

TOWN OF LAKEVILLE
Board of Selectmen, acting as the Wage &
Personnel Board as needed
Meeting Minutes
October 12, 2021 – 6:30 PM
REMOTE LOCATION

On October 12, 2021, the Board of Selectmen held a meeting at 6:30 PM remotely from various locations. The meeting was called to order at 6:30 PM by Chair Fabian. Selectmen present were: Chair Fabian, Selectman LaCamera and Selectman Carboni. Also present was Ari Sky, Town Administrator, Tracie Craig-McGee, Executive Assistant and Christina Cotsoridis, Assistant to the Town Administrator. LakeCAM was recording the meeting for broadcast.

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the October 12, 2021 public meeting of the Lakeville Board of Selectmen will be held remotely. **However, to view this meeting in progress, please go to [facebook.com/lakecam](http://www.lakecam.tv/) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>.**

Meet with Town Moderator to discuss and/or vote on reduction of the November 8, 2021 Special Town Meeting Quorum

Present for the discussion was Town Moderator Kathryn Goodfellow. Chair Fabian said the Board was considering whether to reduce the quorum for the upcoming Special Town Meeting. Ms. Goodfellow recommended that the quorum not be reduced. We have the Community Preservation Act on the warrant, which will impact a large number of voters. All Board Members felt that the regular quorum would be fine. The Special Town Meeting will take place at Apponequet Regional High School at 7:00 PM on November 8, 2021. Chair Fabian said the quorum will be 100 voters.

Meet with Finance Committee for joint appointment of Lawrence Kostant to Finance Committee vacancy

Present for the discussion were members of the Finance Committee: Darren Beals; Brian Day; and Katie Desrosiers. Chairman Beals called the Finance Committee Meeting to order at 6:51 PM. The Finance Committee would like to recommend Lawrence Kostant to the Finance Committee for appointment.

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To appoint Lawrence Kostant to the Finance Committee for a term to expire April 4, 2022.
Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Upon a motion made by Mr. Day and seconded by Ms. Desrosiers, it was:

VOTED: To appoint Lawrence Kostant to the Finance Committee for a term to expire April 4, 2022.
Roll call vote: Ms. Desrosiers – aye; Mr. Day – aye; and Chairman Beals – aye.

Upon a motion made by Chairman Beals and seconded by Mr. Day, it was:

VOTED: To adjourn the Finance Committee at 6:54 PM.

Roll call vote: Ms. Desrosiers – aye; Mr. Day – aye; and Chairman Beals – aye.

Meet with Town Clerk to review and possible vote on 2020 Precinct Re-Precincting Map, Legal Descriptions for Boundaries for 3 Precincts and Official Block Listings

Present for the discussion was Lillian Drane, Town Clerk. Ms. Drane said according to the 2020 Federal Census, Lakeville had 11,523 residents. The precinct populations will be: Precinct 1 - 3,794; Precinct 2 – 3,906 and Precinct 3 - 3,823 residents. Ms. Drane read the legal boundary description into the record. She noted that 126 residents will be changing precincts. Mr. Sky said the legislature came out with the draft maps for the legislative districts today. We are split between the 8th and 12th Bristol District; Precincts 1 and 2 are in the 8th and Precinct 3 is in the 12th district.

Upon a motion made by Chair Fabian stepping down and seconded by Selectman Carboni, it was:

VOTED: To accept as presented by the Town Clerk the 2020 Re-Precincting Plan for the Town of Lakeville, including the map, legal description and block listings.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Board of Selectmen Announcements

Chair Fabian read the Board of Selectmen announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator announcements.

Review and vote on Final Warrant for Special Town Meeting – November 8, 2021

Selectman LaCamera said the articles were read at the last meeting. Chair Fabian summarized Articles 1-12.

