This is to certify that twenty (20) days have elapsed after the date that the Decision was filed with the Town Clerk and no notice of appeal has been filed there from; or, in the case of an appeal having been so filed, the Town Clerk has received notice that said appeal has been finally dismissed or denied.

Lancaster Town Clerk

Date: _____

REGISTRY OF DEEDS

_____, _____ at ____ o'clock and __ minutes __.M. Received and entered with the Register of Deeds in the County of Worcester, as instrument number _____, Book _____, Page _____.

ATTEST

Register of Deeds

DECISION AND PROCEEDINGS

In accordance with the Town of Lancaster Zoning Bylaws, the Select Board hereby grants to the Applicant a Special Permit to Remove Earth Products, subject to the conditions noted herein.

Name of Applicant/Grantee: LLEC, Inc.

Address of Applicant/Grantee: 139 Greenland Road, Sterling, MA 01564

Locus: Westerly of I-190 and 700' easterly from the intersection with Jungle Road, Leominster.

Assessors Reference: Map 23, Parcel 7

Deed Reference: Worcester District Registry of Deeds at Book 32432, Page 312.

Application Received: May 26, 2021

Date of Public Hearing and Continuances: Hearing opened on July 19, 2021 was continued on August 2, 2021. The hearing, which was convened following publication, posting and notice to parties in interest, pursuant to the provisions of G.L. c. 40A, §11, was opened by the Chairman at 6:15 PM. The following Board Members noted as present were in attendance throughout the hearing:

Chairman: Jason A. Allison
Clerk: Jay M. Moody
Member: Alexandra W. Turner

Hearing Location: via ZOOM™

Notice of Hearing, Names of newspapers: *The Clinton Item – 7/2/2021 and 7/9/2021.*

Date of Public Notice: July 19, 2021

Certified List of Abutters: Attached.

Permit Effective Date: August 20, 2018

Permit Expiration Date: August 20, 2020

Permit Conditions:

1. Description of Area: All earth removal and related site work shall be in accordance with the approved Earthen Products Removal plans for Gravel Removal Special Permit, dated July 2012, as prepared by Andrysick Land Surveying, and as modified by the terms and conditions of this Special Permit. Also, modifications to the plans for the Central Excavation portion of the site, as notated on the Notice of Intent Plans dated July 31, 2012, and in agreement with the resulting Conservation Commission Hearing of August 21, 2012 have become conditions of this permit.
2. The site shall be restored with a minimum depth of nine inches of loam which shall be capable of supporting grass growth unless the applicant can document a lesser amount pre-exists on site, in which case the applicant will be responsible for the lesser amount. The site shall be restored upon completion of the earth removal authorized by this special permit. The area shall be hydroseeded and the planted area shall be protected from erosion during the establishment period using sound conservation practices. Areas that wash out shall be repaired immediately. Trees or shrubs of prescribed species shall be planted to provide screening and reduce erosion during the establishment period.
3. No top or subsoil shall be removed from the site. An estimated 5,000 cubic yards will be stripped from the site, but due to the ongoing restoration program, less than 1,000 cubic yards will be stockpiled at any one time. Estimated amount of earth products to be removed is 395,700 cubic yards.
4. Provisions for dust control shall be in place prior to commencement of the earth removal operations. Abutting public right-of-ways and abutters shall be kept clear of construction debris and dust.
5. Dust Control measures shall be undertaken as specified in the approved plans.
6. Active work areas shall be limited to five (5) acre parcels in each of the Northern and Central Excavations, in accordance with the approved phasing plans.
7. At least two (2) of the five (5) acres shall be restored before work commences (including building haul roads) on the subsequent phases. All restoration work shall be completed within 30 days after expiration of a permit or upon cessation of operations within any phase.
8. A maximum slope of three foot horizontal to one foot vertical (3:1) is required; 4:1 within any buffer zone of a resource area as shown on the approved plans.
9. The hours and days for which trucks are allowed to remove earth materials from the site shall be limited to 7:00 am – 4:30 pm Monday through Friday and 8:00 am – Noon on Saturdays, except for Federal and State Holidays. Alteration of this time schedule may be accomplished only by prior approval of the Select Board.
10. All entrances to the facility shall be gated and locked to prevent unauthorized entry during non-working hours. Proper signage must also be posted within the site to advise drivers of site conditions. Truck entering signs shall also be erected along the abutting right-of-ways to warn motorists of truck traffic from the site.

11. Truck trips from the site shall not exceed 32 (loads) within any given day. Alteration of this trip schedule may be accomplished only by prior approval of the Select Board based upon an approved traffic management plan approved by the Chief of Police.
12. A minimum of two (2) groundwater-monitoring wells shall be installed. Groundwater levels shall be checked on a quarterly basis and data provided to the Town. A minimum depth to groundwater separation of 6-feet shall be maintained at all times. Areas which fall within the Town's water resource overlay district shall maintain a minimum depth to groundwater separation of 10-feet. Two respective monitoring wells shall be installed in the following locations:
 - a. Near the southernmost extent of the Central Excavation approximate to the intersection of the 200' riparian zone buffer and the Zone II wellhead protection buffer
 - b. Near the southeastern corner of the Central Excavation approximate to the location of the 100' wetland buffer and the 200' riparian zone.
13. Provide a minimum of three (3) permanent benchmarks with elevations for each active phase of the operation.
14. The land shall be left so that natural storm drainage leaves the property at the original natural drainage points and so that the total discharge at peak flow, and the area of drainage at anyone point, is not increased, and so that the hydrograph of any post-development receiving body of water is the same as that of the pre-development hydrograph per the approved plans.
15. No stumps shall be buried on-site.
16. A Surety Bond, Irrevocable Standby Letter of Credit, or Cash Account in the amount of \$50,000 shall be provided to the Town prior to commencement of any work authorized under this special permit in order to secure compliance with the terms and conditions hereof. The Surety Bond, Irrevocable Standby Letter of Credit, or Cash Account shall remain in effect during the term of the Special Permit.
17. The excavations, fills or side cuts shall be set back a minimum of one hundred (100) feet from the abutter's property lines or public right-of-way. The following exceptions apply:
 - a. The 100-foot buffer is waived for the western portion of the site which abuts the existing earth removal operation in Leominster in order to provide access to the LLEC, Inc. site.
18. No areas should be excavated so as to cause accumulation of standing water. Excavation areas shall be graded to provide positive drainage in accordance with the approved stormwater management plan.
19. Agent(s) assigned by the Select Board shall conduct inspections. All costs for outside consultant services used for inspection purposes shall be paid for by the permit holder. Funds shall be deposited into a Consultant Review Account. Inspections shall be scheduled on a annual basis and at other times as needed.
20. Recommendations for permit compliance cited in inspection reports shall be addressed by the Applicant before the next subsequent inspection, or the permit may be subject to revocation by the Select Board following a hearing.

21. Separate from the normal permit renewal process, the Applicant shall remain vigilant in renewals of local and federal stormwater and wetlands permits for the facility so that current permits do not expire while operation of the facility continues.
22. If any conditions of this permit are violated, the permit is subject to revocation by the Select Board following a hearing.
23. This permit shall not be assigned to any other person other than the person or entity named herein, unless authorized in writing by the Select Board.
24. By exercising this special permit, the permit holder agrees to permit reasonable access onto the subject premises by the agents and employees of the Lancaster Select Board for inspection purposes consistent with the requirements of Condition 19.
25. By exercising this special permit, the permit holder agrees that he will not excavate in such a manner as to leave dangerous and unsightly conditions on the premises as a result of the excavation.

DECISION FINDINGS:

With respect to the Special Permit, the Board finds, after soliciting and reviewing comments from other Town boards, departments, agencies, staff, and interested persons that reasonable measures have been or will be taken to:

- (a) Ensure that all requirements applicable to the special permit are fulfilled;
- (b) That the specific site is an appropriate location for the uses proposed;
- (c) That there is safe access from roads adequate for the traffic expected, adequate parking is provided and internal circulation is adequate for emergency vehicles;
- (d) That the Board of Health requirements for water and sanitation arrangements will be followed;
- (e) That the use as developed and operated will not adversely affect the neighborhood;
- (f) That the purposes of the Bylaw are substantially met.

LLEC, INC.



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

In accordance with Article 12 of the Zoning Bylaws, the Select Board hereby grants to the Applicant a Special Permit to remove earth products, subject to the conditions noted herein.

Name of Applicant/Grantee: James Simpson

Address of Applicant/Grantee: 139 Greenland Road, Sterling, MA 01566

Company Name: LLEC, Inc.

Company Address: 139 Greenland Road, Sterling, MA 01566

Permit Issue Date: August 20, 2018

Permit Expiration Date: August 20, 2020

Conditions:

1. **Description of Area:** All earth removal and related site work shall be in accordance with the approved Earthen Products Removal plans for Gravel Removal Special Permit, dated July 2012, as prepared by Andrysick Land Surveying, and as modified by the terms and conditions of this Special Permit. Also, modifications to the plans for the Central Excavation portion of the site, as notated on the Notice of Intent Plans dated July 31, 2012, and in agreement with the resulting Conservation Commission Hearing of August 21, 2012 have become conditions of this permit.
2. The site shall be restored with a minimum depth of nine inches of loam which shall be capable of supporting grass growth unless the applicant can document a lesser amount pre-exists on site, in which case the applicant will be responsible for the lesser amount. The site shall be restored upon completion of the earth removal authorized by this special permit. The area shall be hydroseeded and the planted area shall be protected from erosion during the establishment period using sound conservation practices. Areas that wash out shall be repaired immediately. Trees or shrubs of prescribed species shall be planted to provide screening and reduce erosion during the establishment period.
3. No top or subsoil shall be removed from the site. An estimated 5,000 cubic yards will be stripped from the site, but due to the ongoing restoration program, less than 1,000 cubic yards will be stockpiled at any one time. Estimated amount of earth products to be removed is 395,700 cubic yards.



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

4. Provisions for dust control shall be in place prior to commencement of the earth removal operations. Abutting public right-of-ways and abutters shall be kept clear of construction debris and dust.
5. Dust Control measures shall be undertaken as specified in the approved plans.
6. Active work areas shall be limited to five (5) acre parcels in each of the Northern and Central Excavations, in accordance with the approved phasing plans.
7. At least two (2) of the five (5) acres shall be restored before work commences (including building haul roads) on the subsequent phases. All restoration work shall be completed within 30 days after expiration of a permit or upon cessation of operations within any phase.
8. A maximum slope of three foot horizontal to one foot vertical (3:1) is required; 4:1 within any buffer zone of a resource area as shown on the approved plans.
9. The hours and days for which trucks are allowed to remove earth materials from the site shall be limited to 7:00 am – 4:30 pm Monday through Friday and 8:00 am – Noon on Saturdays, except for Federal and State Holidays. Alteration of this time schedule may be accomplished only by prior approval of the Select Board.
10. All entrances to the facility shall be gated and locked to prevent unauthorized entry during non-working hours. Proper signage must also be posted within the site to advise drivers of site conditions. Truck entering signs shall also be erected along the abutting right-of-ways to warn motorists of truck traffic from the site.
11. Truck trips from the site shall not exceed 32 (loads) within any given day. Alteration of this trip schedule may be accomplished only by prior approval of the Select Board based upon an approved traffic management plan approved by the Chief of Police.
12. A minimum of two (2) groundwater-monitoring wells shall be installed. Groundwater levels shall be checked on a quarterly basis and data provided to the Town. A minimum depth to groundwater separation of 6-feet shall be maintained at all times. Areas which fall within the Town's water resource overlay district shall maintain a minimum depth to groundwater separation of 10-feet. Two respective monitoring wells shall be installed in the following locations:
 - a. Near the southernmost extent of the Central Excavation approximate to the intersection of the 200' riparian zone buffer and the Zone II wellhead protection buffer



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

- b. Near the southeastern corner of the Central Excavation approximate to the location of the 100' wetland buffer and the 200' riparian zone.
13. Provide a minimum of three (3) permanent benchmarks with elevations for each active phase of the operation.
14. The land shall be left so that natural storm drainage leaves the property at the original natural drainage points and so that the total discharge at peak flow, and the area of drainage at anyone point, is not increased, and so that the hydrograph of any post-development receiving body of water is the same as that of the pre-development hydrograph per the approved plans.
15. No stumps shall be buried on-site.
16. A Surety Bond, Irrevocable Standby Letter of Credit, or Cash Account in the amount of \$50,000 shall be provided to the Town prior to commencement of any work authorized under this special permit in order to secure compliance with the terms and conditions hereof. The Surety Bond, Irrevocable Standby Letter of Credit, or Cash Account shall remain in effect during the term of the Special Permit.
17. The excavations, fills or side cuts shall be set back a minimum of one hundred (100) feet from the abutter's property lines or public right-of-way. The following exceptions apply:
 - a. The 100-foot buffer is waived for the western portion of the site which abuts the existing earth removal operation in Leominster in order to provide access to the LLEC, Inc. site.
18. No areas should be excavated so as to cause accumulation of standing water. Excavation areas shall be graded to provide positive drainage in accordance with the approved stormwater management plan.
19. Agent(s) assigned by the Select Board shall conduct inspections. All costs for outside consultant services used for inspection purposes shall be paid for by the permit holder. Funds shall be deposited into a Consultant Review Account. Inspections shall be scheduled on a semiannual basis and at other times as needed.
20. Recommendations for permit compliance cited in inspection reports shall be addressed by the Applicant before the next subsequent inspection, or the permit may be subject to revocation by the Select Board following a hearing.
21. Separate from the normal permit renewal process, the Applicant shall remain vigilant in renewals of local and federal stormwater and wetlands permits for the facility so that current permits do not expire while operation of the facility continues.



