

SELECT BOARD MEETING MINUTES – Final
Public Health Emergency Response Update Virtual Meeting
Pursuant to Governor Baker's March 12, 2020 Order
Suspending Certain Provisions of
Open Meeting Law.
Zoom Meeting ID# 918 3237 5325
Monday June 7, 2021
6:30 P.M.

PARTICIPANTS: Jonathan Dwyer, Select Board Chair
(Virtually) Jennifer Glass, Select Board Member
James Craig, Select Board Member
Tim Higgins – Town Administrator
Peggy Elder – Administrative Assistant

WELCOME & INTRODUCTIONS:

- Mr. Dwyer opened the meeting at 6:30 pm and noted that this meeting is being held remotely in a way that is consistent with Governor Baker's Executive Order of March 12, 2020 in order to mitigate the transmission of COVID-19 virus. The order suspends the requirement to hold meetings in a publicly accessible physical location and it allows bodies to meet entirely remotely so long as there is reasonable public access. Mr. Dwyer noted that this evening a public comment portion has been built into the meeting that will take place after they have gone through the discussion items on the agenda. He respectfully asked that the public participants keep their video and microphones off until that time. Mr. Dwyer reported that in addition to Zoom, this meeting is being broadcast on Comcast channel 8, Verizon channel 33, and is available through the Town website at www.lincolntown.org. He noted that this meeting is being recorded and that attendees are participating via video conference.

ANNOUNCEMENTS:

- Mr. Dwyer began by praising the wonderful Memorial Day celebrations. The remembrances and the Medal of Liberty ceremony were first thing in the morning followed by the traditional Memorial Day ceremony. He urged those who were not able to attend to watch the videos as they were two outstanding events of which Lincoln is particularly proud. He thanked Veterans Officer Peter Harvell and volunteer Gary Davis for their work on the Medal of Freedom ceremony which recognized 16 deceased Lincoln and Sudbury residents that were killed in action citing the circumstances of their mission and which war they served in. In addition, Buck Creel was the guest speaker at the Town's more traditional annual celebration. He noted that Mr. Creel did a great job weaving in his family's history of continued military service reaching back to the War of 1812 with what service means in the armed forces as well as reassimilation into society and remembering to be thankful for those in service who lost their lives as well as the families they left behind. Mr. Dwyer extended his thanks to Amy Gagne, Assistant Director of the Council on Aging and Human Services for assembling that wonderful event.

- Ms. Glass took a moment to note the passing of long time Lincoln resident Stephen Perlmutter. He was an active member of the current School Building Committee and had been part of the planning for a school project for many years. The Town flags were lowered to honor him. She added that the Board is thinking about his family at this difficult time.
- Ms. Glass reported that she will host a listening session on Friday at 1:00PM via Zoom if anyone would like to talk about Town affairs.

APPOINTMENTS:

- The Commons (BSL/BN Commons) – Reynaldo LeBlanc, Chris Golen, and Attorney Melissa Soloman were in attendance representing The Commons. Mr. Dwyer read the public notice of the hearing. Mr. Craig made a motion to open the public hearing. Ms. Glass seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

This public hearing is being held to make amendments to The Commons' (BSL/BN Commons) All Alcohol Club License. Mr. Higgins reported that the meeting is being held with the Select Board in accordance with Massachusetts General Law Chapter 138, the Select Board's Liquor License Regulations, and with regulations of the Massachusetts Alcohol Beverage Control Commission (ABCC). The Select Board serves as the local licensing authority under statutes and regulations. As such, the Board is responsible for performing due diligence on behalf of the Town ensuring that the applicant is properly qualified, and their business plan includes personnel and protocols necessary to comply with all relevant statutes and regulations. The applicant coming before the Board this evening is BSL/BN Commons. The applicant is seeking several amendments which are as follows:

- Pledge of License as Collateral - The understanding is that The Commons is in the process of refinancing and no longer needs the liquor license pledged as collateral.
- Change of Manager – Chris Golen previously; proposing to have Executive Director Reynaldo Leblanc listed as new Manager on license.
- Change of Corporate Officers – Whenever there is a change on the corporate board, the licensee is required to let the Town know and to amend the license.

Benchmark Senior Living's Associate General Counsel Melissa Solomon introduced herself and walked the Board through the proposed amendments. The first proposed amendment is the removal of the pledge of license as collateral. Atty. Solomon explained that the pledge was required by a previous lender as collateral on a loan. She added that the loan has been paid off and that pledge is no longer required. The second is a Change of Manager. The Commons Executive Director Reynaldo LeBlanc would take over for Christopher Golen. The last item is a Change of Corporate officers. The change proposed is adding Christopher Golen to replace Alice Melahouris as a Director.