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To approve the final Warrant for the Special Town Meeting on November 8, 2021 at 7:00 PM at Apponequet High School.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Discuss and possible vote to accept final draft of Board, Commission and Committee Handbook

Chair Fabian asked the Board members for comments on the handbook. Selectman Carboni said she has some grammatical corrections to send in. She has spoken to the Town Clerk about adding in what the Boards, Committees and Commissions do. We will have to make changes to the document if the Board changes to Select Board, so we can make the changes after the Town Meeting. Selectman LaCamera the document makes clear the responsibilities of each Board, Committee and Commission. We have not had the discussion on how to make sure that their responsibilities get implemented. We

should wait to vote on this. One of the things that has been a constant problem is minutes and the responsibility on who should do what. It should not be the Selectmen's Office making sure that minutes are up to date. It is more of a responsibility of the Town Clerk's Office. Ms. Drane said it should not be her office's responsibility. It is the responsibility of the clerks of the Committees, Boards and Commissions to do that. Selectman LaCamera said he doesn't disagree, but if you look at the Town's website, 25-30% of the minutes are not on the website. Chair Fabian asked if there is a committee that is not submitting their minutes, whose responsibility is it to remind them. Selectman LaCamera said this has been an ongoing problem for a while. We need to figure out how to change this. Who is responsible for this? Chair Fabian said that Mr. Sky and Ms. Drane can get together the list of responsibilities and we can have an internal conversation on who is responsible for getting the minutes done. Selectman LaCamera said perhaps the description of what the Boards, Committees and Commissions do can be an addendum.

Discuss and possible vote to approve 2021-2022 contract plow rates

Franklin Moniz, DPW Director, was present for the discussion. Mr. Moniz explained that the plow rates were adjusted two (2) years ago, and we are going along with the MassDOT rates to stay competitive.

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To approve the 2021-2022 contract plow rates as presented.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Discuss and possible vote to approve DPW request to provide a stipend for CDL licensed emergency snowplow drivers.

Franklin Moniz, DPW Director, was present for the discussion. Mr. Moniz spoke about the need for seasonal emergency snow plow drivers with CDL endorsements. He believes a \$5.00 per hour stipend is fair for a driver with a CDL license. His current emergency snow plow drivers only drive the one-ton trucks and pick-up trucks. He has one (1) individual that is interested in the position.

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To approve the recommendation of the DPW Director to include a stipend of \$5.00 per hour for a CDL License for Emergency Snow Plow Drivers.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Mr. Sky said we should note that this is specifically for an Emergency Highway Operator with a CDL License. Selectman LaCamera asked if this needs to be posted? Mr. Moniz said yes.

Discuss and possible vote to approve snow plow rate change for the Freetown/Lakeville Regional School District

Franklin Moniz, DPW Director, is present for the discussion. Mr. Moniz said the last time we updated the rates that we charge the School Department was done was in 2011/2012. We plow Assawompset School regularly and sometimes help with the School Complex. Right now, the Region

pays a lower rate than we pay our contractors; this would even out the rates. The sanding rate would remain the same. This is just to increase our current rates.

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To approve the recommended increase in rates for the snow plow rates for the Freetown/Lakeville Regional School District for the 2021/2022 season.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Update on the American Rescue Plan Act and possible vote to designate contacts for Plymouth County applications.

Mr. Sky said we are operating on the interim final rule from the Treasury. The Town's biggest revenue loss was in the Park Enterprise Fund, but we had growth in the General Fund, which offset our loss. Plymouth County held a webinar met on reporting to ARPA and there was confusion on capital projects. Town Meeting approval is not required. The rule that applies is the same rule on any grant, which the Board of Selectmen approves the use of the money. There are two (2) pots of funding: direct funding of \$1,210,073 from the Federal Government. In addition, we may be eligible for up to \$2,000,000 from Plymouth County, but it is unknown how much will be reduced by Plymouth County for their own purpose. Mr. Sky said the final reporting to the Federal Treasury for non-entitlement units was supposed to be due in November, but it is extended it to April 30th. There are four (4) things those funds can be used for: to respond to public health emergencies with respect to Covid-19 or its negative economic impacts; provide premium pay to employees providing essential work during the Covid-19 public health emergency; provide government services to the extent of the government's reduction in revenue due to Covid-19 and invest in water, sewer or broadband infrastructures. Park improvements are considered appropriate if you can justify that work would have been done, but did not have the funds to do it due to the pandemic. We can probably start looking at ideas. We can also look at water issues in the Parks regarding extension of water, layout and design.