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

22. If any conditions of this permit are violated, the permit is subject to revocation by the Select Board following a hearing.
23. This permit shall not be assigned to any other person other than the person or entity named herein, unless authorized in writing by the Select Board.
24. By exercising this special permit, the permit holder agrees to permit reasonable access onto the subject premises by the agents and employees of the Lancaster Select Board for inspection purposes consistent with the requirements of Condition 19.
25. By exercising this special permit, the permit holder agrees that he will not excavate in such a manner as to leave dangerous and unsightly conditions on the premises as a result of the excavation.

Date of Public Hearing and Continuances: July 19, 2021 and continued to August 2, 2021

Location of Hearing(s): Via ZOOM™

Notice of Hearing, Names of newspapers: *The Clinton Item*

Date of Public Notice: July 2, 2021 and July 9, 2021

Certified List of Abutters: See attached

DECISION FINDINGS:

With respect to the Special Permit, the Board finds, after soliciting and reviewing comments from other Town boards, departments, agencies, staff, and interested persons that reasonable measures have been or will be taken to:

- (a) Ensure that all requirements applicable to the special permit are fulfilled;
- (b) That the specific site is an appropriate location for the uses proposed;
- (c) That there is safe access from roads adequate for the traffic expected, adequate parking is provided and internal circulation is adequate for emergency vehicles;
- (d) That the Board of Health requirements for water and sanitation arrangements will be followed;



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

- (e) That the use as developed and operated will not adversely affect the neighborhood;
- (f) That the purposes of the Bylaw are substantially met.

The Select Board, the Permitting Authority, hereby grants this Permit on behalf of the Town of Lancaster.

SELECT BOARD:

_____, *Chair*
Jason A. Allison

Date: _____

Town Administrator Report

TOWN ADMINISTRATOR'S REPORT

8/02/2021

Bylaw Submittals

All 4 Bylaw changes were submitted to the Attorney General's Office on August 20th, and they have acknowledged receipt. Once the Town Clerk received the official response we will share with all interested parties.

Green Communities Grant

The Town received another round of funding in the Green Communities Grant. The grant award was for \$35,300 to fund an Energy Management System for the Prescott Building \$30,300 and \$5000, towards the hybrid vehicle for the Fire Department. We have put both projects in motion and have until September 30, 2023, to complete the work.

Electronic Signboards

We have put in a request for 2 electric signboards to be paid for with our CARES ACT funding. I am coordinating with the Board of Health on the order, delivery, and future use of the signboards. The use must be limited to COVID related matters until the appropriate guidance on non-covid uses is given. The combined price will be \$30,000 (\$15,000/each)

Air Quality Sensor Grant

I have applied for a Grant to support the Board of Health efforts to monitor air quality in the Town. I have applied for 10 sensors from the MassDEP that will be deployed by the Board of Health in various locations within the Town. The results will help identify the level of particle pollution and emissions locally.

-----Original Message-----

From: Caprioli, Nicole (AGO) <nicole.caprioli@state.ma.us>

Sent: Wednesday, July 21, 2021 1:08 PM

To: Lisa Johnson <LJohnson@lanasterma.net>; 'bmaser@k-plaw.com' <bmaser@k-plaw.com>

Subject: Lancaster Bylaw Submission Receipt - Case # 10288

Hello Lisa and Brian

This email acknowledges receipt on July 20, 2021 of the general and zoning bylaws submitted from the June 21, 2021 Lancaster Annual Town Meeting. Your bylaw submission is Case # 10288. Assuming the packet is complete and additional information is not requested in the interim by this Office, you may expect our review to be completed on or before October 18, 2021.

Best,
Nicole

Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
Office of the Attorney General Maura Healey
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 x 4418
nicole.caprioli@mass.gov



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES

100 CAMBRIDGE ST., SUITE 1020

BOSTON, MA 02114

Telephone: 617-626-7300

Facsimile: 617-727-0030

Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Kathleen A. Theoharides
Secretary

Patrick C. Woodcock
Commissioner

July 7, 2021

Orlando Pacheco, Town Administrator
Town of Lancaster
695 Main Street, Suite #1
Lancaster, MA 01523

Dear Town Administrator Pacheco:

I am pleased to inform you that the Department of Energy Resources (DOER) Green Communities Division has approved an award of \$35300 for the following projects proposed in the town of Lancaster's Green Communities Competitive Grant application:

- \$30,300, Prescott Building — Energy Management System
- \$5,000, Town – Hybrid vehicle purchase

The Division reviewed Lancaster's grant application and has determined these are viable projects that meet the eligibility requirements of our Competitive Grant program. **Please note that, due to the competitive nature of this grant program, the use of these funds is restricted to the specifically- approved projects listed above. Please do not commence work until you are given a Notice to Proceed.**

Jane Pfister, Green Communities Grant Coordinator, will follow up with the contact listed in your competitive grant application to discuss next steps, including coordination of the grant contract process. The Green Communities Division looks forward to working with the Town of Lancaster on your grant projects. We congratulate you on your grant award and applaud your efforts to create a cleaner energy future for your community and the Commonwealth as a whole.

Please do not hesitate to contact Kelly Brown, your Regional Coordinator, or me at 617-823-4029 or by email at Joanne.Bissetta@mass.gov with any questions you may have regarding your grant award.

ADMINISTRATION, BUDGET AND POLICY

#1



July 11, 2021

Chairperson Jason Allison
Select Board Chair
Town of Lancaster
34 Squire Shaler Lane
Lancaster MA, 01523

Dear Chairperson Allison:

The MBTA Advisory Board is authorized by and organized under M.G.L. c. 161A, § 7A. This legislation names the Chief Executive Officer (CEO) of the 176 cities and towns in the MBTA Service District as a member of the MBTA Advisory Board. Members are also authorized to appoint a designee to act for them, with full voting rights on behalf of their city or town.

Our records indicate that Chairperson Jason Allison is the CEO of the Town of Lancaster, and that the authorized designee position is vacant.

Please submit a letter on municipal letterhead confirming that the above is accurate or to correct our records. More information is available at <https://mbtaadvisoryboard.org>. Thank you for your attention to this matter.

Sincerely,

/s/

Brian Kane
Executive Director
617-680-9144 (cell)

177 Tremont Street, 4th Floor
Boston, MA 02445
<https://mbtaadvisoryboard.org/>

#2

#3

Ref: 9053

July 12, 2021

Mr. Philip Eugene, Chairman
Economic Development Committee
Town of Lancaster
701 Main Street
Lancaster, MA 01523

Re: Traffic Engineering Peer Review Services
Capital Commerce Center – Lunenburg Road (Route 70) and McGovern Boulevard
Lancaster, Massachusetts

Dear Phil:

Vanasse & Associates, Inc. (VAI) is pleased to submit this proposal for providing Traffic Engineering Peer Review Services in support of the Town of Lancaster's review of the proposed Capital Commerce Center mixed-use development to be located off Lunenburg Road (Route 70) and McGovern Boulevard in Lancaster, Massachusetts. Our planned scope of work will result in a detailed review of the May 5, 2021 *Traffic Impact and Access Study* and supporting materials with regard to: i) adequacy of access, circulation and parking; ii) Massachusetts Department of Transportation (MassDOT) design standards; iii) Town Zoning requirements as they relate to access, parking and circulation; and iv) accepted Traffic Engineering and Transportation Planning practices. The results of our review will be summarized in a letter provided to the Town for use in reviewing the project. We have also included a budget for participation in two (2) meetings with the Town to present the findings of our review and answer questions.

The table below lists the expected phases and tasks for the Traffic Engineering Peer Review:

	Phase/Task
Element I	1.0 Initial Investigation – <i>Enclosed</i>
	2.0 Traffic Engineering Peer Review – <i>Enclosed</i>
	3.0 Project and Public Meetings – <i>Enclosed</i>

Mr. Philip Eugene
July 12, 2021
Page 2 of 2

We propose to complete the Scope of Services as described within a maximum fee for labor and direct expenses as follows.

Phase	Element I - Tasks	Fee	Schedule	Payment Method
1.0	Initial Investigation	\$ 0	1 Week	Time and Materials
2.0	Traffic Engineering Peer Review	3,000	3 Weeks	Time and Materials
3.0	Project and Public Meetings (2 meetings)	2,000	As Required	Time and Materials
	LABOR TOTAL Phases 1.0, 2.0 and 3.0	5,000		
	Direct Expenses	250		
	TOTAL	\$ 5,250	Not To Exceed	

The total fixed fee (not to exceed) to complete the Traffic Engineering Peer Review as described herein, including attendance of two (2) meetings and direct expenses, is \$5,250. All services described herein will be billed on a time and materials basis and will be completed at the direction and discretion of the Town. Meeting costs beyond the two (2) meetings budgeted herein will be billed on a time and materials basis at \$225 per hour plus direct expenses.

We are prepared to initiate work and complete the enclosed effort after receipt of the signed agreement. Written authorization must be received before work can begin. If you are in agreement with the attached Scope of Services and terms and conditions of the Agreement, please countersign the original and return it to our office. A copy is included for your files.

We appreciate the opportunity to assist you and the Town with the review of the subject project. If you should have any questions regarding this agreement or the enclosed materials, please feel free to contact me.

Sincerely,

VANASSE & ASSOCIATES, INC.



Jeffrey S. Dirk, P.E., PTOE, FITE
Managing Partner

Enclosure

cc: DRB



AGREEMENT FOR PROFESSIONAL SERVICES

BETWEEN

VANASSE & ASSOCIATES, INC.

AND

TOWN OF LANCASTER

JULY 12, 2021

This Agreement is composed of Part I and Part II. Part I includes details of the services to be performed, client-furnished information, timing of the services, and compensation. Part II (attached) contains the Terms and Conditions of Agreement, which are the general terms of the engagement between Town of Lancaster, hereinafter called the CLIENT, and Vanasse & Associates, Inc. (VAI).

PART I

PROJECT DESCRIPTION

VAI will provide Traffic Engineering Peer Review Services to the CLIENT in support of the Town of Lancaster's review of the proposed Capital Commerce Center mixed-use development to be located off Lunenburg Road (Route 70) and McGovern Boulevard in Lancaster, Massachusetts (hereafter referred to as the "Project").

SCOPE OF SERVICES

1.0 Initial Investigation

VAI will provide the following initial investigation services for the proposed Project:

- Review previous studies of the area, including studies by other consultants, the state, regional planning agencies, and the local community, in addition to any past VAI efforts.
- Consult with CLIENT to review the scope of work; collect relevant background materials for use in completing the Peer Review; establish Project milestones and associated deliverables; and obtain contact information for municipal departments.
- Review the study area to update available information and observe factors that could affect access to the Project site; vehicle, pedestrian and bicycle circulation; public transportation services; and features that may influence the selection of suggested improvements.



- Consult with local and state officials to review current and planned future roadway, pedestrian, bicycle and public transportation improvements in the area that may impact traffic patterns and transportation alternatives available within the study area.

2.0 Traffic Engineering Peer Review

Perform a detailed review of the materials that were submitted in support of the Project, including the May 5, 2021 *Traffic Impact and Access Study* and supporting materials, for conformance with state and local standards and accepted Traffic Engineering and Transportation Planning practices. Specific areas of review will include the following as may be applicable to the materials submitted in support of the Project:

- Project description
 - Establishment of study area
 - Data collection techniques
 - Safety analysis
 - Pedestrian, bicycle and public transportation accommodations
 - Future horizon year conditions development
 - Trip generation methodology
 - Trip distribution and assignment
 - Build condition development
 - Intersection and roadway capacity and vehicle queue analyses
 - Sight distances
 - Vehicle queuing
 - Parking layout and adequacy with respect to design and projected demands
 - Project mitigation
 - Construction phase impacts and mitigation
- Review the Site Plans for the Project relative to access; on-site vehicle, pedestrian and bicycle circulation; parking layout; loading and delivery vehicle access; vehicle queue storage; and safety.
 - The results of our reviews will be summarized in letters submitted to CLIENT for use in evaluating the Project.

