

TOWN OF LAKEVILLE
Select Board Meeting Minutes
June 27, 2022 – 6:00 PM
Lakeville Police Station Meeting Room
323 Bedford Street, Lakeville, MA

On June 27, 2022, 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 LaCamera. Members present were Chairman LaCamera and Member Carboni. Member Fabian attended remotely. Also present was Ari Sky, Town Administrator and Mark Resnick, Town Planner. LakeCAM was recording the meeting for broadcast.

Select Board Announcements

Chairman LaCamera read the Select Board announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator's announcement.

Presentation by Environmental Partners of Town Facilities Water Study and possible vote to advance project using ARPA funding

Present from Environmental Partners were Paul Millette and Sabrina Castenada and Franklin Moniz, Director of Department of Public Works. Mr. Sky said this project began in September to investigate bringing water to several Town facilities. Mr. Millette said they have reviewed the five (5) locations that were looked at. The goal is to provide clean, potable water and to tie into a clean water source. Clear Pond Park: it was recommended Option #2; the pipe would end at the entrance to the Park at an estimated cost of \$500,000. John Paun Park: it was recommended to convert the existing well and sample the water at a cost of \$66,000. Mr. Millette noted that the estimates are based on current projects being bid in the last (6) months. For the Ted Williams Camp: it was recommended to do a stand-alone bathroom - \$8,000; irrigation spigot isolation - \$2,900 and pump house demolition - \$47,000. Ms. Castenada said for the Police Station: it was recommended to look at installing an irrigation well - \$22,000. For the Historic Library: there may be an existing well on the site. If not, it was recommended to an irrigation well - \$22,000. For the Old Town Hall: it was recommended to connect to Taunton water service and install a septic system - \$71,100 and install and 16' x 9' external restroom - \$361,000. Mr. Millette said there are two (2) Phases, and Clear Pond can be in Phase 2; the rest of the projects can be done at Phase 1 for an estimated cost of \$600,000.

Mr. Sky said the funding is from ARPA. He was looking at applying for \$544,000 from Plymouth County. If we applied for the \$600,000, they could give consideration for that. Chairman LaCamera said for Clear Pond, he is not sure how we can spend that amount for a property that is open maybe four (4) months a year. We should explore the current well. For John Paun Park, it does not make sense to connect to Blueberry Estates as that is not our property. Converting the well is probably the only option. Ted Williams Camp has a water line already

installed. To connect that to a stand-alone bathroom makes sense. The bathroom is only used four (4) to five (5) months a year and would have to shut it down for the winter. Isolating the irrigation spigots and re-routing the water line and demolishing the existing pump house should be done. The volleyball courts and horseshoe pits currently are not on Taunton water. Should we put some sort of connection there? That could service the soccer fields as well. For the Police Station, we wanted to connect the irrigation system to the current one at Ted Williams Camp. The Department of Public Works Director is concerned on the stress of that system, so he recommends using an irrigation well for the Police Station. For the Historic Library irrigation, there is an existing well there and we should see if that well can be used. For the Old Town Hall, it makes sense to connect to Taunton water as it runs right there. Regarding the restroom, he has spoken to two (2) members of the Historical Commission. They would like to have the restroom inside of the building. To spend \$361,000 doesn't make sense.

Mr. Sky said he wants to obligate the full amount with Plymouth County. Member Carboni asked if we been communicating with the Park Commission. Mr. Sky said he kept the prior Chairman up to speed and has informed the current Chairman, but we have not met with them yet. Member Carboni asked would maintenance be under the Park Commission. Chairman LaCamera said it would be Department of Public Works. Member Fabian asked about a spigot coming off the snack bar at Ted Williams, is that off of the irrigation system. Mr. Moniz said yes. Chairman LaCamera said the snack bar can't be run now, but could be if there is Taunton water. Discussion occurred regarding the amount to apply for.

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

VOTED: To authorize the Town Administrator and staff to draft a grant agreement with Plymouth County to access the Town's allocation for \$600,300.

Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

Discuss Lakeville Country Club Right of First Refusal process and potential next steps

Chairman LaCamera said we have the override election vote tomorrow and on June 29th at 8:30 AM, the Board will meet. He explained why the meeting was so early. At the meeting, the Board will decide whether to exercise or not exercise the option for both the 61A and 61B property. Once we vote, we only have 90 days to get the funding in place. If we buy the property, we owe the \$1 million because we don't own the land that is part of Holes 17 and 18. We also don't own any of the buildings or equipment, so we would need to negotiate that. He explained other costs that would be required. We don't have any money available, we would have to have another Town meeting and election to fund the additional costs. If this goes forward, a Special Town Meeting will have to be called on July 11th and then an election. John Lucey of 43 Stetson Street asked about the \$1 million covenant? He doesn't see that it has to be exactly as it is; it could be a golf course or open space. Chairman LaCamera said we have had two (2) lawyers look at the covenant. The original owner was very specific that the property remains a golf course. Further discussion occurred regarding if the Town would be liable for the \$1 million covenant money. Mr. Resnick said the golf course cannot operate in the current configuration as we are not purchasing the houses. We would have to modify some holes, build new greens and tee boxes. It would be a significant

amount of money. Mr. Sky said if the Town purchased the private sale piece, then the Town could move forward operating it as a golf course.

John Jenkins asked if people could play 16 holes then go back and play holes 1 and 2 again. Chairman LaCamera said if we have to reconfigure the golf course, we have to pay the \$1 million. Mr. Jenkins asked if Town Counsel has spoken about Mr. Maksy changing the golf course on the two (2) house lots. Chairman LaCamera said they have. Mr. Jenkins asked about the land where the club house sits. Chairman LaCamera said that land is not under 61B, so it is not included. Mr. Jenkins asked can the water permit be denied to build the facility. Chairman LaCamera said they have not asked for water yet. Mr. Jenkins asked could the Board deny them the water connection permit. Chairman LaCamera said yes. Mr. Jenkins said regardless of the election outcome, it seems that two (2) of the Board members are going to vote no. Member Fabian said she has said had she known all the information, she would never have agreed to send it to Town Meeting. She did not vote at Town Meeting to send it to the election as she had more information. Mr. Jenkins asked Member Fabian if she will vote with whatever the Town votes at the election. Member Fabian said she will not make a commitment to vote one way or the other.

Chairman LaCamera said the Planning Board can reject the project. If they don't, their decision can be appealed. We are looking at spending all this money when the Planning Board can reject the project. Brynna Donahue of Crooked Lane said the Town will come to regret this decision if we don't purchase it. Chairman LaCamera said this will put a strain on the taxpayers, and there are costs associated with whatever we do with the property. Ms. Donahue said we don't know if the Planning Board will reject it. Member Fabian said even leaving the property as it is will cost the Town money. Brian Fahey of Reservoir Avenue asked if Chairman LaCamera will be recommending to the Planning Board to reject this project. Chairman LaCamera said the Select Board reviews the site plan and gives them our concerns for consideration. Deborah Lucey of 43 Stetson Street said her house is the oldest house in Lakeville, built in 1712. She spoke about the plan on the website. Mr. Resnick said that plan was only filed to freeze the zoning. Ms. Lucey said her concern is if the Town doesn't purchase the land, what is the possibility of high density 40B housing going in. What percentage is the Town for affordable housing? Chairman LaCamera said 6%; we will never reach 10% because the housing inventory keeps increasing. Affordable housing restrictions do expire, and then they get added to housing inventory. Ms. Lucey asked what provisions the Town has to stop affordable housing. Chairman LaCamera said it is very unlikely that it could be stopped. Ms. Lucey asked if she should be concerned about an apartment complex being built there. Member Fabian said it could happen. Ms. Lucey said if the Town purchased this property, that would protect the abutters from housing. Susan Spieler of 10 Valley Road said if the Development Opportunities District (DOD) lawsuit was won, what happens to Northbridge's plans? Chairman LaCamera said they could back out of the deal. They may have a side letter with the owner. Mr. Maksy has already removed his property from Chapter 61 land. We would have the right of first refusal to purchase the property through July of 2023. Mr. Jenkins said if the DOD ruling said it was applied improperly and we have bought it, can we step out of the purchase. Chairman LaCamera said no.

Discuss FY23 Goals

Chairman LaCamera said this will be tabled until the July 11, 2022 meeting.

Discuss memo received from the Planning Board regarding amending the Zoning By-laws to remove the Development Opportunities District by-law and possible vote to place the article on the Fall Special Town Meeting Warrant

Mark Resnick, Town Planner, was present for the discussion. Chairman LaCamera said the Board has received a memo from the Planning Board regarding removing the Development Opportunities District By-law at Fall Special Town Meeting. Mr. Resnick said the Planning Board would like to put an article in to remove the DOD to give them time to evaluate areas in town where they could apply it as an overlay district to specific sites. Member Carboni said to Mr. Resnick that in the April 14th meeting for Planning Board, you had indicated that an application had been received to freeze the zoning. What does that mean to this? Mr. Resnick said the Lakeville Country Club would be grandfathered in if it passed in the Fall, and depending on the appeal, the Lakeville Hospital Property. Other applicants can still apply and freeze the zoning until this goes to Town Meeting. Member Carboni said if we vote to put this on the Special Town Meeting and the Planning Board holds the hearing, does that freeze it. Mr. Resnick said Town Counsel has stated it is the vote of Town Meeting. Member Carboni asked if the hearing is held, do we have to hold the Town Meeting within six (6) months from the date of the hearing. Mr. Resnick said yes.

