

TOWN OF LAKEVILLE
Select Board Meeting Minutes
July 10, 2023 – 6:00 PM

Lakeville Police Station Meeting Room
323 Bedford Street, Lakeville, MA

On July 10, 2023, the Select Board held a meeting at 6:00 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 6:00 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present were Ari Sky, Town Administrator. LakeCAM was recording the meeting for broadcast.

Select Board Announcements

Chairman Day read the Select Board announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator Announcements.

Discuss and possible vote to approve gift agreement with TAC Vega MA LLC for installation of a guardrail on Town property located opposite 310 Kenneth Welch Drive

Mr. Sky said we have been working on this for a few months now. The long-term solution for on-site parking is under consideration by the Conservation Commission. The ownership of 310 Kenneth Welch Drive has agreed to install a guard rail on Town owned property across the street to prevent employee parking. This agreement has been reviewed by Town Counsel. Member Fabian asked is there a time limit for them to do this. Mr. Sky said six (6) months. The grass seeding cannot take place prior to September 1st.

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

VOTED: To approve the gift agreement for TAC Vega MA LLC for installation of a guard rail on Town Property located opposite from 310 Kenneth Welch Drive.
Unanimous in favor.

Meet with the Finance Committee to discuss end of the year Departmental transfer requests (MGL Ch. 44, Sec. 33B)

Present for the discussion was Todd Hassett, Town Accountant. Also present were members of the Finance Committee: Christopher Plonka, Chairman; Katherine Desrosiers and Darren Beals, attending remotely. Finance Chairman Plonka opened the Finance Committee Meeting at 6:20 PM.

Mr. Hassett said there are no requests to further access the Finance Committee Reserve Fund that has a balance of \$51,500. We have three (3) Departmental transfers to consider. There is a request to transfer \$1,268 from Select Board Salaries; \$237 from Planning Board Salaries and \$1,298 from Park Department Salaries. These transfers will come from the individual Department Expense lines.

There were two (2) reasons for the overage for Select Board and Planning Department Salaries as these were based on a 52-week basis. However, there was an extra day not accounted for in the budgets. We had this happen in prior years. The Park Department had a successful season and their Lifeguard Salaries did exceed what was planned for. Mr. Sky said the Board had increased the Lifeguard Salaries.

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

VOTED: To approve the salary transfers as presented.
Finance Chairman Plonka – aye; Ms. Desrosiers – aye; Mr. Beals – aye; Member Fabian – aye; Member Carboni – aye and Chairman Day- aye.

Mr. Hassett said the next request is from the Fire Department to transfer \$10,725 to cover overtime coverage associated with holiday and vacation pay. This will be funded from two (2) Fire Department expense lines. Member Fabian asked Mr. Hassett if the Board needs to take a closer look at the Fire Department budget and do a comparison of adding an employee versus overtime. Mr. Hassett said we have begun discussions with the Fire Chief about looking at staffing going forward provided we can support that level of an increase. This is the third year in a row that we needed a transfer for overtime. Member Fabian said at some point, it may be beneficial to pay benefits and hire full time than pay overtime. Perhaps we can discuss this ahead of the budget season. Mr. Sky said we are planning on that. Mr. Hassett said we had some preliminary discussion about this with the FY24 budget, but with the growth being off, we were not in a position to support something that we were not sure we could sustain. Chairman Day said you don't want have to transfer for overtime, but we don't want to burn out our staff on callbacks.

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

VOTED: To approve the transfer appropriations within the Fire Department as presented.
Finance Chairman Plonka – aye; Ms. Desrosiers – aye; Mr. Beals – aye; Member Fabian – aye; Member Carboni – aye and Chairman Day- aye.

Mr. Hassett said the last transfer is for \$460 to cover automobile liability insurance. We received an end of year invoice relating to changes in the fleet that occurred during the year. This will be funded from the Group Insurance Program Line.

