



LANCASTER SELECT BOARD
Regular Meeting Agenda - Hybrid
Prescott Building – Nashaway Room
Monday, April 1, 2024
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. Members of the public are welcome to attend this in-person or by the remote zoom connection which is provided as a courtesy. Please note that the in-person meeting will not be suspended or terminated if technological problems interrupt the remote connection.

I. CALL TO ORDER

Chair Stephen J. Kerrigan will call the meeting to Order at 6:00 P.M. in the Nashaway Room, located on the second floor of the Prescott Building, 701 Main Street, Lancaster, MA.

Time: Apr 1, 2024 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84038943792?pwd=bHhIT1JKV0FuRjQvRXdjVndCbFhzdz09>

Meeting ID: 840 3894 3792

Passcode: 595561

One tap mobile

+13017158592,,84038943792#,,,,*595561# US (Washington DC)

+13052241968,,84038943792#,,,,*595561# US

Find your local number: <https://us02web.zoom.us/j/84038943792?pwd=bHhIT1JKV0FuRjQvRXdjVndCbFhzdz09>

Residents Have the Ability to Ask Questions via ZOOM.

II. APPROVAL OF MEETING MINUTES

Review and take action on the following Select Board's Regular and Special Meeting Minutes:

- March 18, 2024 and March 25, 2024

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE

IV. PUBLIC COMMENT

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

V. ADMINISTRATION, BUDGET, AND POLICY (Vote may be taken)

1. Board of Health and Department of Health and Human Services request for approval of Blood Drive
2. Review of Classification Study Results
3. Review of Town Meeting Warrant Draft
 - a. Select Board Disposition on Articles



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- b. Set date for Public Forum/Warrant Review
- 4. Ratification of Employment Contract: E. L. Moody
- 5. Alcohol License Fee Discussion
- 6. 2024 Local Election Ballot Review

VI. APPOINTMENTS & RESIGNATIONS

Appointments

Commission on Disability:

- o Jim Peters to become a Member, term to expire June 30, 2024

Resignations

Conservation Commission:

- o Shawn Winsor effective immediately

VII. LICENSES AND PERMITS - NONE

VIII. EXECUTIVE SESSION

Enter Executive Session

The Lancaster Select Board will meet in Executive Session pursuant to M.G.L. c.30A, §21(a) for following purposes:

- i. To conduct a strategy session in preparation for negotiations for non-union personnel regarding the Police and Fire Departments pursuant to Section 21(a)(2); and

And not to reconvene in open session

IX. COMMUNICATIONS

- Next Select Board Meetings: Wednesday, April 24, 2024
- Town Offices will be closed on Monday, April 15, 2024 in observance of Patriots' Day.
- Annual Town Meeting will be held on Monday, May 6, 2024
- Annual Town Election will be held on Monday, May 13, 2024
- Miscellaneous Correspondence & Memorandums

X. ADJOURNMENT

APPROVAL OF MEETING MINUTES



LANCASTER SELECT BOARD
Regular Meeting Minutes
of Monday, March 18, 2024, 6:00 P.M.
Prescott Building, Nashaway Room, and via ZOOM

ZOOM: <https://us02web.zoom.us/j/85621907563>

Meeting ID 856 2190 7563

I. CALL TO ORDER

Select Board Chair Stephen Kerrigan called the meeting to order at 6:00 PM and advised that the meeting was being recorded and broadcast via ZOOM and via Sterling-Lancaster Cable Television.

Additional materials for Select Board meetings are available at <https://www.ci.lancaster.ma.us/administration-select-board> > Meeting Materials.

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

II. APPROVAL OF MEETING MINUTES

Ms. Turner moved to approve the minutes of February 12, February 26, and March 4, 2024. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS

The Select Board was joined by the Finance Committee to discuss the updates to the Capital Budget for FY25 and the finalization of the FY25 General Fund Budget.

Richard Trussell, Chair of the Finance Committee (Fincom), called the Fincom meeting to order and conducted roll call. Jocelyn Mylott, present; Emily Notaro, absent; Michelle Vasquez, present; Stanley Starr, present; Richard Trussell, present. A quorum was present.

Town Administrator Hodges reviewed the final version of the FY25 budget. Finance Director Cheryl Garipey was present to answer questions. **Article One** at Town Meeting will, with permission of the Moderator, be the entirety of the budget without \$717,731. **Article Two** will ask to raise or appropriate, in this case from Free Cash, the additional funds, to be transferred to the budget, in order to reduce the tax rate. **Article Three** will then appropriate the remaining Free Cash to the already existing Capital Stabilization Fund Account, specifically for the High School,

so that we start earning interest that would be applied in FY26, and then continue to do this year after year. Ms. Hodges explained that this would probably be the only year that the Town would be able to use Free Cash for 100% of the High School project debt.

Mr. Kerrigan recognized Victoria Petracca, 67 Woodland Meadow Drive. Ms. Petracca explained an opportunity that the Town has to receive a federal grant to protect 648 forested acres in Lancaster, part of a nine-town project. Ms. Petracca introduced Attorney Janet Morrison, an independent Land Conservation Consultant. The money requested would pay for due diligence, title examination, survey, a baseline documentation report, and a forest stewardship report for each of the five tracts. Attorney Morrison estimates that this will cost about \$125,000. The Town would need to pay for this due diligence, and it would be repaid by the State on a quarterly basis at 100%. After this, the Town would incur a 25% cost share. The Forest Legacy pays 75% of everything else, including acquisition/purchase. The third piece is a CPA piece; the CPA Committee has voted to fund this, including Attorney Morrison's fee, at about \$35,000 about \$10,000 of this would be reimbursed; this would take a Town Meeting vote. The land discussed would eventually fall under the care and custody of the Conservation Commission. Mr. Allison, a member of the Town Forest Committee, noted that this is a common practice with land acquisition. Ms. Turner asked what else needs to be done; Attorney Morrison explained that the land must be held by the authority with right to own, in this case the Conservation Commission.

Ms. Hodges suggested that money in the current year's budget that had been earmarked for the Memorial School engineering study is about \$125,000. Bids that have been received are \$100,000-\$119,000. This money might be reallocated to the Forestry Program; it would be reimbursed, and the reimbursement received could be used for the Memorial School engineering study.

Ms. Turner asked about funds allocated to the old Town Hall. Ms. Hodges explained that the requested funds would stop further deterioration but would not correct the many existing problems.

Mr. Trussell asked about budgets for the Enterprise Funds. Ms. Gariepy will provide him with a copy of these. Mr. Trussell asked for the status of water piping funds allocated last year. Ms. Hodges explained that the project has not started yet; she has written to the Board reminding them that at some point these funds may be subject to re-voting.

Mr. Allison moved to approve the General Fund budget, including the Capital Plan, as presented. Ms. Turner seconded.

Mr. Starr moved to approve the General Fund budget, including the Capital Plan, as presented. Ms. Mylott seconded.

Ms. Turner stated that Enterprise Funds should be presented to the Select Board and the FinCom, and that while the budget shows the aggregate numbers, it would be preferable to see a breakdown. Mr. Kerrigan noted that while this would be ideal, the Boards in question are independently elected and do not report to the Select Board.

Select Board vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].

Finance Committee vote taken, Jocelyn Mylott, Aye; Michelle Vasquez, Aye; Stanley Starr, Aye; Richard Trussell, Aye. Motion passed. [4-0-0].

Ms. Vasquez moved to adjourn the Finance Committee meeting. Mr. Starr seconded the motion. Jocelyn Mylott, Aye; Michelle Vasquez, Aye; Stanley Starr, Aye; Richard Trussell, Aye. Motion passed. [4-0-0].

IV. PUBLIC COMMENT

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

Roy Rezac, 125 Harvard Road, spoke in favor of a five person Select Board, asking the Board to support a Warrant Article on this issue at the Annual Town Meeting.

Dan Lapen, 95 Packard Street, asked questions about money allocated to the Memorial School engineering study being changed to pay for the Forestry project.

Kendra Dickinson, 402 Oetman Way, expressed concern with changing the Select Board to a five person board, stating that the survey done by the Government Study Committee did not reflect a large enough number of respondents, and that several towns have changed back from a five-person board to a three-person board.

Anne Ogilvie, 4 Turner Lane, appealed to the Select Board to consider problems cited by Tighe & Bond in their recent report on PJ Keating. She continued, citing problems with the monitoring program, lack of compliance with several conditions of their permit, and water supply issues.

V. ADMINISTRATION, BUDGET, AND POLICY

1. Weights and Measures Fee Schedule Update

Mr. Kerrigan recognized Mike Silva, Building Commissioner. Mr. Silva has been reviewing the current fees and assessments, and he recommends a new fee schedule, presented to the Select Board, noting that the Sealer of Weights and Measures has not received an increase in twelve years. Ms. Turner asked why this position was addressed by the Building Commissioner when historically this position falls under the Select Board. Ms. Turner explained that the last several job descriptions for the Building Commissioner include oversight of Weights and Measures, in compliance with Massachusetts General Law (MGL).

Ms. Turner moved to accept the new Weights and Measures fee schedule as presented. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

2. Kalon Farms – Right of First Refusal

Mr. Kerrigan explained that the owner of Kalon Farms has worked with the Planning Board and has sent the Select Board a letter with Right of First Refusal, because he would like to subdivide some lots at two acres each. Ms. Hodges asked Planning Board member Kendra Dickinson, who was present at this meeting, if the Planning Board had opined on this matter. Ms. Dickinson reported that the Planning Board had approved ANR (Approval Not Required) lots.

Ms. Turner noted that the Conservation Commission will also need to opine. She encouraged the Board to adhere to past policy supported by the NRWA (Nashua River Watershed Association) and a variety of land trusts. She stated that when a landowner enters Chapter 61, enjoying a very large reduction in taxes, to leave Chapter 61, it is required by law to have a waiting period of 120 days to allow the Town to work with other entities and non-profit organizations to see if it is possible to conserve the land. Ms. Turner would like the Board to take the full amount of time available. Ms. Turner suggested that in the past the Board has “bent the rules” by not taking 120 days; Messrs. Kerrigan and Allison objected to this statement, saying that 120 days was a possibility but not a requirement, and that it was incorrect to state that the Board had not followed the rules. Mr. Allison stated that he would like to help change the concept that Lancaster was not business friendly.

Mr. Allison moved to waive the Right of First Refusal for the above-mentioned land on Kalon Farms. Ms. Turner seconded. Ms. Turner stated that she would like a standing policy, regardless of what the name of the business is or isn't. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, No; Stephen J. Kerrigan, Aye. Motion passed. [2-1-0].*

3. Memorial School Request for Proposal (RFP) – Next Steps

Ms. Hodges explained, as discussed previously, that an RFP had been issued, and there were three responses. Responses were in the \$120,000 range. She suggested that there was probably little appetite for a rebuilding project at this point in time, so an engineering study that offered quotes for the next couple of years might not be the best choice. Other projects such as the library and old Town Hall need to be considered. She asked the Board if they wanted to consider cancelling the RFP or continuing with an engineering study, knowing that there might not be money to fund the recommendations of the study results.

