

ANNUAL TOWN MEETING

May 8, 2023

Pursuant to the Warrant issued by the Board of Selectmen, duly served and legally posted by a constable of the Town, Moderator Katie Goodfellow called the meeting to order at **7:00 PM.** at Apponequet Regional High School Auditorium when 100 registered voters had checked in. Tellers had been appointed and sworn to the faithful performance of their duties by the Town Clerk, Lillian M. Drane. They included Leo Bisio, Nancy LaFave, John Olivieri and Rita Garbitt with Deputy Moderator Norman Orrall being also appointed and sworn to the faithful performance of his duties by Town Clerk Drane.

Mrs. Goodfellow set her usual “ground rules” including identifying oneself, using a microphone when you speak, and putting your motions in writing. In lieu of the Town’s By-Law, the volume “Town Meeting Time” will be used for parliamentary procedures.

A motion was then made to allow **non-residents**, Michele Randazzo, Town Counsel, Ari Sky, Town Administrator, Christina Cotsoridis, Assistant to the Town Administrator, Todd Hassett, Lakeville Town Accountant, Marc Resnick, Lakeville Town Planner, Erika Correia, Lakeville Treasurer/Collector, Franklin Moniz, Lakeville DPW Director, Jayme Viveiros Lakeville Library Director, Alan Strauss, Lakeville-Freetown Superintendent of Schools, Aaron Polansky, Old Colony Regional Vocational Technical High School Superintendent, Sarah Griffith, Old Colony Regional Vocational Technical High School Business Manager, Deirdre Farrell-Welch, Freetown-Lakeville Regional High School Business Manager and Lisa Mann, Project Manager for Scholoric Group pertaining to Article #15 to speak or to be heard- so moved, seconded and passed unanimously. Then she entertained a motion to WAIVE the reading of the warrant, seconded; unanimous. We then proceeded to Article 1.

Prior to taking up Article 1, Mrs. Goodfellow explained that Chairman of the Finance Committee Christopher Plonka would be reading totals only from the warrant booklet and if someone had a question within that department, they should put a “**hold**” on it, and we would return to all questions at the end of the reading. Ari Sky, Town Administrator presented a PowerPoint of the FY24 budget to the voters and directed the website (www.lakevillema.org) as a guide for the complete budget for review. After much discussion, we then proceeded with the vote.

ARTICLE 1: (General Fund Budget):

It was voted that the Town determine the salaries of all elected officers and to raise and appropriate \$34,195,958 and transfer \$59,687 from the Septic Loan Program; for a total appropriation of \$34,255,645 to defray Town expenses for the **fiscal period July 1, 2023 to June 30, 2024** inclusive, said sums to be allocated in accordance with the handout entitled “Town of Lakeville - FY2024 Budget”.

ARTICLE 1- COMPENSATION OF ELECTED OFFICIALS

| | |
|-----------------------------------------|----------|
| <u>BOARD OF SELECTMEN</u> | |
| Chair | \$ 4,995 |
| 2nd Member | \$ 4,500 |
| 3rd Member | \$ 4,500 |
| <u>BOARD OF ASSESSORS:</u> | |
| Chair | \$ 2,000 |
| 2nd Member | \$ 1,500 |
| 3rd Member | \$ 1,500 |
| <u>REGIONAL SCHOOL COMMITTEE</u> | |
| Chair | \$ 2,000 |
| 2nd Member | \$ 1,500 |
| 3rd Member | \$ 1,500 |
| 4th Member | \$ 1,500 |
| <u>BOARD OF HEALTH:</u> | |
| Chair | \$ 2,000 |
| 2nd Member | \$ 1,500 |
| 3rd Member | \$ 1,500 |
| <u>TOWN CLERK:</u> | |
| Salary | \$75,953 |
| Longevity | \$5,317 |

ARTICLE 1- GENERAL BUDGET

TOWN EXPENSES

GENERAL GOVERNMENT:

Line #

122 SELECTMEN/ADMINISTRATION

| | | | |
|----|----------|----|---------|
| #1 | Salaries | \$ | 340,547 |
|----|----------|----|---------|

| | | | |
|----|----------|----|--------|
| #2 | Expenses | \$ | 69,100 |
|----|----------|----|--------|

131 FINANCE COMMITTEE

| | | | |
|----|----------|----|-----|
| #3 | Expenses | \$ | 600 |
|----|----------|----|-----|

| | | | |
|----|------------------------|----|---------|
| #4 | Reserved Fund (Budget) | \$ | 150,000 |
|----|------------------------|----|---------|

135 ACCOUNTANT

| | | | |
|----|----------|----|--------|
| #5 | Salaries | \$ | 63,866 |
|----|----------|----|--------|

| | | | |
|----|----------|----|--------|
| #6 | Expenses | \$ | 85,125 |
|----|----------|----|--------|