With no further questions or comments from members of the public in attendance, Ms. Glass made a motion to close the public hearing. Mr. Craig seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

Ms. Glass made a motion to approve the amendments to The Commons' All Alcohol Club License. Mr. Craig seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

- Donelan's Liquor License Amendments – Mr. Dwyer read the public notice of this hearing. Mr. Craig made a motion to open the public hearing. Ms. Glass seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

Mr. Higgins reported that this meeting is being held with the Select Board in accordance with Massachusetts General Law Chapter 138, the Select Board's Liquor License Regulations, and with regulations of the Massachusetts Alcohol and Beverage Control Commission (ABCC). The Select Board serves as the local licensing authority under statutes and regulations. As such, the Board is responsible for performing due diligence on behalf of the Town ensuring that the applicant is properly qualified and their business plan includes personnel and protocols necessary to comply with all relevant statutes and regulations. The Local Licensing Authority is given broad discretion as to determine whether license application are in the public's interest. Section 1B of the Board's Regulations states "The intent of a Retail Liquor License is that it is to be an accommodating part of establishing a viable business environment within our community. The applicant appearing before the Board this evening is Mohanbhai Patel and other members of the Patel family as purchasers of 100% of the stock of Donelan's Supermarket, Inc. The applicant seeks to amend its package store license as follows:

- Change of Corporate Officers and Stock Interest – From Jack and Joe Donelan to Mohanbhai Patel and other members of the Patel family, with Jack Donelan remaining as a named Principal but with no ownership interest.
- Change of Manager – Applying to have Kathleen Roth who has been employed by Donelan's as Director of Wine since 1987, listed as Manager for purposes of the license.

The Patel group was represented by its Attorney, Alex Parra, and members of the Patel family. Attorney Parra walked the Board through the amendments that the group is requesting.

Mr. Dwyer asked if members of the public in attendance had any questions. Michelle Barnes asked if there would be a TIPS certified employee at the Lincoln store. Donelan's proposed Manager, Kathy Roth, stated that every shift would include an employee who is TIPS certified. With no further questions or comments from members of the public in attendance, Ms. Glass made a motion to close the public hearing. Mr. Craig seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

Mr. Craig made a motion to approve the amendments to Donelan's Retail Package Store License. Ms. Glass seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

TOWN ADMINISTRATOR'S REPORT:

- COVID Vaccination Planning – Mr. Higgins reported that there were no new cases in Lincoln and there are no active cases. He reported that the State of Emergency will be lifted on June 15th and is awaiting clarification of which temporary measures will continue.

- Remote meetings – Mr. Higgins noted that he had received word from Town Counsel that there was special legislation in process to allow remote meetings to continue. This has not been adopted, so as it stands today boards would return to in person meetings or a hybrid type meeting beginning June 15, 2021. However, the Governor is in support of this legislation and the hope is that this gets done prior to the June 15th deadline.
- Masks – Mr. Higgins reported that the Commonwealth now operating under a mask advisory rather than a mask order.
- Public Health Team – Mr. Higgins reported that they are continuing to meet, although less frequently, to anticipate transitional issues.
- Annual Town Meeting – Mr. Higgins noted that the Board’s meeting package included a list of all 40 Articles along with an action list and assignments. He noted that all the bylaws will be submitted to the Attorney General this week. The special legislation request for the Property Tax Circuit Breaker program and the Plastic Bag Fee home rule petition will be sent to our state legislators this week.
- American Recovery Plan Act (ARPA) Funds – Mr. Higgins reported that he received the news today that Lincoln can apply this week for the ARPA Funds in the amount of just over 2 million dollars. The funds will be made available to the Town in two parts, the first of which should be received within a week or two following the application. He added that he has assembled a staff level team to delve deeply into the program guidelines and requirements. They expect to have a solid understanding of the program by the end of June. They have also begun to develop a list of potential spending options for discussion among a broader stakeholder group which we would anticipate convening over the summer. The plan would be to present at State of the Town in November to gather feedback from the residents.
- Staff level diversity committee – Mr. Higgins reported that he is in the process of standing up a staff level diversity & inclusion committee which will carry on similar work as the IDEA committee will be undertaking at the Town level. The goal is to get the staff committee up and running in the next thirty days or so.
- Select Board/Town Administrator’s Priorities – 2021/2022 – Mr. Higgins reported that coming out of Town Meeting it is customary to come up with a list of priorities for the next year. While it was included with the intent of starting a conversation for a future meeting.