Ms. Turner asked if the study was done, and recommendations were made, how long were the recommendations going to be useful. Ms. Hodges said for another few years, but not many. Mr. Allison said that since according to Town Counsel, because the building could not be used for housing, and that the only viable alternative seems to be for Open Space, he does not see a way to pay for it. Mr. Kerrigan said that he thinks it should be continued in every Capital discussion, and it should be discussed with State and Federal representatives to explore grant opportunities, but it seems that the path forward is only to

tear down the existing building, and if we have \$120,000 to spend it might be better spent on the library or Town Hall.

Mr. Kerrigan thanked the Reuse Committee for all their work and explained that their work was not a waste of time, but that what they had accomplished could hopefully be used to move forward at a later date.

Mr. Allison moved to rescind the authorization to move forward with the RFP for the Memorial School. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

The Select Board expressed to the Memorial School Reuse Committee that they were sorry to not be able to go through with the advice submitted.

4. Final Report – Government Study Committee, Review Recommendations

Mr. Kerrigan asked Emily Taylor (234 Main Street), Chair of the Government Study Committee, if she would like to comment. Ms. Taylor noted that the final report was included in the Select Board Meeting Materials packet for tonight's meeting. She noted that the report was dedicated to late Committee member Jay Moody. She stated that she hoped that the report was received as a data driven report and could be used in the future.

The four recommendations of the Ad hoc Government Study Committee were:

- Creating a standing Government Study Committee;
- Expanding the Select Board, bringing this before Annual Town Meeting;
- Residential requirement to serve on Boards and/or Committees, and bringing this before Annual Town Meeting;
- Continue studying whether or not various Boards and Committees should be elected and/or appointed.

Susan Munyon, 96 Grant Way, member of the Ad Hoc Government Study Committee, would ask to post the final document on the Committee's page on the Town website.

Mr. Kerrigan recognized Anne Ogilvie, 4 Turner Lane. Ms. Ogilvie was a former member of the Government Study Committee. Ms. Ogilvie addressed issues brought up during Public Comment. First, relative to the sample size of the Government Study Committee survey, she stated that the results received were statistically significant. Secondly, to residents, it was said at the last Annual Town Meeting, the process to create a five-person Select Board is actually quite long. It would need to go through Town Meeting, a ballot vote, and then through the Legislature. She would like to move this forward to Annual Town Meeting. She encouraged residents to read the report issued by the Division of Local Resources last fall, which recommended a change to a five-person board.

Mr. Kerrigan suggested that the Select Board have a Special Meeting prior to closing the Annual Town Meeting Warrant to consider their recommendation on this report.

5. Potential to Request a Joint Meeting with DPW Commissioners

Mr. Kerrigan would like to request a Joint Meeting with the DPW Commissioners. There is currently an Interim Superintendent. Mr. Kerrigan would like to ensure that all parties are in agreement regarding priorities. Mr. Kerrigan asked Ms. Hodges to work with Scott McDonald to make this happen.

6. Review potential Annual Town Meeting Warrant Articles

Ms. Hodges presented the Warrant as of today:

- FY25 Budget
- The transfer of Free Cash to the General Fund for the High School debt for FY25
- The transfer of Free Cash to the Capital Stabilization Fund for future High School debt
- The Solar Enterprise Fund
- The DPW Water Enterprise
- The FY25 Classification and Compensation Plan
- CPA Budget
- Acquisition of North Lancaster Land (from 702 LLC)
- Ratification of the Veterans' Abatement Program (to make effective July 1)

Ms. Hodges is waiting for further information on the DCAMM acquisition, the Forestry program, the five-member Select Board, a Citizens' petition relative to Hawthorne Lane, and possible others.

Ms. Turner asked if the Classification and Compensation Plan was available to review. Ms. Hodges has an upcoming meeting with the Collins Institute, which has been consulting on this topic. Following this, Ms. Hodges will update the Board.

7. PJ Keating Reports (Turner)

Ms. Turner advised that an Inspection Report had been received from Tighe & Bond in January 2024 that highlighted some concerns. Tighe and Bond reported that PCE and perhaps nitrates in the monitoring wells there are some concerns. Ms. Turner stated that the total tax revenue from all parcels owned by Keating is less than the average home in North Lancaster. Ms. Turner noted that the Board had voted that CEI was going to be the reviewer and that they were supposed to look at the monitoring wells seasonally. What in fact happened was that Tighe and Bond looked at them and only looked at them twice, within a couple of weeks. Ms. Turner asked who is responsible for this, stating that most towns do not have quarries. She stated that Lancaster has not managed this well, and has not responded to Keatings' correspondence in a timely manner.

Ms. Turner stated that the PCE, a product of blasting, has now migrated from the quarry past the monitoring wells and has been detected. It is dangerous, and arguably very dangerous, although enough testing has been done to have a clear picture. Ms. Turner asked that this be taken up at an upcoming meeting, that CEI be brought in to look into

more testing, to bring in someone to assist CEI other than Ms. Hodges or Ms. Rocco, and to evaluate infiltration of the monitoring wells.

Mr. Allison stated that the report from Tighe & Bond identified issues and set forth a clear path to continue monitoring, and that he sees no need for additional action. He believes however, that the Board voted to use CEI, and would like to see CEI continue to be used. Ms. Hodges explained that while CEI was able to do a “one off” permit and peer review, they were not in the business of taking on additional ongoing monitoring clients and that there was an existing contract with Tighe and Bond. She advised that if the Board wishes to change engineering firms, it should go to bid for a new supplier to be engaged when the Tighe & Bond three-year contract is finished at the end of the fiscal year.

Discussion ensued as to the terms under which Tighe & Bond and/or CEI were hired.

Ms. Hodges will contact Tighe & Bond to make sure they are performing quarterly inspections and if additional wells are required, to find out the status.

8. Select Board Public Comment Periods (Allison)

Mr. Allison noted that there was no Public Comment Period at the last meeting. Mr. Kerrigan stated that this was only because there was a very aggressive agenda, and it was not included to allow time for many items. There has been no change to policy. Mr. Allison said that he had used AI to search for prior enacted policy but could find nothing. He will draft a policy for review. Ms. Turner noted that the Select Board Policy and Procedures enacted many years ago does have existing policies.

VI. APPOINTMENTS AND RESIGNATIONS

Appointments

Historical Commission:

Associate Member John Murphy to full Member, term to expire June 30, 2024 (ratification)

Mr. Allison moved to ratify the appointment of Associate Member John Murphy to full Member of the Historical Commission with term to expire June 30, 2024; Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Use Approvals

Drew Durdick, April 13th, 8:00 am – 1:00 pm, Dog show utilizing Town Property off Still River Road (State Land Approval already granted)

Ms. Turner moved to approve the use of Town Property off Still River Road by Drew Durdick for a Dog Show on April 13th, 2024, from 8:00 am – 1:00 pm; Mr. Allison seconded. *Vote taken,*

Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].

VIII. COMMUNICATIONS

- Next Select Board meetings will be held on Monday, April 1, 2024, and Wednesday, April 24, 2024; there will also be a brief meeting to close the Annual Town Meeting Warrant, time and date to be determined.
- Town Offices will be closed on Monday, April 15, 2024, in observance of Patriots' Day
- Annual Town Meeting will be held on Monday, May 6, 2024
- Annual Town Election will be held on Monday, May 13, 2024
- Miscellaneous Correspondence and Memorandums

IX. EXECUTIVE SESSION

Mr. Allison moved for the Lancaster Select Board to meet in Executive Session pursuant to M.G.L. c30A, §21(a) for the following purposes:

- i. To conduct a strategy session in preparation for negotiations for non-union personnel (Fire Chief) pursuant to Section 21(a)(2); and
- ii. To discuss the reputation, character, physical condition, or mental health, rather than professional competence, of a staff member pursuant to Section 21(a)(1); and
- iii. To discuss the discipline or dismissal of, or complaints or charges brought against an employee; and
- iv. To conduct a strategy session in preparation for negotiations for non-union personnel pursuant to Section 21(a)(2) (Police Chief); and

not to reconvene in Open Session.

Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; the Select Board entered Executive Session. [3-0-0].*

X. ADJOURNMENT

Respectfully submitted,

Kathleen Rocco
Executive Assistant

Alexandra W. Turner, Clerk



LANCASTER SELECT BOARD
Special Meeting Minutes
of Monday, March 25, 2024, 8:00 A.M.
Via ZOOM Only

ZOOM: <https://us02web.zoom.us/j/89789967599>

Meeting ID 897 8996 7599

I. CALL TO ORDER

Select Board Chair Stephen Kerrigan called the Special Meeting to order at 8:00 AM and advised that the meeting was being recorded and broadcast via ZOOM and via Sterling-Lancaster Cable Television.

Additional materials for Select Board meetings are available at <https://www.ci.lancaster.ma.us/administration-select-board> > Meeting Materials.

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

Mr. Kerrigan apologized for neglecting to include on the agenda the topic of “Public Comment” brought forth by Mr. Allison. This was an oversight and will be included in an upcoming regular meeting agenda.

II. ADMINISTRATION, BUDGET, AND POLICY

1. Review of Actual & Potential Select Board Warrant Articles for ATM24 (Annual Town Meeting, Fiscal Year 2024) Warrant

Ms. Hodges noted that there will be a lengthier meeting regarding the Warrant Articles later. The Select Board will sponsor the first dozen articles, with the exception of the Department of Public Works Budget Article.

One article not yet addressed by the Select Board is to create legislation, adopting a special M.G.L. to allow the Town Treasurer to invest in a manner recommended by the Town Auditors.

Another article will allow an individual to serve as both Fire and Police Chief, with a title of Public Safety Commissioner or other title as determined by the Select Board. This was passed previously, but Town Meeting never accepted the MGL (Chapter 41, Section 101) which would allow it to happen.

The Forest Legacy parcels discussed at the last meeting will become an Article.

The Police Chief has asked for an amendment to the Bylaw about Hawkers and Peddlers. The current Bylaw covers those selling fruit or fish, but not door-to-door sales of things like solar panels. The new bylaw would replace some archaic language and would put responsibility for approval of Hawkers and Peddlers under the Police Department rather than the Select Board.

One article would adopt Mass. General Law to allow call firefighters to calculate time of service toward their retirement. This is done in practice but has never been codified.

An amendment is proposed to the Animal Control policies, to make them more in line with actual practices.

An article has been received from the Government Study Committee proposing a five-man Select Board.

Ms. Turner asked for more information on the article about the Treasurer's investment abilities. She would like to see current language versus new language and would like information on what other communities are doing. Ms. Hodges explained that this is new and would have no old language, and that more information will be available when the draft warrant is completed.

Ms. Turner, while stating that the Article regarding call firefighters is probably a good idea, would like to know projected costs to the Town. Ms. Hodges explained that this would allow people to "buy back" their service, but the cost would be no more than what is already done.

Ms. Turner asked if the Animal Control Commission had weighed in on the proposed amendments to Animal Control policies. Ms. Hodges explained that there is no Animal Control Commission meeting with any regularity.

Mr. Kerrigan noted that the Select Board's sponsorship of an article does not mean that the Select Board endorses that article.

Ms. Turner asked Ms. Hodges if the CPA information had been received. Ms. Hodges replied yes, and that a draft would be sent to the Select Board within a day or two.

Resident Russ Williston interjected, stating that creation of a permanent Government Study Committee, as recommended by the ad hoc Government Study Committee, needed to be an article because it would need Town Meeting approval to be defined by Bylaw.