141 ASSESSORS

| | | | |
|----|----------|----|--------|
| #7 | Salaries | \$ | 91,598 |
|----|----------|----|--------|

| | | | |
|----|----------|----|---------|
| #8 | Expenses | \$ | 116,960 |
|----|----------|----|---------|

145 TREASURER/COLLECTOR

| | | | |
|----|----------|----|---------|
| #9 | Salaries | \$ | 195,476 |
|----|----------|----|---------|

| | | | |
|-----|----------|----|--------|
| #10 | Expenses | \$ | 55,000 |
|-----|----------|----|--------|

151 LEGAL SERVICES

| | | | |
|-----|----------|----|--------|
| #11 | Expenses | \$ | 75,000 |
|-----|----------|----|--------|

152 HUMAN RESOURCES & PAYROLL

| | | | |
|-----|----------|----|---------|
| #12 | Salaries | \$ | 188,124 |
|-----|----------|----|---------|

| | | | |
|-----|----------|----|--------|
| #13 | Expenses | \$ | 35,460 |
|-----|----------|----|--------|

155 INFORMATION TECHNOLOGY

| | | | |
|-----|----------|----|---------|
| #16 | Expenses | \$ | 428,990 |
|-----|----------|----|---------|

| | |
|----------------------------------------|----------------------------|
| 161 TOWN CLERK | |
| #17 Salaries | \$ 155,800 |
| #18 Expenses | \$ 14,100 |
| 162 ELECTIONS | |
| #19 Expenses | \$ 28,700 |
| 163 BOARD OF REGISTRARS | |
| #20 Expenses | \$ 19,400 |
| 171 CONSERVATION COMMISSION | |
| #21 Salaries | \$ 30,687 |
| #22 Expenses | \$ 3,100 |
| 175 PLANNING BOARD | |
| #23 Salaries | \$ 137,294 |
| #24 Expenses | \$ 3,500 |
| 176 APPEALS BOARD | |
| #25 Expenses | \$ 150 |
| 191 HISTORIC TOWN HOUSE | |
| #26 Expenses | \$ 0 (hold) |
| 192 TOWN OFFICE/FIRE STATION | |
| #27 Expenses | \$ 121,225 |
| 193 TOWN FACILITIES | |
| #28 Salaries | \$ 207,506 |
| #29 Expenses | \$ 110,000 |
| 195 TOWN REPORT | |
| #30 Expenses | \$ 800 |
| 198 CABLE TV/ADVISORY COMMITTEE | |
| #31 Expenses | \$ 8,000 |
| 199 OTHER GENERAL GOVERNMENT | |
| #32 Expenses | \$ 0 |
| Subtotal – GENERAL GOVERNMENT | <u>\$ 2,736,108</u> |

| | |
|----------------------------------------------------------|----------------------------|
| PUBLIC SAFETY: | |
| 210 POLICE | |
| #32 Salaries | \$ 2,351,654 |
| #33 Expenses | \$ 224,270 |
| 220 FIRE & AMBULANCE | |
| #34 Salaries | \$ 1,510,465 |
| #35 Expenses | \$ 158,085 |
| 241 BUILDING INSPECTION | |
| #36 Salaries | \$ 270,062 |
| #37 Expenses | \$ 4,000 |
| 242 P-T INSPECTORS | |
| #38 Salaries | \$ 83,600 |
| 291 EMERGENCY MANAGEMENT | |
| #39 Salaries | \$ 2,500 |
| #40 Expenses | \$ 5,480 |
| 292 ANIMAL CONTROL | |
| #41 Salaries | \$ 115,201 |
| #42 Expenses | \$ 20,275 |
| Subtotal - PUBLIC SAFETY | |
| | <u>\$ 4,745,592</u> |
| EDUCATION: | |
| FREETOWN-LAKEVILLE REGIONAL SCHOOLS | |
| #43 School Committee - Stipends | \$ 6,500 |
| #44 Operating Assessment | \$16,050,986 |
| -Transportation | \$ 269,731 |
| -NonExcluded Debt | \$ 0 |
| -Excluded Debt | \$ 161,380 |
| Total-Freetown-Lakeville Regional School District | |
| | <u>\$16,482,097</u> |
| #45 330 OLD COLONY REGIONAL VOC-TECH | |
| | \$ 2,496,060 |
| #46 340 BRISTOL AGRICULTURAL | |
| | \$ 441,765 |
| Subtotal - EDUCATION | |
| | <u>\$19,426,422</u> |

