

**TOWN OF LAKEVILLE**  
**Board of Selectmen**  
**Meeting Minutes**  
**March 16, 2020 – 6:30 PM**  
**Lakeville Police Station – 323 Bedford Street**

On March 16, 2020, the Board of Selectmen held a meeting at 6:30 PM at the Lakeville Police Station. The meeting was called to order at 6:30 PM by Chairman Fabian. Selectmen present were: Chairman Fabian 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.

**Meet with Senator Michael Rodrigues and Representative Norman Orrall**

*Senator Michael Rodrigues and Representative Norman Orrall were present for the discussion.* Chairman Fabian welcomed Senator Rodrigues and Representative Orrall. Chairman Fabian spoke about the grant money received to do the study for the problems in regards to Assawompset Pond, Long Pond and the Nemasket River. Senator Rodrigues said there have been a lot of ideas on how not to have that happen again. Working with Representative Orrall, we secured funding for the study, which SRPEDD is working on. Representative Orrall said there is money in the Capital Bond Bill that may be able to fund the projects that the study indicates. Senator Rodrigues said the study provides the scientific data to secure capital money. Representative Orrall said when projects come out of this study they will be brought to the Secretary of the Environment for possible funding and then it goes to the administration. Selectman LaCamera said this is extremely important because if we don't continue, the flooding will happen again.

Selectman LaCamera said the Student Opportunity Act was passed and 161 communities received an additional \$30 per student. He hopes that the \$30 be raised. With 2,800 students, we received \$89,000, which puts a lot of pressure on the local communities to fund the School budget. Student transportation was level funded for years. He hopes to see an increase in the percentage for reimbursement. Senator Rodrigues explained the funding formula created for education funding where the State plays a larger role in funding education. Regional transportation was significantly increased last year. Last year it was increased to 82%. Additional discussion occurred regarding costs and reimbursements for education expenses.

Selectman LaCamera said regarding the Chapter 90 and Transportation Bond Bill, what happens if the Bond Bill does not pass? Representative Orrall said he thinks there is authorization elsewhere. Senator Rodrigues said in December another \$40 million was appropriated. Representative Orrall said there is a line item in the bond bill for Quiet Zones in Lakeville. At every crossing, Federal Law states that the horn must be sounded. MassDOT's approach was if the Town wants it, you need to pay for it. The idea is to make your crossing safe. It is approximately \$200,000 per crossing for Quiet Zones.

Selectman LaCamera spoke about proposed legislation regarding Marijuana Host Community Agreements. Representative Orrall said the House has passed it; the Senate has not taken it up yet. Some communities were asking for crazy things and the Cannabis Control Commission (CCC) has heard these complaints. Communities will have to justify to the CCC the 3% in Local Impact Fees.

Selectman LaCamera said spoke about the efforts to establish the Freetown/Lakeville Long Pond District to take over the control of Long Pond. A washing station should be put in at the State Boat Ramp to help address the invasive weed problem. Senator Rodrigues said a Pond District is a zone where an additional tax is applied to make improvements in that zone. It requires Local and State approval. Both Representative Orrall and Senator Rodrigues thought a boat wash was doable. Ms. Candito said is speaking with David DaManche, Freetown Town Administrator the cost would be approximately \$250,000 for a boat wash.

Selectman LaCamera spoke about bills for funding of renovation of Police and Fire Stations. We have an issue with our Fire Department. Representative Orrall and Senator Rodrigues were not aware of the bills. Selectman LaCamera said he will get them the information.

#### **Hearing on application for transfer of Class II License – 35 Bedford Street**

Chairman Fabian said read the legal ad into the record for the transfer of the Class II License for 35 Bedford Street.

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

VOTED: To open the hearing for the transfer of the Class II Motor Vehicle Sales License from Sha-Nic Autobody and Repair to Girgis Automotive Services.  
Unanimous in favor.

Selectman LaCamera noted that the License Application indicated that this was for the sale of Class II Licenses but Question 6 seems like it was not filled out correctly. Ms. Craig-McGee confirmed that is was incorrectly filled out; it is not for the sale of new vehicles.

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

VOTED: To close the hearing for the transfer of the Class II Motor Vehicle Sales License from Sha-Nic Autobody and Repair to Girgis Automotive Services.  
Unanimous in favor.

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

VOTED: To approve the transfer of the Class II Motor Vehicle Sales License from Sha-Nic Autobody and Repair to Girgis Automotive Services to expire January 1, 2021.  
Unanimous in favor.

#### **Pole Hearing – Pole #5 - Pantheon Road**

Chairman Fabian read the legal notice into the record.

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

VOTED: To open the pole hearing for Pole #5 on Pantheon Road, Lakeville, MA.  
Unanimous in favor.

Chairman Fabian noted that this is for installation of a new pole for connecting service to a new house. Ms. Craig-McGee noted that the abutters had been notified.

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

VOTED: To close the pole hearing for Pole #5 – Pantheon Road.  
Unanimous in favor.

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

VOTED: To approve the placement of Pole #5 on Pantheon Road in Lakeville.  
Unanimous in favor.