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

VOTED: To approve the transfer appropriations for the Group Insurance Program to the Property and Liability Insurance Line as presented.
Finance Chairman Plonka – aye; Ms. Desrosiers – aye; Mr. Beals – aye; Member Fabian – aye; Member Carboni – aye and Chairman Day- aye.

Prior to adjourning, Finance Chairman Plonka noted that the Finance Committee needed to approve their June 12, 2023 meeting minutes.

Upon a motion made by Finance Chairman Plonka and seconded by Ms. Desrosiers, it was:

VOTED: To approve the June 12, 2023 meeting minutes as presented.
Mr. Beals – aye; Ms. Desrosiers – aye and Finance Chairman Plonka – aye.

Upon a motion made by Finance Chairman Plonka and seconded by Ms. Desrosiers, it was:

VOTED: To adjourn the Finance Committee Meeting at 6:43 PM.
Mr. Beals – aye; Ms. Desrosiers – aye and Finance Chairman Plonka – aye.

Meet with the Lakeville members of the F/L Regional School Committee to appoint a member to fill the vacant position

Present for the discussion were Lakeville Members of the Freetown/Lakeville Regional School Committee: Steven Owen; John Burke and Steven Silvia. Also present was Crystal Ng and Brynna Donahue, candidates for the vacant Regional School Committee seat. Chairman Day said that the Freetown/Lakeville Regional School District Agreement requires that any vacancies on the Committee be filled within 30 days by the Select Board and remaining Lakeville Members of the Regional School Committee jointly. According to Town Counsel, we are acting as a Super-Committee. Any member of the Super-Committee can make a motion and second. We will all vote tonight. We have two (2) candidates that submitted letters of interest that are here tonight. We can ask the candidates to make a short statement why they feel they are a worthy candidate and then ask some short questions to both candidates. There could be a motion on a particular name or a ballot vote, which we can do according to Robert's Rules. Member Fabian thanked Sherry Barron for her commitment to Lakeville's kids and parents. She was an amazing teacher and she is sad to see her go.

Ms. Ng said she has been a resident for 20 years and has a lot of experience with Individualized Education Plans. She has had some frustration with the District pre-pandemic. She went before the School Committee and they could not help. She had to file with the Department of Elementary and Secondary Education and go all the way to the Board of Education. She does not think a parent needs to do that. She has become a para-legal to take care of her son's case. He went out of district until he passed away. She works as a family partner for Bay State Community Services working for children that need mental health services and their families. She doesn't think the School Committee are focusing on kids and the issues affecting them. She is Cape Verdean, but does not want to be taken as a token. She has been working with parents in the district for a long time. During the pandemic, she was very frustrated with the past Director of Student Services and that is the main reason she stepped down as the PAC Chair. She has met with the new Superintendent and thinks he can take the district in a new direction.

Ms. Donahue said this is an 8-month appointment until April of 2024, and she has no interest in running for the School Committee. Because this issue is so contentious and there is so much misinformation on both sides and will be occurring during the 8-month period, it is important to have someone who is transgender on the Committee to offer a point of view that no one else on the Committee has. She has no problem being a token, because she has an experience that the Committee will be discussing that effect students. She will not just be focusing on the policy regarding students that are transgender, but also on students that are not because they are the ones

that need the most help. They need a set of guidance built into this policy if they decide to transition. The policy will not consider every angle it needs to if someone who does not know the situation is not on the Committee. In this situation, everyone was caught off guard with how sudden this hit, especially after the pandemic. If we continue doing what everyone else did, it is going to be a constant back and forth. The parents don't feel heard because their needs aren't being met, but the School Committee thinks they are doing best for the kids. Everyone thinks they are doing what's best, but nobody knows the actual situation like someone that is transgender. She was raised by her grandmother, so she doesn't have new age thinking. She does not have the degrees and experience with children, but she grew up in Lakeville and went through the School System and remembers her experience. Ms. Donahue said she thinks that she can help the parents and the School Committee during the 8-month term.

