

**TOWN OF LAKEVILLE**  
**Board of Selectmen**  
**Meeting Minutes**  
**February 10, 2020 – 5:00 PM**  
**Lakeville Police Station – 323 Bedford Street**

On February 10, 2020, the Board of Selectmen held a meeting at 5:00 PM at the Lakeville Police Station. The meeting was called to order at 5:00 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 5:00 PM, upon a motion made by Selectman LaCamera and seconded by Selectman Powderly, the Board of Selectmen:

VOTED: To enter Executive Session pursuant to M.G.L. c.30A, §21 (4) to discuss the deployment of or strategy regarding security personnel or devices, e.g., a sting operation and pursuant to M.G.L. c.30A, §22 (f) to review potential release of Executive Session Minutes from 2016-2019 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 January 27, 2020 (two sets) and to return to Open Session.  
Polled vote: Selectman LaCamera - aye; Chairman Fabian – aye and Selectman Powderly - aye.

At 5:30 PM, the Board of Selectmen returned to Open Session.

**Meet with Freetown Board of Selectmen to discuss Freetown Lakeville Lake District**

*Lisa Pacheco and George Grimwald of the Freetown Board of Selectmen and Timm McIntosh, Administrative Assistant were present for the discussion.* Selectman Pacheco said the proposed Lake District will impact both Towns. Chairman Fabian noted that Freetown was presented with the petition and it will appear at Special Town Meeting on February 15, 2020 at 1:00 PM. Discussion occurred regarding the proposed legislation to be put forward. Chairman Fabian said the Lakeville Selectmen have concerns/questions from their previous meeting with Mr. Sarcia. Selectman Pacheco noted some of Freetown's concerns, and said she is not in favor of this. Selectman Powderly spoke of Lakeville's previous efforts regarding removing invasive plants. He previously suggested that a mailing be done to residents on the pond that would be affected to let them know what the cost would be to them. He suggested an information session for the people affected as the warrant article is rather vague. Selectman LaCamera noted that summer residents are not represented in this process because they don't have a vote as they don't live in Town. In 1899 in the agreement with the State, they took Assawompset Pond and Long Pond. In that agreement, Long Pond is a backup water supply for Fall River. Further discussion occurred regarding the weed problem. Chairman Fabian said the proposed article leaves out a lot; a lien will be put on your home if you can't pay the tax.

Lynn Morley of 72 Lakeside Avenue said she lives on Long Pond. The homes are valued higher and the pond being in good shape is what values their homes. They pay more in taxes because of the location. Discussion occurred regarding the State Boat Ramp and efforts to keep invasive weeds from entering the pond on boats. The Freetown Selectmen exited the meeting at 6:01 PM.

### **Meet with Matthew Shute from BETA to discuss Route 79 project**

*Franklin Moniz, Superintendent of Streets and Matthew Shute and William McGrath from BETA were present for the meeting.* Selectman LaCamera said the Route 79 project failed at the election. He was concerned that residents did not have enough information on what the vote was for. We need to decide if we want to move forward with this project. If we decide to take the next step, we need to hold a detailed meeting for residents. Route 79 is not a State road; it is a Town owned road. Most of the road is in very poor condition with no drainage. It is Lakeville's responsibility to do that road. The State is proposing to redo the section from Galfre Road to Clear Pond Road. The rest is not being done due to funding. The section of road that was not chosen has drainage and a good base, so it is only \$500,000 to \$600,000 to repave that. The other section of the road is falling apart, even after patching. There is no drainage, so the water goes under the pavement and breaks it up. This is a heavily traveled, dangerous road that needs to be addressed.

