

**TOWN OF LAKEVILLE
Board of Selectmen
Meeting Minutes
July 6, 2020 – 6:30 PM
REMOTE LOCATION**

On July 6, 2020, 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 Chairman LaCamera. Selectmen present were: Chairman LaCamera, Selectman Fabian and Selectman Day. Also present was Maureen Candito, Town Administrator. LakeCAM was recording the meeting for broadcast.

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the July 6, 2020 public meeting of the **Board of Selectmen** shall be physically closed to the public to avoid group congregation. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (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/>**

Chairman LaCamera then read an introduction regarding the need for a remote meeting and how a remote meeting will be conducted.

Selectmen Announcements

Chairman LaCamera read the Selectmen announcements.

Discuss the 43D permitting process for the former Lakeville Hospital property

Chairman LaCamera said this process was approved at Town Meeting in 2012. This is the only property in Town that can use the 43D Permitting Process. There has been discussion with SRPEDD about updating the guidelines. We need to decide who will be the Board of Selectmen representative. The Town Administrator is the coordinator for this project, and we will discuss if she will want to take on the project. Ms. Candito said will send out memos to all the participating Town Boards and Committees about appointing their representatives. Michael Wiggs asked if there should be residents on the Committee. Chairman LaCamera said this By-Law was done by State Statute and the membership is called out. However, residents will be welcome to attend the meetings.

Discuss the Route 79 Project

Chairman LaCamera said the Route 79 project passed at the election and at Town Meeting and he thanked the residents for their support. The next step is to meet with BETA and MassDOT to move towards the 75% design. Ms. Candito said she spoke to SRPEDD; there will be a JTPG meeting at the end of summer and they will be moving items on the Transportation Improvement Plan to accommodate our project. BETA will update us on what we need to do and pay for to move forward.

Discuss the status of Town Projects

Chairman LaCamera said we have a number of Town projects; some have been delayed and some are new. We need to get the Selectmen's conference room completed in a short time. He would like an update on the schedule that was prepared. Ms. Candito said the electrical work and flooring need to be done. Desks are being emptied to be moved. Demolition will start this week. Discussion

occurred on the flooring situation. Ms. Candito said the rug is approximately 40 years old. By not removing it, the door jams and doors will not be done the correct way and it will be time consuming and more expensive. She estimated it will take a week for the demolition and flooring.

Chairman LaCamera said the Legislature has approved early voting for the Presidential Primary and Election. For the Primary, there is 10 days of early voting and 20 days for the Election. We cannot use the Police Station because we use that room for meetings. We discussed using the Town House and installing Univent heat and air conditioning units and upgrading the electrical system. That needs to be scheduled in the next 2 to 3 weeks. Ms. Candito said Mr. Darling is working on a work schedule and quotes. Discussion occurred regarding the handicapped ramp, which had an incorrect elevation. Ms. Candito said additional sections have been ordered for the ramp. Selectman Day asked if the Town was absorbing the cost regarding the mistake on the angle. Ms. Candito said Mr. Darling is working with the contractor on that. He has not mentioned any upcharges.

Chairman LaCamera said the Highway salt shed was funded last year. The area where it will be located must be paved, which will be done in the next few weeks. The generator for the Council on Aging has been funded for a while, and we have funded the Town Hall generator at Town Meeting. He would like the Fire Chief to take over those projects under Emergency Management. The Highway Office Building project goes back to 2016. Another \$50,000 was added to the previous funding, so we need a design for the project. This is a priority to get done by the end of the year. Chairman LaCamera said he would like an update on the IT updates for the next meeting on where we are and what is left to be finished and a schedule. We have some financial software that has not been installed, and he would like to know what is happening with that. He would like to get an update in August. He spoke about the Zoning By-Law codification project, which is on hold. We should meet in August about this and get a schedule. Selectman Fabian said she was working with the Town Clerk on this and will work with the Town Clerk and Town Administrator and have an update for August. Chairman LaCamera said we funded some money for security systems. We should ask the Police Chief to handle this and look at the options. He asked Selectman Day to work on this. Ms. Candito said Ryan Maltais is certified to do security system work, so he would be involved in that as well. Chairman LaCamera asked Ms. Candito to send an email about them meeting to discuss the security systems. Chairman LaCamera said we have the funding for the roof on the Peach Barn. Mr. Darling needs to get a spec together and get it out to bid. Also, we need to talk about Town Hall and Fire Station renovations. Discussion occurred about the recent basement flooding. Ms. Candito said she and Mr. Darling would like to move some of the files into the basement at the Historic Library. Selectman Fabian asked about leaking in the offices. Ms. Candito said she had leaking from the top of the windows in her office.