Selectman LaCamera asked what is Plymouth County taking the money for. Mr. Sky said for administration and for a pool of money if additional funding is needed for another community. Selectman LaCamera said this is not right. Discussion occurred regarding the County's website. Mr. Sky said Plymouth County's position is that they have been far more generous than the State. They are allowed to hold on to a piece of the funds at their discretion. The only leverage we have to challenge it is perhaps from our legislators. Mr. Sky said we are owed reimbursements that were submitted on July 15th, August 5th and October 4th. We still have some funds to spend on the CARES Act. Mr. Sky said the October 30th deadline to spend CARES Act funds is for money coming from the State, but we are with Plymouth County. Selectman LaCamera said we have things we wanted to submit that the County rejected because the State of Emergency is lifted. Selectman LaCamera said we should look at Assawompset School for an air ventilation handler as theirs is 40 to 50 years old.

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To authorize the Town Administrator to approve, finalize and submit on behalf of the Town any such ARPA Grant application and to make all representations and certifications required to be made on behalf of the Town to complete each such application, with such approval, representations and certifications to be evidenced by

the signature of the Town Administrator on such application; and if any such ARPA grant is awarded, the Town Administrator shall be the recipient of such grant on behalf of the Town.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To authorize the Town Accountant to prepare and enter information into the Plymouth County American Rescue Plan portal in support of one or more applications to Plymouth County for grants (“ARPA Grants”) to be funded from a grant received by Plymouth County under the American Rescue Plan Act.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Discuss Animal Shelter revenues and possible vote to increase fees for Towns that use the Lakeville Animal Shelter

Chair Fabian said we have been discussing Animal Shelter Fees for a few months. An analysis has been done. Ms. Cotsoridis said we did an analysis of the Animal Control fee structure. Lakeville maintains the only regional shelter in our area. Our current daily boarding rate is \$15.00 and is low comparatively to what other communities are charging. In the last few years, the grants and gifts accounts takes in more than is spent. The number of animals served in 2019 (pre-pandemic) was 191 dogs, 62% were from Lakeville, 30% from Freetown, Raynham and Wareham and the rest from the other communities served. Dartmouth and Fall River use a private boarding facility and the least they are being charged is \$20.00 per day. Based on the research, increasing the rates to \$20.00 per dog per day for Lakeville and \$25.00 per dog per day for the boarder communities would be consistent with the market. It would better reflect the demands of being a regional shelter and maybe generate a minor increase in revenue.

Chair Fabian said the Animal Shelter provides a much-needed service. Ms. Cotsoridis spoke of the relationships that the Animal Control Officer has built with other Animal Control Officers, which helps in emergencies. Also, a lot of donations that we receive are coming from other communities because people had animals that were cared for at our shelter.

A motion was made by Selectman Carboni with Chair Fabian stepping down to second to increase the boarding rates at the Lakeville Animal Shelter to \$20.00 per dog per day for Lakeville dogs and \$25.00 per dog per day for other communities.

Discussion: Selectman LaCamera reviewed the number of Freetown dogs for 2019, 2020 and 2021. Why is there such a discrepancy in 2019? Ms. Cotsoridis said the fees include surrender fees and boarding fees. Our current information does not tell how many nights each animal stayed. Selectman LaCamera said that must be submitted to the Town Accountant. Ms. Cotsoridis said the information exists on paper, but does not exist in a central Excel sheet. It would require a lot of work to go through each piece of paper. Mr. Sky said the number of dogs is by calendar year, but numbers are fiscal year. Selectman LaCamera said there are 11 communities on the list. If each one had to have their own animal shelter, their cost of the boarding fee would be substantially higher. They should pay a base fee to allow them to bring their dogs to the Animal Shelter. They rely on our facility. More analysis needs to be done. Ms. Cotsoridis noted that the staff does not travel to the

other communities to pick up an animal. If an animal comes in at night, one of the Assistant Animal Control Officers meets them at our shelter. Selectman LaCamera said there are a lot of costs that Lakeville is absorbing. These Towns should pick up a piece of it. Ms. Cotsoridis noted in the surrounding communities that contract out their shelter services, they do not pay in a base rate. They pay for daily boarding. Asking other communities would be a departure from the norm. We will work on creating a data base to do the analysis that needs to be done. If we had communities to take their business elsewhere, there is a loss of revenue and donations that we would likely lose.

The roll call vote on the previous motion was: Selectman Carboni – aye; Selectman LaCamera – nay and Chair Fabian – aye.

Discuss and possible vote in regards to request from Police Chief to access up to 5 hours of the Selectmen’s Municipal Assistance Hours from SRPEDD

Mr. Sky said the Department has transitioned to a new CAD system and need a basic shape file. We have 20 hours with SRPEDD for things like this. The Police Chief has requested up to five (5) hours of our municipal assistance time.