Chairman Day thanked the candidates and confirmed that this is an 8-month term, after which the seat can be run for. Member Carboni asked what type of experience do the candidates have with budget development? Ms. Donahue said she has none, except for her personal budget and learning the Park Department budget. Ms. Ng said she has some experience regarding budgets for her clients and working with their finances. Member Carboni asked do you see any chance of conflict if appointed. Ms. Ng said she would not be able to help anyone in the District with their IEPs. Ms. Donahue said not that she is aware of. Mr. Owen said the last time there was an appointment was for Mr. Burke and Mr. Silvia. Both candidates have the qualifications to sit on the Committee.

A motion was made by Mr. Owen and seconded by Mr. Burke to hold a ballot vote to determine the candidate to be appointed.

Discussion: Chairman Day explained the process of a ballot vote. A resident asked what are the duties of the School Committee member. Are there any financial duties? Mr. Owen said there are subcommittees that a member may serve on and experience would be important there. Every member votes on the budget. There is a Finance Committee for the Region. Ms. Barron was a member of Health and Wellness, but it doesn't have to stay with that position. When the Committee reorganizes, they can volunteer for those positions. There is a Warrant Committee where every member signs the warrant to pay the bills. The resident said she doesn't want a candidate discounted due to lack of budget experience. The School Committee already said that they are not moving forward with a Transgender Policy. Chairman Day said that any Committee can change their minds. The resident said she didn't want a decision made solely on the transgender issue. Mr. Owen said any policy has to go through several drafts. This is not going to be determined at the next Committee Meeting. From an education perspective, for any member that comes on the Committee there is an education that they go through.

The vote on the previous motion was Mr. Owen – aye; Mr. Silvia – aye; Mr. Burke – aye; Member Carboni – aye; Member Fabian – nay and Chairman Day – aye.

Chairman Day summarized how the vote would take place. The Super-Committee Members vote for the candidate they wanted for appointment. Mr. Sky collected and tallied the votes. There were four (4) votes for Ms. Donahue and two (2) for Ms. Ng. Chairman Day said that Ms. Donahue would be appointed for the term to expire April 1, 2024.

Discuss and possible vote on request from Director of Inspectional Services to appoint Todd McNeill as Wiring Inspector

Chairman Day said a request had been received from the Director of Inspectional Services to appoint Todd McNeill as Wiring Inspector. Member Fabian thanked Robert Canessa for his 32 years of service to the Town. Chairman Day said he had spoken to Mr. Darling about inspections needed for Mr. McNeill's business, and Mr. Darling said there are other inspectors that would do that.

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

VOTED: To appoint Todd McNeill as Wiring Inspector for a term to expire July 31, 2024.
Unanimous in favor.

Update from Town Planner on MBTA Communities

Marc Resnick, Town Planner was present for the discussion. Mr. Resnick said SRPEDD has completed a technical assistance report to help the Town comply with Section 3A (MBTA Multi-family Zoning Requirements). They did an analysis of our current 40R district, which allows multi-family development by right, which is a requirement of Section 3A with 15 units per acre. We would have to allow for 231 housing units to meet 5% of our housing stock. SRPEDD's analysis shows our zoning allows for 24.1 units per acre, which would mean we could have 770 possible units if built out to the maximum.

Mr. Resnick said the second part of the report is a suitability analysis which looks at the Town and a series of factors such as climate resilience, existing infrastructure, etc. to help determine if we had to zone another area for multi-family housing, where it could be. Now that this is completed, SRPEDD will prepare the application, which will be submitted to the Executive Office of Housing and Livable Communities (EOHLC). Member Carboni said the Town did this on our own to take a look at our current inventory. This submittal is an initiative on our part because communities don't have to respond beyond their initial plan until December of 2025. Mr. Resnick said there was a grant opportunity to do this evaluation, so we saw it as an opportunity to get ahead of the 2025 deadline. EOHLC will review the language of our zoning to determine if it meets their standards. Should they determine that it is not sufficient, we now know well ahead of the 2025 deadline and can work towards figuring out where we might locate or expand the existing zoning area. Chairman Day asked if SRPEDD did this for other Towns and have they heard back from EOHLC. Mr. Resnick said the State has just begun accepting applications from the smaller communities. Member Fabian asked if Freetown applied for the same grant? Mr. Resnick said he does not know, but they are working towards compliance. Mr. Sky said their situation is different from Lakeville's.