Discuss next steps for the management company for Loon Pond Lodge

Chairman LaCamera said a few months ago we discussed the Event Management Agreement for Loon Pond Lodge. The agreement needs to be updated. It can be renewed for one (1) year or we need to decide if we want to put out a Request for Proposals to see if there is any interest from other companies. The contract expires on November 14, 2020. Their liquor license expires December 31, 2020. Selectman Fabian said since she is the Park Commission liaison, she will work with the Park Commission on this. Selectman Day said the reporting parameters should be strengthened. Chairman LaCamera spoke of the issue between the 18% and 20% to be paid to the Town by the caterers. We can't find any contracts for caterers that say 18%.

Discuss the status of Marijuana Host Agreements

Chairman LaCamera said the Cannabis Control Commission is having some issues regarding Host Community Agreements (HCA). We have contracts in place, but there are some issues that need to be addressed. Northeast Alternatives has a pending HCA because they now want a separate HCA just for retail. Town Counsel has reviewed this, and we need to work on it. If you sell wholesale to a retail recreational store in Lakeville, we don't receive any money from that. Twisted Growers should be paying the Town a percentage for Lakeville sales. Nature's Remedy has a wholesale business and sold their recreational business to someone else, so the Town does not receive any money from the sales to that shop. The HCAs negotiated on wholesale sales was based on \$25.00 per pound instead of 3% of gross sales. If we received 3%, we would receive over \$100 a pound sold based on current prices of marijuana. He will continue working on this if the Board would like.

Selectman Fabian spoke about tax revenue from personal property tax bills. She asked about checks for legal reimbursement. Ms. Candito said we bill them once we receive the legal bills. Further discussion occurred regarding the status of the Town's HCAs and composition. Chairman LaCamera said we have not received any money from the HCAs, except for the legal fee reimbursement. Ms. Candito said she spoke with Nature's Remedy owner on Thursday. He said we will get our \$10,000 donation by the end of the week and in two (2) weeks, we will have the \$50,000 for the one (1) time fee to the Town. We have options for the donation portion. The Board could decide how to disburse it or we could create a Committee. Selectman Fabian said the money is not supposed to go in the operating fund. Ms. Candito said there is a line item for the \$10,000 donation. The \$50,000 was not part of the impact fee.

Discuss the status of reopening of Town Buildings

Chairman LaCamera said Ms. Candito has sent out an email regarding options for re-opening the Town Office Building to the public. There are no guidelines to open the Senior Center or the Library yet. Ms. Candito has recommended opening up to appointments only. We need to follow the cleaning guidelines set by the State. Ms. Candito said residents would call the individual Departments to set up appointments. Appointments would be staggered so that there won't be a lot of people in that lobby space. We would have someone wipe down the common areas in between visits. We may need to hire temporary cleaning people, including the Park Department for the bathrooms. Discussion occurred regarding the Park Commission and what has to happen to open up. Ms. Candito suggested that the Town Clerk begin with appointments on July 13th; then add in the Assessors and the Treasurer/Collector. The separate entrance for the Board of Health will allow for them to have appointments. Conservation could also use that area. In speaking with Mr. Darling, he can also meet with people in that area in the Board of Health. She has spoken to the Department Heads about directing people to use the website for payments and the drop box out front. The Town Clerk has the most in person appointment need. Selectman Fabian asked about masks for residents? Chairman LaCamera said yes. Ms. Candito has ordered mask dispensers for the building.

