

TOWN OF LAKEVILLE
Select Board Meeting Minutes
July 31, 2023 – 6:00 PM

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

On July 31, 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 and Tracie Craig-McGee, Executive Assistant to the Select Board and 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. Member Fabian had questions regarding the Assawompset School window and door project. Mr. Sky gave a summary of where the project stands and the anticipated construction deadlines. Mr. Sky will bring the Board's concerns regarding the School opening to the project meeting tomorrow.

Discuss and possible vote to approve Select Board Minutes of June 26, 2023

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

VOTED: To approve the Select Board Meeting Minutes of June 26, 2023.
Unanimous in favor.

Presentation by Town Planner on the Abutter Lot program and possible vote to approve

Marc Resnick, Town Planner, was present for the discussion. Mr. Resnick said this program was presented in concept about a year ago when we talked about submitting an article to move some properties from the Tax Collector's control to the Select Board. We then drafted the actual program, which outlines how we would sell land of low value, under \$35,000, to abutters. This identified who is eligible, what the properties can be used for, the review process of submittals and then what happens to put it under contract, combine with the abutting lot and costs to transfer. Member Carboni said on page 2, what can an abutting lot be used for? Under public health improvements, what are they? Mr. Resnick said public health improvements means septic system and well locations. The last item will be removed and the definition improved. Member Carboni said on page 5, when more than one (1) abutter applies for the same lot, preference will be given to the abutter who maintains their property in excellent condition. That is subjective. Who decides that? Mr. Resnick said we have some examples of abutters to the properties that their properties are not in excellent condition. You need something in here to exclude properties strewn with trash and car parts. Member Carboni said it is not spelled out here. She is cautious about a liability to the Town by not having very clean

guidelines for disqualification. Mr. Resnick said we can try to clarify that and add some additional language to define it better. Chairman Day said there could be a case for public health improvement though. Member Fabian said she would rather it come out. Member Carboni asked about the Town Administrator making the recommendation to the Board. Chairman Day said part of the recommendation from the Town Administrator could detail the reasoning. Member Fabian asked what does an excellent tax payment history mean. Mr. Sky said excellent means current. It will be changed to current tax standing. Chairman Day said there is no priority or weight to the preferences. Member Fabian said the next one is preference is given to someone that has assisted and performed maintenance on the lot. This section needs more definition. Mr. Sky said most likely there would be four (4) or five (5) eligible abutters. If all were bidding on it, then we would have to decide on that. If there are two (2), we can divide the lot.

Member Fabian said aside from the obvious, why are we creating this? Is there no other way to sell these properties? Mr. Resnick said doing it this way, we can control the sale of the properties to the direct abutters. It could be a party lot if someone that doesn't live there buys it. Mr. Sky said the policy is designed for the property not to be developed. Mr. Sky said it can be used for a septic system. Mr. Resnick said people can make their homes larger, but that is not really the intent to allow them to build larger homes. Mr. Sky said they cannot increase the bedrooms in the home. Chairman Day said the people purchasing the lot would have to merge their lots. Mr. Resnick said they would have to do a Form A. Member Carboni said she would not want to restrict someone from increasing their septic system and making it better. If it gave them a change to enhance their home, she doesn't want to restrict that. Mr. Sky said this would create a policy not overly bureaucratic. Chairman Day said wouldn't the Town's By-Laws control that. Member Fabian asked what is the harm in the Town keeping these properties. Mr. Sky said there is nothing wrong with keeping the properties, but the Town is responsible for maintaining them. Chairman Day said is there any reason why an abutter can't come to us about a lot. Mr. Sky said we would have to go out to bid, but with this they can fill out an application. Member Fabian said on page 5, upon approval of the application, the applicant will be required to survey their lot and the new lot for the purpose of creating a new lot. Do they have to? Mr. Resnick said yes. Member Fabian said so we should say "they must". Mr. Sky said we need to put some language in for a curb cut. Member Carboni said on page 5, last sentence, "the Town reserves the right not to recommend". Should that say Select Board? Mr. Sky said yes.