| | | |
|----------------------------------|--------------|----------------------------|
| PUBLICS WORKS: | | |
| 420 HIGHWAY | | |
| #47 | Salaries | \$ 831,198 |
| #48 | Expenses | \$ 271,350 |
| 423 SNOW & ICE | | |
| #49 | Salaries | \$ 35,000 |
| #50 | Expenses | \$ 100,000 |
| 424 STREET LIGHTING | | |
| #51 | Expenses | \$ 25,000 |
| 491 CEMETERY | | |
| #52 | Expenses | \$ 15,000 |
| Subtotal – PUBLIC WORKS | | <u>\$ 1,277,548</u> |
| HUMAN SERVICES | | |
| 511 BOARD OF HEALTH | | |
| #53 | Salaries | \$ 117,029 |
| #54 | Expenses | \$ 13,050 |
| #55 | VNA Services | \$ 5,000 |
| 541 COUNCIL ON AGING | | |
| #56 | Salaries | \$ 212,491 |
| #57 | Expenses | \$ 32,860 |
| 543 VETERANS | | |
| #58 | Salaries | \$ 20,311 |
| #59 | Expenses | \$ 162,820 |
| Subtotal - HUMAN SERVICES | | <u>\$ 563,561</u> |
| CULTURE & RECREATION: | | |
| 610 LIBRARY | | |
| #60 | Salaries | \$ 299,331 |
| #61 | Expenses | \$ 109,945 |
| 660 HISTORIC LIBRARY | | |
| #62 | Expenses | \$ 0 |
| 691 HISTORICAL COMMISSION | | |

| | |
|-----------------------------------------|----------------------------|
| #63 Historical Commission | \$ 500 |
| Subtotal - CULTURE & RECREATION | <u>\$ 409,776</u> |
| 710 DEBT SERVICE: | |
| #64 Principal | \$ 877,293 |
| #65 Interest | \$ 220,788 |
| #66 Short-Term Interest | \$ 144,938 |
| Subtotal – DEBT SERVICE | <u>\$ 1,243,019</u> |
| INTERGOVERNMENTAL | |
| 850 REGIONAL | |
| #68 Regional Planning | \$ 2,440 |
| Subtotal -INTERGOVERNMENTAL | <u>\$ 2,440</u> |
| FIXED COSTS: | |
| #69 911 PLYMOUTH COUNTY RETIREMENT | \$ 1,500,803 |
| #70 913 UNEMPLOYMENT COMPENSATION | \$ 5,000 |
| #71 914 GROUP INSURANCE | \$ 2,035,026 |
| #72 945 RISK MANAGEMENT | \$ 310,350 |
| Subtotal – FIXED COSTS | <u>\$ 3,851,179</u> |
| GRAND TOTAL, GENERAL FUND BUDGET | <u>\$34,255,645</u> |

A “Hold” was placed by member Gerry Taylor from the Historical Commission on the line item **#26 Historic Town House - Expenses**. She had concerns regarding showing a zero-dollar (\$0) amount on line item #26. After much discussion and clarification from Ari Sky, Town Administrator regarding line item #26. He explained it is not a reduction and no longer needed, since the expense has been consolidated under Town Facilities - Expenses line item #29 of the general budget. After much discussion, we then proceeded with the vote.

Finance Committee- Approved

The motion PASSED by majority.

ARTICLE 2:

It was voted that the Town appropriate the sum of \$225,889 for the **Park Department Enterprise Fund** as follows; \$17,500 to be raised by taxation; and \$15,000 to be transferred from Park Retained Earnings; and \$193,389 to be raised from Estimated Park Department Receipts, said sums to be allocated between salaries and expenses of the Park Department for the fiscal period July 1, 2023 to June 30, 2024, inclusive, as indicated in the Finance Committee Report.

**ARTICLE 2-
630 PARK ENTERPRISE FUND**

| | |
|-------------------------------|---------------------|
| #1 Salaries | \$ 137,279 |
| #2 Expenses | \$ 86,610 |
| TOTAL-PARK ENTERPRISE REVENUE | (-\$225,889) |

Finance Committee- Approved

The motion **PASSED** by majority.

ARTICLE 3:

It was voted that the Town appropriate the sum of \$445,631 for the **Landfill Enterprise as follows:** \$102,500 to be raised by taxation; and \$343,131 to be raised from Estimated Landfill Receipts, said sums to be allocated between the salaries and expenses of the Landfill for the fiscal period July 1, 2023 to June 30, 2024, inclusive, as indicated in the Finance Committee Report.

**ARTICLE 3-
LANDFILL/TRANSFER STATION
430 LANDFILL ENTERPRISE FUND**

| | |
|-----------------------------------|---------------------|
| #1 Salaries | \$ 216,639 |
| #2 Expenses | \$ 228,992 |
| TOTAL-LANDFILL ENTERPRISE REVENUE | (-\$445,631) |

Finance Committee- Approved

The motion **PASSED** by majority.