3.0 Project and Public Meetings

VAI will participate in two (2) Project meetings and/or public presentations at the request of and as directed by the CLIENT, to discuss our findings and answer questions from the CLIENT and the applicant. Services include preparation, travel, attendance and supporting graphics. Meeting costs will be billed on a time and materials basis.



CLIENT-FURNISHED INFORMATION

It is understood that VAI will perform services under the sole direction of the CLIENT. In the performance of these services, VAI will coordinate its efforts with CLIENT and other consultants retained by the CLIENT, as required. The CLIENT shall provide or authorize VAI to obtain on CLIENT's behalf project-related technical data including, but not limited to, the following as may be applicable to the project:

- Application (received)
- Site plans (received)
- Engineering survey of the property (received)
- Roadway plans (not required)
- Traffic studies prepared in support of the project (received)
- Information related to the prior or approved use of the site as available
- Prior conditions of approval issued for the project site

VAI will rely upon the accuracy and completeness of CLIENT-furnished information in connection with the performance of services under this Agreement.

SCHEDULE

VAI will require three (3) weeks to complete Traffic Engineering Peer Review for CLIENT review. This schedule begins on the date written authorization to proceed is received. The schedule is also subject to timely delivery of information promised by the CLIENT and is exclusive of CLIENT and local review of interim products. If the CLIENT requests that work under this Agreement be stopped, the schedule and fee are subject to re-negotiation when written authorization to proceed is received.

COMPENSATION

VAI will perform the Scope of Services as outlined in this Agreement within a fixed fee not to exceed of \$5,250 as follows:

Phase	Element I - Tasks	Fee	Schedule	Payment Method
1.0	Initial Investigation	\$ 0	1 Week	Time and Materials
2.0	Traffic Engineering Peer Review	3,000	3 Weeks	Time and Materials
3.0	Project and Public Meetings (2 meetings)	2,000	As Required	Time and Materials
	LABOR TOTAL Phases 1.0, 2.0 and 3.0	5,000		
	Direct Expenses	250		
	TOTAL	\$ 5,250	Not To Exceed	

A separate budget has been established for meetings to facilitate the tracking of meeting costs internally. All services described herein will be completed CLIENT's direction and discretion and will be billed on a time and materials basis.

In addition to the above labor compensation, VAI shall be reimbursed for expenditures made specifically for the Project, such as printing and reprographics, travel and subsistence, data collection, telephone charges, shipping, postage, and courier service charges, purchase of maps and similar documents, etc. These direct expenses will be billed at cost and are included in the above fixed fee.



SERVICES NOT INCLUDED

The following services may be required at a future date but are not included in this Agreement at this time:

- Preparation of any detailed engineering design
- Preparation of a Transportation Impact Assessment
- Intersection or roadway capacity analysis
- Review of supplemental materials submitted by the applicant in support of the Project in response to VAI's initial review letter
- Participation in additional meetings beyond the two (2) budgeted herein

When services are required in these areas, or areas not previously described, we will prepare a proposal or amendment, at the CLIENT's request, that contains the Scope of Services, fee, and schedule required to complete the additional items.

CLIENT CONFIRMATION AND AUTHORIZATION

The CLIENT agrees with and accepts this proposal for professional services. The CLIENT also agrees with the Terms and Conditions of Agreement, which is attached, and acknowledges this as being received. Together these constitute the entire agreement between Vanasse & Associates, Inc. and the CLIENT.

The CLIENT certifies that funds or financing are available to meet their financial commitments and maintain the payment schedule under the terms and conditions of this Agreement.

Agreed and Accepted for:

TOWN OF LANCASTER

Total Upset Limit Not to Exceed: \$5,250

By: _____
 Authorized Agent

Title: _____

Date: _____

Phase	Fee
1.0	\$ 0
2.0	3,000
3.0	<u>2,000</u>
LABOR TOTAL	\$ 5,000
Direct Expenses	<u>250</u>
TOTAL	\$ 5,250
(NOT TO EXCEED)	

VANASSE & ASSOCIATES, INC. AUTHORIZATION

By: Jeffrey S. Dirk
 Jeffrey S. Dirk, P.E., PTOE, FITE

Title: Managing Partner

Date: July 12, 2021



PART II

VANASSE & ASSOCIATES, INC. (VAI) TERMS AND CONDITIONS OF AGREEMENT

The engagement of Vanasse & Associates, Inc. (VAI) by CLIENT is under the following terms and conditions and is an integral part of the collective Agreement between CLIENT and VAI.

1. The fee estimate for the proposed Scope of Services, attached hereto as Part I and incorporated herein by reference, is valid for sixty (60) days from the date of the proposal.
2. Full and timely payment of all amounts due and owing to VAI is the sole responsibility of CLIENT and may not be subject to any third-party agreements.
3. The CLIENT may terminate this Agreement at any time by giving VAI ten (10) days written notice. In such event, all finished or unfinished documents prepared by VAI shall at the option of the CLIENT become the CLIENT's property, subject to the Terms and Conditions of paragraph 12 of this Agreement. In the event of termination, VAI will be paid for all services performed up to the date of termination, including those expenditures necessary for the orderly termination of work, and all costs of settling or discharging outstanding obligations incurred by VAI with respect to the terminated services and work under this Agreement.
4. All time schedules set forth in Part I shall commence upon receipt of a signed Agreement and a retainer in the amount set forth below. All retainer amounts will be applied to the final invoice. A RETAINER OF \$0.00 IS REQUIRED BEFORE WORK CAN COMMENCE UNDER THE AGREEMENT.
5. VAI is not obligated to perform any services not explicitly set forth in Part I. Should CLIENT request that VAI perform any services in addition to those explicitly set forth in Part I, VAI may, in its sole discretion, agree to perform such additional services. Before VAI will begin performance of any such additional services, VAI and CLIENT must enter into a written agreement regarding the scope of, and the compensation to be paid for, such additional services.
6. VAI will render invoices monthly. All invoices are due upon receipt by CLIENT. Any invoice outstanding for more than thirty (30) days after the date of the invoice will be subject to financing charge of 1.5 percent per month. VAI will render all invoices on a VAI standard form.
7. Should it become necessary to utilize legal or other resources to collect any or all monies rightfully due for services rendered under this Agreement, VAI shall be entitled to full reimbursement of all such costs, including reasonable attorney's fees, as part of this Agreement.
8. Invoice payments must be kept current for work to continue. If CLIENT fails to pay any invoice due and owing VAI within fifteen (15) days of the date of CLIENT's receipt of the invoice, VAI may, in its sole discretion and without waiving any other claim or right against CLIENT, pursue, without limitation, any course of action available at law or in equity, and/or any one or more of the following courses of action:
 - (a) Suspend all services under this Agreement until CLIENT has paid all amounts due and owing VAI and/or any of its Consultants or Subcontractors;



- (b) Withhold any documents prepared by VAI and/or any of its Consultants or Subcontractors pursuant to this Agreement from CLIENT and/or any third-party;
- (c) Notify any third-party to which any documents prepared by VAI and/or any of its Consultants or Subcontractors pursuant to this Agreement of CLIENT's failure to pay all amounts due and owing to VAI;
- (d) Request the immediate return of all documents prepared by VAI and/or any of its Consultants or Subcontractors under this Agreement from CLIENT and/or any third-party; and/or
- (e) Deliver a statement to any one or more persons it selects withdrawing support for any documents prepared by VAI and/or any of its Consultants or Subcontractors under this Agreement.

In the event that CLIENT fails to pay VAI, CLIENT agrees to return all documents furnished to it by VAI under this Agreement within fifteen (15) days of a request for such made by VAI.

9. VAI agrees to carry the following insurance during the term of this Agreement: Workers' Compensation, General Liability, Professional Liability, and Comprehensive Automobile Liability. VAI shall maintain during the performance of this Agreement insurance coverage as follows:

General Liability

\$2,000,000 per occurrence;
\$4,000,000 aggregate for products and completed operations;
\$4,000,000 general aggregate.

Automobile Liability

\$1,000,000 per accident for bodily injury and property damage.

Umbrella Liability

\$5,000,000 per occurrence and aggregate

Employer's Liability

\$1,000,000 per accident for bodily injury or disease.

Worker's Compensation

Statutory.

Professional Liability

\$2,000,000 per claim and aggregate limit.

Insurance coverage shall be provided by a company or companies licensed to do business in the State of Massachusetts. Such insurance shall name the CLIENT as additional insured.

Certificates of Insurance will be furnished upon request. If the CLIENT requires insurance coverage or limits in excess of VAI's normal policies, and it is available, CLIENT agrees to reimburse VAI for such additional expenses.



PART II (Continued)

**VANASSE & ASSOCIATES, INC. (VAI)
TERMS AND CONDITIONS OF AGREEMENT**

10. VAI agrees, to the fullest extent permitted by law, to indemnify and hold harmless CLIENT, its officers, directors and employees (collectively, the CLIENT) against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by VAI's negligent performance of professional services under this Agreement and that of its subconsultants or anyone for whom VAI is legally liable.

CLIENT agrees, to the fullest extent permitted by law, to indemnify and hold harmless VAI, its officers, directors, employees and subconsultants against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the CLIENT's negligent acts in connection with the Project and the acts of its contractors, subcontractors or consultants or anyone for whom the CLIENT is legally liable.

Neither the CLIENT nor VAI shall be obligated to indemnify the other party in any manner whatsoever for the other party's own negligence.

11. VAI shall not be responsible for any damages arising from failure to perform, or delay in the performance of, services identified in Part I which failure or delay arises out of causes beyond VAI's control or without negligence on the part of VAI. VAI shall not be responsible for any consequential damages, including, without limitation, any delay or expense arising out of the exercise by VAI or any right provided to VAI under this Agreement, including, without limitation, the rights to suspend services, withhold documents, and withdraw support as described in paragraph 8. VAI's liability under this Agreement is limited to the total of all fees paid to VAI by CLIENT under this Agreement.
12. All documents including, without limitation, all Drawings and Specifications, prepared by VAI and/or any of its Consultants or Subcontractors pursuant to this Agreement are the property of VAI; provided, however, that CLIENT shall have full ownership of all documents, including without limitation, all Drawings and Specifications, prepared by VAI and/or any of its Consultants or Subconsultants under this Agreement once CLIENT has paid for the same.

VAI does not represent that any documents prepared by VAI and/or any of its Consultants or Subcontractors pursuant to this Agreement are suitable for use in connection with any extension of the current Project or any other project.

If CLIENT uses any such documents in violation of this paragraph, CLIENT shall:

- (a) Be liable for, and indemnify and hold harmless VAI from, all claims, damages, losses, and expenses, including attorney's fees, arising out of or resulting from such use, and
- (b) In addition to paying all invoices due and owing for services provided under this Agreement, pay VAI the amount of the fee estimate set forth in Part I as liquidated damages presenting a reasonable estimate of the compensation to which VAI would be entitled for generating documents for such use.



PART II (Continued)

**VANASSE & ASSOCIATES, INC. (VAI)
TERMS AND CONDITIONS OF AGREEMENT**

13. This Agreement may only be modified in writing and signed by CLIENT and VAI. No act or failure to act by VAI waives any rights provided to VAI under this Agreement or by operation of law.
14. This Agreement constitutes the entire agreement between CLIENT and VAI regarding the services specified in Part I. In entering into this Agreement, CLIENT has not relied upon any warranties, representations, or statements not set forth herein. No verbal warranties, representations, or statements shall be considered a part of this Agreement or a basis upon which CLIENT relied in entering into this Agreement.