A motion was made by Member Carboni and seconded by Member Fabian to place the following article on the Fall Special Town Meeting: To see if the Town will vote to remove in its entirety Section 7.9 Development Opportunities (DO) District from the Town of Lakeville Zoning By-Law or take any other action relative thereto.

Discussion: Member Fabian said Mr. Resnick had stated that the Planning Board's intention was to bring the DOD back as an overlay. Mr. Resnick said they would like to bring it back, but we need to evaluate the areas in Town for it to be applied and overlay those specific areas. Brynna Donahue asked who would make the decision on the areas. Chairman LaCamera said Town Meeting. Ms. Lucey asked for the freeze on the DOD to be explained. Mr. Resnick explained that there are different ways: you can file a preliminary subdivision plan followed by a definitive subdivision plan. That is what Mr. Maksy has done and that freezes the zoning for eight (8) years. If you file a perimeter plan or Form A Plan, that would freeze the zoning for three (3) years. Ms. Lucey asked can the application be denied. Mr. Resnick said the preliminary plan is just preliminary for give and take between the applicant and the Board. They will have to do full engineering and submit a definitive subdivision plan within eight (8) months. It cannot be denied if they meet the standards.

The roll call vote on the previous motion was: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

Discuss and possible vote to approve Job Description for Part Time Clerk for Inspectional Services

Chairman LaCamera said this item will be tabled until the July 11th meeting.

Discuss and possible vote to revise hours for one (1) day Beer and Wine Special Licenses- Elliot Farm – July 3, 2022, August 7, 2022 and September 4, 2022

Chairman LaCamera said Elliot Farm is requesting to change the hours on their one-day Special Beer and Wine Licenses to 3:00 PM to 7:00 PM. Member Carboni asked if it is the same vendor. Chairman LaCamera said yes. Member Fabian said when we discussed it the first time, she questioned why we were approving all the licenses at the same time. Chairman LaCamera asked Chief Perkins about their first event. Chief Perkins said the first event was the Walk for Hunger. We had officers there to direct traffic. He doesn't foresee a parking problem or traffic problem going forward. There were no alcohol issues at their first event. Member Carboni said perhaps going forward, if they are requesting multiple dates, they should apply individually.

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

VOTED: To approve the change in hours for the one (1) day Special Beer and Wine Licenses for Elliot Farm on July 3, 2022, August 7, 2022 and September 4, 2022 to 3:00 PM through 7:00 PM.

Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

Discuss and possible vote to approve request from Elliot Farm – 170 Main Street for a one (1) day Beer and Wine Special License – October 8, 2022

It was decided to table this until the July 25th meeting. Chairman LaCamera asked Mr. Sky to confirm the requested hours.

Discuss and possible vote to appoint members to the Community Preservation Committee

Chairman LaCamera said the Community Preservation Act passed at Town Meeting and the Election, as of July 1, 2022. We need to appoint the members to the Community Preservation Committee.

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

VOTED: To appoint Nancy Yeatts as the Conservation Commission representative to the Community Preservation Committee for a term to expire July 31, 2025.

Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

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

VOTED: To appoint Nancy LaFave as the Historical Commission representative to the Community Preservation Committee for a term to expire July 31, 2025.
Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

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

VOTED: To appoint Amy Knox as the Open Space Committee representative to the Community Preservation Committee for a term to expire July 31, 2023.
Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

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

VOTED: To appoint Michele MacEachern as the Planning Board representative to the Community Preservation Committee for a term to expire July 31, 2025.
Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

Chairman LaCamera noted that the Park Commission has not yet designated their representative. He said the Select Board has received letters from Barbara Standish, Susan Spieler, Kathleen Barrack, Loura Costello Coons and Robert Stephanian expressing their interest to be appointed to the Community Preservation Committee. The Select Board makes three (3) appointments.

