

TOWN OF LAKEVILLE
Select Board Meeting Minutes
May 23, 2022 – 6:30 PM
Lakeville Police Station Meeting Room
323 Bedford Street, Lakeville, MA

On May 23, 2022, the Select Board held a meeting at 6:30 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 6:30 PM by Chairman LaCamera. Members present were Chairman LaCamera, Member Fabian and Member Carboni. Also present was Ari Sky, Town Administrator. LakeCAM was recording the meeting for broadcast.

Continuation of Rent Control Board Hearing – Twin Coach Estates Request for Rent Increase

Chairman LaCamera said this a continuation of the Rent Control Board Hearing regarding a request for a rent increase due to a Capital Improvement project. At the last meeting, the improvements were not finished. Since then the contractor has completed the project and we have received the paid invoices for the work.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To close the hearing for the request for a rent increase for Twin Coach Estates.
Unanimous in favor.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To approve the rent increase for Twin Coach Estates, as of May 23, 2022, in an amount not to exceed \$25.00 per month in relation to the completion of the roadway and sidewalk capital improvement project.
Unanimous in favor.

Select Board Announcements

Chairman LaCamera read the Select Board announcements. Member Fabian said on June 28th at 5:30 PM at the Lakeville Library, there will be a public information meeting on the work being done on the ponds.

Town Administrator Announcements

Mr. Sky read his announcements.

Discuss outcome of Town Meeting Vote on Article 11 (Lakeville Country Club) and possible vote to approve ballot question for June 28, 2022 Special Election

Marc Resnick, Town Planner, was present for the discussion. Chairman LaCamera read the proposed ballot question regarding the possible purchase of Lakeville Country Club into the

record. Member Carboni asked who put in the language “for active and passive recreation, agriculture and open space and general municipal purposes. Mr. Sky said Town Counsel. Member Carboni asked if that would restrict us from building senior housing. Mr. Sky said we would have to go before Town Meeting to sell the property.

Upon a motion by Member Carboni and seconded by Member Fabian, it was:

VOTED: To approve the ballot question for the June 28 Special Election as presented.
Unanimous in favor.

Mr. Sky said there are still some questions on the 61B land and what it constitutes. Mr. Resnick said the original golf course was 138.10 acres. When Mr. Maksy installed the solar field, approximately five (5) acres was carved off. He also carved out two (2) Form A lots at the end of Reservoir Avenue. That is why there is a difference in the Purchase and Sales Agreement (P&S) and what has been offered to us. Mr. Maksy never changed the lien on the Chapter 61 file. All the right of first refusal documents state 138.10 acres. Mr. Sky said this could have an impact if the Board decided to operate the property as a golf course as a portion of the 18th hole is affected by this. Member Carboni asked for an explanation. Mr. Resnick said P&S states it is 138.10 acres and that is what the Town is expecting to purchase. Member Carboni asked if property owners needed to refile for Chapter land annually. Mr. Resnick said yes. Chairman LaCamera said we are going by the 138 acres. Mr. Maksy has notified the Assessors that he wants to withdraw the land from Chapter 61B as of July 1, 2022. Mr. Sky said we learned last week from Town Counsel that there is a public hearing requirement on the right of first refusal and he recommended June 13th. If the question passes at the election, the Board needs to sign the right of first refusal on June 29th. Then it needs to be recorded and letters need to go to the seller. The Town must close within 90 days. We must provide a deposit of \$200,000 to the Seller once the P&S is signed.

Chairman LaCamera said at this hearing on June 13th is important to present where we are going and how we will pay for the additional costs. The Finance Committee did not recommend purchasing the property, nor did he or Member Fabian. Member Carboni did vote for the purchase. Are you recommending that we buy it? Member Carboni said she voted to let the taxpayers decide. She will decide which way to vote at the election. Chairman LaCamera asked Member Carboni if she is going to take a position on this. Member Fabian said it is Member Carboni’s right not to tell anyone what your vote is, but can she say where the budget will be cut if this passes. Member Carboni said the Board will decide this if/when the time comes. A discussion occurred regarding possible cuts in the budget if the question passes. Member Fabian said that is why she was against this. Member Carboni wanted this to go to an election, but part of being a Select Board Member is knowing the Town’s budget. If this affects our budget by hundreds of thousands, we have to ask the residents for a tax override. This is not a good financial purchase for the Town. Member Carboni said she voted to send it to the ballot. We held a meeting with the Planning Board, Conservation Commission and the Open Space Committee and both of you agreed to send this to Town Meeting. Member Fabian said since that time we have more information, including that the golf equipment is not included in the sale. We would have to find extra money to pay for this. We may need a Proposition 2 ½ override, which will never come off the taxes.