**VANASSE & ASSOCIATES, INC.
STANDARD HOURLY BILLING RATES**

EMPLOYEE	TITLE	HOURLY RATES
Jeffrey S. Dirk, P.E., PTOE, FITE	Managing Partner	\$235.00/\$275.00 ^a
Stephen M. Boudreau, P.E.	Partner	\$235.00
Scott W. Thornton, P.E.	Principal	\$180.00
Shaun P. Kelly	Associate	\$165.00
Drew J. Talcoff, P.E.	Senior Project Manager	\$165.00
Daniel A. DeRoche, Jr., P.E.	Senior Highway Engineer	\$140.00
Bernard Guen	Senior Transportation Engineer	\$135.00
Jamie T. Gregory	Associate - Graphics Manager	\$110.00
Theodore W. O'Hagan, E.I.T.	Senior Highway Engineer	\$110.00
Derek I. Roach, P.E.	Senior Transportation Engineer	\$110.00
Andrew J. Arseneault	Transportation Engineer	\$110.00
Mitchell P. Page, E.I.T.	Highway Engineer	\$105.00
Jennifer S. Conners	Transportation Engineer	\$105.00
Shannon L. Brown	Transportation Engineer	\$105.00
Ian J. Sherriff	Highway Engineer	\$95.00
Rana Eslamifard	Transportation Engineer	\$90.00
Andrea T. Gaudet	Technical Assistant	\$90.00
Scott R. Frontain	Field Operations Manager	\$70.00

^a*Expert witness testimony*



#4

#5

#6



Town of Lancaster
Office of the Board of Selectmen
701 Main Street, Suite 1
Lancaster, MA 01523

Jason A. Allison, Chairman
Jay M. Moody, Clerk
Alexandra W. Turner Member

Orlando Pacheco, Town Administrator
Kathleen A. Rocco, Executive Assistant

MEMO

To: Board of Selectmen

From: Orlando Pacheco, Town Administrator

Date: July 26, 2021

Re: Local Inspector/Commissioner Recruitment

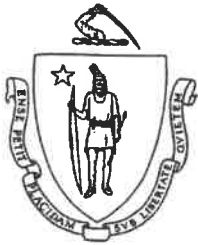
At the 7/19/21 meeting the Board requested I come up with a plan to identify the recruitment of the next Code/Zoning Enforcement Officer. Given the limited market of Building Commissioners available the Town should consider reducing the certification to "Local Inspector", which would open the applicant pool and level of interest.

It must be clarified that what Lancaster refers to as a Building Inspector is a "Local" Inspector as defined by the Commonwealth. The titles **Inspector of Buildings** or **Building Commissioner** are the same designation by certification standards.

The Town should consider a Full-time position. This would be a union position under the AFSCME contract, with an approximate starting hiring range of \$64,534-\$85,411. The Board should also consider regionalizing or compensating a Building Commissioner from a neighboring community to have some oversight over the office to ensure compliance with the Executive Office of Public Safety & Security certification.

The position should be advertised on the Mass Municipal Association, Massachusetts Federation of Building Officials, and the Massachusetts Building Commissioners & Inspectors Association, which would be the most likely places a potential candidate would seek the position.

The Town could alternatively try to jointly recruit a Commissioner at the same time as the local inspector and review the candidates jointly. I am not entirely supportive of this strategy because I think it would deter capable Inspectors from applying. I am happy to work with HR to implement a plan once a decision to move forward is made.



Commonwealth of Massachusetts
Division of Professional Licensure
Office of Public Safety and Inspections
Board of Building Regulations and Standards
1000 Washington Street • Suite 710 • Boston • Massachusetts • 02118
Phone (617) 727-3200 Fax (617) 727-5732

www.mass.gov/dpl/opsi

MEMORANDUM

Building Code Enforcement Official Certification

Massachusetts General Law (MGL) c 143 § 3 defines three (3) titles for municipal building code enforcement officials (Inspector of Buildings, Building Commissioner or Local Inspector - collectively referred to as building code enforcement officials). The Inspector of Buildings or Building Commissioner is the highest ranking individual in the make-up of a building department. All other building officials within a building department's office structure are referred to as Local Inspectors according to the law (although cities and towns may have varied titles for these positions; i.e. assistant inspector, deputy commissioner, etc).

Additionally, MGL Chapter 143 § 3 mandates *minimum qualifications* for each of these titles. It is *imperative* that these *minimum qualifications* are met or exceeded by any individual seeking certification as a building code enforcement official. The Board of Building Regulations and Standards (BBRS) *will not issue certification to any individual who is not able to demonstrate compliance with these minimum qualifications*. Please reference MGL c 143 § 3 to become familiar with these qualifications or you may reference the Commonwealth's *Application for Certification as a Building Code Enforcement Official*, where the qualifications are reiterated.

Effective March 1, 2006 any individual interested in taking the required examinations for Local Inspector or Inspector of Buildings/Building Commissioner must receive prior approval, from the Board of Building Regulations and Standards, before taking the examinations. 780 CMR R7.2.2.3 and 2.3.3: "No candidate shall be allowed to take said examinations without prior approval..."

About the Certification Process

Chapter 168 of the Acts of 1992 became effective on November 12, 1992. This legislation amended MGL c 143 § 3, requiring that all individuals appointed to a position as a building code enforcement official by any municipality on or after the effective date, to be certified in accordance with regulations promulgated by the Board of Building Regulations and Standards (BBRS). These regulations are known as 780 CMR R7, *The Rules and Regulations for the Certification of Inspector of Buildings, Building Commissioners and Local Inspectors*. The regulations specify that any individual now wishing to gain certification as a building code enforcement official must do so through an examination process.

To demonstrate competency of individuals seeking certification through this process, the Commonwealth utilizes exams developed by nationally recognized model building code organizations. These organizations are known as the *National Certification for Construction Code Inspectors (NCPCCI)* and the *International Code Council (ICC)*. The examinations are administered through procedures set forth by these organizations. It is important to make the distinction between terminology used by the NCPCCI and ICC organizations and terminology used in Massachusetts when identifying required exams.

In order to attain certification in Massachusetts in the capacity of Local Inspector, qualified individuals must achieve passing scores in all examinations required for either NCPCCI's **Certified Building Inspector** or NCPCCI's **Certified Building Plans Examiner** category or ICC Exams required for this level of certification identified below.

Required Examinations for certification in Massachusetts as a Local Inspector are:

NCPCCI Exam Combinations: *or*

- Exam 1A - Building 1 & 2 Family Dwelling
- Exam 1B - Building General
- Exam 3B - Fire Protection General

NCPCCI Exam Combinations: *or*

- Exam 1B - Building General
- Exam 1C - Building Plan Review
- Exam 3B - Fire Protection General
- Exam 3C - Fire Protection Plan Review

ICC Exam Combinations:

- Exam B1 - Residential Building Inspector
- Exam B2 - Commercial Building Inspector
- Exam F3 - Fire Plan Examiner

A qualified candidate need only pass the exams associated with either of these NCPCCI certifications or ICC exam combination in order to become certified as a Massachusetts Local Inspector- not all three.

In addition to satisfying the criterion for local inspector, a qualified candidate must attain passing scores in all exams (identified as modules by ICC) associated with ICC's Certified Building Official Program in order to become certified as a Massachusetts Inspector of Buildings\Building Commissioner. These exams are identified below.

Required examinations for certification in Massachusetts as an Inspector of Buildings\Building Commissioner:

Either of the NCPCCI exam combinations or ICC exam combinations as listed on the previous page required of a Massachusetts Local Inspector and:

ICC Certified Building Official Exam comprised of:

- MG - Legal Module
- MM - Management Module
- BC - Building Codes and Standard Module *or* On-Board Training Certificate

Remember, one must complete both steps in order to become certified in Massachusetts as an Inspector of Buildings\Building Commissioner (unless certification as a local inspector has been acquired through the grandfather process).

Please read all information pertaining to the Commonwealth's certification process, including

1.) A list of **Required Exams and Reference Materials**.

2.) Visit the respective website to download **Candidates Bulletin of Information** further describing provisions for the exams required to become certified as a Massachusetts Local Inspector, through NCPCCI and/or through ICC as a Massachusetts Local Inspector or Inspector of Buildings\Building Commissioner, which includes an application to take the exams.
www.prometric.com or www.iccsafe.org

4.) **The Rules and Regulations for the Certification of Inspectors of Building, Building Commissioners and Local Inspectors, 780 CMR R7.** This is the Commonwealth's legally recognized regulation pertaining to the certification process. It is important to read and understand its contents prior to seeking certification.

5.) An **Application for Certification as a Building Code Enforcement Official**. This application is to be filled out and submitted to the BBRS after successfully completing steps necessary to attain the level of certification desired. For example, if you are seeking certification as a Local Inspector, you file this application upon passing all exams required of either NCPCCI's exam combinations as listed on the previous page.

Applications and attachments are reviewed by the BOCC, monthly. If all is in order, certification is issued in the appropriate category. It is important to note that all levels of certification must be maintained through continuing education. Refer to 780 CMR R7 and the Building Official Certification Committee's Policy for Maintenance of Certifications Status for more information.

6.) The Building Official **Certification Committee's Policy for Maintenance of Certification Status**. This document defines continuing education of all certified building code enforcement officials.

7.) The **Extension of Time Request**. This form is for conditional appointees to request an extension of time to comply with the examination process.

8.) A **New Employee Report Form**. This form shall be filed with the BBRS by any individual newly appointed to a position of building code enforcement official. Please ensure that an **Examination Approval Form** up-to-date résumé is attached to this form if prior approval was not received previous to appointment.

9.) An **Examination Approval Form** any individual interested in taking the required examinations for Local Inspector or Inspector of Buildings/Building Commissioner must receive prior approval, from the Board of Building Regulations and Standards, before taking the examinations. 780 CMR R7.2.2.3 and 2.3.3: No candidate shall be allowed to take said examinations without prior approval of the Board of Building Regulations and Standards or the certification committee at the Board's discretion.

The recommended materials for each exam are identified in the respective candidate's bulletin. Material can be purchased directly through the ICC or other sources may be used at the option of the purchaser.

Please do not be intimidated by the amount of information contained within this package. If you read each piece in concert with this memorandum, everything should make sense. However, if after reading all materials questions remain, you may contact Kim Spencer at Kimberly.spencer@mass.gov.

LOCAL BUILDING INSPECTOR/ ZONING & CODE ENFORCEMENT OFFICER

Position Purpose:

The purpose of this position is to perform administrative, supervisory, and inspection work related to the enforcement and interpretation of the state building code, the local zoning bylaws, and other applicable regulations; all other related work as required. The Local Building Inspector/Zoning Code Enforcement Officer is responsible for maintaining and improving upon the efficiency and effectiveness of all areas under his/her direction and control.

Supervision:

Supervision Scope: Performs varied and responsible functions of a technical nature requiring considerable initiative and independent judgment in the planning, administration and execution of the department's services. Works independently in formulating decisions regarding policies, procedures, operations and department plans.

Supervision Received: Works under the policy direction of the Board of Selectmen and Town Administrator in accordance with applicable provisions of the Massachusetts General Laws and town bylaws. Establishes short- and long-range plans and objectives, and assumes responsibility for department results. The position is subject to review and evaluation according to the town's personnel plan.

Supervision Given: None Directly

Job Environment:

Site inspection work is performed outdoors with exposure to weather extremes and inclement weather. Required to traverse uneven terrain and is subject to the hazards associated with construction sites. Work environment is moderately noisy and at times very loud. Administrative work is performed in an office environment.

Operates an automobile, hand tools, a computer, telephone, and other standard office equipment.

Makes frequent contacts requiring perceptiveness and discretion with the general public, other town departments/boards/committees, members of the building community, attorneys, property owners, and state/federal officials.

Has access to department-related confidential information such as personnel records, bid proposals and personal information about citizen's property, which requires the application of appropriate judgment, discretion and professional protocols

Errors in either the technical application of recognized building procedures, or in the interpretation of related data could result in damage to property, endanger public safety, have financial and/or legal implications, and cause adverse public relations.

Essential Functions:

Local Building Inspector/
Zoning Code Enforcement Officer
Town of Lancaster

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)

Examines plans and construction documents for new building construction and/or alteration for compliance with state building code and zoning bylaws. Issues building permits; collects associated fees. Writes violation notices when necessary.

Confers with builders, architects, engineers, property owners, and the general public regarding construction requirements, application of the zoning by-law, and other related matters.

Inspects new buildings under construction and upon completion, as well as repair and alteration work during the process and upon completion for conformity with state building code, approved plans, and zoning restrictions.

Investigates complaints of alleged zoning violations. Conducts earth products removal inspections. Issues all necessary notices and orders when complaints are verified. Prepares documents and all evidence to be used at District and Superior Courts. Confers with Town Counsel as required.

Periodically inspects hotels, restaurants, places of assembly, day care centers, schools, etc. to ensure compliance with state building code. Works with the Board of Health and the Board of Assessors.

Maintains records, prepares reports, and the annual budget. Maintains records of all collected fees.

Acts on any questions relating to mode or manner of construction, materials used, occupancy, and maintenance of all buildings and structures.

Acts as the town's Disability Compliance Coordinator for physical facilities. Determines compliance of existing and proposed public facilities.

Regular attendance and punctuality at the workplace is required.

Performs similar or related work as required, directed or as situation dictates.

Recommended Minimum Qualifications:

Education, Training and Experience:

High school education and five years of experience in the supervision of building construction or design; or a Bachelor's degree in a related field; or any equivalent combination of education and experience.

Special Requirements:

Local Building Inspector/
Zoning Code Enforcement Officer
Town of Lancaster

Possession of a valid motor vehicle operator's license.