ARTICLE 4 (Capital Plan):

It was voted that the Town appropriate the sum of \$901,045 for capital improvements and equipment, and all related equipment, supplies and labor, in the amounts and for the purposes listed in Article 4 of the Annual Town Meeting Warrant, and to meet said appropriation to transfer \$41,000 from Overlay Surplus; transfer \$25,000 from Park Retained Earnings; and transfer \$835,045 from Free Cash.

| Line | Department | Item | Amount | Funding Source |
|------|--------------|----------------------------------------|----------------------------|------------------------|
| 1. | Facilities | Security Improvements (Town Buildings) | \$41,000.00 | Overlay Surplus |
| 2. | Police | Cruiser replacements | \$120,000.00 | Free Cash |
| 3. | Fire | Ladder Truck Lease payment- #1 | \$175,000.00 | Free Cash |
| 4. | Public Works | Roadway Improvements | \$375,000.00 | Free Cash |
| 5. | Public Works | Replace Sander and related Body Work | \$35,045.00 | Free Cash |
| 6. | Public Works | Storage Shed w/stagging and electrical | \$60,000.00 | Free Cash |
| 7. | Public Works | 4x4 Pickup Truck w/equipment | \$25,000.00 | Free Cash |
| 8. | Parks | TWC Skatepark Improvements | \$25,000.00 | Park Retained Earnings |
| | | GRAND TOTAL | <u>\$901,045.00</u> | |

Finance Committee- Approved

The motion PASSED by majority.

ARTICLE 5:

It was voted that the Town appropriate the sum of \$250,000 to be transferred from Free Cash to the Stabilization Fund pursuant to the provisions of MGL c40, s5B.

Finance Committee- Approved

The motion PASSED by majority.

ARTICLE 6:

It was voted that the Town appropriate the sum of \$310,000 to be transferred from Free Cash to the **Other Post-Employment Benefits Trust (OPEB)**.

Finance Committee- Approved

The motion PASSED by Majority.

ARTICLE 7: (Community Preservation Fund)

It was voted that the Town appropriate or reserve from the **Community Preservation Fund** annual revenues for the purposes and in the amounts recommended by the Community Preservation Committee for Fiscal Year 2024, as shown in Article 7 of the Annual Town Meeting Warrant, with each item to be a separate appropriation.

| <u>Appropriations:</u> | <u>Reserves:</u> |
|-----------------------------------------------------------------------------|-------------------------|
| From FY2024 estimated revenues for Community Administrative Expenses | \$12,275.00 |
| From FY2024 estimated revenues for Historical Resources Reserve | \$24,550.00 |
| From FY2024 estimated revenues for Community Housing Reserve | \$24,550.00 |
| From FY2024 estimated revenues for Open Space Reserve | \$24,550.00 |
| From FY2024 estimated revenues for Budgeted Reserve | \$159,575.00 |
| TOTAL | \$245,500.00 |

Finance Committee- Approved

The motion PASSED by majority.

Prior to taking up Article 8, Aaron Polanski, School Superintendent of Old Colony Regional Vocational School, explained the needs of the feasibility study's cost in regards to the renovation and/or construction of the District High School and what the feasibility study would cost to the 5 member communities (*Acushnet, Carver, Lakeville, Mattapoisett, and Rochester*). After much discussion, we then proceeded with the vote.

ARTICLE 8: (Old Colony Regional Vocation Tech School)

It was voted that the Town approve the \$500,000 indebtedness authorized by the Regional School District Committee of the **Old Colony Regional Vocational-Technical High School** to pay the cost of a feasibility study relating to the possible renovation and/or construction of the District High School located at 476 North Avenue, Rochester, Massachusetts, including all costs incidental and related thereto, the total amount appropriated by the District for this purpose is \$1,000,000, which will be reduced to the extent of any grants received by the District from the Massachusetts School Building Authority.

Finance Committee- Approved

The motion PASSED by majority.

Article 9: (WPAT)

It was voted that the Town appropriate the sum of \$1,000,000 for purposes of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements between the Board of Health and residential property owners, as shown in Article 9 of the Annual Town Meeting Warrant, and to meet with appropriation the Treasurer, with the approval of the Select Board is authorized to borrow such sum or sums of money under G.L. c. 44 or any other enabling authority, which amount may be borrowed through the **Massachusetts Water Pollution Abatement Trust Community Septic Management Program** offered through the Clean Water Trust, or otherwise, and further to authorize the Select Board to take any other action necessary to carry out this project.

Finance Committee- Approved

The motion PASSED by 2/3rds requirement, (111 Yes to 2 No)

Article 10: (Treasurer: Increase in demand fees)

It was voted that the Town charge for each written **demand** issued by the **Tax Collector a fee of Twenty Dollars (\$20.00)** to be added and collected as part of the tax, as authorized by MGL Chapter 60 Section 15, effective as of July 1, 2023.