DISCUSSION:

- Inclusion, Diversity, Equity, and Anti-Racism (IDEA) – Ms. Glass reported that the committee had its initial meeting on May 26th and that the second meeting is scheduled for June 9th. She noted that the first meeting was good, that the members got to know one another, and that they spent some time going over Open Meeting Law. The committee decided that they should meet every couple of weeks in order to build some momentum because there is a lot that this committee needs to do in a short amount of time before the 2022 Town Meeting.
- Juneteenth Proclamation – Ms. Glass noted that this year is the first year that Juneteenth is a state holiday recognized by the Commonwealth. She added that several towns had come up with proclamations that were very good at helping people understand the history of Juneteenth.

Mr. Dwyer wanted to know how they would get the word out. Ms. Glass replied that they would use the customary ways of the Town Website, Lincoln Talk, and The Squirrel. Ms. Glass made a motion to support the proclamation citing that June 19, 2021 and forward from there be acknowledged as Juneteenth. Mr. Craig seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

- Liaison Reports

South Lincoln Planning Advisory Committee (SLPAC) – Mr. Craig reported that they are continuing to receive strong response from their survey which runs through June 30th.

MassDOT – Mr. Dwyer reported that MassDOT just gave Lincoln back some 25-75% design specifications for the Route 2A repaving project. There will be a public hearing with the Planning Board on June 22nd. The State has asked that the abutting towns provide their feedback by the end of the month. He added that they would be scheduling some Bicycle & Pedestrian Advisory Committee (BPAC) and Roadway Traffic Committee (RTC) to review those documents and provide feedback to MassDOT.

Battle Road Scenic Byway Committee (BSBC) – Battle Road Scenic Byway Committee (BSBC) – Mr. Dwyer made a request to be appointed to the BSBC. This committee recently won approval at the Federal level to be designated as an “All American Road.” He noted that the BSBC is the group that petitioned for that designation and also carries out management policies for transportation, land use, and tourism along the Battle Road Scenic Byway corridor.

The road includes Cambridge, Arlington, Lexington, Lincoln , and Concord. He added that Lincoln is also represented on the committee by Bob Domnitz of the Planning Board, and Paula Vaughn MacKenzie and Jennifer Curtin from the Planning Department. It is customary to have a member of each town’s Select Board on the committee. Ms. Glass made a motion to appoint Mr. Dwyer to represent the Lincoln Select Board on the Battle Road Scenic Byway Committee. Mr. Craig seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

Conservation Coffee – Ms. Glass reported that she enjoyed attending Conservation Director Michelle Grzenda’s Conservation virtual coffee last week held in conjunction with the Lincoln Land Conservation Trust (LLCT). Ms. Grzenda brought in a guest who spoke about “Thoreau, The River Man” so it was a conversation about the Concord, Sudbury and Assabet rivers and Thoreau’s interaction with them.

Climate Change (Subcommittee of GEC) – Ms. Glass reported that this subcommittee of the Green Energy Committee is starting to think about a Net Zero action plan at its meeting this week.

School Building Committee (SBC) – Ms. Glass reported that the SBC is meeting next week.

OPEN FORUM:

- Michelle Barnes of the Water Commission asked if they could get more involved with the possibility of coordinating the 2A improvements with possible water line replacements. Mr. Dwyer suggested attending the BPAC or RTC meetings prior to the Planning Board meeting on this topic on June 22nd and will forward the specifications to Ms. Barnes.

ACTION ITEMS:

- Gas Leaks Initiative – Mr. Higgins reported that multiple municipal and private organizations, including Mothers Out Front, have organized to press state legislators and regulators for more environmentally sensitive accountability standards for the natural gas industry. The Gas Leak Initiative and groups that have been involved in it have, in addition to working on the specific problem of gas leaks, taken a leadership role in urging the industry to begin transitioning to a low-carbon future. A letter has been prepared by the Harvard Law & Policy Clinic regarding the role of municipalities in the Department of Public Utilities rule making proceedings. They are looking for the support from Lincoln’s Select Board. Mr. Dwyer made a motion to endorse the letter to the Massachusetts Department of Public Utilities (DPU) requesting that the DPU and local gas distribution companies and municipalities work together to achieve Net Zero goals and the decarbonization of the natural gas industry. Mr. Craig seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

CORRESPONDENCE:

- None

WARRANTS:

- Ms. Glass made a motion to approve the warrants dated June 14, 2021. Mr. Craig seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

MINUTES:

- None

Mr. Craig made a motion to adjourn. Ms. Glass seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

The meeting adjourned at approximately 7:48 P.M.

Submitted by Peggy Elder
Approved 09/13/21