Knowledge, Ability and Skill:

Knowledge: Thorough knowledge of the Massachusetts State Building Code, local zoning bylaws, and other applicable state statutes and regulations. General knowledge of the accepted requirements for building construction, fire prevention, light, ventilation, egress, electrical, heating, refrigeration, and plumbing installations. General knowledge of other equipment and materials essential for life safety, comfort and convenience of the occupants of a building of structure. Thorough understanding of field inspection practices.

Ability: Ability to read and interpret blueprints, drawings, and plans. Ability to analyze and interpret laws, by-laws, rules, regulations, standards, and procedures, and apply them to specific situations and cases. Ability to enforce regulations firmly, tactfully, and impartially. Ability to establish and maintain effective and harmonious working relationships with town officials, the public, and members of the building community. Ability to communicate effectively in written and verbal form. Ability to prioritize multiple tasks and deal effectively with interruptions. Ability to operate standard office equipment.

Skill: Skill in all of the above listed tools and equipment.

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Regularly required to access all levels of a construction site, buildings, and structures. Must be able to climb a ladder/fence/stairs. May spend a large portion of shift standing and/or walking. Uses hands to manipulate/operate tools and equipment. Occasionally lifts and/or moves objects weighing up to 30 pounds. Communicates verbally and in writing.

(This job description does not constitute an employment agreement between the employer and employee. It is used as a guide for personnel actions and is subject to change by the employer as the needs of the employer and requirements of the job change.)

#7

REQUEST FOR PROPOSALS FOR THE PROVISION OF MUNICIPAL LEGAL SERVICES

November 1, 2021

The Town of Lancaster, through its Board of Selectmen, hereby solicits proposals for the provision of general and specialized Massachusetts municipal legal services for a one year term effective January 1, 2021. The Town reserves the right to reject any and all proposals at its sole discretion, and to further negotiate the details of the proposals of one or more semi-finalists. It also reserves the right to renew the service agreement at the end of the initial term, and to renew it for an indefinite number of one year terms, at the mutual agreement of both parties.

Notification of this Request for Proposals was made in the April 2001 edition of *The Beacon*, a monthly publication of the Massachusetts Municipal Association (MMA). This RFP was also directly distributed to a number of municipal law firms that regularly advertise in that and other publications of the MMA.

The Board of Selectmen shall accept proposals submitted to its office located in the Prescott Building, 701 Main Street Lancaster, MA 01523 until 4:00 P.M. on Tuesday, February April 28, 2021.

Proposal Submission Requirements:

Interested firms are required to submit two copies of their proposals which must contain all of the following information:

- Qualifications of the firm in all relevant areas of Massachusetts law.
- Description of the specific kinds of legal issues (if any) that the firm refers to other firms; including why and to what firms.
- Listing of all current and past (last three years) Massachusetts municipal clients, including points of contact.
- Listing of major court cases won and lost by the firm, and a description of the most significant ones.
- Listing and description of any relevant Massachusetts case law made by the firm.
- Résumé of the primary attorney who would be assigned to Lancaster, would coordinate all legal services.

- Résumé of the partner who would be advising the primary attorney assigned to Lancaster (if applicable).
- Résumés of any other attorneys within the firm who specialize in particular areas of relevant Massachusetts law (e.g., land use, labor, environmental, etc.), who would be available to counsel Lancaster if and when needed.
- Description of the extent of the primary attorney's availability and ability to respond to the needs of Lancaster both day and night, seven days a week; how would after hours emergency contact be made; and who would provide back-up when the primary attorney is not available for extended periods of time (e.g., vacation, illness, etc.).
- Description of experience staying within the annual legal budget appropriations of municipal clients, including how firm monitors and controls the prioritization of tasks and use of time to stay within allocated budgets; and how often does the cost of the firm's services exceed the available funds budgeted for legal services, and why.
- Description of the support staff that would be available to the primary attorney assigned to Lancaster.
- Listing of all applicable fees and expenses as categorized below.

Fees and Expenses:

Fixed Retainer:

Provide a single dollar figure, which shall be billed in twelve (12) monthly installments, and shall include all of the following services:

- Weekly attendance at several board meetings held in succession one night per week (currently Tuesdays) from 7:00 to 11:00 P.M., including travel to and from the meetings;
- Weekly Update Reports on the status of all current, pending, and ongoing matters being addressed by Counsel (submitted to the Selectmen's Office by 12 Noon each Friday);
- Quarterly Litigation Reports describing in detail the status of all ongoing, pending, and potential litigation cases where the Town is the defendant or the plaintiff;
- Attendance at two Town Meetings per year, which are usually (but not always) concluded in one session lasting anywhere from four to eight hours each, including travel to and from the meetings;

Hourly Fees: *

Provide a per hour dollar figure for each category of attorney listed below, which shall be applicable to all time and services not explicitly covered by the Retainer and Other Expenses, including court appearances:

- Primary attorney assigned to Lancaster
- Other attorneys (labor, land use, etc.)
- Overseeing partner

Other Expenses:

Identify and provide the dollar figure or percentage markup for all other expenses that may be charged to Lancaster, including those listed below if applicable:

- Travel for all other reasons not provided for in the retainer
- Local and long distance telephone calls, including faxes
- Copying and Postage
- Court/Registry Research
- On-line Research
- Secretarial
- Overhead
- Other Costs
- Etc.

* All monthly invoices must include significant detail as to the nature of the billable costs, and be broken down by date/time, board, department, issue, etc.

#8

#9



Town of Lancaster
Office of the Board of Selectmen
701 Main Street, Suite 1
Lancaster, MA 01523

Jason A. Allison, Chairman
Jay M. Moody, Clerk
Alexandra W. Turner Member

Orlando Pacheco, Town Administrator
Kathleen A. Rocco, Executive Assistant

MEMO

To: Board of Selectmen

From: Orlando Pacheco, Town Administrator

Date: July 15, 2021

Re: 0 Hardy Street

The Town has received a request from abutting resident to sell 0 Hardy Street. This is a .1930 acre parcel. The Town acquired the property via tax foreclosure in 1960 (**book 4197/page 191**). It is not maintained and seems to provide no public benefit at this time. It is currently assessed at \$85,417 but is unlikely to achieve that sale price due to the limited number of buyers that could utilize the property.

Under MGL 30B Section 16 if the property is valued above \$35,000, the Town must solicit proposals, or have a competitive auction to sell the property. I would suggest an online auction via;

www.govdeals.com

The Town does have a Property Disposal Committee under Chapter 17, Article 8 of the Town Bylaws. This committee has no membership and has not met in over 10 years (probably longer). In my opinion this committee is obsolete in a time where the Board of Selectmen and Treasurer/Collector have the authority over non-conservation lands. It should be noted that the charge of the committee is to comply with state law, which would be accomplished in a number of other formats.

Should the Board want to proceed it should declare the property surplus and available for disposition before staff can make any additional arrangements



0 Hardy St

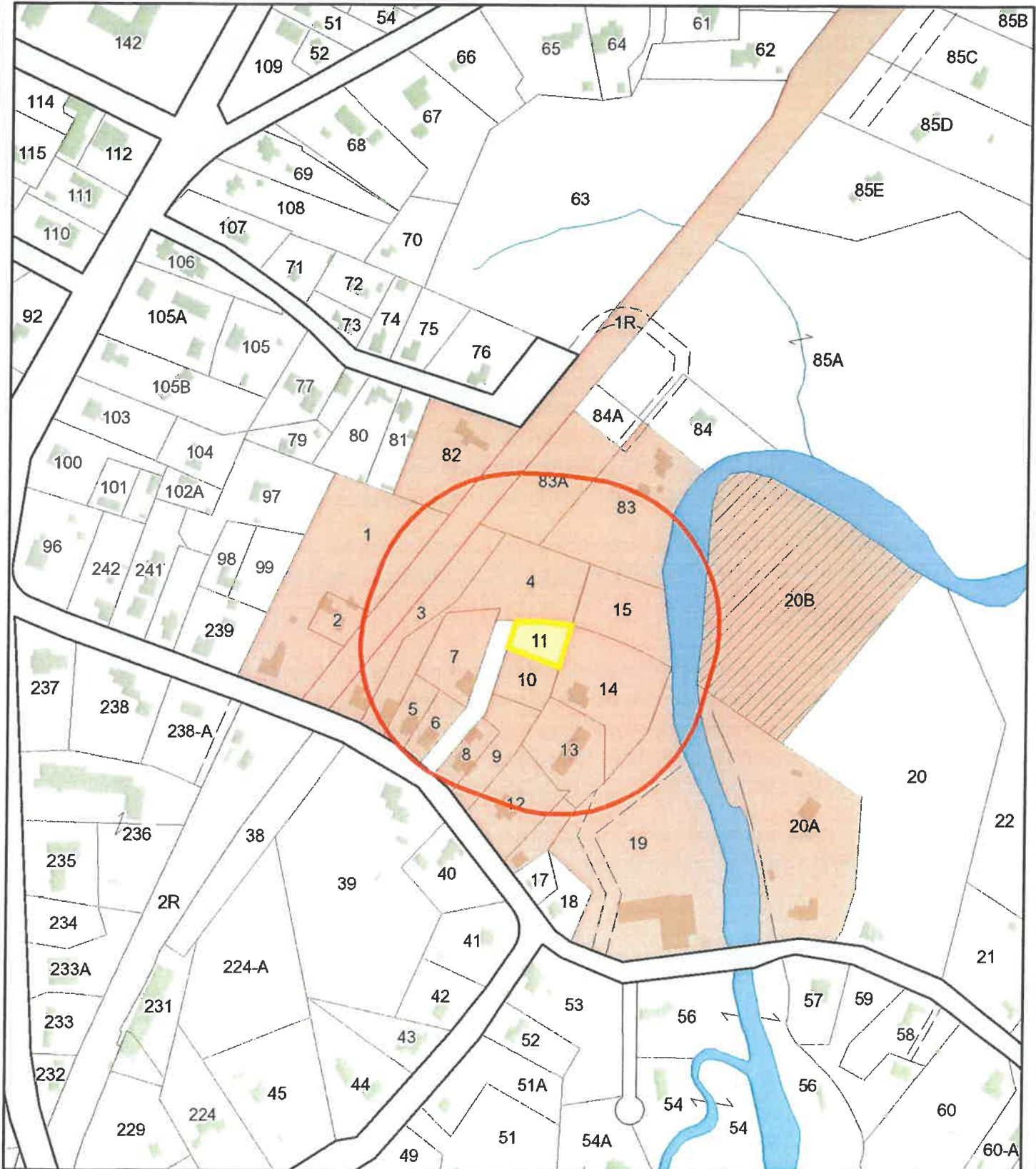
Lancaster, MA



July 14, 2021

1 inch = 278 Feet

www.cai-tech.com



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0 Hardy St

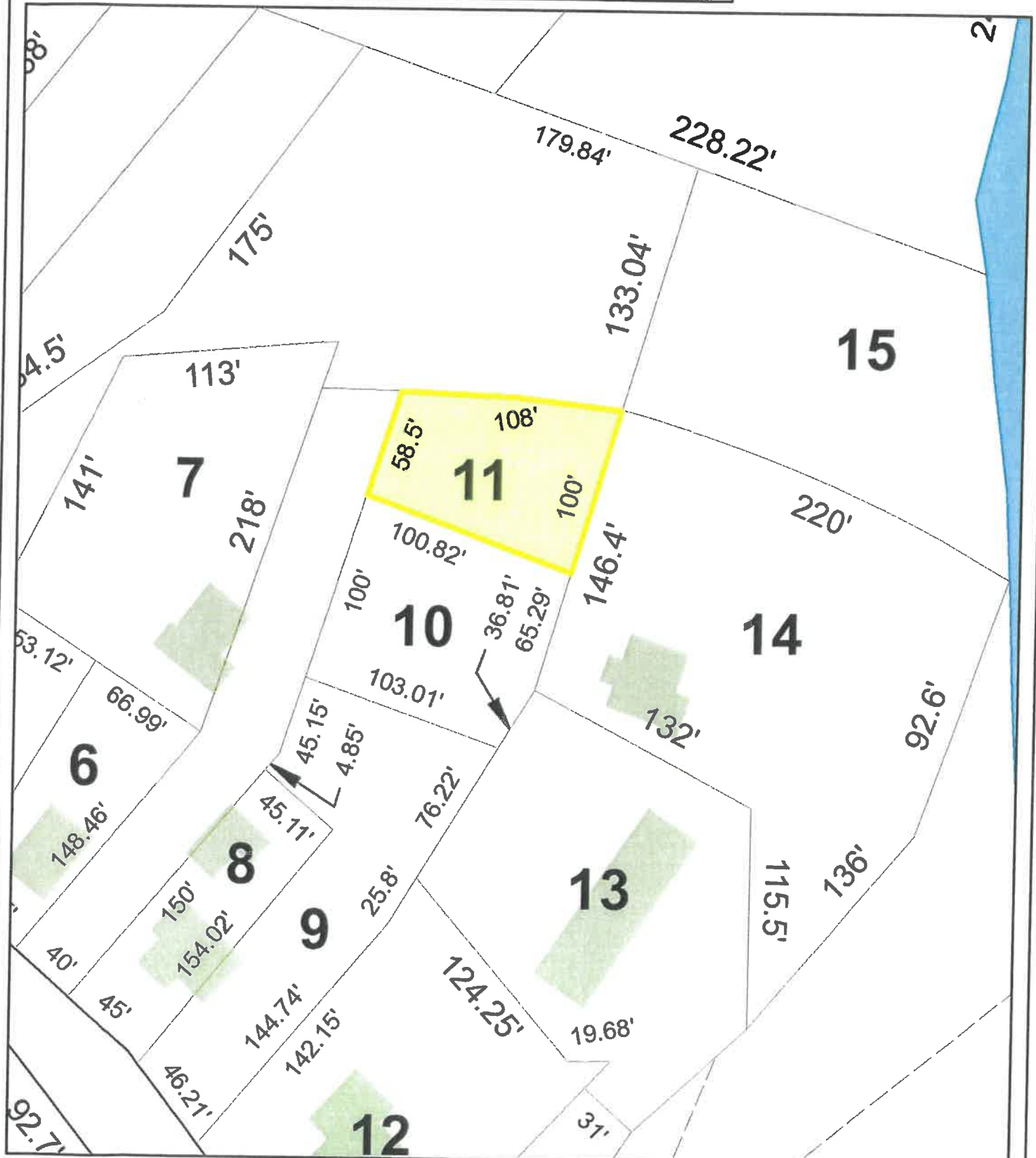
Lancaster, MA

1 inch = 69 Feet



July 14, 2021

www.cai-tech.com



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Property Card: 0 HARDY ST
 Town of Lancaster, MA



