

**TOWN OF LAKEVILLE  
Select Board Meeting Minutes  
September 18, 2023 – 6:00 PM**

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

On September 18, 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.

**Meet with Plymouth County Treasurer for presentation of ARPA payment for ambulance and associated equipment**

*Thomas O'Brien, Plymouth County Treasurer, Jared Valanzola, from Plymouth County Commissioners and Michael O'Brien, Fire Chief were present for the discussion.* Chief O'Brien said this award for an ambulance was born of need. Our new ambulance has over 50,000 miles on it. Mr. Valanzola spoke about Plymouth County's administration of the CARES money. He said they are on track to spend 3% on administration of the ARPA program with the national average being 7-10%. Mr. O'Brien said they would be presenting a check to the Town for \$572,403.49 for the ambulance. Chief O'Brien added the award includes every major piece of equipment on the ambulance. Chairman Day noted that this ambulance will help other communities with mutual aid.

**Discuss and possible vote to approve Select Board Minutes of September 5, 2023**

Member Carboni had two revisions: on page 2 – 1st paragraph halfway down: spaces identified at the Ted William Camp for election: add “and the fact that we have many elderly residents that utilize those spaces during elections”. On page 6: under Building Committee Fire Station Committee, last sentence: whether each candidate will be interviewed or if the list to be interviewed will be narrowed down.

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

VOTED: To approve the Select Board Meeting Minutes of September 5, 2023 as amended.  
Unanimous in favor.

**Public hearing for transfer of Common Victualler All Alcoholic Beverages License for the Back Nine Club – 17 Heritage Hill Drive**

*Present for the discussion was Craig Medeiros, Esquire, attorney for the applicant.* Chairman Day read the legal notice into the record, which was published on September 7, 2023.

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

VOTED: To open the public hearing for the transfer of the Common Victualler All Alcoholic Beverages License for the Back Nine Club – 17 Heritage Hill Drive.  
Unanimous in favor.

Chairman Day swore in Attorney Medeiros, who summarized the application and the intent to keep the property operating as a golf course. The hours of operation on the liquor license will remain the same. Attorney Medeiros said the actual golf course itself is being purchased by a different entity than the one purchasing the golf course. There is a lease between the two (2) entities for the operation of the course. Member Fabian said that is how the current owner is set up. Attorney Medeiros said B9 will operate the restaurant and golf course; and Lakeville Nursery owns the property.

Richard LaCamera of 32 Old Powderhouse Road asked about the real estate transaction. The sale is \$1.4 million for the real estate and \$450,000 for the business. The real estate part is being transferred to Lakeville Nursery Development Corporation, which is an existing development company. Attorney Medeiros said the buyer is Lakeville Nursery Redevelopment LLC. It owns one (1) piece real estate now, which is for sale. Once sold, the only piece of real estate it will own is the golf course. This was done for tax purposes. Mr. LaCamera said Lakeville Nursery Redevelopment is leasing the property back to who? Attorney Medeiros said to the B9 Club. Mr. LaCamera asked if Lakeville Nursery Development owns all the buildings and land. Attorney Medeiros said the equipment at the site for the golf course and kitchens will be owned by B9 Club Inc. and Lakeville Nursery Development Corporation will own the property. B9 Club Inc. will take care of the operation of the golf course. Olde Stone Lookout LLC currently owns the real estate and it is operated by The Back Nine Club. Mr. LaCamera said there are a lot of neighbors present that are concerned about the property. He was disappointed that the new owner is not here. The new owner has said that it is not going to be developed as housing. Attorney Medeiros said his client contacted the Ethics Commission and was advised that he should not attend the meeting. Chairman Day said it sounds like it is the same setup as the current company. He asked Mr. LaCamera if there is an undertone why the Board should not transfer the license? Mr. LaCamera said he has a right to have the license transferred as long as he meets the criteria. Chairman Day said the hearing tonight is for the transfer of the license. He understands the concern about the transfer that is out there. Mr. LaCamera said that the Purchase and Sales Agreement can be discussed because they were on the agenda and refers to the transfer of the liquor license. Chairman Day said he would not like to see abutters negatively affected, but this is for the transfer of the license. Mr. LaCamera said as far as the transfer, there is no agreement in place for the transfer of the Sailor's Tower. Attorney Medeiros said this is not included as part of the sale. It is a separate parcel with a perpetual easement. Mr. LaCamera said it says in the Purchase and Sales Agreement that it needs to be negotiated. Attorney Medeiros was not aware of that. If there ever were to be a conversion of the property, the property would have to be offered to the Town first.