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

VOTED: To appoint Barbara Standish and Spieler to the Community Preservation Committee for terms to expire July 30, 2024 and Kathleen Barrack for a term to expire July 31, 2023 .
Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

Chairman LaCamera said the bylaw it speaks to a member from the Housing Authority, but we don't have a Housing Authority. At this point, we should not appoint anyone until we figure out what to do with that. Member Carboni said Mr. Sky has suggested bringing the by-law back to Town Meeting to address that. Mr. Sky said Mark Resnick will be the subject matter support and Christina Cotsoridis will be the administration support for the Committee.

Discuss and possible vote regarding request from Police Chief to appoint John Duggan as Special Police Officer and Lance Reed as Reserve Police Officer

Matthew Perkins, Chief of Police, was present for the discussion. Chairman LaCamera said the Police Chief has requested the appointment of John Duggan as a Special Police Officer and

Lance Reed as a Reserve Police Officer. Chief Perkins said these appointments will help fill detail requests. Police Reform has been passed that requires detail officers to be fully trained officers. Mr. Duggan is a retired State Police Officer, and Mr. Reed graduated from the State Police Academy in 2019. We can put him in a Reserve role where he can fill in on patrols if needed.

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

VOTED: To appoint John Duggan as a Special Police Officer and Lance Reed as a Reserve Police Officer for terms to expire July 31, 2023.

Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

Discuss and possible vote regarding request from Matthew T. Pauliks to be reappointed as a Constable

Chairman LaCamera said the Board has received a request from Matthew Pauliks to be reappointed as a Constable. Chief Perkins noted no issues with Mr. Pauliks.

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

VOTED: To re-appoint Matthew T. Pauliks as a Constable with a term to expire June 25, 2023.

Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

Discuss and possible vote regarding request from Ian Daley to be reappointed as a Constable

Chairman LaCamera said the Board has received a request from Ian Daley to be reappointed as a Constable. Chief Perkins noted no issues with Mr. Daley.

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

VOTED: To re-appoint Ian Daley as a Constable with a term to expire July 25, 2023.

Roll call vote: Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

Review and possible vote to approve Select Board Meeting Minutes of June 3, 2022 and June 13, 2022

A motion was made by Member Carboni and seconded by Member Fabian to approve the Select Board Meeting Minutes of June 3, 2022 and June 13, 2022.

Discussion: Member Fabian said she had not read the minutes in their entirety, so the Board could vote on these without her.

The roll call vote on the previous motion was Member Carboni – aye; Chairman LaCamera – aye and Member Fabian – abstain.

New Business

Member Fabian said her remote attendance was a cautionary measure as she is out of Covid quarantine. Member Carboni said it is important that if we know of New and Old Business to be discussed, we should add them to the agenda. However, sometimes New and Old Business do come up after the agenda is posted. Chairman LaCamera said we post our meetings on Thursday, so we can revise the posting. The State just doesn't want things being added on that cannot be delayed. Member Fabian said during her tenure, she probably has ratified about three (3) votes). Totally new items should not be brought forward so that the public can know what is being discussed.

Old Business

There was no Old Business discussed.

Any other business that may properly come before the Select Board

Chairman LaCamera said we received a letter from Department of Environmental Protection (DEP) regarding structures being put in the ponds. An application must be filed with DEP for permission to put in a dock and it must be approved by DEP. We have received two (2) letters from DEP about illegal docks. People need to be aware of this. Member Fabian said we are working hard through the APC on the ponds, but she has seen ads for people renting dock space at their homes and ads for people looking for dock space to rent.

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 8:00 PM.
Unanimous in favor.

Other Items

1. Letter from Lakeville Arts Council
2. Letters from Department of Environmental Protection regarding Existing Structures in Jurisdiction

List of documents provided at the Select Board Meeting of June 27, 2022

1. Agenda page
2. Agenda page
3. Agenda page; report from Environmental Partners
4. Agenda page
5. Agenda page
6. Agenda page; Planning Board Memo and article; petition from 2021; Planning Board minutes of April 14, 2022 and April 21, 2022
7. Agenda page; memo from Human Resources Director; proposed job description
8. Agenda page; email from Elliot Farms
9. Agenda page; one day beer and wine license application
10. Agenda page; letters of interest; memo from Planning Board; emails from Open Space Committee; Conservation Commission and Historical Commission; memo from Town Administrator; Community Preservation Committee by-law; work chart
11. Agenda page; email and appointment letters from Police Chief
12. Agenda page; letter from Matthew Pauliks
13. Agenda item; email from Ian Daley
14. Agenda item; Select Board Meeting Minutes of June 3, 2022 and June 13, 2022
15. Agenda page
16. Agenda page
17. Agenda page