



**LANCASTER BOARD OF SELECTMEN**  
**Regular Meeting Minutes**  
**Of December 2, 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, and Town Administrator Orlando Pacheco.

**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.*

Chairman Starr reminded the audience that the Public Comment Period is a time where there will be no debate, it should civil and respectful and limited to 4-5 minutes.

Don Chaisson, 710 George Hill Road, commented on the town's failure to renew the storm water permit. As a member of the Conservation Commission, the lapse of this permit is unacceptable. He further noted that without the permit allowing for exemptions, the town has been in violation of the Clean Water Act. Mr. Chaisson pointed out the Planning Board has tried to bypass and circumvent the storm water permit bylaw on drainage. Town Administrator Pacheco noted that the permit was resolved in the past week.

Clayton Arvidson, 310 Fort Pond Road, came before the Selectmen to express concern of the dam on Fort Pond. Privately owned, the dam has gone into neglect and the owner has raised the dam. He noted that the dam has been raised by a foot, in which has altered the water's edge. Mr. Arvidson stated due to the altered water's edge; 7 feet of his beach is now under water. It was noted that the dam was under the jurisdiction of the Conservation Commission due to the wetlands. Conservation Commission did give an order to lower the level of dam to the owner, as well as a signed agreement promising he would do so in 7 days.

Roy Mirabito, 944 George Hill Road, read a letter to the Board of Selectmen requesting that resident Victoria Petracca be appointed to the Affordable Housing Committee.

**III. APPROVAL OF MEETING MINUTES**

Review and take action on Regular Meeting Minutes of November 4, 2019 & November 18, 2019  
*Selectman Sendrowski moved to approve the Regular Meeting Minutes of November 4<sup>th</sup> and November 18<sup>th</sup>, 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. Joint Meeting with Thayer Memorial Library Trustees to appoint a new member to the Board of Trustees

Library Trustees present: Emily Rose, Frank Streeter, David Spanagel, Kathryn Engelhardt  
*Library Trustees made the Motion and Seconded to open their meeting. Motion Passed. [4-0-0]*

Library Trustees made the recommendation to the Board of Selectmen to appoint Ann T. Ogilvie.

*Selectman Sendrowski moved to appoint Ann T. Oglivie to the Board of Library Trustees and to serve out the term. Library Trustee Streeter Seconded. Walter Sendrowski vote Aye, Jay M. Moody vote Aye, Stanley B. Starr, Jr. vote Aye, Emily Rose vote aye, David Spanagel vote Aye, Frank Streeter vote Aye, and Kathryn Engelhardt vote Aye. [7-0-0]*

#### V. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS - NONE

#### VI. TOWN ADMINISTRATOR REPORT

1) Fort Pond Dam/Water Levels

Town Administrator Pacheco and Conservation Agent David Koonce have been working with several residents regarding the water levels at Fort Pond. Mr. Pacheco reported that there is a small low hazard dam that is privately owned that generally regulates the water level. There is some concern that the existing level is too high currently and could cause some property damage. Because the Dam is not jurisdictional, it is not regulated by the State's Office of Dam Safety. The ConsCom has put in place an Order of Conditions allow work done within the wetland to bring the existing level down, working cooperatively with the dam owner. Mr. Pacheco noted that they will revisit the water level in the spring/summer time frame to make sure they can see what an appropriate water level should be based on the season.

2) 0 Kilbourn Road ROFR

KP Law did send a notification to the attorney representing the Kilbourn Estate that the Purchase and Sale Agreement was not 100% consistent with the statute. Town Administrator Pacheco stated that in speaking with the Kilbourn's Attorney, they did advise that him, that the Town will be receiving a new Purchase and Sale Agreement. Further, Kilbourn's Attorney stated that they would not pursue a public meeting with the Board of Selectmen, but will be happy to communicate in writing.

Chairman Starr asked that if anyone has questions or concerns regarding the Kilbourn Estate Purchase and Sale agreement, to please put it in writing and direct it to the Town Administrator's office.

3) Mass Save Municipal Partnership/Community Campaign

Mr. Pacheco announced that the Town of Lancaster was selected to participate in Mass Save Community Campaign. The goal of this program is to have 10% of homes and businesses in the community receive energy audits over a 12 month period. The program will run from January 1, 2020 thru December 31, 2020. The Town will receive a financial incentive if the Town reach the targets.

4) Employee Health Insurance

Mr. Pacheco stated they are in the process of working with the Unions to consolidate employee and retiree health insurance to one carrier (Blue Cross Blue Shield). He further stated that the

Town's current consortium, which offers 3 plans, has been difficult to maintain cost control. He noted that they are looking to implement this for a June 1, 2020 start date and have been given a 2 year rate guarantee.

5) Street Sweeper

The Town has sold the old Elgin Street Sweeper and has registered and insured the new one authorized by MassDOT with Chapter 90 funds. The old Street Sweeper was sold on Govdeals, which is the online auction site the Town uses most.

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

1. Affordable Housing Committee Update

Chairman Starr spoke about the makeup of the Affordable Housing Committee, noting that each Selectman had a list of candidates for the Committee. Chairman Starr stated the Town Administrator Pacheco and Planning Director Antonellis should be the non-voting members, (ex-officio), and two voting members from the Planning Board.