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

VOTED: To close the public hearing for the transfer of Common Victualler All Alcoholic Beverages License for the Back Nine Club – 17 Heritage Hill Drive.  
Unanimous in favor.

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

VOTED: To approve the transfer of the Common Victualler All Alcoholic Beverages License from The Back Nine Club, dba The Back Nine Club at 17 Heritage Hill Drive to B9 Club, Inc., dba The Back Nine Club.  
Unanimous in favor.

**Discuss and possible vote to approve articles to be placed on the November 13, 2023 Special Town Meeting Warrant:**

- A. Prior Year Bills
- B. Supplemental Appropriations
- C. Capital Items
- D. Transfer to Capital Stabilization
- E. Community Preservation Act Projects
- F. Move Town Meeting to Second Monday in June
- G. Nuisance Fire Alarm By-Law
- H. Open Space Residential District By-Law
- I. Illuminated Sign By-Law Amendment (revision 1)
- J. Illuminated Sign By-Law Amendment (revision 2)

*Todd Hassett, Town Accountant, was present for the discussion.* Chairman Day said we are voting on the articles to be placed on the Special Town Meeting Warrant. Mr. Sky said Article #1 is for FY23 unpaid bills. Mr. Hassett said this is for invoices that came in after the close of FY23. We would have to ask Town Meeting to fund these through Park Department earnings. Mr. Sky said Article 2 is for supplemental expenses. The first two (2) were talked about previously to accommodate the 5-member Board. There is a little bit of money for a placeholder for some sort of agenda software. Chairman Day said we cannot forecast insurance for the new members. Mr. Sky said it will only be for two (2) months. John Olivieri, Chairman of the Board of Assessors said their Clerk is currently part time and we have a full time Assessors Specialist. Our specialist has announced that he will be retiring in the spring and our Clerk is looking for a full-time position. In order to retain our Clerk and have adequate office coverage, we are looking for additional funds to run through the end of the year to start the Clerk at full time a few months prior to the Assessors Specialist going to part time. Member Carboni asked if the Assessors Specialist will be retiring as full time, but working part time? Mr. Olivieri said the Specialist has no intent on retiring fully for the next year or two (2). Member Fabian said this follows what we spoke about at the last meeting regarding office hours. Having a full time Clerk there will pick up more hours for residents. Further discussion occurred regarding office coverage.

Mr. Sky said we have an ongoing situation with coverage, staffing and overtime for the Fire Department. The ideal solution is to add staff, but we don't believe the money is there to do that. We can right size the overtime budget as a short-term solution. Mr. Hassett said we have come to the conclusion that the best solution is to add one (1) person to each working group, but we are concerned with the expense. We will look at this for the FY25 budget. Fire Chief O'Brien said it comes down to budgeting. We have to live within the resources and within the 2.5% cap. Applying a new staff model for four (4) member groups would be saving about \$200,000 in overtime. There are so many variables with those savings, but we would have saved that last year. Getting the additional overtime is welcome, but it doesn't fix the problem. We have three (3) people at the station and that is the bare minimum that we need to operate right now. When there is an absence, it creates overtime expenses. He noted that there is a small group of very dedicated firefighters and they are getting burnt out and that is not sustainable. This needs to be addressed. We need to reinvent our department to march the demand for services and the expectation of the Town. Mr. Sky said it is a real problem, but we couldn't commit to that right now. Chief O'Brien said the thought was it is advantageous to spread it over two (2) fiscal years for not as much impact. Chairman Day asked what is the cost of a new hire? Chief O'Brien said a firefighter works an average of 42 hours a week. We currently have one (1) person in the academy. Every hour that person was scheduled to work is now overtime. We have another starting in January to be replaced with overtime.

Mr. Hassett said that last item is an insurance premium, increase for property, liability and general insurance. We used a 6% increase; the actual premiums were a 6.3% increase. Mr. Sky said no coverage was increased. Chairman Day asked about going out to bid for carriers. Mr. Sky said we have not done that yet. Article #3 - Mr. Sky said these are capital items in the Capital Improvement Plan (CIP). For Betty's Neck - we have an outstanding application for the One Stop Program which would probably negate this need if we got the grant. We have \$75,000 in the CIP now. Town Hall Security is for \$30,000; this would involve building access in Town Hall. There is a boat motor replacement for the Police Boat. Police Chief Perkins said the Police Department has a 2019 police boat to patrol Long Pond. It has become a search and rescue dive boat as well. The boat is under powered for that use. We need a 115 motor with a Trim Tab kit to alleviate that problem. Because the present motor is so new, we would repurpose that to the Fire Department for their boat. Franklin Moniz, DPW Director said the M-4 permitting is straight forward. We are going into year 6 and this includes training, updating the stormwater management plan, and illicit discharge detections. It gets us through until September of 2024. We won't know the entire number until we get into the investigations. This figure covers the knowns. We have been keeping up with what has to be done, but we need to address some of the key things we have let slide back in the past couple of years. For brush, we are going to hire a crew to do tub grinding, which is done every couple of years. This work will be done with a contractor, and DPW will be running the excavator and doing the cleanup. Mr. Hassett said there is a total of \$201,500 for the capital items and the brush and tree removal will be funded from the Transfer Station Retained Earnings.