Mr. Allison moved for the Select Board to sponsor the Article regarding the Treasurer's Investment Planning on the FY24 Town Meeting warrant. Ms. Turner seconded. Ms. Turner would like to look at the article prior to endorsing it. Mr. Kerrigan explained that today's action was approving putting an article on the warrant, not endorsing the article. *Vote taken,*

Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].

Mr. Kerrigan asked if anyone had any objections to the other articles being sponsored by the Select Board. Mr. Allison stated that he will be voting against the article proposing a five-man Select Board and against the article proposing a permanent Government Study Committee. Mr. Kerrigan stated that in that case, he would continue to review articles one-by-one.

Ms. Turner moved for the Select Board to sponsor the article creating a combined Fire and Police Chief role. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Ms. Turner moved for the Select Board to sponsor the article updating the language in the Hawkers and Peddlers Bylaw. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Ms. Turner moved for the Select Board to sponsor the article regarding call firefighters using their hours toward retirement. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Ms. Turner moved for the Select Board to sponsor the article modifying the Animal Control Bylaw. Mr. Allison seconded the motion. Ms. Turner stated that she would like to hear from the Animal Control Commission prior to a vote to endorse; Chief Moody will take care of contacting the Commission. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Ms. Turner moved for the Select Board to sponsor an article with recommended language for Conservation Restrictions for the Forest Legacy project. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Ms. Turner moved for the Select Board to sponsor an article reflecting the recommendation of the ad hoc Government Study Committee to create a five-man Select Board. Mr. Kerrigan stepped down from Chair and seconded the motion for the purpose of discussion. Mr. Kerrigan stated that while he thinks the Government Study Committee did a fantastic job and that he would be in favor of implementing many things that they recommended, he does not believe that the Town needs a 5-man Select Board. Mr. Allison stated that while he admires the work done by the Government Study Committee, he believes that a Charter Commission is needed as a first step, and that putting solutions forward such as a 5-man board could be counterproductive. Ms. Turner said that she thinks that any well thought-out data driven proposal that has been presented to the Select Board numerous times, should see a vote. Mr. Allison noted that it was brought to a vote at last year's Annual Town Meeting and that there is still the option of a Citizens' Petition. *Vote taken, Jason A. Allison, No; Alexandra W. Turner, Aye; Stephen J. Kerrigan, No. Motion failed. [1-2-0].*

Ms. Hodges explained to the Board that there is a potential article barring non-residents from serving on Boards or Committees. She noted that there is a member of the Board of Assessors and the Tax Fairness Committee, and the Principal Assessor, who is a non-resident, and this could create problems. Ms. Turner suggested that people currently in those roles could continue until their term expires. Ms. Hodges further explained that in most communities the Principal Assessor is also a member of the Board of Assessors. Ms. Turner moved to place this article on the warrant. Mr. Kerrigan seconded for the purpose of discussion. Mr. Kerrigan would like to see some language changed to make sure this is not currently a problem and wants to be sure it does not encourage exclusionary government. Mr. Allison said that this seems to be a solution without a problem. Ms. Turner stated that she wants an inclusive atmosphere in Town government but that our government is not designed that way. She thinks it is important to have residents defining policy. *Vote taken, Jason A. Allison, No; Alexandra W. Turner, Aye; Stephen J. Kerrigan, No. Motion failed. [1-2-0].*

Finally, the Board considered whether or not to sponsor on the warrant an article creating a permanent Government Study Committee. Mr. Kerrigan stated that it has been discussed that it does not require Town Meeting vote to establish a committee in town.

2. Ratification of Employment Agreement for Public Safety Commissioner/Chief Everett Moody

Tabled.

3. Discussion and Acceptance of new Personnel Policies (Fire/EMT Staff) consistent with the Town's Personnel Bylaw Adopted in May of 2023.

As previously presented, Ms. Hodges explained that policies cover the majority of town staff, it does not cover the work week for Fire/EMT staff. She reviewed the documentation as presented.

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

4. Schedule of Warrant Review Meeting

- a. Select Board Determinations/Endorsements of Articles
- b. Public Forum – Article Review & Questions in Advance of Town Meeting

Mr. Kerrigan asked if it was too soon to determine endorsements at the April 1 meeting. Ms. Hodges agreed that this would work. The Board will discuss scheduling the Public Forum at their April 1 meeting.

5. Approval of Conservation Commission Conflict of Interest

Two members of the Conservation Commission are abutters to a current applicant who would like to build a small outbuilding on or near wetlands. They have both filed disclosures and have no financial stake in the matter. They seek approval of the Select Board in order to conduct this business in the most ethical way possible according to regulations. Mr. Allison moved to approve the Conservation Commission Conflict of Interest as requested. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

6. Town Clerk's request regarding mail-in ballots for Annual Town Election

The question is whether or not the Town shall pay the cost of mail-in ballots for local elections as is done for state or federal elections, or does the Board wish to waive mail-in ballots for the upcoming local election. Town Clerk Mandy Cannon stated that this would have to be decided within 45 days of the election. Because the State sent all registered voters a card with the option to receive a mail-in ballot for "all elections" for the first time, there are 893 registered voters who will receive a mail-in ballot unless the Select Board opts out.

Mr. Allison moved to waive the mail-in ballots for the Annual Town Election. No second was heard, so the motion failed. The Town will continue with mail-in ballots, incurring the cost for this action.

III. EXECUTIVE SESSION

Mr. Allison moved to enter Executive Session pursuant to M.G.L. c.30A, §21(a) for the following purpose:

1. To conduct a strategy session in preparation for negotiations for non-union personnel regarding the Police and Fire Departments pursuant to Section 21(a)(2); and

Not to reconvene in Open Session.

Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; the Board entered Executive Session, not to reconvene in Open Session. [3-0-0].*

X. ADJOURNMENT

Respectfully submitted,

Kathleen Rocco
Executive Assistant

Alexandra W. Turner, Clerk

PUBLIC COMMENTS

ADMINISTRATION, BUDGET AND POLICY

#1

Kathi Rocco

From: Jeff Paster <jefflbohpaste@gmail.com>
Sent: Tuesday, March 26, 2024 7:50 AM
To: Stephen J. Kerrigan; Kate Hodges
Cc: Samantha Zediker; Kelly Dolan; Jeff Paster; Kathi Rocco
Subject: blood drive, SB agenda

Hi Kate, Steve - on behalf of the BOH and the Department of Health and Human Services may I request a brief slot at the next SB meeting to secure approval for the hosting of a Blood Drive by the Red Cross on Tuesday, May 21st from 9:00 am - 4:00 pm? The mobile van will be located in front of Town Hall/Library. This is a change from the previous plan of having the blood drive as part of the Health and Wellness Fair on April 19.

many thanks and best regards - Jeff

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Jeff Paster
Chair, Lancaster Board of Health
508-380-5185
jeffLBOHpaster@gmail.com
<https://www.ci.lancaster.ma.us/board-health>

Get the Vax! <https://vaxfinder.mass.gov>

Get tested! <https://mass.gov/GetTested>

#2

LANCASTER - TOWN ADMINISTRATION & DPW

RECOMMENDED GRADE	DEPARTMENT	EXISTING TITLE	RECOMMENDED TITLE
GROUP A			
A	Town Administration	Assistant Town Administrator	
A	Public Works	DPW Director	
A	Finance	Finance Director/Town Accountant	
GROUP B			
B	Community Development & Planning	Director of Community Development & Planning	
B	Public Works	DPW Superintendent	
B	Health & Human Services	Health & Human Service Director	
GROUP C			
C	Community Development & Planning	Building Commissioner	
C	Finance (Information Technology)	IT Analyst	IT Manager
C	Health & Human Services - Library	Library Director	
C	Finance	Principal Assessor	
C	Town Administration/Town Clerk's Office	Town Clerk	
C	Finance	Treasurer/Collector	
GROUP D			
D	Health & Human Services - Library	Assistant Library Director	
D	Community Development & Planning	Assistant Town Planner/Conservation Agent	
D	Community Development & Planning	Building Inspector	Local Inspector
D	Facilities	Facilities Director	Facilities Manager
D	Public Works	Foreman-Water	Primary Water Systems Operator/Public Works Supervisor
D	Health & Human Services	Recreation Program Administrator	
D	Health & Human Services	Social Services Coordinator	
GROUP E			
E	Finance	Budget & Purchasing Administrator	
E	Town Administration	Executive Assistant to the Town Administrator & Select Board	
E	Public Works	Foreman-Hwy/Cem.	Public Works Supervisor
E	Health & Human Services	Health & Human Services Administrator	
E	Health & Human Services - Library	Special Collections & Archives Librarian	
GROUP F			
F	Police	Administrative Assistant	Assistant to the Chief
F	Finance	Assistant Assessor	
F	Town Administration/Town Clerk's Office	Assistant Clerk/Information Officer	Information Officer/Assistant to the Town Clerk
F	Finance	Assistant Town Accountant	
F	Finance	Assistant Treasurer/Collector	
F	Public Works	Water Systems Maintenance Worker/Operator	Water Systems Maintainer/Operator
F	Health & Human Services - Library	Youth Services Librarian	
GROUP G			
G	Community Development & Planning	Administrative Assistant	
G	Public Works	Heavy Equipment Operator/Laborer	
G	Health & Human Services - Library	Senior Library Technician/Office Manager	
GROUP H			
H	Public Works	Department Assistant	
H	Facilities	Facilities Maintenance Technician	
GROUP I			
I	Public Works	Laborer	
I	Health & Human Services - Library	Library Associate	
I	Health & Human Services - Library	Library Substitute	

LANCASTER - EMERGENCY SERVICES DEPARTMENT

RECOMMENDED GRADE	DEPARTMENT	EXISTING TITLE	RECOMMENDED TITLE
PSA	PUBLIC SAFETY	Chief of Police & Fire Operations	Public Safety Commissioner
FF	FIRE - RESPONSE/FIELD RANKS		
FF6	Fire	Fire Chief	
FF5	Fire	Administrative Fire Lieutenant	Fire Lieutenant
FF4	Fire	Deputy Fire Chief (on-call only)	Call Deputy Fire Chief
FF3	Fire	Fire Captain (on-call only)	Call Fire Captain
FF2	Fire	Fire Lieutenant (on-call only)	Call Fire Lieutenant
FF1	Fire	Firefighter/EMT	
PO	POLICE - PATROL/FIELD RANKS		
PO5	Police	Police Chief	
PO4	Police	Police Lieutenant	
PO3	Police	Police Sergeant	
PO2	Police	Police Officer (+Detective, as an assignment)	
PO1	Police	Public Safety Matron	

Recommended Grade	Recommended Minimum	Recommended Maximum
A	\$46.15	\$60.00
B	\$44.23	\$57.50
C	\$40.38	\$52.50
D	\$34.62	\$45.00
E	\$29.23	\$38.00
F	\$26.15	\$34.00
G	\$24.62	\$32.00
H	\$23.08	\$30.00
I	\$19.23	\$25.00

FIRE POSITIONS ONLY		
Recommended Grade	Recommended Maximum	Recommended Maximum
FF6	\$50.00	\$60.00
FF5	\$34.62	\$45.00
FF4	\$32.31	\$42.00
FF3	\$28.85	\$37.50
FF2	\$27.31	\$35.50
FF1	\$25.77	\$33.50