Discuss and possible vote to approve ambulance billing rates

Michael O'Brien, Fire Chief, is present for the discussion. Chief O'Brien summarized how the ambulance rates are charged. The recommended rates tonight are average to comparable communities. The intention is to offset the cost of providing EMS services to the taxpayers. Nearly 20% of patients are not residents of Lakeville, so this is a way of transferring the cost of the services to those that use them. Chairman Day asked if 2/3 years is the normal time to reevaluate fees. Chief O'Brien said we discussed it a year ago, but it was put off a year. Chief O'Brien said the revenue, while going to the Town, he likes to think of it as offsetting the cost. Member Carboni asked about

collection rates. Chief O'Brien said he guesses 82-83% which is historically low for the provider. They are coming off of a data breach, which caused our billing company to close down for a few months. Member Fabian said when we increased rates in 2020, it hadn't been done for five (5) years, which we know is too long. Mr. Sky said he would like to look at this in two (2) years.

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

VOTED: To adopt the new ambulance rates as presented.
Unanimous in favor.

Discuss and possible vote on annual Board, Committee and Commission reappointments

Chairman Day noted that the appointments have been bundled into one (1) year appointments and three (3) year appointments. Member Fabian said she would remain on Capital Expenditures Committee. Member Carboni would like to stay on the Economic Development Committee, Emergency Planning Committee and Energy Advisory Committee. She said that she has had some scheduling conflicts with the Middleborough Gas & Electric Commission. Chairman Day will take over that appointment. Member Fabian will stay on as MBTA Advisory Board and Senior Center Feasibility Study Committee.

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

VOTED: To make the following reappointments that expire on July 31, 2024:

Joseph Cowing	Police Officer & Constable
Alexander Malo	Police Officer & Constable
Daryl Mackiewicz	Police Officer & Constable
Harold Marshall	Police Officer & Constable
Jared Taje	Police Officer & Constable
Zachary Mosher	Police Officer & Constable
Lance Reed	Reserve Police Officer & Constable
Raymond Meleski	Reserve Police Officer & Constable
Antonio Amaral	Special Police Officer
Patrick Curneen	Special Police Officer
Paul Hunt	Special Police Officer
John Vickery	Special Police Officer
Robert Stephanian	Special Police Officer
Jesse Drane	Special Police Officer
James Bowles	Special Police Officer
Juanna Adesso	Matron
Kristen J. Campbell	Matron
Robin Bellows	Matron
Karen Conway	Matron
Amanda Correia	Matron
Matthew Perkins	Keeper of the Lockup

Steven Leanues

Surveyor of Wood, Bark & Lumber, Fence Viewer &
Field Driver

175th Anniversary Committee

Brian Reynolds

Joan Gladu Morton

Geraldine Taylor

Delia Murphy

Nancy LaFave

Felicia Carter

Robert Barrack

Kathleen Barrack

ADA Coordinator

Ari Sky

Alternate Building Inspector

Robert Whalen, Jr.

Assistant Building Inspector

Brandon Maroney

Agricultural Commission

Tracie Treleavan

Associate Member

Assistant Board of Health Agents

John Ashley

Gail Joseph

Assawompset Pond Complex Representative

Nancy Yeatts

Board of Appeals

Christopher Sheedy

Associate Member

Anthony Zucco

Associate Member

Cable Television Committee

Walter Healey, Jr.