Mr. Sky said Article 4 is for \$2,150,000 from the lease of the cell tower. This article will move the money into the Debt Service/Capital Projects Stabilization Fund. Member Carboni said because we agreed for a one-time payment for the lease of the Fern Street cell tower, we lost about \$45,000 in revenue annually. She would like to see this money go somewhere where it is interest bearing and not touch it. Mr. Sky said the Stabilization Account does serve that purpose. Member Carboni said this Board will change, but she wants the interest to work for us; once the money is gone its gone. Mr. Hassett said we could put it in the General Stabilization Account. Mr. Sky said it is about

a \$38,000 a year loss in revenue. The FY24 budget does not assume any of that money. Mr. Hassett said the General and Special Stabilization Funds are invested separately and the earnings grow within the fund. We have a number of facility projects that the Town is considering. Some of those projects might require a debt exclusion. Setting this money aside might help offset the cost. Member Carboni said we need to find ways to put money aside for the future. Chairman Day asked about the balances in Debt Stabilization. Mr. Hassett said there is \$1.4 million and \$1.8 million in the General Stabilization and we added \$250,000. Member Fabian said she thought what was suggested was to make sure all our retirement needs were met. This wasn't what we were thinking when we approved the lease. We said that we would not use the money received. Mr. Hassett said this article is proposing to set it aside; it would be up to a future Town Meeting whether to use those funds. The General Stabilization could be accessed on Town Meeting Floor. Member Carboni said it is vulnerable sitting in Free Cash right now. How can we get this money to work for us in the best way without touching it? Mr. Sky said if we don't do anything with it, it rolls back into Free Cash. Taking it out of the General Fund and putting it aside, nothing will happen to it until somebody wants to touch it. Member Carboni said she is not sure this is the best place to put it. Member Fabian asked what other options do we have? Mr. Sky said putting it towards OPEB is not the answer. Mr. Hassett said the pension obligation is starting to come down. Chairman Day said he likes putting this in a protected account. If a need comes up, residents can vote to take it out. Mr. Sky said the Department of Revenue has certain rules about what kinds of stabilization accounts can be created. Mr. Hassett said there are some other special stabilization accounts that require Town Meeting access. Mr. Sky said he doesn't believe that it is legally possible for the Board to prevent what a future Board could do. Putting it in Stabilization means that Town Meeting has to take it out. Member Carboni said she would want residents to have final say over their money and how it is spent, but we are the guardians and trying to make smart decisions. Chairman Day said it could go into the \$1.4 million that is already there and earning interest. When was the last time we used that account? Mr. Hassett said \$79,000 a few years ago. Member Carboni said every budget cycle when we discuss balances, we will remember that this money is here. Chairman Day said the Finance Committee will have to approve. Member Carboni thinks it is risky not having a separate stabilization account and may not be able to support this at Town Meeting.

Mr. Sky said Article #5 is for Community Preservation Committee projects. Nancy Yeatts, Chair of the Community Preservation Committee (CPC), said this is their first year and the CPC has recommended the three (3) projects. We will prepare a handout for Town Meeting. The projects are the Cemetery Commission for gravestone repairs; Historical Commission for a roof replacement of the Historic Town House, and Park Commission for Jon Paun Park. Chairman Day said what if Historical does not need the \$30,000 for the roof. Does it go back to the CPA fund? Mr. Hassett said it is being funded by two (2) accounts and if not needed, the funds would go back. Ms. Yeatts said the Jon Paun Park will help with the engineering and architectural expenses. Mr. Sky said for Article 6, the Board directed him to prepare an article to move the Annual Town Meeting to the second Monday in June. Chairman Day said the language today allows the meeting to be moved by Select Board vote. Discussion occurred regarding moving the meeting. Article 7 is a Fire Alarm System By-Law. Chief O'Brien said this is a tool for compliance and similar to the current Police Alarm by-law. Chairman Day asked has this been a problem. Chief O'Brien said there have been 203 false alarms and malfunctions so far this year. This is a public safety issue. We have to respond with the appropriate equipment. Some are accidental; malicious and system malfunctions, but there are things that can be done to handle that.