Parcel Information	
Parcel ID: 042-0011.0 Owner: Co-Owner: Mailing Address: 701 MAIN ST SUITE 1 LANCASTER, MA 01523	Use Description: 930 Zone: Land Area in Acres: 0.193
Sale History	Assessed Value
Book/Page: 04157/191 Sale Date: 19601117 Sale Price: \$	Land: \$85400 Buildings: \$0 Extra Bldg Features: \$0 Total: \$85400



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7/14/2021

Property Information - Lancaster, MA

Page 1 of 1

PARID: 147042000000110
 LANCASTER TOWN OF

MUNICIPALITY: LANCASTER
 0 HARDY ST

LUC: 930
 PARCEL YEAR: 2021

Property Information

Property Location: 0 HARDY ST
 Class: E-EXEMPT
 Use Code (LUC): 930-VACANT - SELECTMAN/CITY COUNCIL
 District: MA147 - LANCASTER
 Deeded Acres: .1930
 Square Feet: 8,407

Owner

Owner	Co-Owner	City	Address	State	Zip Code	Deed Book/Page
LANCASTER TOWN OF		LANCASTER	701 MAIN ST SUITE 1	MA	01523	04157/191

Sales

Sale Date (D/M/Y)	Book/Page	Sale Price	Grantee:	Grantor:
17-11-1960	04157-191		LANCASTER TOWN OF	LANCASTER TOWN OF

Owner History

1 of 18

Tax Year: 2021
 Owner: LANCASTER TOWN OF
 Co-Owner:
 City: LANCASTER
 Address: 701 MAIN ST SUITE 1
 State: MA
 Zip Code: 01523
 Deed Book/Page: 04157/191

Land

Land Line #	Land Type	Land Code	Class	Square Feet	Acres	Suppressed	CH61B %	Infl %	Infl Reason	Infl 2 %	Infl 2 Reason	Base Rate	Chap Market Value	Assessed Value
1	A-ACREAGE	P-PRIMARY	903-MUNICIPALITY	8,407	.19	N						47,902	85,417	
Total:													0	85,417

#	PARID	VAL03	ADRNO	ADRSTR	ACRES	OWN1	OWN2
1	14700200000000030	38500	0	SHIRLEY TOWN LINE	7	LANCASTER TOWN OF	CONSERVATION COMMISSION
2	14700400000000340	148100	0	FORT POND RD	0.1	LANCASTER TOWN OF	
3	14700400000000470	90600	0	LUNENBURG RD	1.92	LANCASTER TOWN OF	
4	1470050000000056A	96700	0	SHIRLEY RD	0.57	LANCASTER TOWN OF	
5	14700500000000570	104300	0	SHIRLEY RD	1.07	LANCASTER TOWN OF	
6	1470080000000035A	400	0	WHITE POND RD	0.08	LANCASTER TOWN OF	
7	1470080000000035C	93700	0	WHITE POND RD	0.431	LANCASTER TOWN OF	
8	1470080000000037E	9400	0	WHITE POND RD	1.7	LANCASTER TOWN OF	
9	14700800000000430	36000	0	WHITE POND RD	9	LANCASTER TOWN OF	
10	14700900000000030	23700	0	LUNENBURG RD REAR	4.3	LANCASTER TOWN OF	
11	14701000000000090	217500	0	FIRE RD 4	1.9	LANCASTER TOWN OF	
12	1470100000000013A	215500	0	OLD UNION TURNPIKE	21	LANCASTER TOWN OF	
13	14701000000000710	7800	0	SPEC POND FULLER AVE	0.037	LANCASTER TOWN OF	
14	14701000000000780	200	0	SPEC POND KINNEAR AVE	0.037	LANCASTER TOWN OF	
15	1470100000001080	1800	0	SPEC POND VINCENT AVE	0.32	LANCASTER TOWN OF	
16	147010000000108D	200	0	SPEC POND VINCENT AVE	0.037	LANCASTER TOWN OF	
17	147010000000113C	3900	0	FIRE RD 12	0.7	LANCASTER TOWN OF	CEMETERY
18	14701100000000010	8000	0	OLD UNION TURNPIKE	1.46	LANCASTER TOWN OF	
19	14701300000000060	83500	0	LUNENBURG RD REAR	15.5	LANCASTER TOWN OF	
20	14701300000000100	876100	0	N MAIN ST REAR	187.92	LANCASTER TOWN OF	
21	14701400000000070	398600	1250	LUNENBURG RD	56	LANCASTER TOWN OF	
22	14701400000000100	58800	0	LUNENBURG RD REAR	11.5	LANCASTER TOWN OF	
23	14701400000000140	80500	0	LUNENBURG RD REAR	22	LANCASTER TOWN OF	
24	14701400000000170	17600	0	LUNENBURG RD REAR	3.2	LANCASTER TOWN OF	CONSERVATION COMMISSION
25	14701400000000180	45000	0	LUNENBURG RD REAR	9	LANCASTER TOWN OF	CONSERVATION COMMISSION
26	14701800000000140	135100	0	NO MAIN ST	10	LANCASTER TOWN OF	CONSERVATION COMMISSION
27	1470180000000018A	27400	0	BROCKELMAN RD REAR	8.25	LANCASTER TOWN OF	CONSERVATION COMMISSION
28	14701800000000500	1700	0	NO MAIN ST	0.301	LANCASTER TOWN OF	
29	14701800000000530	113200	0	NO MAIN ST	2.4	LANCASTER TOWN OF	
30	14701800000000650	46500	0	NO MAIN ST	15	LANCASTER TOWN OF	CONSERVATION COMMISSION
31	14701900000000120	269600	0	LUNENBURG RD REAR	50	LANCASTER TOWN OF	CONSERVATION COMMISSION
32	14701900000000150	134100	0	LUNENBURG RD	6.2	LANCASTER TOWN OF	CONSERVATION COMMISSION
33	14701900000000170	291500	0	LUNENBURG RD	53	LANCASTER TOWN OF	CONSERVATION COMMISSION

34	1470190000000017A	113800	0 LUNENBURG RD	0 LUNENBURG RD	2.5 LANCASTER TOWN OF	CONSERVATION COMMISSION
35	14702300000000050	46000	0 BROCKELMAN RD REAR	0 BROCKELMAN RD REAR	10 LANCASTER TOWN OF	
36	14702300000000120	30300	0 BROCKELMAN RD	0 BROCKELMAN RD	6 LANCASTER TOWN OF	
37	14702300000000140	19500	0 BROCKELMAN RD REAR	0 BROCKELMAN RD REAR	3.55 LANCASTER TOWN OF	
38	14702300000000150	22100	0 BROCKELMAN RD REAR	0 BROCKELMAN RD REAR	4.02 LANCASTER TOWN OF	
39	14702300000000220	90800	0 BROCKELMAN RD REAR	0 BROCKELMAN RD REAR	17 LANCASTER TOWN OF	
40	1470240000000024A	103800	0 COLONY LN	0 COLONY LN	1 LANCASTER TOWN OF	
41	14702400000000260	98300	0 COLONY LN	0 COLONY LN	0.667 LANCASTER TOWN OF	
42	14702400000000300	100500	0 COLONY LN	0 COLONY LN	0.814 LANCASTER TOWN OF	
43	14702400000000420	8000	0 DEVONSHIRE WAY	0 DEVONSHIRE WAY	1.46 LANCASTER TOWN OF	CONSERVATION COMMISSION
44	1470240000000042M	89700	0 DEVONSHIRE WAY	0 DEVONSHIRE WAY	16.3 LANCASTER TOWN OF	CONSERVATION COMMISSION
45	1470240000000042N	56000	0 NO MAIN ST	0 NO MAIN ST	10.18 LANCASTER TOWN OF	CONSERVATION COMMISSION
46	14702400000000510	107400	0 PONAKIN RD	0 PONAKIN RD	1.5 LANCASTER TOWN OF	
47	14702400000000570	34100	0 PONAKIN RD	0 PONAKIN RD	6.2 LANCASTER TOWN OF	
48	14702400000000820	69300	0 NO MAIN ST	0 NO MAIN ST	12.6 LANCASTER TOWN OF	
49	1470240000000090A	137500	0 NO MAIN ST	0 NO MAIN ST	25 LANCASTER TOWN OF	CONSERVATION COMMISSION
50	14702500000000280	5500	0 PONAKIN RD	0 PONAKIN RD	1 LANCASTER TOWN OF	CONSERVATION COMMISSION
51	14702500000000300	14900	0 PONAKIN RD	0 PONAKIN RD	2.7 LANCASTER TOWN OF	CONSERVATION COMMISSION
52	14702500000000320	19500	0 LUNENBURG RD	0 LUNENBURG RD	15 LANCASTER TOWN OF	
53	14702500000000340	80100	0 LUNENBURG RD	0 LUNENBURG RD	14.56 LANCASTER TOWN OF	
54	14702600000000020	292500	0 PINE HILL	0 PINE HILL	35 LANCASTER TOWN OF	
55	14702800000000010	452800	0 BROCKELMAN RD	0 BROCKELMAN RD	64.14 LANCASTER TOWN OF	
56	14702800000000130	149400	0 BROCKELMAN RD	0 BROCKELMAN RD	9.8 LANCASTER TOWN OF	
57	14702800000000190	1502500	0 BROCKELMAN RD	0 BROCKELMAN RD	255 LANCASTER TOWN OF	
58	14702900000000150	41800	0 OLD COUNTY RD REAR	0 OLD COUNTY RD REAR	7.6 LANCASTER TOWN OF	CONSERVATION COMMISSION
59	14702900000000160	123000	0 OLD COUNTY RD	0 OLD COUNTY RD	24 LANCASTER TOWN OF	
60	14702900000000190	2800	0 OLD COUNTY RD	0 OLD COUNTY RD	0.5 LANCASTER TOWN OF	
61	14702900000000200	149500	0 OLD COUNTY RD	0 OLD COUNTY RD	28 LANCASTER TOWN OF	CONSERVATION COMMISSION
62	14702900000000220	129400	0 OLD COUNTY RD	0 OLD COUNTY RD	26.8 LANCASTER TOWN OF	CONSERVATION COMMISSION
63	14703000000000040	200	0 LANGEN RD	0 LANGEN RD	0.03 LANCASTER TOWN OF	
64	14703000000000220	122000	0 OTIS ST	0 OTIS ST	4 LANCASTER TOWN OF	
65	14703000000001300	107400	0 NECK RD	0 NECK RD	1.5 LANCASTER TOWN OF	
66	14703000000001310	91500	0 HARVARD RD	0 HARVARD RD	0.358 LANCASTER TOWN OF	
67	1470300000000135A	1722300	1057 MAIN ST	1057 MAIN ST	2.76 LANCASTER TOWN OF	CEMETERY

