

**TOWN OF LAKEVILLE  
Board of Selectmen  
Meeting Minutes  
January 27, 2020 – 5:30 PM  
Lakeville Police Station – 323 Bedford Street**

On January 27, 2020, the Board of Selectmen held a meeting at 5:30 PM at the Lakeville Police Station. The meeting was called to order at 5:30 PM by Chairman Fabian. Selectmen present were: Chairman Fabian, Selectmen Powderly and Selectman LaCamera. Also present were Maureen Candito, Town Administrator, Tracie Craig-McGee, Executive Assistant and Lorraine Carboni, Town Coordinator. LakeCAM was recording the meeting for broadcast.

**Executive Session**

At 5:30 PM, upon a motion made by Selectman Powderly and seconded by Selectman LaCamera, the Board of Selectmen:

VOTED: To enter into Executive Session pursuant to M.G.L. c.30A, §21a (5) to investigate charges of criminal misconduct or to consider the filing of criminal complaints and to return to Open Session.  
Polled vote: Selectman LaCamera - aye; Chairman Fabian – aye and Selectman Powderly - aye.

At 6:16 PM, the Board of Selectmen returned to Open Session.

**Meet with Kathryn Cannie from Plymouth County Other Post-Employment Benefits Trust**

*Kathryn Cannie of Public Agency Retirement Services and Thomas O'Brien, Plymouth County Treasurer, were present for the discussion.* Mr. O'Brien said Lakeville joined PCOT in 2017. He reviewed the information that was provided to the Board. Lakeville has put in a bit more than \$1.3 million since 2017. Selectman Powderly asked about liability for employees that are not vested when they leave to go to another job. Ms. Cannie said the unfunded liability is based on active retirees and active employees. If employees leave prior to vesting, it lowers the ultimate liability. She reminded the Board to notify the Town's auditor and actuary that you have employees that have opted out of the health insurance. Mr. O'Brien asked if the opt out was permanent. Selectman Powderly said it is on an annual basis. They can come back on the insurance. Discussion occurred on the amount that should be put into OPEB Annually. Mr. O'Brien said Plymouth County Retirement will be fully funded in 2029. He suggested trying to keep the payment the same each year and not go down.

**Meet with Fire Chief O'Brien to review Ambulance Rates**

*Michael O'Brien, Fire Chief, was present for the discussion.* Chief O'Brien said each year Medicare makes an adjustment on allowable ambulance rates. Comstar has surveyed comparable clients and has come up with recommended rates. He would like to change the rates to their recommended rates, which could provide an additional \$20,000 to the Town. Selectman Powderly said historically we have increased to the maximum allowable.

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

VOTED: To approve the new ambulance rates as presented by the Fire Chief.  
Unanimous in favor.

### **Board of Selectmen Announcements**

Chairman Fabian read the announcements.

### **Public Input Session**

There was no public input.

### **Town Administrator's Report**

Ms. Candito read the Town Administrator's Report. All budgets and capital plans, except for one Department are in. Tentative budgets are due by February 6<sup>th</sup> with a final budget by March 18<sup>th</sup> for the School Department. We are getting quotes to remove the safes in the Selectmen's Office. The Green Community Grant work is being finished up for the next round of grants in March. She has met with MassDOT regarding the street light project. It is not on the Transportation Improvement Plan for the next two (2) or three (3) years, so we need to find other ways to push the project forward.

### **Discuss February 8, 2020 Public Meeting on Route 79**

Chairman Fabian said that BETA is not available on February 8, 2020. Selectman LaCamera said we need additional information for BETA to break out the numbers on the Town's share of the project, but there were no figures associated with the items. Ms. Candito said the appraisal work that was done by Claude Giroux should have some of the figures. Selectman LaCamera asked if the Town is required to pay for 100% of the design from BETA. Selectman Powderly said yes; we have to pay additional funds for the remainder of the design. Ms. Candito said a hearing will be held for the 75% design, hopefully sometime in April. Everything stopped when the Town's vote did not pass. We can work with SRPEDD for a presentation without BETA. Ms. Candito said BETA's fees could be approximately another \$400,000. Selectman Powderly said we need to get an estimate on hours and the hourly rate before they continue. Ms. Candito said they are preparing for the hearing for 75% completion. Discussion occurred regarding the cost of land takings.

