



**LANCASTER BOARD OF SELECTMEN**  
**Regular Meeting Minutes**  
**Of December 16, 2019**

**I. CALL TO ORDER**

Chairman Stanley B. Starr, Jr. called the Regular Meeting of the Board of Selectmen to Order at 6:00 P.M. in the Nashaway Meeting Room, located in the Prescott Building, 701 Main Street, Lancaster, Massachusetts. Present were Selectmen Walter F. Sendrowski, Jay M. Moody, Town Administrator Orlando Pacheco and Executive Assistant Kathleen Rocco.

**II. PUBLIC COMMENT PERIOD**

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

- Frank Street, Bull Hill Road, made comments on the Town Administrator Contract Negotiations
- Christine Mirabito, George Hill Road, commented on the need for the DEC between the Planning Board and Historical Commission.
- Greg Jackson, Farnsworth Way, made comments and asked questions on the Town Administrator's performance review.
- Heather Lennon, Nicholas Drive, asked the Selectmen to support the DEC between the Planning Board and the Historical Commission regarding industrial development in the Town of Lancaster.

**III. APPROVAL OF MEETING MINUTES**

Review and take action on Regular Meeting Minutes of December 2, 2019

*Selectman Sendrowski moved to approve the Regular Meeting Minutes of December 2, 2019. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

**IV. SCHEDULED APPEARANCES & PUBLIC HEARINGS**

6:10 P.M. Pole Hearing – White Pond Road

Selectman Sendrowski read the following legal notice into the Minutes:

*Under the provisions of Chapter 166, Section 22 of the General Laws, and any additions thereto or amendments thereof, a Public Hearing is scheduled for Monday, 6:10 pm on December 16, 2019 in the Nashaway Meeting Room located on the second floor of the Prescott Building, 701 Main Street, Lancaster, MA to consider a petition submitted by National Grid and Verizon New England, Inc., requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:*

*White Pond Road. – National Grid to install 3 JO Poles and relocate 3 JO Poles on White Pond Road beginning at a point approximately 700 feet south of the centerline of the intersection of Mechanic Street and White Pond Road and continuing approximately 1600 feet in a south direction. Installing 3 new poles, P 5-75, P 9-50 and P 10-50 on White Pond Road. Relocating 3 poles on White Pond Road (P 4-50, P 5-50 and P 10).*

*Selectman Sendrowski moved to open the Pole Hearing at 6:12pm. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye [3-0-0]*

Discussion: A representative from National Grid was present to explain the Petition request and answer any questions from the Board of Selectmen and audience. Seeing no further discussion:

*Selectman Moody moved to close the public hearing at 7:28pm. Selectman Sendrowski Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

*Selectman Sendrowski moved to approved the Petition for White Pond Road. – National Grid to install 3 JO Poles and relocate 3 JO Poles on White Pond Road beginning at a point approximately 700 feet south of the centerline of the intersection of Mechanic Street and White Pond Road and continuing approximately 1600 feet in a south direction. Installing 3 new poles, P 5-75, P 9-50 and P 10-50 on White Pond Road. Relocating 3 poles on White Pond Road (P 4-50, P 5-50 and P 10). Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

## **V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS**

- **Fire Chief Hanson to update Board on Ambulance Service**

Due to the sudden departure of Woods Ambulance Service, which is the Advanced Life Support (ALS) ambulance coverage in Lancaster, Chief Hanson wanted to assure the Board, as well as the residents of Lancaster, that there will be continued coverage. He noted that they are temporarily using Sterling to provide ALS coverage.

Chief Hanson explained that several towns are moving away from using private ambulance companies (which set their own rates), and instead bringing the services in-house with joint fire and EMS; thus allowing the Towns to set their own rates.

Chief Hanson stated that he and Bolton Fire Chief Jeffrey Legendre, are joining together to provide 12 hours of coverage per day, 365 days a year. Bolton Chief Legendre explained that it will be run out of the Bolton Public Safety Building. He further explained the estimated cost for a 12 hour coverage would be approximately \$54,000 annually for equipment, \$6000 for supplies (IVs and medication), and \$173,000 for ALS paramedics (\$25/hr). He noted that for a 24 hour coverage, the amount for ALS paramedics would be \$281,000.