Mr. Shute summarized the work the State is planning to do, including improvement of the Precinct Street intersection; new traffic signal at Route 18 with pedestrian crossing with lane widening and a 5' wide bicycle lane. You must have the bicycle lane when using Federal and State Funds. There would be a sidewalk along one (1) side of the roadway. Additional stormwater collection will be needed and that section will need to be reconstructed. The existing roadway width is 22-24'; the project would be a 22' width with 5' pavement shoulders for total paving area of 32'. These improvements are included within the existing street layout. People believe there will be sidewalks in their front yards; however, the roadway layout could already be 5'-8' on their property right now. 95% of the improvements will be constructed within the layout. The preliminary right of way plans show 110 properties in total are affected by the project. There will be 6 takings where there will be a strip easement or a taking, 30 permanent easements for drainage improvements and then utility easements for aerial trespass. MassDOT will take a few easements on Route 18. Mr. Shute said the Town's share will be for the remaining design; appraisal fees; surveying fees; legal fees; temporary and permanent easement costs. The exact figure cannot be determined until the appraiser is hired, which does not happen until the 75% design is reached. The soonest that would happen is June if funding was approved for the final design in April.

Selectman LaCamera said the Town has already spent \$325,000 for the 25% design. The State and Federal construction cost is \$10.2 million. Our share is up to \$2.3 million, but the override was for \$4 million, which included other roads to be done. This project should have stood on its own. Based upon \$2.3 million, for every \$100,000 of property value it would cost \$11.09 or \$166.00 for 15 years; \$332.70 for \$200,000 and \$665.00 for a house valued at \$400,000 for 15 years. 100% of the construction is being paid for the State and Federal Governments. If we resurfaced with drainage from Galfre Road to Clear Pond Road ourselves; the costs would be \$5-6 million. Our cost will only be \$2.3 million if we go with the State project. We need to do this by June or we will lose the grant money. Discussion occurred about what the estimated \$1.7 million cost is for.

Brian Day asked about the process and what happens if construction costs go up? Mr. Shute replied that BETA is under contract through the 25% design public hearing. MassDOT reviews the cost estimate and coordinates with regional planning agencies to try to move projects around to get funding if costs rise. Mr. Day asked if everything gets passed, when could this start. Mr. Shute said it is on the FY20-21 in the Transportation Improvement Plan, but it will most likely be moved to FY20-22, with a FY23 spring construction. Selectman LaCamera explained the borrowing process. Robert Blowers asked if this would go back to Town Meeting. Ms. Candito said we can do the ballot first, then Town Meeting. Selectman LaCamera said if we can get this on the April 6<sup>th</sup> ballot, we don't need to hold a special election. Mr. Blowers said the road and drainage has to be fixed. There is a lot of confusion out there. Steve Howe voiced his concerns over the widening, which would affect his property and the location of his septic system. Discussion occurred regarding widening the road to accommodate the sidewalk and the relocation of the telephone poles.

Selectman LaCamera said we need to decide if we are going to consider moving forward and get the ballot question to the Town Clerk. Discussion occurred regarding holding a public information meeting. Chairman Fabian said this will be discussed at the next Selectmen's meeting.

#### **Request from Fire Chief for appointment of a two (2) Full Time Firefighters and one (1) Temporary Full Time Firefighter**

*Michael O'Brien, Fire Chief, was present for the discussion.* Chief O'Brien said he is requesting that two (2) Full Time Firefighters and a Full Time Temporary Firefighter be appointed. Each individual is from the current Call Firefighter Appointment. He summarized the appointees' qualifications.

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

VOTED: To appoint Daniel Blizzard and Brien Perkins as Full Time Firefighters/EMT contingent upon: 1. Probationary period shall be a minimum of one (1) year, but may be extended at the discretion of the Fire Chief until such time as he holds the mandatory Firefighter /II Certification from an accredited training program and the required licensure as an EMT – Paramedic; and 2. Extensions to the probationary period shall be at the Chief's discretion and may be revoked at any time.  
Unanimous in favor.

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

VOTED: To appoint Gordon Crawford as Full Time Temporary Firefighter/EMT.  
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 her report. The maintenance budget has been prepared and capital plans are complete. The VOIP phone system is completed at the Police Station and we are ready to move forward with the Town Offices.