68	147030000000135B	600	0 MAIN ST	0.11 LANCASTER TOWN OF	INHABITANTS
69	1470300000001360	74200	0 CREAMERY RD	0.33 LANCASTER TOWN OF	INHABITANTS
70	1470300000001540	14552900	0 MAIN ST	36.9 LANCASTER TOWN OF	
71	1470320000000170	128200	0 HILL TOP RD	5.13 LANCASTER TOWN OF	
72	1470320000000180	82500	0 HILL TOP RD REAR	15 LANCASTER TOWN OF	
73	1470320000000190	26400	0 HILL TOP RD REAR	4.8 LANCASTER TOWN OF	
74	1470330000000230	500	0 LANGEN RD	0.09 LANCASTER TOWN OF	
75	1470330000000820	105500	0 OLD COUNTY RD	20 LANCASTER TOWN OF	
76	147033000000082A	3200	0 OLD COUNTY RD	0.574 LANCASTER TOWN OF	
77	14703400000000910	7102200	695 MAIN ST	23 LANCASTER TOWN OF	
78	14703400000000920	63500	0 HARVARD RD	0.109 LANCASTER TOWN OF	
79	14703400000000930	69800	0 HARVARD RD	0.238 LANCASTER TOWN OF	
80	14703500000000010	118400	0 SEVEN BRIDGE RD	5.8 LANCASTER TOWN OF	CONSERVATION COMMISSION
81	14703600000000060	346900	0 GEORGE HILL RD	75 LANCASTER TOWN OF	CONSERVATION COMMISSION
82	1470360000000006H	1300	135 MARY CATHERINE DR	0.32 LANCASTER TOWN OF	CONSERVATION COMMISSION
83	14703700000000300	1100	0 GEORGE HILL RD	0.2 LANCASTER TOWN OF	CONSERVATION COMMISSION
84	14703700000000310	343800	149 WINSOR RD	1 LANCASTER TOWN OF	
85	1470370000000032D	103800	0 WINSOR RD	1 LANCASTER TOWN OF	CONSERVATION COMMISSION
86	1470370000000032H	2600	0 WINSOR RD	0.48 LANCASTER TOWN OF	CONSERVATION COMMISSION
87	1470370000000032I	41100	0 WINSOR RD	7.47 LANCASTER TOWN OF	CONSERVATION COMMISSION
88	1470370000001090	313600	283 SO MAIN ST	0.399 LANCASTER TOWN OF	
89	14703800000000020	133700	0 SO MAIN ST	6.94 LANCASTER TOWN OF	
90	1470380000000083A	98900	0 KILBOURN RD REAR	0.712 LANCASTER TOWN OF	
91	1470380000000084A	109900	145 KILBOURN RD	0.172 LANCASTER TOWN OF	
92	1470380000000085A	170400	0 KILBOURN RD	12.8 LANCASTER TOWN OF	
93	1470380000001050	105200	0 OLD COMMON RD	1.18 LANCASTER TOWN OF	CEMETERY
94	1470380000001310	82300	0 CENTER BRIDGE RD	0.81 LANCASTER TOWN OF	CONSERVATION COMMISSION
95	1470380000001330	87700	0 CENTER BRIDGE RD	1.43 LANCASTER TOWN OF	
96	1470380000001370	297000	0 CENTER BRIDGE RD	3 LANCASTER TOWN OF	
97	1470380000001540	58300	0 CENTER BRIDGE RD	10.6 LANCASTER TOWN OF	CEMETERY
98	1470380000001610	33900	0 BOLTON RD	7.8 LANCASTER TOWN OF	CONSERVATION COMMISSION
99	1470380000001620	49400	0 BOLTON RD	9.8 LANCASTER TOWN OF	
100	14703900000000060	215400	330 OLD COMMON RD	11.06 LANCASTER TOWN OF	
101	1470410000000090B	102900	0 KELLY DR	0.706 LANCASTER TOWN OF	

102 147041000000090C	0 KELLY DR	98900	0.709 LANCASTER TOWN OF
103 147042000000110	0 HARDY ST	85400	0.193 LANCASTER TOWN OF
104 147042000000150	0 MILL ST REAR	98500	0.68 LANCASTER TOWN OF
105 147042000000113A	0 BOLTON STATION RD	132400	6.7 LANCASTER TOWN OF
106 1470420000001150	0 MILL ST EXT	125300	4.6 LANCASTER TOWN OF
107 1470430000000010	392 MILL ST EXT	615400	36.1 LANCASTER TOWN OF
108 147044000000031A	0 RUNAWAY BROOK RD	36900	6.7 LANCASTER TOWN OF
109 147044000000031G	0 RUNAWAY BROOK RD	35000	6.36 LANCASTER TOWN OF
110 147044000000031Z	0 BEACH POINT RD	12300	12.3 LANCASTER TOWN OF
111 147044000000044J	0 SO MEADOW RD	1200	0.21 LANCASTER TOWN OF
112 1470450000000200	0 MAGNOLIA AVE	900	0.155 LANCASTER TOWN OF
113 1470450000000220	0 MAGNOLIA AVE	89000	0.287 LANCASTER TOWN OF
114 1470450000000320	0 HARKINS ST	78500	0.064 LANCASTER TOWN OF
115 1470450000000360	0 MAGNOLIA AVE REAR	11000	2 LANCASTER TOWN OF
116 1470450000000460	0 MAGNOLIA AVE	1300	0.23 LANCASTER TOWN OF
117 1470450000000470	0 FAIRBANK ST	87000	0.23 LANCASTER TOWN OF
118 1470450000000730	0 RIGBY RD	44900	0.309 LANCASTER TOWN OF
119 14704600000000200	0 STERLING/CLINTON LN	100	0.021 LANCASTER TOWN OF

CONSERVATION COMMISSION
CONSERVATION COMMISSION
CONSERVATION COMMISSION

#10



**TOWN OF LANCASTER, MASSACHUSETTS
FIRE-EMS DEPARTMENT**



Michael J. Hanson, Fire Chief

*1055 Main Street
Lancaster, MA 01523*

*Tel: (978) 368-4003
Fax: (978) 368-4006*

July 27, 2021

Board of Selectmen
701 Main Street
Lancaster, MA 01523

RE: Donation to Fire Department

The Honorable Board of Selectmen,

I am writing to ask that you accept this gift on behalf of the Fire department. This donation of \$1000.00 from Local resident Shirley Griffin Family Trust.

Upon acceptance by the BOS, the funds will be deposited to the fire department gift account.

Thank you.

Michael J. Hanson
Fire Chief/EMD
Lancaster Fire-EMS Department
1055 Main Street
Lancaster, MA 01523
Bus: 978-368-4003
Fax: 978-368-4006
www.Lancasterfd.net

VIII. APPOINTMENTS AND RESIGNATIONS

RECEIVED

JUL 29 2021

Board of Selectmen

July 29, 2021

Jay Moody, Chair Lancaster Selectboard

Hello Jay,

I am interested in volunteering to work for town activities in support of town activities, and I would like to be contributing by serving on the newly organized personnel board. I was the Northborough/Southborough Director of Student Support services. During my thirty-year career I interviewed and hired hundreds of candidates for a variety of district positions. I am familiar with interview procedures and collaborative decision making. I am retired and have time to give something back to the town of Lancaster. Please know that my interest is to serve the town-no grudges, no ulterior motives.

Please be aware that I have a bachelor's degree in education and a master's degree in counseling psychology and extensive training in Leadership and Administration.

Thank you for considering my request to serve our town on this committee.

Sincerely,



Jean Bean

**MONTACHUSETT REGIONAL PLANNING COMMISSION (MRPC)
APPOINTMENT 2021 – 2022**

The on
COMMUNITY DATE

has officially appointed:

NAME:

ADDRESS:

TELEPHONE #:

EMAIL ADDRESS:

to represent us as an alternate member on the [Montachusett Regional Planning Commission \(MRPC\)](#) for the year beginning July 1, 2021 to June 30, 2022.

Signed By:

NAME

TITLE

YOUR CURRENT REPRESENTATIVE TO
THE MRPC IS:

CHECK THIS BOX TO RE-NOMINATE
THE CURRENT REPRESENTATIVE

PLEASE MAIL, EMAIL OR FAX THIS FORM TO:

MONTACHUSETT REGIONAL PLANNING COMMISSION
464 Abbott Avenue
Leominster, MA 01453
ATTENTION : Holly Ford
hford@mrpc.org
(978) 348-2490 (FAX)

THANK YOU FOR YOUR PROMPT ATTENTION TO THIS MATTER.

IX. LICENSES AND PERMITS



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD**

NOTICE OF DECISION

Notice is hereby given that the Lancaster Select Board has renewed the Special Permit to remove earth products submitted by John E. Kanis, d/b/a J. E. Kanis, 535 Harvard Road, Lancaster, MA 01523, affecting the rights of the owner/applicant with respect to the use of land identified on Lancaster Assessors' Atlas Map 31, Parcel 4, as shown on Plan No. 03-17-03, sheets 1 – 3, dated September 2, 2004, prepared by DeFalco Engineering Services, 35 Pine Hill Road, Lancaster, MA.

The Select Board further certifies that the decision attached hereto is a true and correct copy and that the decision and all plans referred to therein have been filed with the Lancaster Town Clerk and Planning Board.

No permit or other relief granted by this decision shall take effect until the decision has been certified by the Town Clerk to be final by written endorsement hereon, and this decision is recorded at the applicant's expense in the Worcester District Registry of Deeds, indexed in the grantor index under the name of the record owner.

ANY APPEAL FROM THE DECISION OF THE BOARD MUST BE FILED IN COURT PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 17 AND NOTICE THEREOF FILED WITH THE TOWN CLERK WITHIN TWENTY (20) DAYS AFTER THIS DECISION IS FILED WITH THE TOWN CLERK.

The rights granted by this decision must be exercised, and in the case of a permit to construct, construction must commence within the time specified by M.G.L. c. 40A or the rights shall lapse unless extended or renewed. Special permits shall be exercised within two (2) years unless a shorter duration is specified.

Certified this ____ day of August, 2021.

LANCASTER SELECT BOARD:

Jason A. Allison, Chair

TOWN CLERK CERTIFICATE

This is to certify that twenty (20) days have elapsed after the date that the Decision was filed with the Town Clerk and no notice of appeal has been filed there from; or, in the case of an appeal having been so filed, the Town Clerk has received notice that said appeal has been finally dismissed or denied.

Lancaster Town Clerk

Date: _____

REGISTRY OF DEEDS

_____, _____ at ___ o'clock and __ minutes __.M. Received and entered with the Register of Deeds in the County of Worcester, as instrument number _____, Book _____, Page _____.

ATTEST

Register of Deeds

J. E. Kanis, Inc.



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
RENEWAL OF SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

In accordance with Article 12 of the Zoning Bylaws, the Select Board hereby grants to the Applicant a Special Permit to remove earth products, subject to the conditions noted herein.

Name of Applicant/Grantee: John E. Kanis

Address of Applicant/Grantee: 535 Harvard Road, Lancaster, MA 01523

Company Name: d/b/a John E. Kanis, Inc.

Company Address: Same

Area of Operation: Assessors Map 31/Parcel 4 (0 Pine Hill Road)

Permit Issue Date: August 19, 2021

Permit Expiration Date: August 19, 2023

Conditions:

- Description of Area:** All earth removal and related site work shall be in accordance with the approved Earth Removal plans for John E. Kanis, Inc., dated September 2, 2004, as prepared by Defalco Engineering, Inc., as modified by the terms and conditions of this Special Permit.
- The site shall be restored with a minimum depth of nine inches of loam which shall be capable of supporting grass growth unless the applicant can document a lesser amount pre-exists on site, in which case the applicant will be responsible for the lesser amount. The site shall be restored upon completion of the earth removal authorized by this special permit. The area shall be hydro-seeded, or in the event that an acceptable alternative reclamation technique has been approved by the Board of Health and/or the MA Fish and Wildlife, the "alternative" may be substituted for "hydro-seeding", and the planted area shall be protected from erosion during the establishment period using sound conservation practices. Areas that wash out shall be repaired immediately. Trees or shrubs of prescribed species shall be planted to provide screening and reduce erosion during the establishment period.
- No top or subsoil shall be removed from the site. This shall not apply to surplus manufactured topsoil created under the supervision of Resource Management, Inc. per prior approval from the Lancaster Board of Health and MA DEP guidelines.