Discuss MVP Grant application for Assawompset Pond Complex and update

Selectman Fabian said Senator Rodrigues got a \$100,000 grant for the Assawompset Pond Complex to study the water flow and problems with flooding. The study has been completed. We should publish these on the Town website. The second round of grant money is being applied for.

Review and discuss letter received from Citizens' Housing and Planning Association regarding 16 Wood's Edge Drive

Selectman Fabian read the letter into the record received from the Citizens' Housing and Planning Association regarding 16 Wood's Edge Drive. Chairman LaCamera said the home is being sold at \$198,000 in a 55+ community. You must meet the income requirements. Ms. Candito will reach out to the Council on Aging Director to put it in the newsletter.

Discuss and vote whether to exercise Chapter 61B Right of First Refusal for the purchase of the property located at 73 Howland Road

Chairman LaCamera said the Town was aware on June 11th in 2019 that this property was going to be sold. In March of 2020 we received another notice from the owner offering the property. We met in Executive Session regarding this property with the Open Space Committee. This information was given to them in March, but we did not hear back from them. They wanted to evaluate the property, and we gave them a month to see if anyone else would like to purchase it or if the Town should. Mass Audubon showed some interest in some of the property. This property is 25 acres being subdivided into four (4) house lots. 30% of the 25 acres is wetlands, which would be protected. That means an area of roughly 18 acres for \$355,000. Ms. Candito spoke to the Chairman of the Open Space Committee regarding Chapter property having to be sold in their entirety. He said Audubon did not give a firm answer if they were interested in the whole thing. Chairman LaCamera said we need an answer. The developer has submitted the plans, which have been approved. It is not fair to the owner and developer.

Ms. Candito spoke to Mr. Medford about reaching out to the owners of the parcels prior to having a Purchase and Sales Agreement. Selectman Fabian said she would like to have us develop a process on Chapter 61A and B properties. If Audubon or Fisheries and Wildlife wanted it, they would have said so. She doesn't want Open Space to feel like we are not hearing them. Ms. Candito said the Purchase and Sales Agreement was not part of the original package that was delivered. The owner pulled it back because she did not want to pay the back real estate taxes. Her lawyer needed to prepare the documents, which were submitted in March of 2020. Selectman Day asked if the seller asked for a decision? Ms. Candito said Ms. Craig-McGee has spoken to the seller; she did not hear about any urgency. Chairman LaCamera said the question is does the Town want to purchase the property. He does not feel the property should be bought by the Town. Ms. Candito said Open Space needs to move forward and build those relationships with property owners and Mass Audubon. Selectman Fabian said she will work with them on that.

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

VOTED: To not exercise the Town's right of first refusal to purchase the property located at 73 Howland Road, Lakeville, MA.
Roll call vote: Selectman Fabian – aye; Selectman Day – aye; and Chairman LaCamera – aye.

Discuss request from Fire Chief to declare a winch and welder as surplus property

Michael O'Brien, Fire Chief, was present for the discussion. Chief O'Brien spoke about his request to declare a winch and welder as surplus property.

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

VOTED: To declare the winch and welder as requested by the Fire Chief as surplus property.
Roll call vote: Selectman Fabian – aye; Selectman Day – aye; and Chairman LaCamera – aye.

Discuss and vote to accept resignation of Janice Swanson from Zoning Board of Appeals

Chairman LaCamera said the Board received a letter of resignation from Janice Swanson from the Zoning Board of Appeals.

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

VOTED: To accept the letter of resignation of Janice Swanson from the Zoning Board of Appeals, effective July 31, 2020.
Roll call vote: Selectman Fabian – aye; Selectman Day – aye; and Chairman LaCamera – aye.

