

**TOWN OF LAKEVILLE**  
**Board of Selectmen, acting as the Wage &**  
**Personnel Board as needed**  
**Meeting Minutes**  
**June 28, 2021 – 6:30 PM**  
**REMOTE LOCATION**

On June 28, 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 and Tracie Craig-McGee, Executive Assistant. 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 June 28, 2021 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/>**

**Public hearing regarding the application of the F/L Regional School District for the storage of 5,000 gallons of propane gas located at 96, 112 and 100 Howland Road**

*Kara Lees, Finance Director and Greg Goodwin, Facilities Director, from the F/L Regional School District were present for the discussion.* Chair Fabian read the legal notice into the record.

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

VOTED: To open the hearing.

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

Chair Fabian summarized the license application. Ms. Lees said the Region was requesting that the hearing be continued. We are working on a few items on the application and obtaining additional back-up documents, including a site plan and specifications on the tanks. They are requesting a continuance until the July 26<sup>th</sup> meeting.

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

VOTED: To continue the hearing until July 26<sup>th</sup> at 6:45 PM.

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

**Continued public hearing for request of a General on Premises License to Sell All Alcoholic Beverages License – Loon Pond Lodge – 28 Precinct Street – 58 East Grove, Inc., dba Boston Tavern**

*Timothy Malinosky was present for the discussion.* Chair Fabian noted that as this was a continued hearing, a vote was not required to open the hearing. Selectman Carboni asked if the State approves

the license after the Board votes? Mr. Sky answered it would be afterwards. Selectman Carboni asked if the Board received the certified notices? Ms. Craig-McGee responded they were received. Selectman Carboni asked how many abutters were there? Ms. Craig-McGee responded there were ten (10).

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

VOTED: To close the hearing.

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 approve the General on Premises license to sell all alcoholic beverages for Loon Pond Lodge, 28 Precinct Street, Lakeville, MA for 58 East Grove Inc., dba Boston Tavern.

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

### **Board of Selectmen Announcements**

Chair Fabian read the Selectmen announcements.

### **Town Administrator Announcements**

Mr. Sky read the Town Administrator announcements.

### **Discuss Special Town Meeting of June 21, 2021**

Chair Fabian spoke about the water district not passing at Town Meeting. She updated that a tour is being set up for governmental entities that may possibly be able to help with the pond issues. Selectman Carboni spoke about meeting with Freetown officials to discuss the pond issues. Chair Fabian said we need help on the weed issue.

### **Review and possible vote to issue Earth Removal Permit for 15 Main Street – DBT Investments, LLC**

*Nyles Zager from Zenith Consulting Engineers and Bo McMahon, President DBT Investments, LLC were present for the discussion.* Chair Fabian said the Board had received an application for earth removal for approximately 19,000 cubic yards. Selectman LaCamera reviewed the sample permit conditions to remove “renew annually” under #5 and remove #6. #8 should reference that there are some 2/1 slopes. In #11, remove “buried” and remove #12 and #13. In #14, boulders shall be removed and remove #15. In #18, the date would be six (6) months from the permit date. Remove #19. There will be a water truck on site and an as built site plan required upon completion of project.

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

VOTED: To approve the permit as noted above.

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

**Discuss and vote to accept Lakeville's American Recovery Plan Act allocation per MGL C44, S53A**

Mr. Sky said he has reviewed what the Town had received from the CARES Act and American Recovery Plan Act. He noted that we need to come up with a process to figure out how to spend the funds received. Selectman LaCamera said the Town had problems getting our reimbursements through CARES with Plymouth County. He asked Chair Fabian to ask the Advisory Council about giving the Town the funds directly. Mr. Sky said they owe \$642,000. Selectman LaCamera said we were promised we would be reimbursed these monies by June 30<sup>th</sup>. Mr. Sky said most of that money is School District related. We are owed about \$54,000.

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

VOTED: That pursuant to the requirements of Massachusetts General Laws, Chapter 44, Section 53A, the Board of Selectmen accept the Coronavirus Local Fiscal Recovery Fund (CLFRF) grant, the first one-half payment of which has been received by the Town in the amount of \$605,036.58. This grant provides for expenditures by local governments to respond to the public health emergency caused by COVID-19 in the following areas and will be subject to U.S. Treasury auditing requirements:

1. Respond to the public health emergency with respect to COVID-19 or its negative economic impacts;
2. Provide premium pay to employees providing essential work during the COVID-19 public health emergency;
3. Provide government services to the extent of a government's reduction in revenue due to COVID-19; and/or
4. Invest in water, sewer or broadband infrastructure.