POLICE POSITIONS ONLY		
Recommended Grade	Recommended Maximum	Recommended Maximum
PO5	\$55.00	\$65.00
PO4	\$42.31	\$55.00
PO3	\$31.54	\$41.00
PO2	\$26.54	\$34.50
PO1	\$18.46	\$24.00

COMMISSIONER OF PUBLIC SAFETY		
Recommended Grade	Recommended Maximum	Recommended Maximum
PSA	\$57.50	\$75.00

note: minimums may be modified if a step plan is adopted

NON-PUBLIC SAFETY PAY SCALES

Sample 3% 1.030

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
A	45.98	47.36	48.78	50.24	51.75	53.30	54.90	56.55	58.25	60.00
B	44.08	45.40	46.76	48.16	49.60	51.09	52.62	54.20	55.83	57.50
C	40.24	41.45	42.69	43.97	45.29	46.65	48.05	49.49	50.97	52.50
D	34.49	35.52	36.59	37.69	38.82	39.98	41.18	42.42	43.69	45.00
E	29.13	30.00	30.90	31.83	32.79	33.77	34.78	35.82	36.89	38.00
F	26.06	26.84	27.65	28.48	29.33	30.21	31.12	32.05	33.01	34.00
G	24.53	25.27	26.03	26.81	27.61	28.44	29.29	30.17	31.07	32.00
H	23.00	23.69	24.40	25.13	25.88	26.66	27.46	28.28	29.13	30.00
I	19.15	19.72	20.31	20.92	21.55	22.20	22.87	23.56	24.27	25.00

Sample 2.5% 1.025

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
A	45.74	46.88	48.05	49.25	50.48	51.74	53.03	54.36	55.72	57.11	58.54	60.00
B	43.83	44.93	46.05	47.20	48.38	49.59	50.83	52.10	53.40	54.73	56.10	57.50
C	40.01	41.01	42.04	43.09	44.17	45.27	46.40	47.56	48.75	49.97	51.22	52.50
D	34.30	35.16	36.04	36.94	37.86	38.81	39.78	40.77	41.79	42.83	43.90	45.00
E	28.97	29.69	30.43	31.19	31.97	32.77	33.59	34.43	35.29	36.17	37.07	38.00
F	25.91	26.56	27.22	27.90	28.60	29.32	30.05	30.80	31.57	32.36	33.17	34.00
G	24.39	25.00	25.63	26.27	26.93	27.60	28.29	29.00	29.72	30.46	31.22	32.00
H	22.86	23.43	24.02	24.62	25.24	25.87	26.52	27.18	27.86	28.56	29.27	30.00
I	19.05	19.53	20.02	20.52	21.03	21.56	22.10	22.65	23.22	23.80	24.39	25.00

Sample 2% 1.020

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
A	45.47	46.38	47.31	48.26	49.23	50.21	51.21	52.23	53.27	54.34	55.43	56.54	57.67	58.82	60.00
B	43.58	44.45	45.34	46.25	47.18	48.12	49.08	50.06	51.06	52.08	53.12	54.18	55.26	56.37	57.50
C	39.79	40.59	41.40	42.23	43.07	43.93	44.81	45.71	46.62	47.55	48.50	49.47	50.46	51.47	52.50
D	34.10	34.78	35.48	36.19	36.91	37.65	38.40	39.17	39.95	40.75	41.57	42.40	43.25	44.12	45.00
E	28.79	29.37	29.96	30.56	31.17	31.79	32.43	33.08	33.74	34.41	35.10	35.80	36.52	37.25	38.00
F	25.75	26.27	26.80	27.34	27.89	28.45	29.02	29.60	30.19	30.79	31.41	32.04	32.68	33.33	34.00
G	24.25	24.74	25.23	25.73	26.24	26.76	27.30	27.85	28.41	28.98	29.56	30.15	30.75	31.37	32.00
H	22.75	23.21	23.67	24.14	24.62	25.11	25.61	26.12	26.64	27.17	27.71	28.26	28.83	29.41	30.00
I	18.95	19.33	19.72	20.11	20.51	20.92	21.34	21.77	22.21	22.65	23.10	23.56	24.03	24.51	25.00

FIRE PAY SCALES

Sample 3% 1.030

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
FF6	49.83	51.32	52.86	54.45	56.08	57.76	59.49	61.27	63.11	65.00
FF5	34.49	35.52	36.59	37.69	38.82	39.98	41.18	42.42	43.69	45.00
FF4	32.19	33.16	34.15	35.17	36.23	37.32	38.44	39.59	40.78	42.00
FF3	28.75	29.61	30.50	31.41	32.35	33.32	34.32	35.35	36.41	37.50
FF2	27.21	28.03	28.87	29.74	30.63	31.55	32.50	33.47	34.47	35.50
FF1	25.67	26.44	27.23	28.05	28.89	29.76	30.65	31.57	32.52	33.50

Sample 2.5% 1.025

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
FF6	49.53	50.77	52.04	53.34	54.67	56.04	57.44	58.88	60.35	61.86	63.41	65.00
FF5	43.83	44.93	46.05	47.20	48.38	49.59	50.83	52.10	53.40	54.73	56.10	57.50
FF4	40.01	41.01	42.04	43.09	44.17	45.27	46.40	47.56	48.75	49.97	51.22	52.50
FF3	34.30	35.16	36.04	36.94	37.86	38.81	39.78	40.77	41.79	42.83	43.90	45.00
FF2	28.97	29.69	30.43	31.19	31.97	32.77	33.59	34.43	35.29	36.17	37.07	38.00
FF1	25.91	26.56	27.22	27.90	28.60	29.32	30.05	30.80	31.57	32.36	33.17	34.00

Sample 2% 1.020

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
FF6	49.26	50.25	51.25	52.27	53.32	54.39	55.48	56.59	57.72	58.87	60.05	61.25	62.48	63.73	65.00
FF5	43.58	44.45	45.34	46.25	47.18	48.12	49.08	50.06	51.06	52.08	53.12	54.18	55.26	56.37	57.50
FF4	39.79	40.59	41.40	42.23	43.07	43.93	44.81	45.71	46.62	47.55	48.50	49.47	50.46	51.47	52.50
FF3	34.10	34.78	35.48	36.19	36.91	37.65	38.40	39.17	39.95	40.75	41.57	42.40	43.25	44.12	45.00
FF2	28.79	29.37	29.96	30.56	31.17	31.79	32.43	33.08	33.74	34.41	35.10	35.80	36.52	37.25	38.00
FF1	25.75	26.27	26.80	27.34	27.89	28.45	29.02	29.60	30.19	30.79	31.41	32.04	32.68	33.33	34.00

POLICE PAY SCALES

Sample 3% 1.030

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
PO5	49.83	51.32	52.86	54.45	56.08	57.76	59.49	61.27	63.11	65.00
PO4	42.16	43.42	44.72	46.06	47.44	48.86	50.33	51.84	53.40	55.00
PO3	31.43	32.37	33.34	34.34	35.37	36.43	37.52	38.65	39.81	41.00
PO2	26.44	27.23	28.05	28.89	29.76	30.65	31.57	32.52	33.50	34.50
PO1	18.39	18.94	19.51	20.10	20.70	21.32	21.96	22.62	23.30	24.00

Sample 2.5% 1.025

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
PO5	49.53	50.77	52.04	53.34	54.67	56.04	57.44	58.88	60.35	61.86	63.41	65.00
PO4	41.90	42.95	44.02	45.12	46.25	47.41	48.60	49.82	51.07	52.35	53.66	55.00
PO3	31.25	32.03	32.83	33.65	34.49	35.35	36.23	37.14	38.07	39.02	40.00	41.00
PO2	26.30	26.96	27.63	28.32	29.03	29.76	30.50	31.26	32.04	32.84	33.66	34.50
PO1	18.29	18.75	19.22	19.70	20.19	20.69	21.21	21.74	22.28	22.84	23.41	24.00

Sample 2% 1.020

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
PO5	49.26	50.25	51.25	52.27	53.32	54.39	55.48	56.59	57.72	58.87	60.05	61.25	62.48	63.73	65.00
PO4	41.67	42.50	43.35	44.22	45.10	46.00	46.92	47.86	48.82	49.80	50.80	51.82	52.86	53.92	55.00
PO3	31.08	31.70	32.33	32.98	33.64	34.31	35.00	35.70	36.41	37.14	37.88	38.64	39.41	40.20	41.00
PO2	26.16	26.68	27.21	27.75	28.30	28.87	29.45	30.04	30.64	31.25	31.87	32.51	33.16	33.82	34.50
PO1	18.20	18.56	18.93	19.31	19.70	20.09	20.49	20.90	21.32	21.75	22.18	22.62	23.07	23.53	24.00

COMMISSIONER PAY SCALES

Sample 3% 1.030

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
PSA	57.49	59.21	60.99	62.82	64.70	66.64	68.64	70.70	72.82	75.00

Sample 2.5% 1.025

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
PSA	57.16	58.59	60.05	61.55	63.09	64.67	66.29	67.95	69.65	71.39	73.17	75.00

Sample 2% 1.020

GRADE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
PSA	56.83	57.97	59.13	60.31	61.52	62.75	64.01	65.29	66.60	67.93	69.29	70.68	72.09	73.53	75.00