### **Board of Selectmen Announcements**

Chairman Fabian read the announcements.

### **Public Input Session**

There was no public input.

### **Review Tower Use Approval Letter Agreement with American Tower Corporation and License Agreement with the City of Taunton and vote to authorize Town Administrator to sign both Agreements**

Chairman Fabian said the Board is reviewing a Tower Use approval Letter Agreement with American Towner Corporation and the License Agreement with the City of Taunton for the use of their cell tower space. Selectman LaCamera said the Police Chief has reviewed the agreements and is in approval.

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

VOTED: To approve the Tower Use Approval Letter Agreement with American Tower Corporation and the License Agreement with the City of Taunton for use of cell tower space and authorize the Town Administrator to sign both Agreements.  
Unanimous in favor.

### **Discuss request from Cannabis Control Commission letter for Munro Associates LLC**

Chairman Fabian said the Selectmen have received a Municipal Notification of a Marijuana Establishment for Munro Associates, LLC from the Cannabis Control Commission. The request is to confirm that the location is or is not in compliance with municipal bylaws or ordinances. Selectman LaCamera said this is for an existing Host Community Agreement.

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

VOTED: Pursuant to 935 CR 500.102 () (d), the Lakeville Board of Selectmen affirms that Munro Associates, LLC proposed Marijuana Retail License at 310 Kenneth Welch

Drive is in compliance with municipal bylaws or ordinances and authorized the Chairman to sign the Municipal Response.  
Unanimous in favor.

**Request from Alan Swanson for renewal of Temporary Storage Trailer Permit – 135 Precinct Street**

Chairman Fabian said the Board has received an application for renewal of a Temporary Storage Trailer Permit for 135 Precinct Street. The Building Commissioner has submitted information regarding the storage trailer permit.

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

VOTED: To approve the renewal of the Temporary Storage Trailer Permit at 135 Precinct Street to expire March 30, 2021.  
Unanimous in favor.

**Request from Lakeville Litter Lifters to hold Great Massachusetts Clean Up of Lakeville – April 25, 2020**

Chairman Fabian said the Lakeville Litter Lifters have requested to hold the Great Massachusetts Clean Up of Lakeville on April 25, 2020. They are requesting the use of a Highway Truck and Tamarack Park. This event will be subject to any rules regarding Covid 19.

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

VOTED: To approve the request from the Lakeville Litter Lifters to use a Highway Department Dump Truck and Tamarack Park on April 25, 2020 for the Great Massachusetts Clean Up of Lakeville Event.  
Unanimous in favor.

**Ratify vote taken on March 4, 2020 meeting regarding Amendment #2 to BETA Group contract**

Chairman Fabian said on March 4, 2020, the Selectmen voted under New Business to authorize the Town Administrator to sign Amendment #2 to the BETA Group Contract. The Board needs to ratify this vote.

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

VOTED: To ratify the vote taken on March 4, 2020 to allow the Town Administrator to sign Amendment #2 to the BETA Group Contract.  
Unanimous in favor.

### **Review and vote to approve Selectmen Meeting Minutes of February 27, 2020**

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

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

### **Meet with Fire Chief to discuss SAFER Grant and two (2) firefighters**

*Fire Chief Michael O'Brien was present for the discussion.* Chief O'Brien said a decision should be received by late July of 2020 on the SAFER Grant with funding to follow shortly after. Approximately 30% of Departments that apply are successful. It would be a great opportunity to apply for the two (2) positions.

A motion was made by Selectman LaCamera and seconded by Chairman Fabian to support the Fire Chief applying for the SAFER Grant.

Discussion: Selectman LaCamera said are you saying that we would wait until we get a decision on the SAFER Grant to hire two (2) additional firefighters. Chief O'Brien said yes. Discussion occurred regarding the funding timing and the amount needed in the budget for the two (2) firefighters if the SAFER Grant was received. Ms. Candito asked do we have to structure your budget a certain way or do we have to say we have the flexibility in the budget. Chief O'Brien said we have to have the 25% in the budget. Selectman LaCamera we will have a better idea on funding in the fall. Chief O'Brien felt the 25% could be funded through savings in his budget.

The vote on the previous motion was unanimous in favor.

### **Discuss Remote Participation for Boards, Committees & Commission Members**

*Jose Invencio from LakeCAM was present for the discussion.* Chairman Fabian said the Board wanted to revisit remote participate for Boards, Committees and Commission Members. Discussion occurred with Mr. Invencio on the way to meet remotely and allow for public participation. Mr. Invencio said to allow for public participation, he would need additional software. We could go live and have people's question to go up on the video monitor. Chairman Fabian said due to this crisis, some of this may be addressed by the State. She would prefer to use what the Governor has allowed in this emergency and then work on an official Town Policy later. Mr. Invencio asked if the Town wants remote participation with a quorum present in a physical space. Does the State require a physical quorum in the space? We can see if the State will allow for a virtual quorum. Chairman Fabian said the most important thing is to do this flawlessly. Selectman LaCamera said we would need a procedure and process for all the Boards, Committees and Commissions.