Finance Committee- Approved

The motion PASSED by majority.

Prior to taking up Article 11, Moderator Katie Goodfellow explained that the article does not apply to her personally, but if approved it will take effect at the next election cycle in 2024. To keep this article from speculations of conflict of interest, she has recused from moderating article 11 and asked Deputy Moderator Norman Orrall to moderate article 11. After much discussion, we then proceeded with the vote.

ARTICLE 11: (Change Moderator's term)

It was voted that the Town amend Chapter II, Section 8 of the Town's General Bylaws, Moderator, to increase the **Moderator's term** from one to three years, as shown in Article 11 of the Annual Town Meeting Warrant, said change to take effect for the 2024 Annual Town Election.

MODERATOR

Section 8: The Moderator shall be elected at the Annual Town Meeting, on the official ballot, for a term of ~~one~~ **three** (3) years.

Finance Committee- No Recommendation

The motion PASSED unanimously.

Prior to taking up Article 12, Town Clerk Lillian Drane explained the need to codify the Bylaws to make it accessible to staff, local government and residents and to be use across a range of applications. She also explained the Bylaws have never been professionally codified and are presently being updated and maintained by the Town Clerk in a word document. While this approach has served the Town well to this point since 1967. She emphasized that it is time to professionally codify the Bylaws as well undertake a complete review of the Bylaws to ensure that they do not contain inconsistencies, errors, and outdated information that could potentially affect enforceability and alignment with relevant state statutes. After much discussion, we then proceeded with the vote.

ARTICLE 12: (Codification of General Bylaws)

It was voted that the Town accept the renumbering and revision of the various General Bylaws of the Town from their original numbering or their numbering in the General Bylaws, as amended through the November 14, 2022 Special Town Meeting, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the General Bylaws as set forth in the Final Draft of the **Code of the Town of Lakeville**, dated March 2023, a copy of which is on file at the Office of the Town Clerk and on the Town's website <https://www.lakevillema.org/>; said codification having been done under the direction of the Select Board, and said Code being a compilation and comprehensive revision of the present general bylaws of the Town. All bylaws of a general and permanent nature, as amended, heretofore in force and not included in the Code shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law, and such repeal shall not apply to or affect any bylaw, order or article heretofore adopted accepting or adopting the provisions of any statute of the commonwealth. These bylaws shall be referred to as the "General and Zoning Bylaws of the Town of Lakeville, Massachusetts."

Finance Committee- No Recommendation

The motion PASSED by majority.

Planning Board Chairman Mark Knox, gave a Planning Board report on Articles 13 as presented in the warrant and explained the need to codify the Zoning Bylaws by making "housekeeping" changes to ensure accuracy and consistency across the Town's entire body of law. Thanked Town Clerk Drane and Building Commissioner Darling for undertaking this huge task. After much discussion, we then proceeded with the vote.

ARTICLE 13: (Codification of Zoning Bylaw)

It was voted that the Town accept the renumbering and revision of the Zoning Bylaw of the Town from its original numbering, as amended through the November 14, 2022 Special Town Meeting, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the Zoning Bylaw as set forth in

the Final Draft of the Code of the Town of Lakeville, dated March 2023, a copy of which is on file at the Office of the Town Clerk and on the Town's website <https://www.lakevillema.org/>; said codification of the Zoning Bylaw having been done under the direction of the Planning Board, and being a compilation and comprehensive revision of the present Zoning Bylaw, including amendments thereto. All Zoning Bylaws, as amended, heretofore in force shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law. The Zoning Bylaw shall be codified as Chapter 270 of the "General and Zoning Bylaws of the Town of Lakeville, Massachusetts."

Finance Committee- No recommendation

Planning Board- Recommends approval

The motion PASSED by 2/3rds requirement (110 Yes to 2 No)

Article 14 brought the largest interest and concerns regarding the Recall of Elected Officials brought forward by a Citizen's Petition. After much discussion, clarification and explanation from Town Counsel Michele Randazzo regarding, the State's election statutes, timeframe of holding an election, potential of the Regional School District needing to have their own Act for recall and not enough detailed for reasons for recall. After much discussion, we then proceeded with the vote.

ARTICLE 14: (Citizen's Petition- Recall of Elected Officials)

To see if the town will vote to authorize the Select Board to petition the General Court for special legislation to provide for recall of officials elected solely by the voters of Lakeville, and, further, to authorize the General Court to make changes of form only to such legislation unless approved by Select Board prior to enactment, and, further to authorize the Board to approve such changes as are within the public purposes of this petition or take any other action relative thereto. Subject to the above-stated rights of the General Court and the Select Board to make certain changes, the proposed special legislation shall include the following provisions relative to the recall of elected Town officials:

Recall of an Elected Official

A. RECALL DESCRIPTION

1. Any holder of an elected office in the Town of Lakeville may be recalled therefrom by registered voters of the Town as hereinafter provided.
2. The recall of an elected official will consist of a 3-step process.
3. An initial recall affidavit shall not be filed against an officer within 6 months after the officer takes office or within the last 6 months of the term.