### **Discuss SRPEDD Statement of Work for the Americans with Disability Act Self-Evaluation and Transition Plan and vote for Town Administrator to sign contract**

*Nathan Darling, Building Commissioner, was present for the discussion.* Ms. Candito said the Town was approved for an Americans with Disability Act (ADA) Grant for a Self-Evaluation and Transition Plan for Town Buildings to become more ADA Compliant. Doing this would allow us to go for a grant of \$250,000 for each project identified. Mr. Darling said this has been worked on for a few years. We should move forward with this and identify the accessibility issues and try to correct them. Selectman LaCamera said the Board just received this information, and there are things to discuss and felt the Board should hold off on this.

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

VOTED: To table this item until the next meeting.

Two (2) in favor and one (1) against (Selectman Powderly).

### **Review Initial Boundary Valuation for US Census and vote to sign Certification Form**

Chairman Fabian said the US Census Bureau was requesting certification of Lakeville's boundaries.

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

VOTED: That the Lakeville boundaries as presented on the 2019 Governmental Unit are correct and to authorize the Chairman to sign the certification page.

Unanimous in favor.

### **Discuss the Fee Structure associated with the draft revised Earth Removal Regulations**

Chairman Fabian asked for this item to be tabled for a future meeting

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

VOTED: To table the draft revised Earth Removal Regulations until a future meeting.

Unanimous in favor.

### **Discuss Karate Studio License Agreement for Ted Williams Camp**

*John Marando from Lakeville Martial Arts Club was present for the discussion.* Chairman Fabian said the License Agreement for the Lakeville Marital Arts Club expires on February 29, 2020. Ms. Candito has spoken with the Park Commission Chairman, who stated Mr. Marando is a model tenant and they are happy having the business there. Mr. Marando said this is his 20<sup>th</sup> year

at the property. He tries to help with whatever he can and takes care of the public restrooms. He would like a two (2) year period. Selectman LaCamera asked Mr. Marando about an increase to the rent to \$525 per month; Mr. Marando was in agreement.

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

VOTED: To approve a two (2) year License Agreement beginning on March 1, 2020 and ending February 28, 2022 at a rate of \$525 per month.  
Unanimous in favor.

#### **Discuss reconfiguring Board of Selectmen's Office to include Conference Room**

*Nathan Darling, Building Commissioner, was present for the discussion.* Mr. Darling said the office is split into two (2) areas containing approximately 500 square feet. There could be one (1) area with two (2) work stations and another area with one (1) work space with a Selectmen's meeting area. Selectman LaCamera said there used to be a Conference Room and now we have nothing. It is very difficult to have a private conversation with anyone. He would like to move the Town Coordinator and Executive Assistant in together. Mr. Darling said there is a Part Time Clerk that also works in that space. Ms. Candito noted that there would need to be separate climate control, because those rooms share the heat and air conditioning through the window. Mr. Darling estimated that would cost \$6,000. This matter will be revisited.

#### **Discuss posting Board of Selectmen Agenda Packets on Town Website**

Chairman Fabian said that Ms. Craig-McGee asked if the Board would like to have their meeting packets posted on the Town's website for the public to view, as some Towns do. Selectmen LaCamera and Powderly said the public would see the packet before they do since they pick them up over the weekend. Mr. Day said as a citizen, he would like to see the information in the packets so he could follow along. After further discussion, this item was tabled.

#### **Discuss letter received regarding donation of land (Map 41, Block 7, Lot 13) from Estate of Rose Nasuti**

Chairman Fabian said the Board received a letter from Ellen McCaffery offering the donation of a lot of land from the Estate of Rose Nasuti. Ms. Candito said the property is current on taxes.

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

VOTED: To accept the donation of the property known as Map 41, Block 7, Lots 13 from the Estate of Rose Nasuti.  
Unanimous in favor.

#### **Ratify vote taken on January 27, 2020 Selectmen's Meeting regarding Change of Name for the Manager of The Back Nine Club**

Chairman Fabian said the Board needed to ratify their vote taken at the January 27, 2020 Selectmens' Meeting regarding the change of name for the manager of The Back Nine Club as it was done under New Business.