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

**Discuss Process for Disposition of HCA Charitable Contributions**

Mr. Sky said we already have a \$10,000 charitable donation from Nature's Remedy, which was not allocated. We will be receiving another \$10,000 soon from Nature's Remedy. Bountiful Farms will be donating \$10,000 soon. He reviewed the various Host Community Agreements' language regarding the \$10,000 charitable donation. He suggested a municipal committee to recommend charities the funds should go to. Discussion occurred on the membership of the committee.

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

VOTED: To form a subcommittee to review how the charitable funds from the Host Community Agreements get allocated and bring a recommendation back to the Board of Selectmen for a vote. The committee will consist of the Town Administrator and a member from the Historical Commission, Library Board of Trustees or the Director; Council on Aging Member; Park Commission; Lakeville Arts Council and the Board of Selectmen.

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

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

VOTED: To designate Selectman LaCamera as the Selectmen's representative to the subcommittee.

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

**Discuss request and draft job description for a Full-Time Laborer Position for Transfer Station and possible vote to approve**

*Franklin Moniz, Deputy of Public Works Director was present for the discussion.* Mr. Moniz said that Ed Kazlowski is retiring, and we have had other staff members leave us. We have been unable to fill any of the part time positions that are open. One of the part time workers who has been there for four (4) years is willing to take a full-time position. The job description would need to go to the union for approval. Selectman Carboni noted that the Transfer Station is open 30.5 hours to the public. What would this person be doing for the remaining 9.5 hours? Mr. Moniz said it would be for maintenance.

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

VOTED: To approve the job description for a Full Time Laborer Position for the Department of Public Works.

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

**Discuss designating a Board of Selectmen Member to participate in interviews for Town Planner and Treasurer/Collector**

Selectman Carboni said when we hire higher level employees there are usually interview committees containing a member of the Board of Selectmen. She was referring to the Assistant to the Town Administrator. Mr. Sky said a panel for all three (3) positions consisting of Department Heads and people attuned to that area will be used for interviews. The composition of the Interview Committees is: Treasurer Interview Committee: Angela Chandler, Todd Hassett, Clorinda Dunphy and Ari Sky; Town Planner Committee is Mark Knox, Nate Darling, Clorinda Dunphy, John Olivieri and Ari Sky; and Assistant to Town Administrator is Matt Perkins, Jayme Viveiros, Clorinda Dunphy and Ari Sky. Chair Fabian said she is okay without having a Board of Selectmen member on any of the panels. Selectman LaCamera said he does not think it is required to have a Selectmen member. It has to come back to the Board anyway and they will be interviewed by the Board of Selectmen. Selectman Carboni said she is fine with these panels. Mr. Sky explained the process he would like to use. Selectman Carboni asked about the cutoff date on these positions. Mr. Sky said they are open until filled. He anticipates the first interviews by the end of July.

**Discuss the disbanding of the Police Station Building Committee; Project Review Committee for 43D and Zoning By-law Review Advisory Committee**

Chair Fabian said we had discussed previously that we no longer need these appointed committees. She requested that Rent Control Board, which was established by Town Meeting, be added to the list. Mr. Sky said we will have to disband that at Town Meeting.

**Request from Lakeville Arts Council to use Center Stage and grounds at the Town House for summer concerts**

Chair Fabian said the Lakeville Arts Council has requested to use Center Stage and the grounds of the Town House for their summer concert series. They will be on July 13, 20, 27 and August 3, 2021.

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

VOTED: To approve the July 13, July 20, July 27 and August 3, 2021 Summer Concert Series dates.

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

**Discuss request from Town Clerk to appoint Susan Lynch to Board of Registrars**

Chair Fabian said the Town Clerk has requested that Susan Lynch be appointed to the Board of Registrars.

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

VOTED: To appoint Susan Lynch as a member of the Board of Registrars for a term to expire July 31, 2024.

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

**Request from Conservation Commission to appoint Frederick Frodyma as a member of the Conservation Commission**

Chair Fabian said the Conservation Commission is requesting that Frederick Frodyma be appointed to the Conservation Commission to fill a vacancy. He has a lot of experience on other Conservation Commissions.

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

VOTED: To appoint Frederick Frodyma as a member of the Conservation Commission for a term to expire July 31, 2023.