B. INITIATION OF THE RECALL AFFADAVIT - (Step one) The Affidavit

1. Any 300 registered voters of the Town of Lakeville may initiate a recall petition by filing an affidavit with the Town Clerk.
2. The Select Board may appoint a Temporary/ Interim Town Clerk to handle the recall process and Election should the Town Clerk be the Elected official subjected to the recall.

C. THE PETITION - (Step two) The Petition

1. If the affidavit process has been completed in compliance with the requirements of Section B of this Chapter, the Town Clerk shall provide a sufficient number of copies of petition blanks demanding such recall (printed forms of which shall be kept on hand) to the voters who made the affidavit. The blanks shall be issued by the Town Clerk and bear the Clerk's signature and Official Seal; they shall be dated and addressed to the Select Board and shall contain the names of all persons to whom issued, the number of blanks so issued, the name of the person sought to be recalled, and shall demand the election of a successor to such office.
2. Such blanks must be provided within five Town hall business days during regular business hours.
3. Said recall petition shall be returned and filed with the Town Clerk on the 28th day after the requesting voter receives the blank petitions from the Town Clerk.
4. In the event that the Town hall is not open on the 28th day, the petition may be filed during normal business hours on the next Town hall business day.
5. The petition, before being returned and filed, shall be signed by 1000 qualified voters of the Town. Every signature must be accompanied by the signer's place of residence, giving the street and number.
6. Within 5 working days of receipt of the recall petition sheets, the town clerk shall submit the recall petition sheets to the board of registrars of

voters and the board of registrars of voters shall verify the number of signatures which are names of registered voters of the town.

D. THE RECALL ELECTION - (Step three) The Recall Election

1. If the petition shall be found and certified by the Registrars of Voters to be sufficient, the Town Clerk shall forthwith submit it with the certificate to the Select Board. The Select Board shall forthwith give written notice to said official of the receipt of said certificate and, if the official sought to be removed does not resign within seven calendar days, shall order an election to be held on a day fixed by them not less than 45 days nor more than 60 days after the date of the Town Clerk's certificate that a sufficient petition is filed. However, if any other Town election is to occur within 90 days after the date of said certificate the Select Board may, at their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.
2. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall all be in accordance with the law relating to elections, unless otherwise provided in this act.
3. Ballots used in a recall election shall contain the following propositions:

FOR THE RECALL OF THE
[NAME OF OFFICER] ()
AGAINST THE RECALL OF THE
[NAME OF OFFICER] ()

Adjacent to each proposition, there shall be a place to mark a vote. Following the propositions shall appear the word "Candidates" with directions to voters as required by section 42 of chapter 54 of the General Laws. Beneath the word "Candidates" shall appear the names of candidates nominated as provided in this act. Adjacent to the name of each candidate shall be a place to mark a vote.

E. DUTIES OF THE INCUMBENT

1. The incumbent shall continue to perform the duties of his/her office until the recall election.
2. If the official is not recalled, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, as provided in this act.

F. VOTING RESULTS

1. If a majority of the votes cast upon the question of recall are in favor of recall, the officer shall be recalled and the votes for the candidates shall be counted.
2. In that instance, the candidate receiving the highest number of votes shall be declared elected for the open office.
3. If less than a majority of the votes cast are in favor of recall, the votes for candidates shall not be counted.
4. If the official is recalled in the recall election, he/she shall be deemed removed upon the election of his/her successor, who shall hold office during the unexpired term.
5. If the successor fails to take office within five days after receiving notification of his/her election, the incumbent shall thereupon be deemed removed and the office vacant.

G. CANDIDATES TO SUCCEED THE ELECTED OFFICIAL

1. Any elected official sought to be recalled may not be a candidate to succeed himself/herself.
2. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of law relating to elections unless otherwise provided by this act.

H. APPOINTMENT OF RECALLED OR RESIGNED OFFICIAL

1. Any person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her shall not be appointed to any Town office within 2 years after such removal or such resignation.
2. In the case of an officer subjected to a recall election and not recalled, a new recall affidavit shall not be filed against that officer until at least 1 year has elapsed after the election at which the previous recall was submitted to the voters of the town.

I. EFFECTIVE DATE

This act shall take effect upon its passage.