DEPARTMENT	EXISTING TITLE	LANCASTER FY24 MINIMUM HOURLY RATE	SURVEY AVERAGE MINIMUM	SURVEY MEDIAN MINIMUM	LANCASTER MINUS AVERAGE MINIMUM	LANCASTER MINUS MEDIAN MINIMUM
Comm. Develop & Planning	Director of Comm. Develop. & Planning	\$39.26	\$38.03	\$36.79	\$1.23	\$2.47
Comm. Develop & Planning	Building Commissioner	\$39.26	\$38.96	\$40.65	\$0.30	\$1.39
Comm. Develop & Planning	Building Inspector	\$32.16	\$37.76	\$35.58	\$5.60	\$3.42
Comm. Develop & Planning	Assist. Town Planner/Conservation Agent	\$31.37	\$29.84	\$29.03	\$1.53	\$2.34
Comm. Develop & Planning	Administrative Assistant-Planning & Building	\$23.80	\$25.24	\$25.92	\$1.44	\$2.12
Community Health & Human Services	Director of Health & Human Service	\$39.26	\$33.69	\$32.50	\$5.57	\$6.76
Community Health & Human Services	Social Services Coordinator	\$24.22	\$28.82	\$29.01	\$4.60	\$4.79
Community Health & Human Services	Recreation Program Administrator	\$20.78	\$38.66	\$40.28	\$17.88	\$19.50
Community Health & Human Services	Health & Human Services Administrator	\$20.78	\$28.16	\$29.77	\$7.38	\$8.99
DPW	DPW Director	\$39.26	\$49.85	\$50.51	\$10.59	\$11.25
DPW	Public Works Supervisor	\$23.02	\$32.90	\$30.83	\$9.88	\$7.81
DPW	Department Assistant	\$21.20	\$24.51	\$24.71	\$3.31	\$3.51
DPW	Laborer (for any DPW op)	\$17.64	\$20.74	\$21.33	\$3.10	\$3.69
DPW	Heavy Equip. Operator/Laborer		\$25.10	\$25.42	\$25.10	\$25.42
DPW-Water	Primary Water Systems Operator/Public Works Supervisor	\$23.35	\$29.04	\$27.78	\$5.69	\$4.43
DPW-Water	Secondary Water Systems Oper./Heavy Equip. Operator	\$21.20	\$28.81	\$27.47	\$7.61	\$6.27
Facilities	Facilities Director	\$31.37	\$29.90	\$26.39	\$1.47	\$4.98
Facilities	Facilities Maintenance Technician	\$21.20	\$23.80	\$22.35	\$2.60	\$1.15
Finance	Budget & Purchasing Administrator	\$27.71				
Finance- Accounting	Finance Director/Town Accountant	\$43.03	\$41.40	\$40.85	\$1.63	\$2.18
Finance- Accounting	Assistant Town Accountant	\$25.42	\$26.68	\$27.66	\$1.26	\$2.24
Finance-Assessing	Principal Assessor	\$35.12	\$40.81	\$43.66	\$5.69	\$8.54
Finance-Assessing	Assistant Assessor	\$21.20	\$27.32	\$27.48	\$6.12	\$6.28
Finance-IT	IT Analyst	\$35.12	\$29.23	\$29.23	\$5.89	\$5.89
Finance-T/C	Treasurer/Collector	\$41.41	\$38.73	\$38.33	\$2.68	\$3.08
Finance-T/C	Assistant Treasurer/Collector	\$21.20	\$27.70	\$27.84	\$6.50	\$6.64
Fire	Fire Chief	\$43.03	\$53.02	\$52.65	\$9.99	\$9.62
Fire	Deputy Fire Chief (call)	\$27.46	\$33.78	\$33.24	\$6.32	\$5.78
Fire	Fire Captain (call)	\$27.05	\$33.33	\$33.85	\$6.28	\$6.80
Fire	Administrative Fire Lieutenant	\$24.75	\$36.11	\$36.11	\$11.36	\$11.36
Fire	Fire Lieutenant (call)	\$24.75				
Fire	Firefighter/EMT	\$23.83	\$27.36	\$27.30	\$3.53	\$3.47
Library	Library Director	\$35.12	\$39.70	\$40.77	\$4.58	\$5.65
Library	Assistant Library Director	\$25.30	\$32.15	\$33.03	\$6.85	\$7.73
Library	Special Collections Archive Librarian	\$24.22				
Library	Youth Services Librarian	\$23.80	\$25.99	\$25.56	\$2.19	\$1.76
Library	Senior Library Technician/Office Manager	\$21.62	\$24.42	\$25.75	\$2.80	\$4.13

Library	Library Associate	\$18.06	\$18.88	\$18.76	\$0.82	\$0.70
Police	Police Chief	\$45.18	\$58.81	\$56.00	\$13.63	\$10.82
Police	Police Lieutenant	\$41.41	\$43.39	\$42.51	\$1.98	\$1.10
Police	Police Sergeant	\$36.79	\$39.20	\$39.39	\$2.41	\$2.60
Police	Police Officer	\$27.02	\$30.48	\$30.25	\$3.46	\$3.23
Police	Administrative Assistant	\$24.22	\$24.98	\$24.95	\$0.76	\$0.73
Police	Public Safety Matron	\$17.70				
Town Administration	Assistant Town Administrator	---	\$45.58	\$46.39		
Town Administration	Executive Assistant to the Town Administrator & Select Board	\$27.61	\$28.55	\$29.60	\$0.94	\$1.99
Town Administration/Town Clerk's Office	Town Clerk	\$32.15	\$35.21	\$37.33	\$3.06	\$5.18
Town Administration/Town Clerk's Office	Assistant Clerk/Information Officer	\$21.49	\$24.58	\$23.26	\$3.09	\$1.77

DEPARTMENT	EXISTING TITLE	LANCASTER FY24 MAXIMUM HOURLY RATE	SURVEY AVERAGE MAXIMUM	SURVEY MEDIAN MAXIMUM	LANCASTER MINUS AVERAGE MAXIMUM	LANCASTER MINUS MEDIAN MAXIMUM
Comm. Develop & Planning	Director of Comm. Develop. & Planning	\$52.17	\$46.54	\$46.50	\$5.63	\$5.68
Comm. Develop & Planning	Building Commissioner	\$52.17	\$48.91	\$48.08	\$3.26	\$4.09
Comm. Develop & Planning	Building Inspector	\$42.32	\$47.15	\$45.71	\$4.83	\$3.39
Comm. Develop & Planning	Assist. Town Planner/Conservation Agent	\$41.67	\$37.98	\$37.09	\$3.69	\$4.58
Comm. Develop & Planning	Administrative Assistant-Planning & Building	\$31.48	\$31.03	\$30.65	\$0.45	\$0.84
Community Health & Human Services	Director of Health & Human Service	\$52.17	\$43.30	\$41.83	\$8.87	\$10.34
Community Health & Human Services	Social Services Coordinator	\$32.17	\$36.75	\$37.48	\$4.58	\$5.31
Community Health & Human Services	Recreation Program Administrator	\$27.61	\$48.25	\$51.33	\$20.64	\$23.72
Community Health & Human Services	Health & Human Services Administrator	\$27.61	\$37.09	\$39.04	\$9.48	\$11.43
DPW	DPW Director	\$52.17	\$59.62	\$62.44	\$7.45	\$10.27
DPW	Public Works Supervisor	\$31.86	\$40.31	\$38.77	\$8.45	\$6.91
DPW	Heavy Equip. Operator/Laborer	\$29.26	\$30.15	\$30.21	\$0.89	\$0.94
DPW	Department Assistant	\$28.06	\$31.40	\$32.59	\$3.34	\$4.53
DPW	Laborer (for any DPW op)	\$24.41	\$25.31	\$25.38	\$0.90	\$0.97
DPW-Water	Primary Water Systems Operator/Public Works Supervisor	\$32.19	\$36.77	\$35.94	\$4.58	\$3.75
DPW-Water	Secondary Water Systems Oper./Heavy Equip. Operator	\$28.06	\$33.48	\$33.47	\$5.42	\$5.41
Facilities	Facilities Director	\$41.67	\$38.10	\$36.51	\$3.58	\$5.16
Facilities	Facilities Maintenance Technician	\$28.06	\$31.71	\$29.26	\$3.65	\$1.20
Finance	Budget & Purchasing Administrator	\$36.70				
Finance- Accounting	Finance Director/Town Accountant	\$57.21	\$52.76	\$47.71	\$4.45	\$9.50
Finance- Accounting	Assistant Town Accountant	\$33.63	\$32.98	\$33.53	\$0.65	\$0.10
Finance-Assessing	Principal Assessor	\$46.68	\$48.70	\$47.91	\$2.02	\$1.23
Finance-Assessing	Assistant Assessor	\$28.06	\$31.89	\$31.77	\$3.83	\$3.71
Finance-IT	IT Analyst	\$46.68	\$38.00	\$38.00	\$8.68	\$8.68
Finance-T/C	Treasurer/Collector	\$54.99	\$49.06	\$49.24	\$5.93	\$5.75
Finance-T/C	Assistant Treasurer/Collector	\$28.06	\$35.69	\$35.00	\$7.63	\$6.94
Fire	Fire Chief	\$57.21	\$64.43	\$65.47	\$7.22	\$8.26
Fire	Deputy Fire Chief (call)	\$33.77	\$42.59	\$42.49	\$8.82	\$8.72
Fire	Fire Captain (call)	\$33.27	\$37.91	\$37.61	\$4.64	\$4.34
Fire	Administrative Fire Lieutenant	\$30.44	\$39.53	\$39.53	\$9.09	\$9.09
Fire	Fire Lieutenant (call)	\$30.44	\$33.91	\$33.91	\$3.47	\$3.47
Fire	Firefighter/EMT	\$29.31	\$33.65	\$33.79	\$4.34	\$4.48
Library	Library Director	\$46.68	\$49.62	\$48.08	\$2.94	\$1.40
Library	Assistant Library Director	\$33.59	\$38.92	\$39.97	\$5.33	\$6.38
Library	Special Collections Archive Librarian	\$32.17				
Library	Youth Services Librarian	\$31.46	\$32.90	\$32.84	\$1.44	\$1.38
Library	Senior Library Technician/Office Manager	\$28.62	\$30.44	\$31.60	\$1.82	\$2.98
Library	Library Associate	\$24.16	\$23.69	\$23.97	\$0.47	\$0.19
Police	Police Chief	\$62.90	\$68.78	\$68.06	\$5.88	\$5.16
Police	Police Lieutenant	\$54.99	\$52.90	\$53.20	\$2.09	\$1.80
Police	Police Sergeant	\$36.79	\$41.17	\$40.80	\$4.38	\$4.01
Police	Administrative Assistant	\$32.17	\$31.55	\$31.65	\$0.62	\$0.52
Police	Police Officer	\$31.52	\$34.53	\$34.80	\$3.01	\$3.28
Police	Public Safety Matron	\$23.65	\$20.53	\$20.53	\$3.12	\$3.12
Town Administration	Assistant Town Administrator	---	\$57.19	\$57.86		
Town Administration	Executive Assistant to the Town Administrator & Select Board	\$36.70	\$36.22	\$36.40	\$0.48	\$0.31
Town Administration/Town Clerk's Office	Town Clerk	\$42.71	\$42.86	\$41.51	\$0.15	\$1.20
Town Administration/Town Clerk's Office	Assistant Clerk/Information Officer	\$28.29	\$31.83	\$30.35	\$3.54	\$2.06

#3

**TOWN OF LANCASTER
OFFICE OF THE SELECT BOARD
PRESCOTT BUILDING
LANCASTER, MA 01523**



WARRANT FOR ANNUAL TOWN MEETING

**MAY 6, 2024*
7:00 PM**

**Meeting may be continued to 5/7/24, starting at 7 PM should business not conclude.*

**MARY ROWLANDSON ELEMENTARY SCHOOL
&
LUTHER BURBANK MIDDLE SCHOOL**
103 Hollywood Drive • Lancaster, MA 01523

The Town of Lancaster is an Open Town Meeting form of Government. The Town is committed to ensuring that each person who wishes to participate can do so in a manner that is consistent with the Americans with Disabilities Act (ADA.) Any individual requesting a reasonable accommodation should contact Health and Human Services Director Kelly Dolan via email: kdolan@lancasterma.gov or by telephone 978-365-3326 ext. 1055. Reasonable accommodations are determined on an individual and confidential basis. Please make any requests for a reasonable accommodation on or before April 22, 2024; requests for accommodations received after this date may not be able to be fulfilled.

**WARRANT FOR ANNUAL TOWN MEETING
IN THE TOWN OF LANCASTER**

May 6, 2024

Mary Rowlandson Elementary & Luther Burbank Middle Schools -- 7:00 PM

Worcester, ss.