Chairman Fabian said she would like to see the contract documents for BETA. Ms. Candito said they want to redo the contract if they are going to attend a meeting. Chairman Fabian said the Board will not move forward with the information session on February 8<sup>th</sup>. Selectman LaCamera asked was the Route 79 funding article not done separately at the Annual Town Meeting. Selectman Powderly said they should have been, but they both unanimously passed at Town Meeting. Selectman LaCamera asked if the Selectmen supported the overrides. Selectman Powderly said yes. Selectman LaCamera asked why the design goes from Galfre Road to Precinct Street, which is in pretty good condition. From Clear Pond Road to Main Street is not in good condition. Selectman Powderly said MassDOT made that decision. Selectman Powderly said MassDOT will not fund the project without sidewalks and bike lanes; that is why they wanted to rip up from Galfre Road to Clear Pond Road. Chairman Fabian said the Board asked MassDOT to

reduce the scope and they said no. This design is the minimum design standard that they will be involved with. Ms. Candito will contact MassDOT about a meeting with the Board. Selectman Powderly said the State looked at the plans and estimated \$2.3 million for land takings. He noted that 111 telephone poles need to be relocated at approximately \$15,000 per pole. Until you start to speak to the owners of the properties to see if they will donate the land for the land takings, we won't know the cost of the land takings.

#### **Vote to postpone Annual Town Meeting until June 1, 2020**

Chairman Fabian said at the last meeting it was decided to hold the Annual Town Meeting on June 1, 2020. However, since it is supposed to be held in May, we must vote to postpone the Annual Town Meeting.

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

VOTED: To postpone the Annual Town Meeting until June 1, 2020 at 7:00 PM.  
Unanimous in favor.

#### **Vote to open Warrant for Annual Town Meeting – June 1, 2020**

Chairman Fabian said the warrant needed to be opened for the Annual Town Meeting.

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

VOTED: To open the June 1, 2020 Annual Town Meeting Warrant and close the warrant on March 9, 2020 at 4:00 PM.  
Unanimous in favor.

#### **Review and vote to approve Warrant for the Presidential Primary on March 3, 2020**

Chairman Fabian said the Town Clerk has requested that the Selectmen vote to approve the Warrant for the Presidential Primary to be held on March 3, 2020.

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

VOTED: To approve the Warrant for the Presidential Primary on March 3, 2020.  
Unanimous in favor.

#### **Revisit draft Social Media Policy**

Chairman Fabian said this was brought back as revisions were requested on Page 2 of the Social Media Policy because the Town Clerk is responsible for the Town Seal and on Page 3 instead of contacting the Town Clerk, it is the Town Administrator.

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

VOTED: To approve the Social Media Policy as presented.  
Unanimous in favor.

**Municipal Notice from Cannabis Control Commission regarding Northeast Alternatives, Inc. application for a Marijuana Cultivation License**

Chairman Fabian said the Board received a request from the Cannabis Control Commission asking if Northeast Alternatives, Inc. is in compliance with Municipal By-laws or Ordinances. Ms. Candito said they do not have their special permit yet; the site plan is being reviewed by the Planning Board now. Selectman LaCamera said he would like to see the special permit prior to responding. Ms. Candito said they are looking for certification that the use is allowed, not that a special permit has been given. This was tabled until the next meeting.

**Vote to accept Thomas Luiz's Letter of Retirement**

Chairman Fabian said that Thomas Luiz has submitted his letter of retirement after 31 years with the Town.

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

VOTED: To accept the letter of retirement from Thomas Luiz and thank him for his service.  
Unanimous in favor.

**Request for 100<sup>th</sup> Birthday Proclamation for Sadie V. Gladu**

Chairman Fabian read the proclamation into the record for Sadie V. Gladu.

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

VOTED: To proclaim February 7, 2020 to be Sadie V. Gladu Day in honor of her turning 100.  
Unanimous in favor.

**Request from Lakeville Arts Council to hold 2020 Annual Arts & Music Festival – October 3, 2020**

Chairman Fabian said the Board has a request to use the Dickran Diran Square and the Town House and Grounds for the Annual Arts and Music Festival on October 3, 2020

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

VOTED: To approve the use of the Dickran Diran Square and the Town House and Grounds for the Annual Arts and Music Festival on October 3, 2020.  
Unanimous in favor.

**Request from Open Space Committee to appoint Dr. Adam Young as Associate Members**

Chairman Fabian said there is a request from the Open Space Committee for the Board to appoint Dr. Adam Young as an Associate Member. The charge would need to be revised to include the appointment of an Associate Member. Discussion occurred regarding revising the charge to include an Associate Member. This was tabled and the Chairman of the Open Space Committee will be invited to meet with the Selectmen to discuss this. Ms. Candito said we wanted

to discuss limiting Associate Members as the Zoning Board of Appeals has four (4) Associate Members.