Member Fabian said this is the first time we have seen this document. In the first sentence, it says the Select Board adopts this policy. Is there any reason why we didn't appoint a Select Board Member to work on this? Mr. Sky said he went to the Board last August talking about the problem properties and an abutters program. Chairman Day said given the length of the document, this might have been one that we should have gotten earlier. Mr. Sky said we didn't get it back from Town Counsel until last week, but we didn't think this would be a surprise. Chairman Day said it is inevitable that the Board would have questions. Member Carboni said on page 6, "who do I contact with questions" should read "abutter lot program". She said it is helpful to have these discussions as a Board. When questions are sent in ahead of time, she isn't sure what they are. Chairman Day reviewed his list of questions that were sent in to Mr. Sky and Mr. Resnick. Member Fabian asked are we asking for a criminal background check? Mr. Sky said the Fire Chief can obtain that information. Some of these may be FHA requirements; he will get back to the Board. Member Fabian said on page 6, some of these items are subjective. She doesn't want complaints about people's grass not being 6" or less. Under future conveyances: she is concerned about what would

happen in the future. Mr. Sky said we can focus on the conveyance item. Member Carboni said the buyer must begin maintenance immediately upon purchase. We currently own the property. If they want to leave it in the condition they are buying it in, how can we tell someone that they need to improve the maintenance of the property when we are responsible for its condition. We have by-laws and building regulations in place that guide the development of parcels. She wants to rely on that.

Mr. Sky said it is up to the Board on their policy objective. We have this group and have developed a list of properties and are looking at ways to do a lien and how that would work. This was just approved in April. Member Carboni said a checklist might be helpful here. Member Fabian said there needs to be a process. Mr. Sky said the Town Administrator can't just say that a property can be sold. Chairman Day said this is the kind of proactive thing that he would like to see happen. This might be a working session in the future on programs like this. Mr. Sky asked the Board about the covenant. Chairman Day and Member Carboni said they were not huge fans of it. Mr. Sky said we could make conditions of sale. Mr. Sky said he will incorporate the Board's feedback with redline and then have another session. This can go on a meeting after August 21st. Chairman Day asked Mr. Sky to come back with the procedure list.

Discuss and possible vote to sign Memorandum of Agreement between the Town of Lakeville and Massachusetts Laborer's District Council of Laborers International Union of North America, AFL-CIO

John Viarella, Human Resources Director, was present for the discussion. Mr. Sky said the Board discussed this at a prior Executive Session. Mr. Viarella said he was approached by a few members of the unions regarding the disparity of pay rates between part time and full time Union employees, as well as, previously discussed changes in the DPW Director's Assistant and a request to review some of the higher level administrative positions.

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

VOTED: To vote to sign the Memorandum of Agreement between the Town of Lakeville and Massachusetts Laborer's District Council of Laborers International Union of North America, AFL-CIO.
Unanimous in favor.

Discuss and possible vote to sign extension of the Intermunicipal Agreement for the School Resource Officer for F/L Regional School District

Mr. Sky said there was an agreement in 2020 and it was supposed to be renewed annually and it was not. The Police Chief is okay with the agreement. Member Carboni said it would be nice to have a letter of recommendation for any appointment. It doesn't specifically say who the School Resource Officer is. Member Fabian said on page 2 of 12 it says up to the discretion of the Police Chief. Member Carboni said this needs to be done every year. She would like to have this signed in June with an effective date of July 1st. Chairman Day said there is supposed to be yearly performance metrics with the Police Chief and Superintendent. He asked that the last page be changed to the Select Board and that the Board receive a more legible copy please.

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

VOTED: To vote to sign the extension of the Intermunicipal Agreement for the School Resource Officer for F/L Regional School District dated July 31, 2023 to include the year ending in 2024.
Unanimous in favor.

Update on Possible Revisions to Annual Town Meeting Article 14 (Recall of an Elected Official), as requested by House Counsel

Mr. Sky said he received an email on July 7th about changes to the recall article. There are a lot of changes, but not necessarily to the structure. Town Counsel responded to the proposed revisions. This morning we received an email from Representative Orrall's office saying that House Counsel is okay with the revisions. We will have this back on August 21st. Chairman Day said without these changes, the House was not going to submit this. Mr. Sky said we should wait for Town Counsel's overview. Member Fabian said if we can do it August 21st the warrant will still be open in case we need to go to Town Meeting.