## **VI. TOWN ADMINISTRATOR REPORT**

- 1) **Fort Pond Dam/Water Levels**

Town Administrator Pacheco reported that the flash boards and sandbags have been removed by the owner and the water level has resided. The Town will keep in touch with lake residents to make sure the water levels do not pose a risk to property. The setting of water levels is an item that still needs to be worked out with MADEP and or local Conservation Commission.

2) **Main Street/Seven Bridge Road Intersection**

Town Administrator Pacheco announced that the project is still on track for completion of all permitting in the 1st quarter of next year, with construction to start that summer. The additional drainage survey and design is on-going and continue to make good progress towards 100% design.

3) **EPA MS4 Permit**

The MS4 permit was re-submitted (the original was submitted in August) and is being reviewed. Mr. Pacheco noted that based on his conversation with them we see no reason the permit will be denied or any additional information would be lacking.

4) **Free Full Day Kindergarten**

Town Administrator Pacheco stated the District has approved free full day kindergarten beginning the 20-21 school year. The "gap year" as this is referred to is paid for by the district and state money will absorb the program after. He further stated that the "gap year" is being funded with monies that was voted last year to be earmarked for the program and a surplus in the FY19 budget of \$219,000.

5) **MSBA**

The NRSD has been notified by the Mass School Building Authority that it has been invited to a meeting of its Board where Mr. Pacheco suspects it will be considered to be in the pipeline for a building study in relation to the High School. He noted that he will continue to reach out to the Superintendent's Office to stay updated on the matter.

6) **DCJIS Audit**

The Department of Criminal Justice Information Service has conducted an audit of the Lancaster Police Department and Nashoba Valley Regional Dispatch District operations and certified that the Town of Lancaster is in compliance with all policies and procedures. The audit was conducted on December 6, 2019.

7) **Tri-Town**

Town Administrator Pacheco announced that the next Tri-Town Meeting is scheduled for Wednesday January 15, 2020. Location has yet to be determined. Mr. Pacheco asked the Board of Selectmen to please keep agenda items in mind so he can make sure the agenda is coordinated with the Host community.

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

1. Executive Session M.G.L. c.30A, §21 (a)(2) – to conduct contract negotiations with non-union personnel, specifically the Town Administrator and may or may not reconvene back into open session.

*Selectman Sendrowski made the Motion to go into Executive Session M.G.L. c.30A, §21 (a)(2) – to conduct contract negotiations with non-union personnel, specifically the Town Administrator and will reconvene back into open session. Selectman Moody Seconded. (Roll Call Vote)*

*Walter Sendrowski vote Yes*

*Jay M. Moody vote Yes*

*Stanley B. Starr, Jr. vote Yes*

*Selectman Sendrowski made the Motion to reconvene in Open Session at 7:06pm. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

2. May take action on Town Administrator Employment Contract.  
*Selectman Sendrowski made the Motion to renew Town Administrator Orlando Pacheco's Contract for a term of four (4) years. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote No and Stanley B. Starr, Jr. vote Aye. [2-1-0] Motion passes*

3. Discussion – Received on December 5, 2019, Notice of Intent pursuant to G.L. c. 61A as to approximately 15.91 acres of real property known as 0 Sterling Road.  
Town Administrator Pacheco noted that a revised Purchase and Sale Agreement regarding 0 Sterling Road has been received, and submitted to Town Counsel for their review. Mr. Pacheco reported that Town Counsel Attorney Eichman stated that the revised Purchase and Sale was compliant. Town Administrator recommended that Attorney Eichman and Attorney Morrison speak to each regarding this matter.

Victoria Petracca, Woodland Meadow Drive, stated that she appreciates the offering for Attorney Morrison the ability to speak with Town Counsel Attorney Eichman. She further stated that the second Notice of Intent still has a defect in it and has not been remedied. Mrs. Petracca introduced Attorney Jan Morrison, Land Conservation Consultant, who has laid out path moving forward.