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

**Request from Matthew Pauliks to be reappointed as a Constable**

Chair Fabian said the Board has received a request to reappoint Matthew Pauliks as Constable. The Police Chief reports no issues in regards to Mr. Pauliks reappointment.

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

VOTED: To reappoint Matthew Pauliks as a Constable for a term to expire June 25, 2022.

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

### **Request from Herve Vandal, Jr. to be reappointed as a Constable**

Chair: we have a request from Herve Vandal, Jr. to be reappointed as a Constable. Mr. Vandal has sent in his reappointment request, but our office did not receive it. The Police Chief reports no issues in regards to Mr. Vandal's reappointment.

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

VOTED: To reappoint Herve Vandal, Jr. as constable for a term to expire January 28, 2022, subject to the review of the Police Chief to make sure that he did not serve any papers in Lakeville during the time of January 1, 2021 and June 28, 2021.

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

### **Discuss Board of Selectmen August and September meeting dates**

Chair Fabian wanted to discuss the Selectmen Meeting dates for August and September. The current dates for August are August 9 and August 23, 2021. She may have a conflict with the 23<sup>rd</sup>. We could change the dates in August to the 16<sup>th</sup> and the 30<sup>th</sup>. Selectman LaCamera said he is not available on the 16<sup>th</sup>. Selectman Carboni suggested meeting August 9 and 30<sup>th</sup> and then she will work with Mr. Sky on September dates.

### **Review and vote to approve Board of Selectmen Meeting Minutes of April 12, 2021; April 26, 2021; May 20, 2021; May 25, 2021 and June 1, 2021**

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

VOTED: To approve the Selectmen Meeting Minutes of April 12, 2021; April 26, 2021; May 20, 2021; May 25, 2021 and June 1, 2021 as presented.

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

### **New Business**

Chair Fabian said the Board has received notices of a few upcoming retirements. Who decides if the job description needs to be updated? Mr. Sky said the job description does not need to be reapproved because of a vacancy. Chair Fabian asked if there is a best practice about job descriptions that have not been amended in a long time. Mr. Sky said they should be looked at regularly. The process for hiring should be as wide as net as possible to get good people to bring energy and vigor to the organization.

### **Old Business**

Selectman Carboni said we spoke about putting on the agenda postings of agendas and packets and response time for meeting minutes going on the website. The minutes approved tonight should be going up quickly. There is a lag time in our office, as well as, others. Mr. Sky said we will get them up quickly.

Selectman Carboni said for a long time, we were putting up our agenda packets and residents liked that so they could look at what we were discussing. Now we are not putting them up. She feels it is helpful to residents. Mr. Sky said we had an opinion from Town Counsel that it is common practice,

but not legally required. Selectman Carboni said she is in favor of this; it adds transparency on what we are doing. We want to put out clear information and make it available. Chair Fabian said she would like all the minutes to have a date and name on the minute posting on the website.

### **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 Meeting at 8:07 PM.

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

### **Other Items**

1. Notice from Fire Chief application for fireworks display – John Meleedy
2. Notice from Comcast regarding adjustment in fees
3. Notice from DEP on Waterways Application – 119 Hemlock Shore Road
4. Notice from Board of Health of appointment of Assistant Health Agents

### **List of documents provided at the Board of Selectmen Meeting of June 28, 2021**

1. Agenda page
2. Agenda page; legal ad; application for license; aerial photograph; memo from Fire Chief
3. Agenda page; application package for liquor license; legal ad
4. Agenda page
5. Agenda page
6. Agenda page
7. Agenda page; earth removal permit application and plans; earth removal by-law; sample earth removal permit
8. Agenda page; memo from Town Administrator
9. Agenda page; page from Nature's Remedy and Bountiful Farms Host Community Agreements
10. Agenda page; memo from DPW Director and HR Director; proposed job description
11. Agenda page
12. Agenda page
13. Agenda page; letter from Lakeville Arts Council; Town Property Use applications; insurance certificate
14. Agenda page; memo from Town Clerk
15. Agenda page; email from Conservation Commission
16. Agenda page; letter from Matthew Pauliks
17. Agenda page; letter from Herve Vandal, Jr; email from Police Chief
18. Agenda page
19. Agenda page; meeting minutes of April 12; April 26; May 20; May 25 and June 1, 2021
20. Agenda page
21. Agenda page
22. Agenda page