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
RENEWAL OF SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

4. Provisions for dust control shall be in place prior to commencement of the earth removal operations. Abutting public right-of-ways and abutters shall be kept clear of construction debris and dust.
5. Dust Control measures shall be undertaken as specified in the approved plans.
6. Active work areas shall be limited to one (1) Four (4) acre parcel, in accordance with the approved phasing plans.
7. Restoration within the 2013 EPR Permit Area shall commence before work begins (including building haul roads) in the 2015-2017 Permit Area such that active work area does not surpass four (4) acres as stipulated in Condition 6. All restoration work shall be completed within 90 days after expiration of a permit or upon cessation of operations within any phase.
8. A maximum slope of three foot horizontal to one foot vertical (3:1) is required; 4:1 within any buffer zone of a resource area as shown on the approved plans.
9. The hours and days for which trucks are allowed to remove earth materials from the site shall be limited to 7:00 am – 4:30 pm Monday through Friday and 8:00 am – Noon on Saturdays, except for Federal and State Holidays. Alteration of this time schedule may be accomplished only by prior approval of the Select Board.
10. All entrances to the facility shall be gated and locked to prevent unauthorized entry during nonworking hours. Proper signage must also be posted within the site to advise drivers of site conditions. Truck entering signs shall also be erected along the abutting right-of-ways to warn motorists of truck traffic from the site.
11. Truck trips from the site shall not exceed 75 trips (loads) within any given day. Alteration of this trip schedule may be accomplished only by prior approval of the Select Board based upon an approved traffic management plan approved by the Chief of Police.
12. A minimum of two (2) groundwater-monitoring wells shall be installed for every six acres of active work area. Groundwater levels shall be checked on a quarterly basis and data provided to the Town. A minimum depth of groundwater separation of 6-feet shall be maintained at all times. Areas which fall within the Town's water resource overlay district shall maintain a minimum depth of groundwater separation of 10-feet. **CONDITION WAIVED**
13. Provide a minimum of three (3) permanent benchmarks with elevations for each active phase of the operation. **CONDITION WAIVED**



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
RENEWAL OF SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

14. The land shall be left so that natural storm drainage leaves the property at the original natural drainage points and so that the total discharge at peak flow, and the area of drainage at any one point, is not increased, and so that the hydrograph of any post-development receiving body of water is the same as that of the pre-development hydrograph per the approved plans.
15. No stumps shall be buried on-site.
16. A Surety Bond, Irrevocable Standby Letter of Credit, or Cash Account in the amount of \$42,000 shall be provided to the Town prior to commencement of any work authorized under this special permit in order to secure compliance with the terms and conditions hereof. The Surety Bond, Irrevocable Standby Letter of Credit, or Cash Account shall remain in effect during the term of the Special Permit.
17. The excavations, fills or side cuts shall be set back a minimum of one hundred (100) feet from the abutter's property lines or public right-of-way – **CONDITION WAIVED**.
18. No areas should be excavated so as to cause accumulation of standing water. Excavation areas shall be graded to provide positive drainage in accordance with the approved stormwater management plan.
19. Agent(s) assigned by the Select Board shall conduct inspections. All costs for outside consultant services used for inspection purposes shall be paid for by the permit holder. Funds shall be deposited into a Consultant Review Account. An annual inspection shall be scheduled quarterly and at other times as needed.
20. Recommendations for permit compliance cited in inspection reports shall be addressed by the Applicant before the next subsequent inspection, or the permit may be subject to revocation by the Select Board following a hearing.
21. If any conditions of this permit are violated, the permit is subject to revocation by the Select Board following a hearing.
22. This permit shall not be assigned to any other person other than the person or entity named herein, unless authorized in writing by the Select Board.
23. By exercising this special permit, the permit holder agrees to permit reasonable access onto the subject premises by the agents and employees of the Lancaster Select Board for inspection purposes consistent with the requirements of Condition 19.



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
RENEWAL OF SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

24. By exercising this special permit, the permit holder agrees that he will not excavate in such a manner as to leave dangerous and unsightly conditions on the premises as a result of the excavation.

Date of Public Hearing: July 19, 2021

Location: via ZOOM™

Notice of Hearing, Names of newspapers: The Clinton Item

Date of Public Notice: July 2, 2021 and July 9, 2021

Certified List of Abutters: Yes

DECISION FINDINGS:

With respect to the Special Permit, the Board finds, after soliciting and reviewing comments from other Town boards, departments, agencies, staff, and interested persons that reasonable measures have been or will be taken to:

- (a) Ensure that all requirements applicable to the special permit are fulfilled;
- (b) That the specific site is an appropriate location for the uses proposed;
- (c) That there is safe access from roads adequate for the traffic expected, adequate parking is provided and internal circulation is adequate for emergency vehicles;
- (d) That the Board of Health requirements for water and sanitation arrangements will be followed;
- (e) That the use as developed and operated will not adversely affect the neighborhood;
- (f) That the purposes of the Bylaw are substantially met.

The Select Board, the Permitting Authority, hereby grants this Permit on behalf of the Town of Lancaster.



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD
RENEWAL OF SPECIAL PERMIT TO REMOVE EARTH PRODUCTS**

SELECT BOARD:

Jason A. Allison., *Chair*

Date:



**TOWN OF LANCASTER, MASSACHUSETTS
BOARD OF SELECTMEN**
Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523
Tel: 978-365-3326 Fax: 978-368-8486
Email: krocco@lancasterma.net

Annual License Fee - \$400.00
Annual License Fee - \$100.00 w/M-Sat
License
Single Event - \$25.00

RECEIVED
Selectmen's Office
Date Received
JUL 22 2021

Board of Selectmen

**APPLICATION FOR TOWN LICENSE
DANCING*, SPORTS, GAMES, FAIRS, EXPOSITIONS, PLAYS OR
ENTERTAINMENT OF PUBLIC DIVERSION** ON SUNDAY**

New Application Renewal

Name of Concern: Dean & Flynn, Inc. dba Fiesta Shows
Street Address of Concern: 318 Seven Bridge Road, Lancaster Fairgrounds, Lancaster, MA 01523
Mailing Address (if different): PO Box 460, Seabrook, NH
Contact Person & Title (Owner, Director, Manager, Other): John Flynn, owner
Telephone: 978-815-1350 Facsimile: _____ E-Mail: Fiesta1@comcast.net
Describe in detail the proposed dancing, game, sport, fair, exposition, play, or entertainment of public diversion: Annual Bolton Fair - Sunday August 15, 2021

Hours of Proposed Entertainment: Starting Time: 9:00AM ~~PM~~ Ending Time: 9:00 P.M.

NOTICE: No License issued pursuant to G.L. c.136, §4 shall be granted to permit activities before 1:00 p.m. without a License issued by the Commissioner of Public Safety, Attn: Special Licensing Division, One Ashburton Place, Boston, MA 02108-1618.

The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.

John Flynn
Signature of Applicant 7/22/21
Tax ID Required 82-040-5446 Date

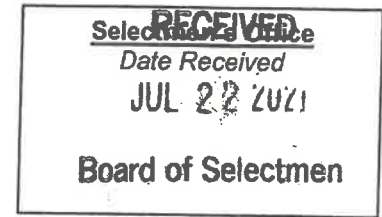
License Fee must be submitted with this form. Make check payable to Town of Lancaster. Mail Application Form, Workers' Compensation Affidavit, and check to: Board of Selectmen, 701 Main Street, Suite 1, Lancaster, MA 01523.

* Dancing applies to watching dance (e.g. Ballet).
** Public Diversion includes, but is not limited to, flea markets, coin-operated amusements, ice and roller-skating, carousels, inclined railways, Ferris wheels, and exhibitions of firefighting.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.



TOWN OF LANCASTER, MASSACHUSETTS
BOARD OF SELECTMEN
Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523
Tel: 978-365-3326 (ext 1201) Fax: 978-368-8486
Email: krocco@lanasterma.net



**APPLICATION FOR LICENSE
THEATRICAL EXHIBITIONS, PUBLIC SHOWS, PUBLIC AMUSEMENTS
AND EXHIBITIONS OF EVERY DESCRIPTION HELD ON WEEKDAYS**

New Application Renewal

Name of Concern: Dean & Flynn, Inc. dba Fiesta Shows

Street Address of Concern: 318 Seven Bridge Road, Lancaster Fairgrounds, Lancaster, MA 01523

Mailing Address (if different): PO Box 460, Seabrook, NH

Contact Person & Title (Owner, Director, Manager, Other): John Flynn, owener

Telephone: 978-815-1350 Facsimile: _____ E-Mail: Fiesta1@comcast.net

Describe in detail the proposed dancing, game, sport, fair, exposition, play, or entertainment of public diversion: _____
Annual Bolton Fair August 12-15, 2021

August 12, 2021 from 5pm-10pm; August 13, 2021 from Noon -10pm and August 14, 2021 from 9am-9pm

Hours of Proposed Entertainment: Starting Time: _____ P.M. Ending Time: _____ P.M.

The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.

John Flynn
Signature of Applicant
SSN# or Tax ID Required: 82-040-5446

7/22/21
Date

License Fee must be submitted with this form. Make check payable to Town of Lancaster. Mail Application Form, Workers' Compensation Affidavit, and check to: Board of Selectmen, Suite 1, 701 Main Street, Lancaster, MA 01523.

* Dancing applies to watching dance (e.g. Ballet).

** Public Diversion includes, but is not limited to, flea markets, coin-operated amusements, ice and roller-skating, carousels, inclined railways, Ferris wheels, and exhibitions of firefighting.

A License issued under this Application applies to weekday operation ONLY. If entertainment is to be operated on Sundays, you also must file with the Board of Selectmen an APPLICATION FOR LICENSE FOR DANCING, SPORTS, GAMES, FAIRS, EXPOSITIONS, PLAYS OR ENTERTAINMENT OF PUBLIC DIVERSION ON SUNDAY, as well as an Application for a State License to the Commissioner of Public Safety, Attn: Special Licensing Division, One Ashburton Place, Boston, MA 02108-1618.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/7/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
McGowan Allied Specialty
140 Fountain Parkway N STE 570
St Petersburg FL 33716

CONTACT NAME: Sue Vereker
PHONE (A/C, No, Ext): 727 547 3059 **FAX (A/C, No):** 440 333 3214
E-MAIL ADDRESS: svereker@mcgowanallied.com

INSURED
Dean and Flynn dba: Fiesta Shows, Inc.
PO BOX 460
Seabrook NH 03874

License#: 973
FISSHO-01

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : T.H.E. Insurance Company		12866
INSURER B :		
INSURER C :		
INSURER D :		
INSURER E :		
INSURER F :		

COVERAGES

CERTIFICATE NUMBER: 2010583315

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR		POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
		INSR	WVD					
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A	WCP0005522001	3/15/2021	3/15/2022	X PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Coverage is afforded in the State(s) of: CT, MA, ME & NH

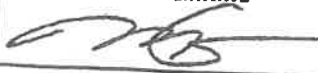
CERTIFICATE HOLDER

CANCELLATION

proof of insurance

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



THE COMMONWEALTH OF MASSACHUSETTS

Town OF Lancaster



LICENSE

For

PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Fiesta Shows (dba Dean & Flynn, Inc.) at the Annual Bolton Fair in or on the property at No. Lancaster Fairgrounds, 318 Seven Bridge Road, Lancaster, MA 01523 (address)
 The Licensee or Authorized representative, John Flynn - Fiesta Shows in accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
8/15/2021	Noon	Amusements rides and games

Hon. Jason A. Allison Mayor/Chairman of Board of Selectman, Town of Lancaster (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm - Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm - Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES



The Commonwealth of Massachusetts

Office of Public Safety and Inspections License to Operate Amusement Devices

License #: MA-001

Expiration Date: 2/15/2022

Certified Maintenance Mechanic

John Flynn

Eugene J. Dean, Sr.
Fiesta Shows
Dean & Flynn
15 Pine Street, P.O. Box 460
Seabrook NH 03874
Eugene J. Dean, Jr.



U.S. I.D. #	Device	U.S. I.D. #	Device	U.S. I.D. #	Device
05266	Pharaoh's Fury	10461	Dragon Wagon	13392	Magic Mirror Maze
09974	Slide (NM)	10466	Carousel-Merry Go Round	13528	Cobra/Viper
09975	Scooter (AMS)	10474	Rockin' Tug	13733	Seven Seas (Avalanche)
09981	Super Slide	10477	Merry Go Round	13770	Compact Spinning Coaster
10078	Round Up	10479	Crazy Bus	13784	Hyperspin
10116	Rockwall (NM)	10480	Convoy	13791	Top Gun
10156	Eurobungee	10482	Slide (NM)		
10167	Freak Out	10486	Umbrella Dune		
10439	Zipper	10488	Dizzy Dragon		
10440	Twister	10489	Crazy Bus		
10443	Round Up(Cyclone)	10512	Spider Wheel		
10444	Cliff Hanger	10589	Starship 2000		
10446	Tilt-A-Whirl	10590	Expo Wheel		
10447	Thunderbolt	10655	Lucky Lizzy (Funhouse)		
10454	Artic Blast	10701	Vertigo		
10460	Flying Bobs	13347	Mardi Gras (NM)		

Layla R. D'Emilia
Layla R. D'Emilia

Commissioner of Public Safety and Inspections

5/12/2021

Issued Date