Attorney Morrison addressed the Board of Selectmen regarding the Notice of Intent and advised the Board that it is insufficient, because under Chapter 61A, Section 14 requires the Chapter 61A:

*"be accompanied by any additional agreements or a statement of any additional consideration for any contiguous land under the same ownership, and not classified under this chapter, but sold contemporaneously with the proposed sale."*

Attorney Morrison stated that the Board could assign the Right of First Refusal, call it a pre-acquisition by a land trust, which would then provide the time to find funds and obtain grants to protect the land and keep it open space. Thereby the land trust would have about seven months to raise the money to purchase the parcel.

4. Review and take action on the Alcoholic Beverages Control Commission (ABCC) Renewal Certification 2020.  
*Selectman Sendrowski moved to approve the ABBC Renewal Certification 2020. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*
5. Review and take action on the Alcoholic Beverages Control Commission (ABCC) Seasonal Population Increase Estimation Form  
*Selectman Sendrowski moved to approve the ABBC Seasonal Population Increase Estimation Form. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

## **VIII. APPOINTMENTS AND RESIGNATIONS**

Review and take action Zoning Board of Appeals appointment.  
Applicants - Ryan Aldrich and Robert Alix

*Selectman Sendrowski moved to appoint Ryan Aldrich to the Zoning Board of Appeals. Selectman Moody Seconded.*

Discussion:

Selectman Moody feels one of the candidates would have to recuse himself from many of the issues coming before the Zoning Board of Appeals, due to his business and is an on-call firefighter.

Town Administrator Pacheco stated that the candidate did file a disclosure with the Town regarding being on-call firefighter.

Katherine Holden, Goss Lane, member of the Board of Health, noted that one of candidates is a registered Trash Hauler.

Dick Trussell, Burbank Road, came before the Board to speak about one of the applicants. His concern:

1. One of the candidates has had 2-3 incidents with the Zoning Board of Appeals.
2. Four people out of a Seven member board are involved in construction

Applicant Robert Alix came before the Board to discuss his qualifications to be appointed on to the Zoning Board of Appeals. Mr. Alix asked that Board of Selectmen interview both candidates.

Applicant Ryan Aldrich was not present.

After further discussion, Mr. David Dunn, Moffet Street, recommended to the Selectmen to have the candidate for Zoning Board of Appeals should come before the Board of Selectmen's next meeting to be interviewed by the Selectmen.

*Walter F. Sendrowski vote Aye, Jay M. Moody vote No, Stanley B. Starr, Jr. Abstains. [1-1-1]*

The Appointments for the Zoning Board of Appeals will be placed on the January 13, 2020 Board of Selectmen's agenda.

## **IX. LICENSES AND PERMITS**

### **I. Review and take action on the following ABCC licenses**

#### **Kalon Farms**

- Farmer's Series Pouring Permit License

*Selectman Sendrowski moved to approve the Farmer's Series Pouring Permit License to Kalon Farms. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

- ABCC 2020 Retail License Renewal

*Selectman Sendrowski moved to approve the ABCC 2020 Retail License Renewal to Kalon Farms. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

### **II. Review and take action on the following 2020 Renewal License Applications**

#### **1. College Inn – Inn Holder License & Common Victualler**

*Selectman Moody moved to approve the College Inn the Inn Holder License and Common Victualler. Selectman Sendrowski Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

2. RBI Auto – Class 2 License

*Selectman Sendrowski moved to approve the RBI Auto, Class II License. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

**X. NEW BUSINESS \***

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

**XI. COMMUNICATIONS**

- Board of Selectmen will Regular Meeting on Monday January 6, 2020 has been cancelled.
- Board of Selectmen will hold a Special Meeting on Monday, January 13, 2020 at 5:30 p.m. in the Nashaway Room.

**XII. ADJOURNMENT**

Seeing no further business, on Motion by Selectman Sendrowski, seconded by Selectman Moody, it was unanimously voted. The Board of Selectmen adjourned at 8:03 P.M.

Respectfully submitted

Kathleen Rocco  
Executive Assistant



Walter F. Sendrowski, Clerk

Approved and accepted: 1-13-20