Discuss draft appointment list for 2020

Chairman LaCamera said each Board member should look at the list and the current reappointment policy. We need to address these issues earlier in the year. Selectman Day said the Board should review the existing policy. The current process is that anyone that would like reappointment gets to request reappointment, which does not allow for residents to join. We are limited in time, but could change it so that we solicit resumes for any position up for reappointment. Chairman LaCamera said we should publicize that we are looking for people to serve on various committees and ask for letters of interest. Selectman Fabian said regarding Associate Members, they may have been brought in due to attendance problems. We need to look at this. Ms. Candito said Associate Members are brought in to get people up to speed so if a new member is needed, they would have knowledge about what was going on. Chairman LaCamera said there are Associate Members that have not attended any meetings and should not be reappointed. Selectman Day said Nora Cline asked about the Town providing a questionnaire for residents to fill out instead of a resume. His use of the word resume was just to gather information from an applicant. The reappointments will be discussed at the July 20th meeting.

Request for reappointment of Ian Daley as Constable

Chairman LaCamera said Ian Daley has requested reappointment as a Constable.

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

VOTED: To reappoint Ian Daley as a Constable for a term to expire July 25, 2021.
Roll call vote: Selectman Fabian – aye; Selectman Day – aye and Chairman LaCamera – aye.

Request from Police Chief for the temporary appointment of Emiliann Melo as Sergeant

Matthew Perkins, Chief of Police, and Emiliann Melo, Police Officer, were present for the discussion. Chief Perkins said one (1) of his sergeants is out on medical leave for a long period. To reduce overtime, it is cost effective to appoint a Temporary Sergeant until he returns. He recommends appointing Emiliann Melo as Temporary Sergeant.

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

VOTED: To appoint Emiliann Melo to the position of Temporary Sergeant, effective July 6, 2020 and to expire when the supervisor staffing shortage returns to normal.

Roll call vote: Selectman Fabian – aye; Selectman Day – aye and Chairman LaCamera – aye.

Discuss renewal of Earth Removal Permits

Chairman LaCamera said there have been recommended changes to the Earth Removal By-law. He would like this to be on the next agenda to vote on the revisions, prior to renewing the permits. Ms. Candito said these were supposed to be renewed in March, but because of Covid 19 they extended. Selectman Fabian said we need to look at the revised By-Law. Ms. Candito said the permit expirations were extended until 45 days after the lifting of the emergency order. This item was tabled.

Discuss request for renewal of an Automobile Storage Permit for the property located at 1 Fern Avenue

Chairman LaCamera said we have received an application for renewal of the Automobile Storage Permit for the property located at 1 Fern Avenue.

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

VOTED: To renew the Automobile Storage Permit for the property located at 1 Fern Avenue to expire June 7, 2021.

Roll call vote: Selectman Fabian – aye; Selectman Day – aye; and Chairman LaCamera – aye.

Discuss request from the Planning Board for recommendations regarding Definitive Subdivision Plan for Bella Way

Chairman LaCamera said the Planning Board has submitted a Definitive Subdivision Plan for Bella Way for the Selectmen's review. They want our comments by Thursday, July 9th. These plans go to various other groups also. In order for these other groups to make comments, we need at least two (2) weeks upon receipt of the plans. Ms. Candito said we have already asked them for that. This has to do with the Planning Board's internal process. Chairman LaCamera said we just received these on Thursday and it is important for us to make comments. He will reach out to Mark Knox. He asked that a memo be sent to the Planning Board thanking them for plan, but the Board was unable to properly review the plans by the date requested and will do further review. Selectman Fabian said the Planning Board is often getting things last minute from applicants. Chairman LaCamera said this is a public hearing, and the ad had to be published two (2) weeks ago. Why weren't we given the plans at that time. If the plans are not available for review prior to being advertised, then they should not be advertised. Selectman Fabian said if this is an internal problem, we should fix it.