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To approve the Police Chief’s request for up to five (5) hours of the Selectmen’s Municipal Assistance time to outline the boundaries of Lakeville and the two (2) district patrol sectors used by the Lakeville Police Department.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Possible vote to appoint Town Administrator as Americans with Disabilities Act Coordinator

Mr. Sky said Selectman LaCamera is currently the Americans with Disabilities Act Coordinator prior to Mr. Sky’s hiring. He is working with SRPEDD on the Americans with Disabilities Act plan to be presented to the Board. For the plan, we need to clarify the role, so he recommended that the Board appoint him to act in that capacity.

Upon a motion made by Chair Fabian and seconded by Selectman Carboni, it was:

VOTED: To appoint Ari Sky as the Americans with Disabilities Act Coordinator for the Town of Lakeville with a term to expire July 31, 2022.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Review and possible vote to approve Board of Selectmen Minutes of August 9, 2021; August 30, 2021 and September 20, 2021

Upon a motion made by Chair Fabian stepping down and seconded by Selectman Carboni, it was:

VOTED: To approve the Board of Selectmen Meeting Minutes of August 9, 2021 and August 30, 2021.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To approve the Board of Selectmen Meeting Minutes of September 20, 2021.
Roll call vote: Selectman Carboni – abstain; Selectman LaCamera – aye and Chair Fabian – aye.

Discuss and possible recommendation to Zoning Board of Appeals regarding petition for hearing – Bud’s Goods & Provisions Corp – 475 Kenneth W. Welch Drive

Mr. Sky said we have been informed by Bud’s Goods that Boston Botanical is no longer interested in obtaining their franchise and they have taken it back. We have sent letters to Boston Botanical about this, but have not heard back from them. He recommends that we make it clear to the Zoning Board of Appeals that we have not received notice from Boston Botanicals that they have withdrawn from their Host Community Agreement (HCA). Mr. Sky said in order to cancel the HCA, Town Counsel recommended sending Boston Botanicals the letter that went out and then we can cancel the HCA.

Upon a motion made by Chair Fabian stepping down and seconded by Selectman LaCamera, it was:

VOTED: To have the Town Administrator send a letter to the Zoning Board of Appeals that the Bud’s Goods application should not proceed with any permitting until a response has been received from Boston Botanicals and we will not be acting on their request until we receive a response.
Roll call vote: Selectman Carboni – abstained; Selectman LaCamera – aye and Chair Fabian – aye.

New Business

There was no New Business discussed.

Old Business

Mr. Sky reviewed the Board of Selectmen Meeting dates for the rest of the year as October 25th; November 8th at 6 PM prior to Town Meeting; November 22nd; December 6th and December 20th.

Any other business that can properly come before the Board of Selectmen

There was no other business discussed.

Adjournment

Upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To adjourn the Board of Selectmen’s Meeting at 8:22 PM.
Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Other Items

1. Letter from Lakeville Arts Council

List of documents provided at the Board of Selectmen Meeting of October 12, 2021

1. Agenda page
2. Agenda page
3. Agenda page; email from Finance Committee Chairman; letter of interest from Lawrence Kostant; letter of interest from Thomas Janick
4. Agenda page; memo from Town Clerk; legal boundary description for precincts; precinct data; letter for Board of Selectmen signature; precinct map
5. Agenda page;
6. Agenda page;
7. Agenda page; draft Special Town Meeting Warrant
8. Agenda page; Handbook for Appointed and Elected Officials
9. Agenda page; letter from DPW Director; MassDOT rate sheets
10. Agenda page; letter from DPW Director
11. Agenda page; memo from DPW Director; proposed rate sheets; letter from Christopher Peck, previous Superintendent of Street; sample invoices
12. Agenda page; instruction sheet; Reporting Guide-Coronavirus State and Local Fiscal Recover Fund
13. Agenda page; memo from Assistant to the Town Administrator
14. Agenda page; memo from Police Chief
15. Agenda page;
16. Agenda page; Board of Selectmen Meeting Minutes of August 9th; August 30th and September 20th 2021
17. Agenda page; Zoning Board of Appeals petition package for 475 Kenneth Welch Drive
18. Agenda page;
19. Agenda page
20. Agenda page