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

VOTED: To ratify the vote taken on January 27, 2020 to change of name for the manager of The Back Nine Club from Rachel Rodrigues to Rachel Brooks.  
Unanimous in favor.

#### **Discuss Cassandra Hudson's Letter of Resignation from Finance Committee**

Chairman Fabian said the Board had received a letter of resignation from Cassandra Hudson from the Finance Committee. Selectman LaCamera said this position should stay vacant until after the April 6, 2020 Election.

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

VOTED: To accept Cassandra Hudson's resignation from the Finance Committee.  
Unanimous in favor.

#### **Request from Zoning Board of Appeals to review petition for 44-46 Rhode Island Road**

Chairman Fabian said the Board received a request from the Zoning Board of Appeals to review petition for 44-46 Rhode Island Road. The Board had no comments.

#### **Request from Planning Board to review site plan of 310 Kenneth Welch Drive**

Chairman Fabian said the Board received a request from the Planning Board to review the site plan for 310 Kenneth Welch Drive. The Board had no comments.

#### **Discuss instituting a fee for Bicycle/Road Races using Town Roads**

Chairman Fabian said due to the number of Bicycle and Road Races that the Town has received, she wanted to discuss whether a fee should be charged. Some Towns charge for profit races, but not for non-profit. Some Towns take a deposit based on the conditions after the race. The Superintendent of Streets sends a sweeper out to sweep the route prior to. She would like to see some type of a fee. Selectman LaCamera would like to distinguish between non-profit and for-profit races. It was decided to revisit this later in the year.

#### **Request from South Shore Race Management to hold Mullein Hill Christian Academy 5K on May 9, 2020**

Chairman Fabian said the Board has received a request from South Shore Race Management to hold the Mullein Hill Christian Academy 5K on May 9, 2020.

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

VOTED: To approve the request from South Shore Race Management to hold the Mullein Hill Christian Academy 5K on May 9, 2020.  
Unanimous in favor.

**Request from South Shore Race Management to hold Run for Veterans 5K on November 7, 2020**

Chairman Fabian said the Board has received a request from South Shore Race Management to hold the Run for Veterans 5K on November 7, 2020.

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

VOTED: To approve the request from South Shore Race Management to hold the Run for Veterans 5K on November 7, 2020.  
Unanimous in favor.

**Request from Mattapoisett Land Trust & Friends of the Mattapoisett Bike Path to hold the 5<sup>th</sup> Tour de Crème on May 17, 2020**

Chairman Fabian said the Board has received a request from Mattapoisett Land Trust & Friends of the Mattapoisett Bike Path to hold the 5<sup>th</sup> Tour de Crème on May 17, 2020.

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

VOTED: To approve the request from Mattapoisett Land Trust & Friends of the Mattapoisett Bike Path to hold the 5<sup>th</sup> Tour de Crème on May 17, 2020.  
Unanimous in favor.

**Request from Spark Bike Run Sports to The Mix Tape Cycling Event on April 5, 2020**

Chairman Fabian said the Board has received a request from Spark Bike Run Sports to hold The Mix Tape Cycling Event on April 5, 2020.

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

VOTED: To approve the request from Spark Bike Run Sports to hold The Mix Tape Cycling Event on April 5, 2020.  
Unanimous in favor.

**Request from On Your Left Racing to hold Sunken Island Triathlon – July 25, 2020**

*Derek Savas and Jay Deleon from On Your Left Racing were present for the discussion.* Chairman Fabian summarized the information on the Sunken Island Triathlon to be held on July 25, 2020. Selectman LaCamera asked about the donation they would like to make. Mr. Savas said the amount would depend on the number of entries. He would like to do something for children. Ms. Candito will gather a list together for them to choose from.

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

VOTED: To approve the request from On Your Left Racing to hold Sunken Island Triathlon – July 25, 2020.  
Unanimous in favor.