Mr. Sky said Articles 8, 9 and 10 are Planning Board articles. Marc Resnick, Town Planner, said Article 8 is the Open Space Residential District (OSRD) bylaw. It is similar to an article presented 1.5 years ago with significant changes to address Board of Health and Conservation Commission concerns, which he summarized. Chairman Day said we really need an example sheet to educate residents. Mr. Resnick said he will put together something for Town Meeting. Chairman Day said so nothing smaller than 20 acres of which 10 acres will be open space and 10 acres developed. Member Carboni asked has the Planning Board reviewed the red line document. Mr. Resnick said the Planning Board voted the extra red line changes at their last meeting. One (1) of the purposes was removed. On page 2, we had spoken about allowing smaller parcels developed along the ponds or if the open space land abuts existing open space land, but that was removed. Section V was changed to Article V on the next page. Public access to the open space, we added motorized wheelchairs as allowed. Member Fabian said this needs to be posted early so residents can read through this. It should be posted on social media. Chairman Day said the open space can be transferred to the Conservation Commission, Select Board or the Park Commission. How do we determine the costs to the Town for upkeep? Mr. Resnick said that is part of the process in reviewing a proposed development. Open Space versus a park is a huge difference in costs. Chairman Day said at what point in this process do we figure out who will accept ownership. Mr. Resnick said it is multi-step; the developer comes in informally with a sketch plan. Then they file a preliminary plan and OSRD concept plan where you will evaluate the open space and suitability of lots in the base plan. That would be a public hearing. The final definitive subdivision plan and special plan hearings would have plans sent out the Boards, Committees and Commissions for their comments. Member Fabian said we could say we don't want any more parks because it is more work for the Department of Public Works. Chairman Day said he is trying to figure out what our risk is down the road. Mr. Resnick said if the Select Board or Park Commission won't accept the land for a park, it would be left as open space land and be conservation land. The Planning Board cannot bind the Select Board or Park Commission to accept the property. The developer would have to go to the Select Board first if it were going to be a park. Chairman Day said does that have to be in place prior to the plan being approved? Mr. Resnick said yes.

For Article 9, Mr. Resnick said this is to clarify the definition of changeable copy signs, electronic message board signs and internally illuminated sign to add that a special permit is required by Zoning Board of Appeals. For Article 10 Mr. Resnick said the Planning Board is concerned with the proliferation that we have with some of these signs and proposes standards for them.

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

VOTED: To approve the Warrant Articles 1-10 as presented for the Special Town Meeting scheduled on November 13, 2023 at 6:30 PM.  
Unanimous in favor.

Member Carboni said she would like to revisit the places that the warrants are posted. She would like to understand how the locations came to be. There has been concerns from residents that they did not have access to the warrant articles. The Library was suggested as a posting place. Also, maybe the Intermediate and Middle Schools. Ms. Craig-McGee noted there are a certain number of places required per precinct.

**Discuss and possible vote to approve House of Representatives’ proposed change to the 5-member Board petition**

Mr. Sky said there was a floor amendment to strike out the word “ballot” in line 4 and insert in its place “annual town”. Town Counsel has signed off on the change.

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

VOTED: To approve the House of Representatives proposed change to the 5-member Board petition as presented.  
Unanimous in favor.

**Discuss and possible vote to appoint Kevin Duquette as Sealer of Weights and Measures**

Mr. Sky said the Inspectional Services Director said the individual proposed was the only applicant and has impeccable references.

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

VOTED: To appoint Kevin Duquette as Sealer of Weights and Measures for a term to expire July 31, 2024.  
Unanimous in favor.

**Discuss and possible vote to approve DPW Heavy Motor Equipment Operator hire at Level 2, Step 4**

*Mr. Moniz, Department of Public Works Director, was present for the discussion.* Mr. Moniz noted he has two (2) vacant positions. This is a returning employee that is why he is looking for the higher step. He is familiar with the snow and ice process and the equipment. He would be on board by October. Chairman Day said were there any issues prior. Mr. Moniz said nothing that he is concerned with. He has two (2) vacant positions in the past two (2) months so his budget is in good shape.

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

VOTED: To approve the hiring of a Heavy Motor Equipment Operator at Level 2, Step 4.  
Unanimous in favor.