New Business

Chairman LaCamera said the Special Fall Town Meeting is coming upon us quickly. We need to notify the Planning Board if they would like anything on the Fall Town Meeting, they need to start now. Ms. Candito said she spoke to the Town Accountant, who cautioned about having a September

Town Meeting; he felt mid to late October would be better. Chairman LaCamera said we won't set a date until the Town Accountant is comfortable.

Ms. Candito spoke about transfers that needed approval. There is Fire overtime for \$20,000 taken out of Police salaries; increase in Property and Liability Insurance coming from group health insurance for \$7,500 and Inspectional Services for gas, plumbing and electrical for \$10,240 taken out of technology maintenance agreements. There may be more by July 15th. Finance Committee is looking to meet July 13th. If we get a preliminary vote on these, you can ratify them at your next meeting. Discussion occurred regarding if the Board would need to ratify their vote prior to July 15th.

Selectman Fabian asked if the Board would be interesting about trying to move forward with the Community Preservation Act again. She asked Ms. Candito about the Department Head Meeting schedule. Ms. Candito said 9:30 AM on Fridays. Selectman Fabian said she intends to hold them each week until the end of August at least. The Department Heads like the Zoom format and meeting more frequently. She can evaluate doing one (1) in person meeting and one (1) Zoom meeting a month. Selectman Fabian said one (1) meeting a month is not enough; two (2) meetings a month would probably be good. With vacations coming up, Department Heads are concerned about missing them. Ms. Candito said if a Department Head cannot be there, someone else can attend in their place. Selectman Fabian asked about the tent we have on order. Discussion occurred on Department budgets and the procedure for large purchases.

Old Business

Update on former Lakeville Hospital property

Chairman LaCamera said the Selectmen are available to answer any questions about the project for residents.

Update on sale of Lakeville Country Club

Selectman Day asked if we waiting on the back taxes. Chairman LaCamera said we are waiting to hear back from them.

Any other business that may properly come before the meeting

Chairman LaCamera said we are trying to get out the preliminary meeting agenda on Tuesday and then items can be added on Wednesday. He asked the Board Members to please be specific when you request something to be on the agenda.

Adjournment

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

VOTED: To adjourn the Board of Selectmen's Meeting at 9:02 PM.
Roll call vote: Selectman Fabian – aye; Selectman Day – aye and Chairman LaCamera – aye.

Other Items

1. Reorganization memo from Cemetery Commission
2. Letter from SRPEDD regarding match confirmation for Town of Lakeville MVP Action Grant application
3. Letter from Keep Massachusetts Beautiful (forwarded to DPW Director)
4. Letter from Comcast regarding programming changes

List of documents provided at the Board of Selectmen Meeting of July 6, 2020

1. Agenda sheet
2. Agenda sheet; email from Town Clerk
3. Agenda sheet; 43D Priority Development Site Permitting Guidebook; Development Opportunities District Zoning By-law
4. Agenda sheet
5. Agenda sheet
6. Agenda sheet; Event Management Agreement & Amendment to the Agreement
7. Agenda sheet; list of current Host Community Agreements; summary of current Host Community Agreements
8. Agenda sheet
9. Agenda sheet; Grant Application for MVP Grant
10. Agenda sheet; letter from Citizens Housing and Planning Association; guide of selling 40/b property
11. Agenda sheet; Purchase & Sales Agreement for 73 Howland Road; MGL Chapter 61B, Section 9; plans of property
12. Agenda sheet; memo from Fire Chief
13. Agenda sheet; letter of resignation from Janice Swanson
14. Agenda sheet; list of appointments that expire July 31, 2020; Selectmen Appointments to Town Boards, Committees and Commissions Policy; 6-month attendance charts
15. Agenda sheet; letter from Ian Daley; email from Police Chief Perkins
16. Agenda sheet; letter from Police Chief Perkins
17. Agenda sheet; copy of Earth Removal By-law; Earth Removal Permit applications and permits
18. Agenda sheet; memo from Building Commissioner; application for renewal; copy of prior permit
19. Agenda sheet; copy of subdivision plans
20. Agenda sheet
21. Agenda sheet
22. Agenda sheet