Discuss and possible vote on scheduling the Schedule Special Town Meeting for November 13, 2023, approve calendar and open the warrant

Mr. Sky said he reached out to the School District and we are penciled in for November 13th. He reviewed the schedule. Chairman Day asked if any of the Boards that may be submitting articles need more time. Mr. Sky said no. There may be one (1) article by the Town Clerk and the Open Space Residential District from Planning.

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

VOTED: To approve the Special Town Meeting schedule for November 13, 2023.
Unanimous in favor.

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

VOTED: To open the warrant for a Special Town Meeting for November 13, 2023 and close the warrant on August 31, 2023 at 3:00 PM.
Unanimous in favor.

Discuss and possible vote to re-appoint the following constables for civil purposes only: Richard Coletti, Ian Daley and Matthew Pauliks

Member Fabian asked why is the appointment for civil purposes only. Mr. Sky said Police Reform requires criminal constables to have the same certificates as Police Officers. They are not paid by the Town; they are paid by the people who hire them to serve the documents.

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

VOTED: To reappoint the following Constables for Civil Service only: Richard Coletti for a term to expire August 12, 2024, Ian Daley for a term to expire July 25, 2024 and Matthew Pauliks for a term to expire June 25, 2025.
Unanimous in favor.

Discuss and possible vote on request from Town Clerk to appoint Election Workers

Chairman Day said noted that this is an annual appointment for Election Workers.

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

VOTED: To appoint the following Election Workers with terms to expire August 15, 2024: Joseph A. Chamberlain, II; Joan Morton Gladu; Jean Douillette; Beverly Ingraham; Kristen Main; Gary Mansfield, Joanne Corrieri-Upham; Stephanie Annichiarico; Francis B. Kenney, IV; Judy Roberts; Karen Keohane; JoAnn Chiuppi; Mary Fronzaglia; Robert Marshall; Mary Sylvia; Maria Perrone-Martin; Peter Chiuppi; Cynthia Sousa; Karen Regas; Melissa Fitzgerald; Cindy Barber; Richard Velez; Karen Donnelly; Robin Marques; Elizabeth Nash; Debra Kenney; Susan Dunn; Dale Horton; Ryan Jenkins; Paul McMeekin; Janet Plonka; Bonnie Tucker; Jessie Berry; Beth Kilanowich; Margaret Riendeau; Martha Panigua-Mendex; Eulalia Curley; Leanne Cataldo; Steven Monty and Margaret Bethune.
Unanimous in favor.

Discuss and possible vote to accept the resignation of Chris Carmichael from the Zoning Board of Appeals and appoint Christopher Sheedy to fill the vacant term

Chairman Day said the Board has received a resignation from Chris Carmichael from the Zoning Board of Appeals. The Appeals Board has requested that Christopher Sheedy be appointed to fill the vacancy.

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

VOTED: To accept the resignation of Chris Carmichael from the Zoning Board of Appeals.
Unanimous in favor.

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

VOTED: To appoint Christopher Sheedy to fill the vacant term until July 31, 2025.
Unanimous in favor.

Discuss and possible vote on appointment of Paula Houle as Park Commission representative to the Community Preservation Committee

Chairman Day said we received an email from the Park Commission recommending Paula Houle be appointed as their representative to the Community Preservation Committee.

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

VOTED: To appoint Paula Houle as the Park Commission representative to the Community Preservation Committee for a term to expire July 31, 2026.
Unanimous in favor.

Discuss and possible vote on request from Lakeville Lions Club for one day beer and wine special license for September 16, 2023 (rain date September 17, 2023)

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

VOTED: To approve the request for a one-day beer and wine special license for the Lakeville Lions Club on September 16, 2023 with a rain date of September 17, 2023, contingent upon submission of required insurance certificate.
Unanimous in favor.