Chairman LaCamera asked Member Carboni if she thought the property was worth \$13 million. Member Carboni responded no. Chairman LaCamera said we didn't talk about operating costs at that meeting. We want to be prepared for the June 13th meeting with costs to residents. Chairman LaCamera asked Member Carboni what would the Town use the property for. Member Carboni said she assumed a committee would be put together to discuss that. Chairman LaCamera said it is the Board's decision if we will run it as a golf course. This would not fall under the Park Commission due to the way the Commission is set up. If we are going to run it as a golf course, how will we do that? Chairman LaCamera said everyone agrees that the sale price is too high. We have proposed projects for the Fire Station, Town Office Building and Old Colony, which will be additional burdens on the taxpayers. Member Carboni said as a resident of the Town, she doesn't want to see a warehouse or distribution facility on the property, but we lost out on an opportunity in the past. Chairman LaCamera was the Board's liaison and we didn't have a conversation as a Board about possibly purchasing the property when we were approached. Chairman LaCamera said he told the owner to bring a proposal to the Board so we could discuss it. This was for two (2) years and he did nothing. Member Carboni asked why Chairman LaCamera didn't report back to the Board. Chairman LaCamera said there was no proposal on the table. Chairman LaCamera said Member Carboni brought this up in October. Member Carboni said she asked for an update in October of 2021 about meetings that may have taken place with the owner. Chairman LaCamera said you said that you had spoken to the owner of the property. Member Carboni said the owner mentioned that Chairman LaCamera had met with them and they were talking about a development. Chairman LaCamera said he told the owner to bring a proposal forward for the Town to buy the property. Member Carboni asked was a plan submitted during the meeting with the owner? Chairman LaCamera said no. Chairman LaCamera said there are two (2) pieces to this. The P&S goes to the Select Board and a valid Site Plan goes to the Town Clerk to be stamped in. Did that happen? Member Carboni said no.

Chairman LaCamera said we need to discuss if this is going to be a golf course or open space. We cannot abandon the property; there will be other costs associated with this. Member Fabian said as a Board we take an oath to do our best to not run the Town into the ground financially. We have union negotiations with all three (3) unions starting in January. She would like to be able to offer COLA raises. She doesn't want to say take money from the Schools because she hates using kids as a pawn, but realistically we have to start thinking about where the money is coming from. Mr. Maksy was a Selectman and on the Conservation Commission Member and he knows how Town government works. He could have made that happen if he wanted to sell to the Town. We have a responsibility to let every taxpayer know this may not be a pretty picture going forward. Knowing how decisions have to be made, that property is going to sit idle for a certain amount of time and we have to prepare to pay those expenses. Member Fabian said she read comments on Facebook this weekend. Someone suggested selling a portion of the land to pay the debt, but the property is only worth \$4-5 million. The loan is for \$13 million, so residents need to be prepared to own the debt for 20 years. Chairman LaCamera asked the Treasurer/Collector Erika Correia about prepaying debt. We would have to keep paying principal and interest until ten (10) years when you can make a lump sum payment. Chairman LaCamera asked Ms. Correia was it true that we can't refinance the debt for 10 years? Ms. Correia said he was correct.

Chairman LaCamera asked if the Board needed any information for the public hearing? Member Fabian said she would like more information on the discrepancy on the land area. We

need to share a timeline on the steps needing to take place. She would like to figure out what paying the debt off early would look like. Mr. Sky said we might want to look at the usable acreage. Chairman LaCamera asked Mr. Resnick about wetland areas; is there a stream going through the property what would that mean; buffer zone between wetlands and upland; is there something to be protected and any limitations from the Massachusetts Department of Environmental Protection. If there are 50 acres of wetlands there would 90 acres to be developed. Based on the zoning for lot coverage they can only use 50%, so we would be paying a hefty price for 50 acres. Mr. Resnick said he will work on that. Member Carboni said as stated in the deed, it would need to continue to use as a golf course. Mr. Sky said unless the Board decided not to and they would have to pay the covenant fee. Member Carboni asked if there is a time period for the property to be able to remain dormant. Mr. Sky said there is no timeline. Member Fabian said if we decide not to use it as a golf course, it doesn't hurt to ask the previous owners if they would be okay with the use of open space. Chairman LaCamera said the original owners have passed away. Member Fabian said we could ask the family.