Thomas Cirignano

Capital Expenditures Committee

Evagelia Fabian
Ari Sky
Maureen Candito

Economic Development Committee

Timothy Fletcher
James F. Rogers, II
Laurie Driscoll
John Olivieri, Jr.
Lorraine Carboni

Emergency Planning Committee

Michael O'Brien
Matthew Perkins
Franklin Moniz
Ari Sky
Gregg Goodwin
Nathan Darling
Lori Fahey
Alan Strauss
Jose Invencio
Thomas Parenteau
Lorraine Carboni
Pamela Garrant

Emergency Response Coordinator

Michael O'Brien

Energy Advisory Committee

Donald Foster
Nathan Darling
Richard Velez
Joseph Chamberlain, II
Lorraine Carboni

Fire Station Building Committee

Michael O'Brien
Lorraine Carboni
Ari Sky
Nathan Darling

Larry Kostant
Peter Conroy
Michael McCullough
Matthew Simon
Kate Shing

Middleborough Gas & Electric Commission Ad Hoc Representative

Brian Day

GATRA Delegate

Lori Fahey

Hazardous Waste Coordinator

Michael O'Brien

Historical Commission

Felicia Carter Associate Member

Inspector of Milk

Edward Cullen

Inspector of Wires

Mellio Gazza Assistant Inspection of Wires per M.G.L.
Ch. 166, Sec. 32A

LakeCAM

Jonathan Watkins

Lakeville Emergency Management Agency

Michael O'Brien Director
Pamela Garrant Deputy Director

Master Plan Implementation Committee

Rita Garbitt
Rodney Dixon

John Lynch
Ari Sky
Patrick Marshall
Joseph Chamberlain, II
Denise Barbuto

MBTA Advisory Board

Evagelia Fabian

Municipal Coordinator Right to Know

Michael O'Brien

Municipal Hearings Officer

Matthew Perkins

NIMS Coordinator

Michael O'Brien

Old Colony Planning Council Area Agency on Aging Advisory Committee

Lori Fahey Representative

Open Space Committee

Amy Knox
Brian Reynolds
Elizabeth Nash
Joan Gladu Morton
Gary Flaherty

Plumbing and Gas Inspector

Jon Catalano
Dennis Driscoll Alternate Plumbing & Gas Inspector

Public Health Nurse

Lori Desmarais

Rent Control Board

Evagelia Fabian
Brian Day
Lorraine Carboni

Sealer of Weights & Measures

David Enos

Senior Center Addition Feasibility Study Committee

Nathan Darling
Evagelia Fabian
Ari Sky
Lori Fahey
Paul Nee
Katie Desrosiers
Deveney Reis-Boyadjian

Smart Growth Reporting Officer

Ari Sky

Special Assistant Health Agents

James Romano
Nathan Darling

Storm Water Management Coordinator

Franklin Moniz

Temporary Part Time Nurse

Jennifer Pombo

Town Counsel

KP Law

Tree Warden

Franklin Moniz

The vote on the previous motion was unanimous in favor.

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

VOTED: To approve the following reappointments for a term to expire July 31, 2026:

Sean Joyce	Police Captain & Constable
Steve Leanues	Police Lieutenant & Constable
Ryan Maltais	Police Lieutenant & Constable
Emiliann Melo	Police Officer & Constable
Andrew Sederquist	Police Officer & Constable
Robert Schiffer	Police Officer & Constable

Agricultural Commission

David Thomas
Cindy Barber
Crystal Ng

Board of Appeals

Jeffrey Youngquist
Christopher Campeau

Community Preservation Committee

Kathleen Barrack

Council on Aging

Hilary Wood
Nancy Richmond

Historical Commission

Nancy LaFave
Joan Gladu Morton

Lakeville Arts Council

Jacqueline Kennedy

Town Forest Committee

Nathan Darling

The vote on the previous motion was unanimous in favor.