### **Discuss rescheduling the March 23 and April 7, 2020 Selectmen Meetings**

The Board discussed rescheduling the March 23, 2020 and April 7, 2020 Selectmen Meetings. The March 23<sup>rd</sup> meeting would move to March 16<sup>th</sup> and the April 7<sup>th</sup> meeting to April 8<sup>th</sup>. The March 30<sup>th</sup> meeting would remain the same.

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

VOTED: To revise the Selectmen Meeting Schedule to March 16, March 30 and April 8, 2020.  
Unanimous in favor.

Selectman LaCamera asked if the budget meetings with Department Heads were finalized. The dates were set for March 2, 4 and 5, 2020 at 6:30 PM.

### **Review and vote to approve Board of Selectmen Meeting Minutes of March 8, 2019, October 23, 2019 and January 27, 2020**

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

VOTED: To use the Rule of Necessity to approve the Selectmen Meeting Minutes of March 8, 2019.  
Unanimous in favor.

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

VOTED: To approve the Selectmen Meeting Minutes of October 23, 2019.  
Two (2) in favor; one (1) abstention (Selectman LaCamera).

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

VOTED: To approve the Selectmen Meeting Minutes of January 27, 2020.  
Unanimous in favor.

### **New Business**

There was no New Business discussed.

### **Old Business: Discuss FY21 Budget**

Ms. Candito said she will give the Selectmen the preliminary budget to them tonight. We received a change today late. Selectman Powderly noted there are 53 fewer students in the School System.

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

There was no Other Business discussed.



### **Executive Session**

At 8:19 PM, upon a motion made by Selectman LaCamera and seconded by Selectman Powderly, 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.  
Polled vote: Selectman Fabian – aye; Selectman LaCamera – aye and Selectman Powderly – aye.

## **OTHER ITEMS**

1. January Pond Levels
2. Memo from Firefighters' Union regarding List of Officers
3. Annual Report from SRPEDD
4. Early Construction Update – Week of February 4, 2020
5. MMA Legislative Breakfast Meetings Notice
6. Annual Complaint Filing for Verizon
7. Letters from Comcast regarding changes in pricing and programming changes

## **List of documents provided at the Board of Selectmen Meeting of February 10, 2020**

1. Agenda sheet
2. Freetown Special Town Meeting Warrant; minute section from April 25, 2018; letter from James Sarcia; letter from Senator Michael Rodrigues; Acts of 2010 Chapter 107 Establishing the Sherwood Forest Lake District
3. Maps showing land takings, temporary and permanent easements on Rhode Island Road
4. Letters from Fire Chief regarding appointments
5. Agenda sheet
6. Agenda sheet
7. Agenda sheet
8. Email from Grant King of SRPEDD; draft Statement of Work; draft Contract
9. Letter from U.S. Census Bureau; information on Boundary Validation Program; Census Maps
10. Section of minutes from August 21, 2017; email from Building Commissioner; proposed draft of Earth Removal Regulations; current Earth Removal Regulations
11. Current License Agreement with Lakeville Martial Arts Club
12. Agenda sheet
13. Agenda sheet
14. Letter from Ellen McCaffery; Assessors Map and Field Card
15. Letter from The Back Nine Club
16. Resignation letter from Cassandra Hudson
17. Zoning Board of Appeals application package-44-46 Rhode Island Road
18. Revised Site Plan for 310 Kenneth Welch Drive
19. Town of Scituate Event application; Town of West Newbury Special Event Permit
20. Letter from South Shore Race Management; route map; emails from Police and Fire Chief
21. Letter from South Shore Race Management; route map; emails from Police and Fire Chief
22. Letter from Mattapoissett Land Trust, Inc.; route map
23. Letter from Spark Bike Run Sports; route map; email from Police Chief
24. Letter from On Your Left Racing; route map; email from Lt. Joyce and Fire Chief
25. Agenda sheet
26. Selectmen Meeting Minutes of March 8, 2019; October 23, 2019 and January 27, 2020