To any Constable of the Town of Lancaster in the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Lancaster qualified to vote in the elections and Town affairs, to meet at **Mary Rowlandson Elementary & Luther Burbank Middle Schools, 103 Hollywood Drive in said Lancaster on Monday, the sixth of May 2024, at 7:00 in the evening**, and to act on the following:

**ARTICLE 1
FY25 Operating Budget
Select Board**

To see if the Town will vote to raise and appropriate by taxation, or transfer from available funds and free cash, the sum of \$28,059,980 to defray the expenses of the Town and School Department beginning in FY2025, as follows:

ITEM	AMOUNT
Municipal Services	\$ 6,664,088
Risk Mgmt., Debt, Leases	\$ 2,369,198
Minuteman Regional Technical HS	\$ 2,138,738
Nashoba Regional School District	\$ 16,801,956
Assabet Valley Regional Technical HS	\$ 86,000
TOTAL	\$ 28,059,980

Or take any action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

**ARTICLE 2
Appropriation of Free Cash to Capital Stabilization
Select Board**

To see if the Town will vote: (1) To transfer \$1,296,500 from Free Cash to the Capital Stabilization Fund or take any actions relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

**ARTICLE 3
Renewable Energy Enterprise Fund
Select Board**

To see if the Town will vote to appropriate **x hundred xx thousand dollars (\$xxx,000)**, or any other sum of money, from the Renewable Energy Enterprise Fund to finance the operation of the Landfill Solar Array for the Fiscal Year beginning July 1, 2024, or take any action relative thereto.

REVENUES

Sale of Solar Energy Credits	\$
Qualified Energy Bond Subsidy	\$

EXPENSES

Maintenance Expenses	\$
Debt (P&I)	\$

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4 Water Enterprise Fund Budget <i>Board of Public Works</i>

To see if the Town will vote to appropriate the sum of \$ 1,228,250 or any other sum of money, from the Water Enterprise Fund, to finance the operation of the Water Department for the Fiscal Year beginning July 1, 2024, as outlined below:

Water Enterprise Appropriations	
<i>Salaries & Wages</i>	\$ 437,360
<i>Operational Expenses</i>	\$ 467,890
<i>Reserve Fund Transfers (in/out)</i>	\$ 50,000
<i>Debt Payments (principal)</i>	\$ 175,000
<i>Debt Payments (interest)</i>	\$ 98,000
TOTAL	\$1,228,250

SELECT BOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 5 Revolving Fund Account Budgets <i>Select Board</i>
--

To see if the Town will vote pursuant to M.G.L. c.44 §53E1/2, to set the total amount that may be spent from the various revolving funds for the Fiscal Year beginning July 1, 2024, as follows:

FUND / PROGRAM	FY25 CAP
Health & Human Services	
<i>Community Center</i>	\$ 12,000
<i>Recreation Committee</i>	\$ 90,000
<i>M.A.R.T. Services</i>	\$ 50,000
<i>Library Charges</i>	\$ 9,500
Public Works Operations	
<i>Stormwater Management</i>	\$ 3,000
<i>Duval Road Sewer</i>	\$ 5,000
<i>Recycling Center</i>	\$ 258
Other Town Departments/Operations	
<i>Planning Board</i>	\$ 25,000
<i>Community Development</i>	\$ 2,500
<i>Agricultural Commission</i>	\$ 2,000
Publications	\$ 2,500

Or take any action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6
Compensation Plans
Select Board

To see if the Town will vote to accept the Compensation Plans effective July 1, 2024, as shown on the below charts, or take any action relative thereto. (Place Holder for grid)

ARTICLE 7
Pay Bills of Prior Year
Select Board

To see if the Town will vote to transfer Three Thousand Twenty-Nine Dollars and Four cents (\$3,029.04) from Free Cash to pay unpaid bills from Fiscal Year 2024 (detail below) or take any action relative thereto.

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>	<u>Date</u>	<u>Purpose</u>
Police Department	Osterman Propane	\$1,020.16	3/9/23	Fuel
Police Department	Osterman Propane	\$ 697.49	4/6/23	Fuel
Fire Department	Superior Plus Propane	\$ 750.14	3/9/23	Fuel
Fire Department	Superior Plus Propane	\$ 561.25	5/31/23	Fuel

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 8
Community Preservation Committee – FY25 Budget
Community Preservation Committee

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2025 budget, to vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses and all other necessary and proper expenses of the Community Preservation committee, with each item to be considered a separate appropriation, or take any action relative thereto:

Appropriations:

From FY2025 estimated annual fund revenues for Committee Administrative Expenses **\$ 10,568.00**

Reserves:

From FY2025 estimated revenues (10%) for Historic Resources Reserve **\$ 21,136.00**
From FY2025 estimated revenues (10%) for Community Housing Reserve **\$ 21,136.00**
From FY2025 estimated revenues (10%) for Open Space/Recreation Reserve **\$ 21,136.00**
From FY2025 estimated revenues (65%) for Undesignated Budgeted Reserve **\$137,381.00**

NOTE: This budget anticipates FY25 CPA revenue of **\$177,505.00** from the local CPA surcharge and an estimated distribution of **\$33,851.00** (19%) from the statewide CPA Trust Fund, for total revenue of **\$211,356.00**

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9
Community Preservation Committee – FY25 Projects/Allocations
Community Preservation Committee

To see if the Town will vote to appropriate funds from the Community Preservation Fund, in the amounts recommended by the Community Preservation Committee, for the projects listed and from the fund designation below, or to take any action relative thereto.

Each Project 1, 2, and 3, to be voted individually.

Project 1.

To see if the Town will vote to appropriate \$3,500 dollars to rehabilitate/replace the entry gate at the town beach and to create a small shelter structure for the town beach gate attendant.

Funding \$3,500.00 from CPA Recreation/Open Space

Project 2.

To see if the Town will vote to appropriate \$70,000 dollars for the Thayer Memorial Library to rehabilitate/preserve failing roof and basement masonry. The work will also repair/preserve the interior ceiling and walls damaged from water infiltration.

Funding \$19,520 Historic Reserve and \$50,480.00 CPA undesignated reserve

Project 3.

To see if the Town will vote to appropriate \$35,000 dollars for professional land conservation and project management services to conserve five (5) properties totaling approximately 648 acres, that are part of the Nashua Wild & Scenic Rivers and Forests Project ("Project"), funded by the US Forest Service, Forest Legacy Program. The cost of some of these professional services, namely negotiation and drafting of Forest Legacy Conservation Restrictions, are eligible for reimbursement with Forest Legacy Project funds. CPA funds will be used to pay for professional services to negotiate and draft conservation restrictions for two (2) conserved Project tracts, to be owned by the Conservation Commission, for which professional service costs are not reimbursable. These conservation restrictions must be conveyed to a land trust, pursuant to requirements of the Community Preservation Act for property acquired in a CPA-funded project.

Funding \$16,020.00 from Open Space/Recreation Reserve and \$18,980.00 CPA undesignated reserve.

SELECT BOARD RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10
Investing – Treasurer request
Select Board

To see if the Town will vote to accept the provisions of G.L. c.44, §54(b) to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule", or take any other action

relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11
Acquisition of North Lancaster Land
Select Board

To see if the Town will vote to authorize the Select Board to accept by gift, purchase, or eminent domain Assessor's Parcel Map 19, Lot 11 and Assessor's Parcel Map 14, Lot 15, on such terms and conditions the Select Board deems acceptable or take any action relative thereto.

ARTICLE 12
Parcels for Consideration for FY25 Abutter Lot Sales Program
Select Board

To see if the Town will vote to accept the parcels as listed below, consistent with the Town's *Abutter Lot Sales Program* adopted by Town Meeting in May 2023 (Article X) which helps to facilitate the sale of certain smaller Town owned properties to abutting property owners consistent with the adopted policies and procedures; or take any action relative thereto.

No #	PARCEL ID	VALUE (est.)	ADDRESS	ACRES	OWNER
1	147008000000035A	500	WHITE POND RD	0.08	LANCASTER TOWN OF
2	147008000000037E	10200	WHITE POND RD	1.7	LANCASTER TOWN OF
3	1470090000000030	25800	LUNENBURG RD REAR	4.3	LANCASTER TOWN OF
4	1470100000000310	900	SPEC POND BEACH AVE	0.147	LANCASTER TOWN OF
5	1470100000000710	8300	SPEC POND FULLER AVE	0.037	LANCASTER TOWN OF
6	1470100000000780	200	SPEC POND KINNEAR AVE	0.037	LANCASTER TOWN OF
7	1470100000001080	1700	SPEC POND VINCENT AVE	0.29	LANCASTER TOWN OF
8	147010000000108D	200	SPEC POND VINCENT AVE	0.037	LANCASTER TOWN OF
9	147010000000113C	4200	FIRE RD 12	0.7	LANCASTER TOWN OF
10	1470180000000500	1800	NO MAIN ST	0.301	LANCASTER TOWN OF
11	1470230000000120	33000	BROCKELMAN RD	6	LANCASTER TOWN OF
12	1470230000000140	21300	BROCKELMAN RD REAR	3.55	LANCASTER TOWN OF
13	1470230000000150	24100	BROCKELMAN RD REAR	4.02	LANCASTER TOWN OF
14	1470250000000320	20000	LUNENBURG RD	15	LANCASTER TOWN OF
15	1470290000000190	3000	OLD COUNTY RD	0.5	LANCASTER TOWN OF
16	1470300000000040	200	LANGEN RD	0.03	LANCASTER TOWN OF
17	1470320000000190	28800	HILL TOP RD REAR	4.8	LANCASTER TOWN OF
18	1470330000000230	500	LANGEN RD	0.09	LANCASTER TOWN OF
19	1470420000000110	1200	HARDY ST	0.193	LANCASTER TOWN OF
20	1470450000000200	900	MAGNOLIA AVE	0.155	LANCASTER TOWN OF
21	1470450000000360	12000	MAGNOLIA AVE REAR	2	LANCASTER TOWN OF
22	1470460000000200	100	STERLING/CLINTON LN	0.021	LANCASTER TOWN OF

ARTICLE 13
Adoption of M.G.L. Chapter 41 §21
Select Board

To see if the Town will vote, pursuant to G.L. c. 41 §21, to direct the Select Board to include in the warrant for the 2025 annual town election the following question for submission to the voters:

Shall the town vote to have its Select Board appoint a chief of the police and fire departments who

may be designated as the commissioner of public safety in accordance with Section 101 of Chapter 41 of the Massachusetts General Laws?

ARTICLE 13
Adoption of M.G.L. Chapter 41 §101
*Select Board **lvria, is this one even necessary anymore?***

To see if the Town will vote, pursuant to G.L. c. 41, §101, to direct the Select Board to include in the warrant for the 2025 annual town election the following question for submission to the voters:

Shall the Town vote to have its Select Board designate the Chief of Police and Fire Department to the Role Commissioner of Public Safety pursuant to G.L. c. 41, § 101, or take any action relative thereto.

ARTICLE 14
Management of Blood Town Forest
Select Board

To see if the Town will vote to conveying parcel deeds 28-1 and 28-18, as labeled in the Town of Lancaster Assessors maps, to the Conservation Commission to ensure the care, custody, control and management of said parcels is overseen by Lancaster's Conservation Commission and to ensure that a permanent conservation of the parcels is maintained or to take any action relative thereto.

CONSERVATION COMMISSION RECOMMENDATION:

ARTICLE 15
Ratification/Revote – Veteran's Tax Exclusion
Select Board

To see if the Town will ratify the vote to accept the provisions of Massachusetts General Law, Chapter 59, Section 5N, so called, approved by the voters at Special Town Meeting on October 1, 2012 as Article 3, thereby establishing a Veterans Tax Abatement Program to take effect July 1, 2024, or take any action related thereto.