Discuss draft calendar for Fall Special Town Meeting

Chairman Day said the Town Administrator had prepared a calendar for the Fall Special Town Meeting. Mr. Sky reviewed some of the potential articles for the Special Town Meeting. Discussion occurred about the date of the Special Town Meeting.

Discuss scheduling August, September and October Select Board Meeting Dates

Chairman Day said the proposed dates for Select Board Meetings are August 21st, September 5th and 18th and October 10th and October 23rd. Member Fabian noted that she will have to attend remotely for the August 21st meeting.

Building Committee Updates:

a. Senior Center Feasibility Study

Member Fabian said they were supposed to meet on July 12th, but the Project Manager could not attend the meeting. He has provided the Committee with some information, but they are asking him for some additional information. Mr. Sky said the next meeting is on July 19th before the Fire Station Building Committee Meeting.

b. Fire Station Building Committee

Member Carboni said their next meeting is on July 19th. Mr. Sky has been working with the project manager on the scope and the possibility of putting together the contract. After that, the first task will be going out for an architect.

Discuss and possible vote to designate Select Board Member to conduct contract negotiations with the Town Administrator

Chairman Day said that Mr. Sky is now into his third year of his three (3) year contract. Once we complete the review process, the next step is to appoint a Board Member to conduct contract negotiations. According to Town Counsel, as he is a non-union employee, we can meet in Executive Session for strategy discussion. A few meetings ago, we said we would like to wrap that up in September or October.

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

VOTED: To designate Brian Day as the Select Board Member to conduct contract negotiations with the Town Administrator.
Unanimous in favor.

New Business

There was no New Business discussed.

Old Business

Chairman Day said that Old Colony Regional Vocational Technical School had a Building Committee Meeting on June 29th. All the Towns passed the Feasibility Study at their Town Meetings. They had to put together a budget allocation to go to MSBA. The Building Committee did vote to authorize him to send the budget to MSBA. If everything continues to move forward, they said it would be 3.5 to 5 years, but probably further. Mr. Sky said once MSBA lets you in for a feasibility study, you are in the queue. Once the study is done, it goes into the queue for funding. It is usually funded within a couple of meetings. Member Fabian asked about the funding process. Mr. Sky said they fund the whole thing. They will only fund a certain amount of \$ per square foot. It doesn't matter to them what the project costs. Chairman Day said they have not decided if they are just going status quo or if they are going to add programs. Member Fabian said this is the time to advocate for our kids and giving them programs, but it will cost a lot more money. We do need programs like HVAC. Mr. Sky said it would have to be an override for all the Towns involved.

Member Fabian asked about the doors and windows for Assawompset School. Mr. Sky said they are supposed to be on site this week. There was a delay in delivery, but they are on target. It will be finished prior to bad weather. He will get an update tomorrow.

Chairman Day asked about any progress with the DPW addition. Mr. Sky said the rain really messed things up. The ledge fell apart and it needed to be rebuilt. They have sealed the foundation off and waterproofed it. The foundation is nearly done.

Correspondence

1. Letters from Comcast regarding rate and channel changes

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 7:46 PM.
Unanimous in favor.

List of documents provided at the Select Board Meeting of July 10, 2023

1. Agenda page
2. Agenda page
3. Agenda page; memo from Town Administrator; draft Gift Agreement
4. Agenda page; Departmental Transfer Sheets
5. Agenda page; information from F/L Regional School District Agreement; letters of interest from Brynna Donahue and Crystal Ng
6. Agenda page; memo from Building Commissioner
7. Agenda page; memo from Town Planner; SRPEDD Final Technical Assistance Report
8. Agenda page; memo from Fire Chief; Comstar 2023 Rate Change Form
9. Agenda page; list of annual appointments
10. Agenda page; draft schedule for Special Town Meeting
11. Agenda page
12. Agenda page
13. Agenda page
14. Agenda page
15. Agenda page
16. Agenda page; two (2) letters from Comcast regarding channel changes