Discuss follow up on July 25 planning session and possible future meeting(s)

Chairman Day said we discussed planning some working sessions and potentially moving from a Monday meeting date. The working sessions would be about Land Acquisition, Economic Development and the five (5) member Board. Mr. Sky said he will give an analysis on the five (5) member board. Chairman Day said when would you like to discuss that. Probably sometime after August 17th. There may be some funding considerations. He has spoken to Marc Resnick about a checklist for land acquisitions. Chairman Day suggested a working session after August 21st? We could do an evening remote session. Member Carboni said if we did an in-person around 4:30 to 5:00 PM that would work. It was decided to meet August 29th if the room is available at 5:00 PM.

Discuss and possible vote to approve Town Administrator's goals for FY2024

Chairman Day said we have a list of the Town Administrator's goals for FY24. Member Fabian said would like to see an increase in the Town's use of social media. As a Board, we should choose what we want for a social media setting. Older people are on Facebook, but younger people use other media. You can work with the Department Heads so that someone is posting every day. Mr. Sky said we do put a lot on Facebook and the Town's website. Member Carboni said if we are going to look to expand our social media presence, we need to be sure that everyone that posts is clear on the Town's policy. Member Fabian said the Board should decide if this is a goal? How do people get their information? Chairman Day said to add identifying expanded community interaction. Mr. Sky said it is a resource issue too. There are limits on what we can do. Chairman Day said a lot of the time you hear people don't know about what is going on. Member Fabian said do we want to utilize the groups. Its about putting information out there leading them to the Town's website. Member Carboni said we are doing our outreach through our Facebook page. Mr. Sky said we post a lot of that information on Facebook all the time. Chairman Day said it can be an accessibility issue. Mr. Sky said we should look at the website for design improvements. Member Fabian said things are different on the app. Chairman Day asked is this another area like community access. Member Carboni said #4 can be expanded to add it in. Chairman Day asked do we expand it or simplify community access.

Member Fabian said for #1 instead of advance, she would like to say complete. Member Carboni said it can just say Infrastructure projects. We need to be a little more rigid on Town projects. Mr. Sky said you have projects that were added in the CIP for a place to park free cash. You can look at a project that has been sitting there for years, but it was never funded to be done. The DPW building was an example of that; it was never properly funded. Member Fabian asked what is cybersecurity/IT infrastructure. Mr. Sky said updating servers, computers, and other equipment. It is on-going and routine. Chairman Day said the cost of that puts it on capital plan anyways. We spoke about doing the budget and forecasting further out. Mr. Sky said is working on a facilities survey. This will be added to #4 – continue to strengthen internal operations – long range planning and further forecasting capital plan. Chairman Day said that can include looking backwards at budget performance previously. Mr. Sky said when the audit is completed, the auditor comes to the Board to discuss it.

Chairman Day asked if we have a tally on the grant monies received? Mr. Sky said yes. Member Fabian said she would like to see it. Chairman Day said put it can be placed on the Town's website. Chairman Day said D under 3 is not really a goal. It is a task. Under 3e, what professional certificates can we empower our employees with. Member Fabian said the Assessors 101 training is great. Mr. Sky said we have done Town wide training for open meetings. We have sent some employees to MMA financial seminars and have done workforce training for DPW workers. Member Carboni said the Inspector General's Office was offering free training for one (1) municipal employee. Mr. Sky said we are in the process of expanding MCPPO trained employees. Chairman Day said we could ask Mr. Sky to go to the free MCPPO training. Member Carboni said we had talked about utilizing Town Counsel for procurement, but having the Town Administrator get certified is good. Member Fabian said why didn't we make it a requirement? Chairman Day said it was originally. Member Carboni said it was in there for the previous search to be a MCPPO within a year of hire. Chairman Day thought it would be a useful thing to have the Town Administrator do. Member Fabian said she didn't think it is necessary since we are sending other people. Mr. Sky said the DPW Administrative Assistant is going to MCPPO classes. Member Fabian said when Mr. Sky applied for the job that was not part of the job description. Chairman Day said we can progress towards it. Mr. Sky said if the Board wants him to do it, he will.