A resident asked if the Board has the power to appoint a committee to work on proposals for the property? Member Fabian said the Board has not spoke about a proposed membership of the committee. It would take at least six (6) months to vet ideas. Mr. Sky said you are talking about a master plan process and that doesn't get done in two (2) weeks. We need to do a full analysis. Member Fabian asked if the resident was looking for answers June 13th or after the election. Mr. Sky said we can't have staff ready to have an answer by June 13th. Member Fabian said if there are community positions on a committee, we will ask for letters of interest. If we put a committee like this together, we would want residents who live in the area and others that don't. Mr. Sky said he supports the idea of a Department and community group. It is not realistic to expect an informed assessment about the use of the property by June 28th. If the vote happens, it is up to the Board to decide whether or not to purchase the property. Member Fabian said we have committed to doing that; it is just when we do it. She would put that on a meeting right after the vote. Chairman LaCamera said if we go ahead with this, we are talking about costs. If this passes the election, we immediately need to come up with funding, which would need Town Meeting and an override. Mr. Sky said we could do that at Fall Special Town Meeting with a Proposition 2 ½ override for the capital and operating expenses. We estimated about \$700,000 for capital and \$500,000 for maintenance a year.

Brynna Donahue asked if the building is included. Mr. Resnick said the building is not included. Chairman LaCamera said the golf course equipment is also not included. We would have to negotiate a separate contract. Ms. Donahue asked about the funding for the Fire Station project, which is scheduled for 2024/25. Chairman LaCamera said the preliminary plans are in the works. Chairman LaCamera said the operating costs would come out of the Town's budget, but we don't have money in the budget to run that. We still have costs if we leave it alone. Chairman LaCamera said we haven't allocated anything for the Fire Station. Mr. Sky said it is on the Capital Plan for the future. Chairman LaCamera said the design cost for the Fire Station was approved at Town Meeting and the design will be done in the Fall. Member Fabian explained to Ms. Donahue that the Capital Plan is a wish list basically to let residents know what projects are coming up. Chairman LaCamera said the Town Administrator was asked to project out the cost of debt for upcoming years so that it why it was in there. Ms. Donahue asked about doing a

presentation at the Library. Chairman LaCamera said she could do a presentation on June 13th . up.

Lois Neilson of Harcourt Avenue thanked the Board for holding the public hearing on June 13th. In the five (5) year projection, was there any projection of any income from Lakeville Hospital. Chairman LaCamera said you can't do anything with tax revenue because you don't collect until the building is built. Mr. Neilson asked can we do a nine (9) hole golf course? Mr. Sky said the covenant only says the land must be used as a golf course. That would be a matter of discussion with the original seller. Chairman LaCamera said he believes that when Country Homes bought it they added the additional nine (9) holes. We can call Ed Beech and ask him about the covenant. Susan Spieler of 10 Valley Road said Community Preservation (CPA) funds can be used for capital improvements on the course. Mr. Sky said the Board doesn't get to decide where CPA funds go. Chairman LaCamera asked Mr. Sky to update in the presentation for the \$900,000 and to recalculate the debt. We want to make sure everyone understands about the debt. He said Mr. Resnick called Wildlands Trust and Mass Audubon and they are not interested in the property. Michelle MacEachern reached out to the State and received a reply that this is not a purchase that they can make at that cost. Member Carboni asked if there is money through the Infrastructure Bill. Mr. Sky said focus has been on Economic Development and Housing. Member Carboni said she is talking about development of the property. Whatever goes there has to generate revenue. Mr. Sky said this is a significant acquisition for the Town. There is a lot of work to be done on the proposed use. Mr. Resnick said you could Request for Proposals to sell the property and put restrictions on it. Chairman LaCamera said the Community Preservation Committee has not been formed yet, but there is talk of using CPA funds, but he doesn't feel that is a good idea. We need to ask Town Counsel about the building and equipment.