Finance Committee- Do not recommend approval

AMENDMENTS:

Amendment #1

After much discussion, a motion was made to AMEND Article 14 as shown as follows in ~~strikethrough~~ and additions underlined in red, so moved, and seconded, motion PASSED by majority:

- B. INITIATION OF THE RECALL AFFIDAVIT: #1- Any 300 registered voters of the Town of Lakeville may initiate a recall petition by filing an affidavit containing the name of the official to be recalled and statement of the grounds for recall with the Town Clerk.

Amendment #2

After much discussion, a motion was made to AMEND the amended Article 14 as shown as follows in ~~strikethrough~~ and additions underlined in red, so moved, and seconded, motion PASSED by majority:

- B. INITIATION OF THE RECALL AFFIDAVIT: #1- Any 300 5% registered voters of the Town of Lakeville may initiate a recall petition by filing an affidavit containing the name of the official to be recalled and statement of the grounds for recall with the Town Clerk.

After much discussion, a motion was made and seconded on the AMENDED Article 14 as amended, we then proceeded on the vote:

AMENDED: ARTICLE 14: (Citizen's Petition- Recall of Elected Officials)

It was voted that the town authorize the Select Board to petition the General Court for special legislation to provide for recall of officials elected solely by the voters of Lakeville, and, further, to authorize the General Court to make changes of form only to such legislation unless approved by Select Board prior to enactment, and, further to authorize the Board to approve such changes as are within the public purposes of this petition or take any other action relative thereto. Subject to the above-stated rights of the General Court and the Select Board to make certain changes, the proposed special legislation shall include the following provisions relative to the recall of elected Town officials:

Recall of an Elected Official

A. RECALL DESCRIPTION

1. Any holder of an elected office in the Town of Lakeville may be recalled therefrom by registered voters of the Town as hereinafter provided.
2. The recall of an elected official will consist of a 3-step process.
3. An initial recall affidavit shall not be filed against an officer within 6 months after the officer takes office or within the last 6 months of the term.

B. INITIATION OF THE RECALL AFFADAVIT - (Step one) The Affidavit

1. Any 5% registered voters of the Town of Lakeville may initiate a recall petition by filing an affidavit containing the name of the official to be recalled and statement of the grounds for recall with the Town Clerk.
2. The Select Board may appoint a Temporary/ Interim Town Clerk to handle the recall process and Election should the Town Clerk be the Elected official subjected to the recall.

C. THE PETITION - (Step two) The Petition

1. If the affidavit process has been completed in compliance with the requirements of Section B of this Chapter, the Town Clerk shall provide a sufficient number of copies of petition blanks demanding such recall (printed forms of which shall be kept on hand) to the voters who made the affidavit. The blanks shall be issued by the Town Clerk and bear the Clerk's signature and Official Seal; they shall be dated and addressed to the Select Board and shall contain the names of all persons to whom issued, the number of blanks so issued, the name of the person sought to be recalled, and shall demand the election of a successor to such office.
2. Such blanks must be provided within five Town hall business days during regular business hours.
3. Said recall petition shall be returned and filed with the Town Clerk on the 28th day after the requesting voter receives the blank petitions from the Town Clerk.
4. In the event that the Town hall is not open on the 28th day, the petition may be filed during normal business hours on the next Town hall business day.
5. The petition, before being returned and filed, shall be signed by 1000 qualified voters of the Town. Every signature must be accompanied by the signer's place of residence, giving the street and number.

6. Within 5 working days of receipt of the recall petition sheets, the town clerk shall submit the recall petition sheets to the board of registrars of voters and the board of registrars of voters shall verify the number of signatures which are names of registered voters of the town.

D. THE RECALL ELECTION - (Step three) The Recall Election

1. If the petition shall be found and certified by the Registrars of Voters to be sufficient, the Town Clerk shall forthwith submit it with the certificate to the Select Board. The Select Board shall forthwith give written notice to said official of the receipt of said certificate and, if the official sought to be removed does not resign within seven calendar days, shall order an election to be held on a day fixed by them not less than 45 days nor more than 60 days after the date of the Town Clerk's certificate that a sufficient petition is filed. However, if any other Town election is to occur within 90 days after the date of said certificate the Select Board may, at their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.
2. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall all be in accordance with the law relating to elections, unless otherwise provided in this act.
3. Ballots used in a recall election shall contain the following propositions:
FOR THE RECALL OF THE
[NAME OF OFFICER] ()
AGAINST THE RECALL OF THE
[NAME OF OFFICER] ()

Adjacent to each proposition, there shall be a place to mark a vote. Following the propositions shall appear the word "Candidates" with directions to voters as required by section 42 of chapter 54 of the General Laws. Beneath the word "Candidates" shall appear the names of candidates nominated as provided in this act. Adjacent to the name of each candidate shall be a place to mark a vote.