FINANCE COMMITTEE RECOMMENDATION:
COUNSEL ON AGAIN RECOMMENDATION:

ARTICLE 16
Amendments to Town Code Part I, Chapter 92 – "Hawkers & Peddlers"
Select Board

To see if the Town will vote to Strike Lancaster Town Code Chapter 92 "Hawkers and Peddlers" in its entirety and replace the contents of that Chapter with the following language:

Chapter 92
PEDDLING & SOLICITING – DOOR TO DOOR SALES

Note: I don't love that this is all in red, but that was the way we were establishing what text was changing. Since we are striking the *entirety* of Ch. 92 and replacing it with this, can we revert to black text?

A No Solicitation List shall be established and maintained by the Lancaster Police Department. Residents may submit their property for inclusion on the list without charge. Upon approval of the issuance of a license

as provided herein, each such licensed entity or individual shall be provided with a copy of the No Solicitation List and may not solicit or canvass such property.

92-1 : The Town shall Adhere to Massachusetts State Law. Title XV, Ch.101, §34: Door-to-door sales for future delivery; employment of minors; duties of sales organization; registration.

(A) As used in this section the following terms shall have the following meanings:

"Sales agent", a person under eighteen years of age who is recruited or retained by, or who represents, or is in any manner associated with, whether as an employee or an independent contractor, any sales organization engaged in the sale of goods or periodicals door-to-door for future delivery for any commercial purpose in a city or town in the commonwealth. The term "sales agent" shall not include: (i) a person engaged in activities under the immediate supervision of a parent or guardian, or (ii) a person who does not earn his primary source of income while performing services for a sales organization, or (iii) a person who does not reside away from his home while engaged in the sales activity.

"Sales organization", a person or representative thereof, engaged in the supervision, recruitment, retention, or employment of sales agents for the door-to-door sale of goods or periodicals for future delivery. "Sales group", any group of persons, including sales agents, which is engaged in the door-to-door sale of goods or periodicals for future delivery, and which is under the supervision of a sales organization or sales supervisor.

"Sales supervisor", a person representing a sales organization who directs or supervises a sales group in any city or town in which it is engaged in the sale of goods or periodicals door-to-door for future delivery.

(B) No sales organization shall recruit, hire, or employ a person to engage in the sale of goods or periodicals door-to-door for future delivery unless and until such person furnishes the sales organization with information sufficient to inform such sales organization of such person's age and identification.

Each sales organization shall:

(1) prior to the employment of a person under eighteen years of age, furnish to a parent or guardian of such person a listing of cities or towns in which the sales group will be working in the two weeks immediately following such employment, the dates when the sales group shall be in each such city or town, the address of the sales group in each such city or town during the time the sales group is in such city or town, and the business address at which such parent or guardian may be informed of such person's work address.

(2) keep accurate accounts of sales made, lawful expenses incurred, and all amounts earned by each sales agent.

(3) provide to each sales agent for each pay period, but not less than once each seven days, an itemized written statement of the account of such sales agent.

(4) pay, on the same day each pay period to each sales agent, all money earned from all sales made a week or more prior thereto by such sales agent.

No sales organization, in carrying out any contract, agreement, or other arrangement with any sales agent, shall engage in any of the following conduct or activity:

(1) threats or acts of reprisals, intimidation, or physical violence against any sales agent, or any person acting on behalf of any sales agent.

(2) refusal to disburse commissions, salary, compensation, or other remuneration owing to a sales agent.

(C) All sales agents and sales supervisors covered by the provisions of this section shall register with a chief of police or with another official to be designated by the city council of a city or the board of selectmen of a town of initial registration. Each applicant for registration shall provide positive identification, give a permanent street address, provide an exemplar of his signature, the name of his employer or the party responsible for complying with the provisions of subsection (b), the business address of such employer, the identity and registration of any motor vehicle to be used to transport goods or persons engaged in said business, and a brief description of the goods to be sold and proposed method of operation. Said chief of police or designated official shall photograph each applicant for the purpose of identification and shall retain a copy of each such photograph for a minimum of two years.

Each registrant shall pay to the city or town in which the initial registration occurs a registration fee in accordance with the provisions of section twenty-two.

If the chief of police or designated official determines by investigation or receives reliable information that an applicant has been convicted of a felony or is a fugitive from justice or if such applicant refuses to provide any of the required information, then said applicant may be denied registration. Otherwise, the said chief of police or designated official shall provide each successful applicant who pays the required fee a certificate of registration which shall be effective and valid for two years from the date of issuance. Each such certificate of registration shall include the applicant's photograph, the applicant's description, and signature, as well as the date and the name of the city or town of issuance. The certificate of registration shall be issued within forty-eight hours of the submission of the application. Such a certificate shall be conspicuously displayed by each registered sales agent and sales supervisor when engaged in selling.

Before a sales agent or sales group may commence selling goods or periodicals door-to-door for future delivery in a city or town, written notice shall be given to the chief of police or other official designated by the city council of such city or the board of selectmen of such town. Such written notification shall include the name and local address of each sales agent and sales supervisor, the date and time in which the sale is to be conducted, a description of the goods or periodicals to be sold, and the proposed method of operation.

The chief of police or other designated official of a city or town shall electronically notify the department of criminal justice information services of the name of each sales agent, including a sales agent within a sales group, and each sales supervisor who has registered or provided notice that he is selling goods or periodicals door-to-door for future delivery in said city or town. Said notification shall be by means of the criminal justice information system in accordance with a plan to be developed by the department of criminal justice information services. The chief of police shall make an inquiry to determine whether a sales agent or sales supervisor is a missing person.

The chief of police or other designated official may regulate the hours during which and conditions under which the registrant may engage in door-to-door selling. If the sales group intends to extend its stay in any city or town, the sales supervisor, or sales organization if there is no sales supervisor, shall submit to the chief of police or other designated person a written statement citing the reason for such extension and the date of the expected departure of such sales group.

Any such registration may be revoked for good cause by the chief of police or other designated official in any city or town in which such sales are being made. Good cause shall include a violation of this section or a determination that the registrant has been convicted of a felony, or is a fugitive from justice, or has been charged with a felony while engaged as a sales agent or sales supervisor. In the event of any such revocation, the chief of police or other designated official shall immediately notify in writing the chief of police of the city or town which issued the certificate of registration so revoked.

(D) A person or sales organization that knowingly violates any provision of this section shall be subject to a fine of five hundred dollars or imprisonment for not more than six months.

A person who knowingly supplies false information on an application or who carries on the business regulated by this section without registering or alter his registration is revoked or expired shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

(E) The provisions of this section shall not apply to any person who goes door-to-door to sell goods or periodicals on behalf of any group organized for any political purpose or for any purpose described in section four of chapter one hundred and eighty, nor shall this section apply to a person engaged in any sale governed by section sixty-nine of chapter one hundred and forty-nine.

92-2: Peddling and Soliciting - Door-to-Door Solicitors

DEFINITIONS

For the purpose of this article, the following words as used herein shall be considered to have the meanings herein ascribed thereto:

License - the photo identification on card issued to the licensee.

Person - any individual, firm, co-partnership, corporation, company, association or joint-stock association, society, organization or league and includes any trustee, receiver, assignee, agent or other similar representative thereof, except as otherwise excluded by this article.

Premises - a building or portion of a building used for residential purposes, including the real estate upon which any such building is located, provided that the predominant use of the real estate is for residential purposes.

Solicit or Solicitation - includes any one or more of the following activities:

Seeking to sell or to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatever.

Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication.

Seeking to obtain gifts or contributions of money, clothing or any other valuable item for the support or benefit of any charitable or nonprofit association, organization, corporation, group or project except as otherwise excluded by this article. Seeking to distribute literature except as otherwise exempted.

APPLICATION FOR LICENSE

A.) Every person who engages in door-to-door solicitation for any purpose, except as otherwise excluded by this article, either as a principal or agent, shall, before commencing business in the Town of Lancaster make written application under oath for a license to the Chief of Police.

B.) Required information

Said application form will require the following information:

(1) The name, permanent address, and telephone number, and temporary address, if any.

(2) A physical description of the applicant, setting forth the applicant's age, height, weight, color of hair and eyes.

(3) The name, address and telephone number of the person, firm, association or corporation that the person represents or is employed by, or whose merchandise is being sold.

(4) A brief description of the business he or she wishes to conduct and of the methods to be used in furtherance of said business.

(5) The make, model and license number of any vehicle to be used by the applicant in the conduct of his/her business.

(6) A statement as to whether the applicant has been convicted of any crime or ordinance violation related to any prior solicitation by the applicant within the last five years, the nature of the offense and the place of conviction.

(7) A statement as to the period during which the applicant intends to carry out the solicitation. Further, the Police Chief shall not issue a license unless the above required information has been provided by the applicant or an explanation has been given for the applicant's inability to provide any of the foregoing information.

Applicants shall present to the Chief for examination a driver's license, or some other proof of identity as may be reasonably required.

PHOTOGRAPH REQUIRED

The applicant shall permit the Police Department of the Town of Lancaster to photograph said applicant for identification purposes.

ISSUANCE OF LICENSE; FEE

No later than ten (10) calendar days after filing of such application, the Chief of Police, or his designee, shall issue the applicant a license in the form of a photo identification card showing the name and address of the licensee and authorizing him or her to solicit for the purposes described in his or her application subject to the by-laws of the Town of Lancaster and the laws of the Commonwealth of Massachusetts. Failure by the Chief of Police to act on an application within ten (10) calendar days shall constitute approval of said application.

The fee for such license shall be \$25 and said license shall expire one year from the date of issue, or on the day of its surrender or revocation, or on the filing of an affidavit of its loss to the Police Department on a form approved by the Town Solicitor.

An applicant who has been a resident of the Town of Lancaster for at least six months shall be exempt from the fee.

Grounds for disapproval of an application shall include but are not limited to the following:

1. Applicant has a conviction in any state or federal court of the United States or any court of a territory of the United States for any of the following:

named offenses committed within the last seven (7) years: burglary, breaking and entering, larceny, robbery, receiving stolen property, assault, fraud, sexual misconduct as specified in Chapter 265, Sections 13B and 22 through 24, and Chapter 272, Sections 53A, of the General Laws, unlawfully carrying weapons, or the attempt of any such offense.

2. Applicant is a person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as a Level 2 or Level 3 Sex Offender, as such person have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of sex crimes; or

3. The failure to include any of the information requested in the application.

IDENTIFICATION CARD TO BE NONTRANSFERABLE; DISPLAY.

The photo identification card shall be nontransferable and shall entitle the licensee for the period indicated therein and for the purposes specified therein to solicit in the Town of Lancaster, provided that the licensee shall always have in his/her possession while soliciting and shall further conspicuously display the photo identification card.

NOTIFICATION OF CHANGES TO POLICE

If while the application is pending or during the term of any license granted thereon there is a change in fact, policy or method that would alter the information given in the application, the applicant or licensee shall notify the Police Department in writing within 24 hours of such change.

LICENSE NOT TO CONSTITUTE ENDORSEMENT

Said license does not constitute an endorsement by the Town of Lancaster nor by any of its departments or officers of the purpose or of the person conducting the solicitation.

POSTED PREMISES

No person shall engage in solicitation upon any premises without a prior invitation from the occupant thereof if such premises is posted against such solicitation by means of a notice prominently displayed upon which is printed the legend "no solicitors" or words of similar import. For the purposes of this section, the premises shall be deemed posted against solicitation if there is exhibited, on or near the main entrance to the premises or on or near the main door to any residence located thereon, a sign at least three inches by four inches in size which bears the above legend in letters at least 1/3 inch in length.