**Vote to accept resignation letter from Charlene Montleon from Council on Aging Board of Directors**

Chairman Fabian said the Board had received a letter from Charlene Montleon resigning from the Council on Aging Board of Directors.

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

VOTED: To accept the letter of resignation from the Council on Aging Board of Directors from Charlene Montleon.  
Unanimous in favor.

**Review and vote to approve Board of Selectmen Meeting Minutes of August 26, 2019; October 28, 2019 and January 13, 2020**

Upon a motion made by Selectman Powderly and seconded by Chairman Fabian, it was:

VOTED: To accept the August 26, 2019 and October 28, 2019 Selectmen Meeting Minutes as presented.  
Two (2) in favor; one (1) abstention (Selectman LaCamera).

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

VOTED: To accept the January 13, 2020 Selectmen Meeting Minutes as presented.  
Unanimous in favor.

**New Business**

Chairman Fabian said that The Back Nine Club's manager had gotten married and they needed to change her name on the Liquor License. This will need to be ratified at the next meeting.

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

VOTED: To change the name of the manager on the Liquor License for The Back Nine Club from Rachel Rodrigues to Rachel Brooks.  
Unanimous in favor.

Ms. Candito said the Town received a letter from FEMA regarding the revisions of the Flood Rate Maps. We need to vote on the updated maps at Town Meeting.

**Old Business:**

**Discuss FY21 Budget**

Chairman Fabian said the Board has received a breakdown on the FY21 budget. Ms. Candito said she met with the Town Accountant and a spreadsheet has been created. We have the Cherry

Sheets, and we can start to create the budget. Discussion occurred regarding scheduling budget meetings with Department Heads.

**Any other business that may properly come before the Board of Selectmen**

There was no other business discussed.

At 7:43 PM, upon a motion made by Selectman LaCamera and seconded by Chairman Fabian, the Board of Selectmen:

VOTED: To enter into Executive Session pursuant to M.G.L. c.30A, §21a (3) to discuss strategy with respect to collective bargaining, specifically the Firefighters' Union, Police Union and Laborers' Union, if an open meeting may have a detrimental effect on the bargaining position of the Board, and the Chair so declares; and pursuant to M.G.L. c.30A, §21a (7) to comply with the Open Meeting Law, M.G.L. c.30A, §22(f): approval of Executive Session Minutes for July 29, 2019; October 23, 2019 and November 12, 2019 and not return to Open Session.

Polled vote: Chairman Fabian – aye Selectman LaCamera - aye; and Selectmen Powderly - aye.

## **OTHER ITEMS**

1. Letter from Apponequet Regional High School regarding donation from Patriot Half Triathlon
2. Notice from Jose Invencio regarding new legislation updating the Cable Act of 1984
3. Notice from South Coast Rail regarding Construction Activity  
Selectman LaCamera said there is a lot of activity going on at certain crossings and intersections. Information will be placed on the Town's website when updates are received.  
Ms. Candito said residents can sign up on Southcoast Rail to receive alerts
4. Notice of Certificate of Compliance – Chapter 40R Lakeville Station-Nemasket SGOD
5. Notice from MassDOT regarding Chapter 90
6. Letter from Keep Massachusetts Beautiful

## **List of documents provided at the Board of Selectmen Meeting of January 27, 2020**

1. Agenda page
2. Agenda page
3. Memo from Fire Chief; information from Comstar regarding raising rates
4. Agenda page
5. Agenda Page
6. Agenda Page
7. Agenda Page
8. Agenda Page
9. Agenda Page
10. Warrant for Presidential Primaries – March 3, 2020
11. Revised Social Media Policy
12. Email from Building Commissioner; letter from Cannabis Control Commission regarding Northeast Alternatives, Inc.
13. Letter of retirement from Thomas Luiz
14. Proclamation for Sadie V. Gladu's 100<sup>th</sup> Birthday
15. Letter from Lakeville Arts Council to hold 2020 Annual Arts & Music Festival on October 3, 2020
16. Email from Open Space Committee Chairman; charge of Open Space Committee
17. Resignation letter from Charlene Montleon from Council on Aging Board
18. Draft Board of Selectmen Minutes of August 26, 2019; October 28, 2019; and January 13, 2020