E. DUTIES OF THE INCUMBENT

1. The incumbent shall continue to perform the duties of his/her office until the recall election.

2. If the official is not recalled, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, as provided in this act.

F. VOTING RESULTS

1. If a majority of the votes cast upon the question of recall are in favor of recall, the officer shall be recalled and the votes for the candidates shall be counted.
2. In that instance, the candidate receiving the highest number of votes shall be declared elected for the open office.
3. If less than a majority of the votes cast are in favor of recall, the votes for candidates shall not be counted.
4. If the official is recalled in the recall election, he/she shall be deemed removed upon the election of his/her successor, who shall hold office during the unexpired term.
5. If the successor fails to take office within five days after receiving notification of his/her election, the incumbent shall thereupon be deemed removed and the office vacant.

G. CANDIDATES TO SUCCEED THE ELECTED OFFICIAL

1. Any elected official sought to be recalled may not be a candidate to succeed himself/herself.
2. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of law relating to elections unless otherwise provided by this act.

H. APPOINTMENT OF RECALLED OR RESIGNED OFFICIAL

1. Any person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her shall not be appointed to any Town office within 2 years after such removal or such resignation.
2. In the case of an officer subjected to a recall election and not recalled, a new recall affidavit shall not be filed against that officer until at least 1 year has elapsed after the election at which the previous recall was submitted to the voters of the town.

I. EFFECTIVE DATE

This act shall take effect upon its passage.

The motion PASSED by majority (65 Yes to 49 No)

ARTICLE 15: (Citizen’s Petition- Amend Zoning Bylaw Section 4.1, Subsection 4.1.2)

To see if the Town will vote to amend the Zoning By-Law relative to:
Business Uses as follows:

Amend Section 4.1 “Table of Uses Regulations” Sub-Section 4.1.2 “Business Uses,” to add new language as follows: Retail, office, or service business (minimum 1500 sq ft) with up to 7000 sq ft of associated storage and wholesale distribution. Per special permit by the Zoning Board of Appeals.

Finance Committee- No Recommendation

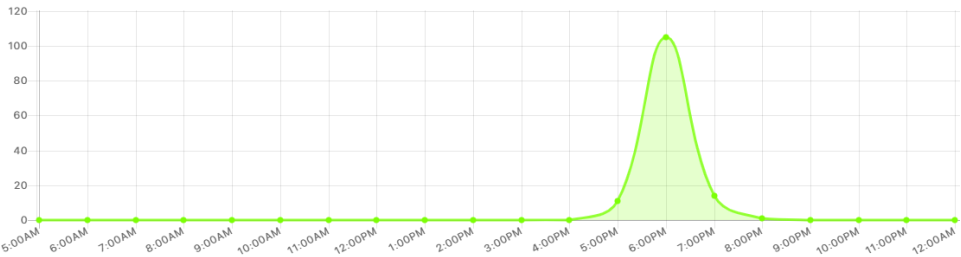
Planning Board- Do Not Recommend

The motion FAILED by 2/3rds requirement (28 Yes to 77 No)

All business on the Warrant having been acted upon, a motion to DISSOLVE came at **9:01 pm.**

Check lists were used and **131 voters,** including 6 Town Meeting Members were checked on the lists as being present as follows:

Voter Turnout from: 5:00 pm to 8:00 pm



| | P.1 | P.2 | P.3 | Total |
|------------------------------------------------------------|--------------|--------------|--------------|--------------|
| Voter Registration per Precinct as of 4/28/2023 | 2,921 | 3,192 | 2,968 | 9,081 |
| Checked-In | 40 | 47 | 44 | 131 |
| % Turn-out on 5/8/23 | 1.36% | 1.47% | 1.48% | 1.44% |
| TOTAL | 40 | 47 | 44 | 131 |

- Articles #11, 12 and 13, General & Zoning Bylaws, to be sent to Attorney General's Office; pending approval by the Attorney General.
- Article #14 to be sent to the General Court for approval

Copy of the record,

Attest:



Lillian M. Drane, MMC/CMMC, Town Clerk

NOTE: New Procedure to Check-In at the Annual Town Meeting

To continue to accelerate the check-in process at Lakeville's Annual Town Meeting this year, check-in will now be accomplished by use of electronic Poll Pads. The use of these tablets will allow our election officers to check in a voter:

1. By manually entering the first three (3) letters of the voter's first and last name; or
2. By scanning the bar code on the back of the voter's driver's license. In this case, the Poll Pad matches the name and birth date of the person on the voter list with the name and birth date it reads from the bar code on the back of the license. No information from the scanned license is retained by the Poll Pad.

The Commonwealth of Massachusetts does not require that a voter present a license to check in at any Elections and Town Meetings.

The Poll Pads immediately talk to one another, eliminating any chance of a voter checking in more than once.