PROHIBITED ACTIVITIES

There shall be no solicitation upon the premises, other than upon prior invitation of the occupant of any such premises, prior to 12:00 noon or after 7 :00 p.m. local time of any day, and it is hereby declared unlawful and shall constitute a nuisance for any person, whether licensed under this article or not, to go upon any premises and ring the doorbell upon or near any door or create any sound in any other manner calculated to attract attention of the occupant of such residence, for the solicitation as herein defined prior to 12 :00 noon or after 7: 00 p.m. of any day or at any time on a Sunday or national holiday.

No person engaged in solicitation shall, at the time of initial contact with a prospective customer or donor, fail to identify himself and the purpose of the solicitation.

No person engaged in solicitation shall misrepresent the purpose of his solicitation or use any false, deceptive or misleading representation to induce a sale or contribution, or use any plan, scheme or ruse which misrepresents the true status or mission of the person making the call. No person engaged in making a solicitation as defined in § 468-14 shall violate any of the provisions of Chapter 93A of the General Laws of Massachusetts said chapter being entitled "Regulation of Business Practices for Consumers' Protection," the current provisions of which are hereby adopted and by reference made a part hereof.

CONSTITUTION OF NUISANCE

The practice of any individual or group going in and upon private residences in the Town, not having been requested or invited to do so by the owner(s) or occupants of said private residences, for the purposes of soliciting after the owner has requested the individual to depart from the premises, either orally or in writing, is declared to constitute a nuisance under this article.

REVOCAION OF LICENSE

Any license issued under the provisions of this article may be revoked by the Chief of Police of the Town of Lancaster after notice and hearing for any of the following causes:

- Fraud, misrepresentation, or false statement contained in the application for license.
- Fraud, misrepresentation, or false statement made in the course of carrying on his/her business as solicitor.
- Any violation of this article.
- Conviction of any crime or misdemeanor involving moral turpitude; or
- Conducting the business of soliciting in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.

NOTICE OF REVOCATION HEARING

Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing.

APPEALS

Any person aggrieved by the action of the Chief of Police in the revocation of a license shall have the right of appeal to the Select Board. Such appeal shall be taken by filing with the Select Board, within 14 days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Select Board shall set a time and place for a hearing on such appeal, and prior to that time, notice of the revocation and the right to a hearing shall be given to the licensee in writing. The decision and order of the Select Board on such an appeal shall be final and conclusive.

EXEMPTIONS

A. The provisions of this article shall not apply to children 14 years old or younger who solicit under the supervision of an adult who shall be at least 18 years old and to whom the provisions of this article shall apply.

B. The provisions of this article shall not apply to any person delivering newspapers, fuel, dairy products or bakery or other foodstuffs to regular customers on established routes in the Town of Lancaster.

C. The provisions of this article shall not apply to route salesmen or other persons having established customers to whom they make periodic deliveries and who may from time to time call upon prospective customers along their regular service route to solicit an order for future periodic route deliveries.

SELECT BOARD RECOMMENDATION:

ARTICLE 17
Acceptance of M.G.L. relative to creditable service for call Firefighters
Select Board

To see if the Town will vote to accept the provisions of M.G.L. c.32, §4(2)(b) and M.G.L. c.32, 84(2)(b½), to allow permanent, intermittent, or call firefighters to be credited with full-time service for the purpose of calculating retirement benefits in accordance with Chapter 32 of the Massachusetts General Laws and other applicable laws and collective bargaining agreements; or take any other action thereon.

SELECT BOARD RECOMMENDATION:

ARTICLE 18
Amendments to Town Code I, Ch. 10 §1.0 & §10-8 “Animal Control”
Select Board

Vote to amend Part I, Ch. 10 of the Town Code “Animal Control” §10-1 “Definitions” and §10-8 “Animal Control Commission” Adopted by the Town of Lancaster at its Special Town Meeting held October 28, 2013 [Article 10] and amended at Annual Town Meeting held June 21, 2021 [Article 7] by making the following changes:

§ 10-1. Definitions.

ANIMAL CONTROL OFFICER – An officer appointed by the Board of Selectmen **Commissioner of Public Safety** and authorized to enforce Sections 136A to 174E, inclusive, of Chapter 140 of the General Laws and this bylaw.

§ 10-8. Animal Control Commission.

- ~~A. An Animal Control Commission (“Commission”) is hereby established.~~
- B. The members of the Select Board shall act as Animal Control Commissioners as needed or requested by the Commissioner of Public Safety or Town Administrator. In this capacity, the Select Board** ~~This Commission~~ shall be charged with evaluating animal control problems by collecting necessary data, hearing expert opinions, holding public hearings, and other activities ~~in order to~~ **ensure informed decision making and the Board’s ability to** make recommendations to resolve **Animal Control matters as they arise.** ~~such problems. The Commission will provide support in the recruitment, hiring, and training of the Animal Control Officer. The Commission may also promulgate appropriate rules and regulations for the care and control of animals and facilities covered by the bylaw, and prepare budgets for prepare budgets for animal control activities. The Commission shall also review, approve or deny kennel license applications.~~
- ~~C. If matters brought before the Commission are not satisfactorily resolved, the Commission may recommend the issue be brought to the Select Board for further review and action.~~
- ~~D. The Commission shall consist of not less than five nor more than seven members who shall be appointed by the Select Board. Membership should include a cross section of the community and include individuals with professional knowledge pertinent to the member’s responsibilities, (i.e., an attorney, veterinarian, police officer, humane society representative, etc.).~~
- ~~E. When the Commission is first established, the terms of the members shall be for such length, not exceeding three years, and so arranged that the terms of approximately 1/3 of the members will expire each year, and their successors shall be appointed for terms of three years each.~~
- ~~F. Any member of the Commission may be removed for cause after a public hearing.~~
- ~~G. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as an original appointment.~~

ARTICLE 19
Hawthorne Lane
Citizen’s Petition

To see if the Town will vote to accept the layout of Hawthorne Lane as a public way, along with associated roadway improvements, water and drainage infrastructure, and open space access, in the location depicted as “proposed minor street” on the plan entitled “Definitive Subdivision Plan,” prepared by Whitman & Bingham Associates, LLC, Leominster, dated October 6, 2015, said plan recorded with the Worcester County Registry of Deeds in Plan Book 934, Plan 43, or to act in a manner relating thereto.

ARTICLE 20

Act Increasing the Membership of the Select Board of the Town of Lancaster

Citizens' Petition

To see if the Town will vote to authorize the Select Board to file a petition with the General Court to enact legislation which would provide that notwithstanding any other general law or special law to the contrary, that at the next annual town election after passage of such legislation, but not earlier than the 2025 Annual Town Election, the Lancaster Select Board shall consist of five (5) members, and which would provide, without limitation, a process for an election to fill the two (2) new positions, for no change to the term of office of then currently serving members, and for staggered terms of the five (5) members of the Select Board; provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition; and to act on anything relating thereto.

**AN ACT increasing the membership of the
Select Board of the Town of Lancaster**

*Be it enacted by the Senate and House of Representatives in
General Court assembled, and by the authority of the same, as follows:*

SECTION 1: Notwithstanding any provision of any general or special law to the contrary, the number of members of the Select Board of the Town of Lancaster shall be increased from three (3) to five (5). The Select Board shall annually elect a chairperson from among its members.

SECTION 2: At the first Annual Town Election following acceptance of this act by the voters of the Town, but in no event prior to the 2025 Annual Town Election, three (3) Select Board members shall be elected. The candidate receiving the highest number of votes in that election shall serve a three (3) year term, the candidate receiving the second highest number of votes shall serve a two (2) year term, and the candidate receiving the third highest number of votes shall serve a one (1) year term. Thereafter, as the terms of Select Board members expire, successors shall be elected for terms of three (3) years.

The terms of those members currently serving as Select Board members at the time of adoption of this act shall be unchanged by the adoption of this act.

SECTION 3: This act shall be submitted for acceptance to the voters of the Town of Lancaster at the next Annual or Special Town Election following its passage, in the form of the following question which shall be placed on the official ballot:

"Shall an act passed by the General Court entitled, 'An Act increasing the membership of the Select Board of the Town of Lancaster' be accepted?"

If a majority of the votes cast in answer to the question is in the affirmative, sections 1 and 2 of this act shall thereupon take effect, but not otherwise.

SECTION 4: Section 3 of this act shall take effect upon its passage.

And you are directed to serve this Warrant by posting up attested copies thereof at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House, and the Prescott Building, in said Town seven days at least before the time for holding said meeting. Hereof fail not and make due return of the Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

SELECT BOARD OF LANCASTER

Stephen Kerrigan, Chair

Jason Allison, Members

Alexandra Turner, Clerk

CONSTABLE'S CERTIFICATION

I hereby certify under the pains and penalties of perjury that I posted an attested a copy of this Warrant at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House, and the Prescott Building on the date attested. I further certify that this Warrant was posted in accordance with the By-laws of the Town of Lancaster and the provisions of M.G.L. c.39 §10.

Attest:

Constable Signature

Print

Date: _____

The full text of the Warrant is available in the Prescott Building and Thayer Memorial Library. The Warrant will also be available in limited print at the Annual Town Meeting.

#4

#6

APPOINTMENTS AND RESIGNATIONS

Kathi Rocco

Subject: RE: New COD Member Information

Kathi

Kathleen Rocco
Executive Assistant / Records Access Officer
Lancaster Select Board
701 Main Street, Suite 1
Lancaster, MA 01523
T: 978-365-3326 x 1201
www.ci.lancaster.ma.us



From: Mike McCue <mmccue@mccueassociates.com>
Sent: Tuesday, March 19, 2024 1:09 PM
To: Amanda Cannon <ACannon@lancasterma.gov>; Kathi Rocco <KRocco@lancasterma.gov>
Subject: FW: New COD Member Information

Hi Amanda,

Per our discuss today, can you/ Kathi please get Jim Peters approval as new COD member onto the next Select Board meeting agenda, as it has been over 7 weeks since the first request.

Thanks!

Mike McCue
President



McCue & Associates

McCue & Associates, LLC
978-733-1353
www.mccueassociates.com



From: Mike McCue
Sent: Monday, January 29, 2024 1:22 PM
To: Amanda Cannon <ACannon@lancasterma.gov>

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From: Mike McCue <mmccue@mccueassociates.com>
Sent: Saturday, January 27, 2024 5:26 PM
To: Amanda Cannon <ACannon@lancafterma.gov>
Cc: Kathi Rocco <KRocco@lancafterma.gov>
Subject: New COD Member Information

Hello Amanda, Kathi,

As I mentioned, information for new member nominee is as follows:

James George Peters
19 Farm Land Lane
Lancaster, MA 01523.

(Resident of Lancaster since June 1999.)

Please cc me on letter(s) pertaining to his acceptance and swear-in.

Thank You,

Mike McCue
President



McCue & Associates

McCue & Associates, LLC
978-733-1353
www.mccueassociates.com



The contents of this email and any attachments are the property of the Town of Lancaster Massachusetts and subject to the Public Records Law, M.G.L. c. 66, section 10. When writing or responding, please remember that the Massachusetts Secretary of State's Office has determined that email is a public record and not confidential.

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EXECUTIVE SESSION

COMMUNICATIONS

ADJOURNMENT