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

VOTED: To adopt the Remote Participation Policy in 940 CMR 29.10 (2) (a).  
Unanimous in favor.

## **New Business**

Chairman Fabian discussed the meeting today between the Selectmen and Department Heads regarding changing municipal business. Ms. Candito said we will be shutting down Town Hall for the public. The Council on Aging will be shut down with Meals on Wheels and GATRA bus service available for now. The Library is closed to the public and staff will be working on projects. The Highway Department is closed to the public and the Transfer Station is only taking bagged trash. Chairman Fabian said we are setting up collection boxes and forms in the lobby of the Board of Health. A lot of information is available on the Town's website. Phone numbers and email addresses will be posted in the lobby. Selectman LaCamera said if it is necessary to have any meetings they will be in the Police Station so we don't have to keep cleaning the Library or Senior Center. Chairman Fabian said so far the Town Election is going forward on April 6, 2020. If anyone would like an absentee ballot, you can request it on line or call the Town Clerk's Office. Absentee ballots are available now. Selectman LaCamera said it is very complicated to try to change the election by Court Order. Since we have joint School Committee Members the elections have to be done together.

## **Old Business**

### **Discuss FY21 Budget**

Chairman Fabian said we still have parts of the budget to discuss. Selectman LaCamera said it will be the first part of April until we pull everything together.

### **Update on Park Department Restructuring on Ted Williams Camp drainage projects**

Selectman LaCamera said he and Ms. Candito have met with the Chairman of the Park Commission and another member to discuss issues that need to be addressed. We are in the process of putting out an Invitation to Quote for the parking lot projects. They are due on April 2, 2020. We will address the main parking lot at Loon Pond Lodge after July 1, 2020.

### **Update on Park Department Restructuring**

Selectman LaCamera said discussions have been held with members of the Park Commission to discuss better utilization of the staff. A Highway Department Employee that has been maintaining the Ted Williams Camp grounds for a while is retiring. We will hire a foreman responsible for all the parks, TWC, Clear Pond and Jon Paun Park and a laborer. The staff will report to the Superintendent of Streets. Mr. Moniz will meet with the Park Commission to discuss a plan for the park grounds. Selectman LaCamera said we also discussed the need to fix some things at the various park grounds and some capital improvements. We will work on this through the spring and summer.

### **Route 79 Improvement Project (refer residents to Town's Webpage)**

Chairman Fabian said the forum on March 11<sup>th</sup> was a great informational night with specific questions being answered. Selectman LaCamera said the forum can be viewed on LakeCAM and the information is all on the Town's website. The Town's share of the project would be \$2.3 million.

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

There was no other business.

**Adjournment**

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

VOTED: To adjourn the Board of Selectmen's Meeting at 8:11 PM.  
Unanimous in favor.

## **Other Items**

1. Letter from Planning Board regarding Hearing to Amend Zoning By-Law for Temporary Licenses
2. Letter from Planning Board regarding Hearing to Establish a Marijuana Overlay District
3. Letter from Sun Multi Sports regarding donations from Patriot Triathlon  
Selectman LaCamera said Sun Multi Sports has made a donation of \$1,500 split in thirds to the Park Department, Senior Center and the DECA Program at the High School.
4. Letter from Columbia Gas regarding Merrimack Valley Incident
5. Letter from Comcast regarding Xfinity TV Services
6. Notice from Keolis Commuter Services regarding 2020 Yearly Operational Plan
7. Verizon Annual Submittal of Channel Guide; Rate Card; Sample Customer Bill and Terms of Service (stored electronically)
8. Comcast Annual Submittal of Policies and Procedures; Sample Subscriber Bill; Work Order; and Rate and Channel Line-Up (stored electronically)

## **List of documents provided at the Board of Selectmen Meeting of March 16, 2020**

1. Agenda cover sheet
2. Agenda cover sheet; copy of legal ad ; application form; letter from Sha-Nic Autobody & Repair; letter from Secretary of State; Massachusetts Used Car Dealer Bond;
3. Agenda cover sheet; notice of hearing to abutters; site plan; notice from Middleborough Gas & Electric and associated paperwork
4. List of announcements
5. Agenda cover sheet
6. Agenda cover sheet; draft of agreement
7. Agenda cover sheet; emails from Cannabis Control Commission and Town Counsel; Municipal Notification of a Marijuana Establishment
8. Agenda cover sheet; application for renewal of Temporary Storage Permit; emails from Building Commissioner; aerial photo of property; memo from Building Commissioner; plot plan of subject property
9. Agenda cover sheet; letter from Lakeville Litter Lifters
10. Agenda cover sheet
11. Agenda cover sheet; Selectmen's Meeting Minutes of February 27, 2020
12. Agenda cover sheet; data from Fire Chief regarding Fire Department statistics
13. Agenda cover sheet; excerpt from Open Meeting Law regarding remote participation; email from Town Administrator
14. Agenda cover sheet
15. Agenda cover sheet