Chairman Day asked for the new budget cycle, is there any value on asking Mr. Sky about not doing a 2.5% increase for a level service budget. Member Fabian said we have considerations with personnel funding at the School District. Our Fire Department is going to need an expansion. There is potential to look at the Conservation Agent being a full-time position. Mr. Sky said if we can do it with a 2.5% increase we will be lucky. Member Carboni said level services is maintaining the same services that you provided the previous year, but no new personnel. Level funded is what was funded the last fiscal year. That would be a cut in services. Mr. Sky summarized the changes: change #1 to infrastructure projects. Chairman Day said we aren't always in charge of these projects. Mr. Sky said any other projects you would like to see? Member Fabian said we have until the end of 2024 to decide what to do with the ARPA money. Mr. Sky said he would add additional ARPA funded projects. Cross off d under #3, #4 is now longer forecasting. Creating #5 under 4D – expand community access through social media. #5 is now #6. Chairman Day said to add professional development – MCPPO and maintain professional manager status. Is there anything else for professional development? Mr. Sky said conferences, webinars etc.

Member Carboni said she would like to see a final draft for a vote. Mr. Sky said this can be on August 21st.

Building Committee Updates:

Senior Center Feasibility Study

Member Fabian said she asked the Council on Aging Director to put together some people from the Board and Friends Group to assess what they feel the needs are moving forward. We received some basic documents from the Owner's Project Manager and our next meeting is in September. Chairman Day asked are they looking at the projections on what the ages coming up versus what they are right now. Member Fabian said they have some good data on that. They are looking at potential growth and programming, which they are already out of space. They may have to give up some programming for others. That is why we need an addition.

Fire Station Building Committee

Member Carboni said the Committee met with the Owner's Project Manager Pomroy Associates. They spoke about the process and the next step is the Request for Qualifications for the architect. That will be advertised on August 2nd. We will meet and recommend finalists, schedule interviews and then make a recommendation to the Select Board. She read a letter into the record from the Board of Health regarding the septic system for the Town Hall/Fire Station at 346 Bedford Street. Chairman Day said so there is some expansion with the current septic system in place. With a newer system, there may be additional capacity. Member Fabian said she is satisfied with what Pomroy said about potential sites. She looks forward to what they say about the site. Member Carboni said we talked about this; there were three (3) locations identified on Park land. We should get on the Park Commission Agenda to speak to them about this. Mr. Sky said he has reached out to the Chair of the Park Commission. We should probably wait until we have the designer on board.

Old Colony Feasibility Study

Chairman Day said there are no major updates. Old Colony expects to go into a Feasibility Study with the State in late August. He has spoken to Superintendent Polansky about as they get further along, perhaps they can meet with each member Town. Member Fabian asked if Chairman Day is an at large member? Chairman Day said he will ask Mr. Polansky.

New Business

There was no New Business discussed.

Old Business

There was no Old Business discussed.

Correspondence

1. Thank you letter from Friends of the Lakeville Council on Aging
2. Thank you letter from The Tuesday Club

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 8:45 PM.
Unanimous in favor.

List of documents provided at the Select Board Meeting of July 31, 2023

1. Agenda page
2. Agenda page
3. Agenda page; Select Board Meeting Minutes of June 26, 2023
4. Agenda page; memo from Town Administrator; draft Abutter Program Policy
5. Agenda page; Memorandum of Agreement
6. Agenda page; Agreement for School Resource Officer; Memorandum of Understanding
7. Agenda page; emails from Town Counsel and Town Administrator; suggested edits by MA House Counsel to petition article
8. Agenda page; Special Town Meeting Schedule
9. Agenda page; letters from Richard Coletti; Matthew Pauliks and Ian Daley; email from Police Chief
10. Agenda page; memo from Town Clerk
11. Agenda page; email from Chris Carmichael and Appeals Board Clerk
12. Agenda page; email from Park Commission
13. Agenda page; application from Lakeville Lions Club for special beer and wine license
14. Agenda page
15. Agenda page; draft Town Administrator FY24 goals
16. Agenda page; letter from Board of Health;
17. Agenda page
18. Agenda page
19. Agenda page; letter from Friends of the Lakeville Council on Aging; letter from the Tuesday Club of Assonet