Review Community Preservation Act Implementation Matrix

Mr. Sky gave an overview of the Community Preservation Act (CPA), which takes effect July 1, 2022. The first tax bills will be going out July 1, 2022. We have to develop an anticipated revenue figure. The Community Preservation Committee (CPC) needs to be appointed and then they will develop a Community Preservation Plan. We will work on creating administrative protocols. Funding proposals will be requested and those will be considered at Town Meeting. The CPC will oversee funded activities. Lois Nielson of Harcourt asked if the Board appoints the citizen members. Chairman LaCamera said the Board appoints all the members. Ms. Nielson said she hoped that the Board would look at residents that have worked on the CPA as they have a lot of knowledge.

Upon a motion made by Member Fabian and seconded by Member Carboni, it was:

VOTED: To approve the CPA Implementation Matrix.
Unanimous in favor.

Discuss and possible vote to solicit applications for residents to serve on the Community Preservation Committee

Mr. Sky said according to the by-law, the Conservation Commission; Historical Commission and Planning Board would each designate a representative for a three (3) year term. The Park Commission and Open Space Committee would each designate a representative for one (1) year terms initially, which would then become three (3) year terms. Three (3) members are to be appointed by the Select Board; one member for an initial one (1) year term and two members for an initial (2) year terms. The bylaw also calls for a member appointed by the Housing Authority for a two (2) year term initially, then three (3) years after the initial term. As we don't have a Housing Authority, the appointment would be made by the Select Board. We should request designees from the Committees, Boards or Commission and put a request for letters of interest for the other members. Chairman LaCamera said the Board could make the appointments at the June 27th meeting. Member Fabian asked if she could submit her name as a resident? Mr. Sky said he would recommend not to as there needs to be separation. Susan Spieler submitted her request to be appointed. Chairman LaCamera said the openings would be posted on the website and Facebook page.

Discuss request from Treasurer/Collector and possible vote to approve the issuance and details of notes and bonds to be issued to the Massachusetts Clean Water Trust

Erika Correia, Treasurer/Tax Collector, was present for the discussion. Ms. Correia said this is to maintain a 0% interest rate for the septic system loans. Chairman LaCamera said the Town used to finance this ourselves, but now it is done by the State. Mr. Correia said it is 0% for interim financing and 2% for permanent financing for septic system replacement loans. Chairman LaCamera said a lien is placed on the property and if not paid back, it would be paid back at the time of sale of the property.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To approve the issuance and details of notes and bonds to be issued to the Massachusetts Clean Water Trust for Loan No. CWT-22-01 and sign related note closing papers.

Unanimous in favor.

Discuss and possible vote on Park Commission proposal regarding Clear Pond Park Life Guard salaries

Chairman LaCamera said it is almost impossible to hire Lifeguards. The Town has a wage scale and the Park Commission is asking to hire Lifeguards at the top step. The State is offering \$1,000 bonus for their Lifeguards. We are recommending a \$500 bonus at the end of the season. If we are going to open Clear Pond, we need three (3) lifeguards for Fridays, Saturdays or Sundays. The Park Commission is looking for five (5) lifeguards.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To hire the Clear Pond Lifeguards at \$17.50 per hour with a \$500 bonus at the end of the season if they complete the season.
Unanimous in favor.

Discuss request from Open Space Committee to appoint Amy Knox as a member of the Lakeville Open Space Committee

Chairman LaCamera said the Open Space Committee is requesting that Amy Knox be appointed as a member of the Open Space Committee.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To appoint Amy Knox as a member of the Open Space Committee for a term to expire July 31, 2022.
Unanimous in favor.

Discuss and possible vote on request from SRPEDD to appoint a designee to the Joint Transportation Planning Group

Chairman LaCamera said the Board has a request from SRPEDD to appoint a representative and alternate representative to the Joint Transportation Planning Group.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To appoint Franklin Moniz as the Representative to the Joint Transportation Planning Group and Evagelia Fabian as the Alternate Representative with terms to expire June 1, 2023.
Unanimous in favor.

Discuss and possible vote on Lakeville Arts Council request to use Dickran Diran Square, Center Stage and the Historic Town House and grounds for 2022 Arts & Music Festival – October 1, 2022

Chairman LaCamera said the Board has received the request from the Lakeville Arts Council to use Dickran Diran Square, Center Stage and the Historic Town House and grounds for the 2022 Arts & Music Festival on October 1, 2022.