*Selectman Sendrowski moved to accept the Town Administrator and Planning Director as ex-officio members to the Affordable Housing Ad Hoc Committee and two Planning Board members, to be determined by the Planning Board. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

Chairman Starr asked Selectman Moody and Selectman Sendrowski for their recommendations of membership to the Affordable Housing Committee.

Selectman Moody recommended the following:

Alix Turner, COA Director  
Member from Disability Commission  
Victoria Petracca  
Frank Streeter

Town Administrator Pacheco stated the Alix Turner could be considered as an Ex-Officio member on the Ad Hoc Committee.

Chairman Starr recommended the following:

David Dunn  
Mark Grasso  
Jennifer Leone  
Victoria Petracca  
Frank Streeter

Selectman Sendrowski recommended the following:

David Dunn  
Mark Grasso  
Jennifer Leone  
Victoria Petracca  
Frank Streeter

*Selectman Sendrowski made the motion accept David Dunn, Mark Grasso, Jennifer Leone, Victoria Petracca and Frank Streeter as voting members on the Affordable Housing Ad Hoc Committee. Chairman Starr Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote No and Stanley B. Starr vote Aye. [2-1-0]*

2. Kalon Farms Update

Town Administrator Pacheco gave a brief update to the Selectmen regarding his discussions with Keith Kopley's attorney regarding the questions on Kalon Farms. Mr. Pacheco noted that there still some questions regarding the Farmer Series Pouring License as well as the agricultural exemptions. Mr. Kopley's attorney is not comfortable releasing publically Mr. Kopley's financials regarding Kalon Farms. Mr. Pacheco suggested the Board have a liaison meet with Mr. Kopley regarding this matter. Selectman Moody recommended Chairman Starr as the liaison.

3. Troop 1 Lancaster Rental Application for use of Town Hall Auditorium for Court of Honor to be held on December 11, 2019 from 6pm – 10pm

*Selectman Sendrowski moved to grant Troop 1 Lancaster's Rental Application request for use of Town Hall Auditorium on December 11, 2019. 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**

Resignations

Zoning Board of Appeals – Sarah Gulliver effective immediately

*Selectman Sendrowski moved to accept the resignation of Sarah Gulliver from Zoning Board of Appeals, effective immediately. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

Conservation Commission – Nathan Stevens effective immediately

*Selectman Moody moved to accept the resignation of Nathan Stevens from Conservation Commission, effective immediately. Selectman Sendrowski Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

Appointments

Animal Control Commission – Jon Roper, term to expire 6/30/2022

*Selectman Sendrowski moved to appoint Jon Roper to Animal Control Commission, term to expire 6/30/2022. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

Re-Appointments

Recreation Committee – Kaitlyn O'Riorden, 29 Runaway Brook Rd., term to expire 6/30/2020

*Selectman Moody moved to reappoint Kaitlyn O'Riorden to Recreation Committee, term to expire 6/30/2022. Selectman Sendrowski Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

**IX. LICENSES AND PERMITS**

I. Review and take action on the following ABCC licenses

*Selectman Sendrowski moved to approve the 2020 Renewal licenses for Michael's Bridge Diner – Retail License to Sell Wine & Malt and Common Victualler License. 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

*Selectman Sendrowski moved to approve the 2020 Renewal licenses as presented in the agenda. Selectman Moody Seconded. Walter F. Sendrowski vote Aye, Jay M. Moody vote Aye and Stanley B. Starr, Jr. vote Aye. [3-0-0]*

1. AMR Auto dba Prime Toyota – Class I & Common Victualler
2. Crawford Truck Sales, Inc. – Class II

3. F.J.S. Auto, Inc. – Class II
4. Kimball Farm – Common Victualler
5. N & K Lancaster (Mobile Station) – Common Victualler
6. Sandee’s Restaurant – Common Victualler
7. Dunkin Donuts – Common Victualler
8. Murphy’s Hot Dog Truck – Lunch Cart License
9. Nationwide Auto Recycling, Inc. – Class III and Collector & Dealer of Junk
10. N.E. Fun Centers, Inc., d/b/a Roll-on-America – Common Victualler, Rollerskating Weekdays, Rollerskating Sundays, Comm. Of MA Rollerskating Sundays, Automatic Amusement Devices Weekdays, Automatic Amusement Devices Sundays
11. JC Madigan – Class I
12. Padula Bros., Inc. – Class I
13. RBI Motors – Class II
14. Ron Bouchard Auto Sales, Inc. - Honda – Class I and Class II
15. Ron Bouchard Dodge, LLC – KIA – Class I and Class II
16. Ron Bouchard Auto Sales, Inc. - Nissan – Class I and Class II
17. Route 117 Used Auto Parts, Inc. – Class II, Class III and Collector & Dealer of Junk
18. International Club – License to Dispense Food & Beverages to Guests
19. Sterling National LLC – License to Dispense Food & Beverages to Guests
20. Trolley Stop – Common Victualler

**X. NEW BUSINESS \***

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

**XI. COMMUNICATIONS**

- Chairman Starr noted there will be an Executive Session for the Town Administrator’s contract, scheduled for Monday, December 9<sup>th</sup> at Noon. All those who wish send to the Selectmen input, may do so.
- Town Administrator Pacheco announced that due to the recent update of the snow storm, all Municipal Buildings including the Library, will be closed on Tuesday, December 3, 2019.

**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 7:24 P.M.

Respectfully submitted

Kathleen Rocco  
Executive Assistant



Walter F. Sendrowski, Clerk

Approved and accepted: 12-16-19