Upon a motion made by Member Fabian and seconded by Member Carboni, it was:

VOTED: To approve the request of the Lakeville Arts Council to use Dickran Diran Square, Center Stage and the Historic Town House and grounds for the 2022 Arts & Music Festival on October 1, 2022.
Unanimous in favor.

Discuss and possible vote to renew Earth Removal Permit for T.L. Edwards, Inc. for property located at 435 Bedford Street

Chairman LaCamera said the Board received a request for the renewal of an Earth Renewal Permit for the property located at 435 Bedford Street.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To approve the request of T.L. Edwards to renew the Earth Renewal Permit for the property located at 435 Bedford Street, Lakeville, MA with an expiration date of April 30, 2023.
Unanimous in favor.

Discuss and possible vote on request for Taunton Water Connection – 15 Main Street – Community Square Storage LLC

Chairman LaCamera said the Board has received a request to connect to Taunton Water at 15 Main Street, which is the storage facility next to the funeral home. They are requesting 200 gallons per day.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To approve the application from Community Square Storage LLC to connect to Taunton Water at the property located at 15 Main Street for 200 gallons per day.
Unanimous in favor.

Discuss and possible vote to approve request for Outdoor Entertainment Permit for a wedding– June 25, 2022 – 109 Main Street

Chairman LaCamera said the Board has received an application for an Outdoor Entertainment Permit on June 25, 2022 at 109 Main Street for a wedding. The time will be from 4:00 PM to 10:00 PM.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To approve the request for an Outdoor Entertainment Permit on June 25, 2022 at 109 Main Street from 4:00 PM to 10:00 PM.
Unanimous in favor.

Review and possible vote to approve Select Board Meeting Minutes of April 11, 2022; April 20, 2022; April 25, 2022 and May 16, 2022

Member Carboni noted a correction on the April 25, 2022 minutes. On Page 1 in the first paragraph, it should state Chairman LaCamera instead of Chair Fabian.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To approve the Select Board Meeting Minutes of April 11, 2022; April 20, 2022; April 25, 2022 and May 16, 2022 with the noted correction in the April 25, 2022 minutes.
Unanimous in favor.

New Business

Memo from Town Planner regarding SRPEDD Hours

Chairman LaCamera said the Board has received a memo from the Town Planner regarding the request from the Open Space Committee to use the remainder of the Select Board's Municipal Assistance Hours for work on the Open Space Plan.

Upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To approve the request from the Open Space Committee to use the remaining Select Board Municipal Assistance Hours.
Unanimous in favor.

Old Business

Member Carboni said she is looking to schedule an Economic Development Committee (EDC) meeting. James Rogers sent in a letter expressing his interest in being a member of the EDC. Chairman LaCamera said he would be a good asset. This will be discussed at the next meeting.

Any other business that can properly come before the Select Board

Brynna Donahue asked about making a presentation at the Lakeville Country Club public hearing. Chairman LaCamera said she could make a ten (10) minute presentation at the June 13th meeting.

Adjournment

Upon a motion made by Member Fabian and seconded by Member Carboni, it was:

VOTED: To adjourn the Select Board Meeting at 8:30 PM.
Unanimous in favor.

Other Items

1. Letters from KP Law regarding rate increases
2. Flyer from South Coast Rail regarding Lakeville Community Meeting

List of documents provided at the Select Board Meeting of May 23, 2022

1. Agenda page; email from Lisa Cordeiro; page of minutes for Twin Coach Homeowners Association; page from Rent Control bylaws; evidence of payment; estimate and invoice from Asphalt Services LLC; photographs of work
2. Agenda Page
3. Agenda Page
4. Agenda page; ballot question; Power Point presentation
5. Agenda page; CPA matrix and information
6. Agenda page; memo from Town Administrator; Community Preservation Committee By-law
7. Agenda page; memo from Treasurer/Collector
8. Agenda page; memo from Park Commission
9. Agenda page; letter from Open Space Committee; letter, resume and application form from Amy Knox
10. Agenda page; letter from SRPEDD
11. Agenda page; letter from Lakeville Arts Council
12. Agenda page; earth removal permit application; copy of previous permit
13. Agenda item; application for connection to Taunton water; letter from Community Square Storage LLC
14. Agenda item; application for outdoor entertainment permit
15. Agenda page; Select Board Meeting Minutes of April 11, April 20, April 25, and May 16, 2022
16. Agenda page; memo from Town Planner
17. Agenda page
18. Agenda page