**Schedule meetings for November, December and January**

Mr. Sky said there was conflict with a Board member on the November 20<sup>th</sup> meeting date. Chairman Day said there was talk of moving our meetings from Monday. Ms. Craig-McGee said we would have to ask someone else to change their day that they meet on. Member Fabian said she cannot make the November 20<sup>th</sup> meeting. Chairman Day said we could do a larger meeting on the 13<sup>th</sup>. We could do the budget discussion on December 4<sup>th</sup>. Member Carboni said we will know if there is anything that needs to be addressed. November 6<sup>th</sup> and 13<sup>th</sup>. The December 4 and 18 and January 8 and 22 meeting dates were set.

## **Building Committee Updates:**

### **Senior Center Feasibility Study**

Member Fabian said the Council on Aging Director gave numbers on people in Town aged 55 and above. There is a waiting list for the exercise programs. The Owner's Project Manager (OPM) put together a design for a smaller build and larger one. The subcommittee made some suggestions on what they would like to see, including updating lighting with automatic lighting. The Committee asked the OPM to fine tune a few things. One design would be about 800 square feet to the rear of the building and the other a 2,000 square foot addition to the right side of the building. The next meeting is October 18, 2023.

### **Fire Station Building Committee**

Member Carboni said there is not much to update since the last meeting. The Committee is meeting on September 20<sup>th</sup>. We had four (4) submittals for the architectural design and will discuss the next steps to identify who will be the designer for the project.

### **Old Colony Feasibility Study**

Chairman Day said there is no update from the last meeting. The next steps are discussing an OPM selection committee. Otherwise it is considering programs they would like to add or how many students being added to the school. Member Fabian asked is that the stage where they would discuss programming. Chairman Day said they need to right size the school and see what the towns will support. They turn away more students for incoming classes than they accept. They need to figure out how many programs they want to increase or keep what they have and increase the slots.

## **Discuss Town Administrator's Annual Review**

Chairman Day said we are having technical difficulties with one (1) of the reviews. Do we want to go forward with one (1) copy missing or defer to October 10<sup>th</sup>? We could schedule a meeting in between. Member Fabian said we could do a Zoom meeting. Member Carboni said she is trying to understand the issue. Chairman Day said Member Fabian doesn't have a printed copy and her laptop is stuck in update mode. Member Fabian said she could summarize her narrative, but doesn't have the number tally. Member Carboni said we have waited a long time to do the review. The tallies can be reviewed, but the narrative is important. Member Fabian said she will submit hers to the Town Clerk's Office tomorrow. Member Carboni and Chairman Day passed out their reviews. Member Carboni said when we have a five (5) member Board she is going to press to come up with a good flow for an evaluation. She would like the Town Administrator to be able to review what we wrote. Chairman Day said the process and forms need to be revamped. Member Fabian said she said when we started this process that she would be willing to come up with a better plan, but we went ahead. This can't wait until the spring, so we should appoint someone at this point to work on this. Chairman Day said there is an annual review of the Town Administrator as set forth in the Town Administrator Act. Like any review, this is subjective.

Chairman Day said one (1) form has ratings of Excels, Meets or Needs Improvements. He had Excels in 22 categories, Meets in 8 and none on Needs Improvement. The second form was 10 categories with 5 being the highest ranking to 1 at the lowest. Each category has a total of 30 possible

points and he had 284 points total. Chairman Day reviewed his bullet points: fiscal detail strong; class and compensation study underway; follow up is done within a reasonable amount of time; when we disagree it is respectful; public outreach video series is great; comments from residents saying communication could be clearer; how can we improve the meeting room so people can hear; Department Heads mentioned a bit micro managed than they are used to; perhaps you can reach out and have a conversation with them; we did not receive any Department Head feedback; lot of things going well; and have received a few residents improvements, but overall he is pleased.

Member Carboni said for the most part, Mr. Sky has met all the expectations identified under the rating criteria. The only ones that she felt needs improvement is communication skills and community and resident building of relationships. It is difficult to try to reach out to people, but that would strengthen our mission to build communication and relationships with the residents. As far as information provided to the Board, she will never say it is overkill and you do share it with us. There is concern about having to communicate with the five (5) member Board. Perhaps there is another vehicle in which to communicate with the five-member Board. Financial and budgeting and policy development is exceptional. You developed the budget cycle and it is clear for the residents, which they have appreciated. You have expanded your professional development through ICMA. You have met your goals for 2022 and 2023 with a few coming over to 2024. She hopes to get those accomplished and give you the support needed.

Member Fabian said it is hard to evaluate someone with only three (3) options. Compared to last year, some of her numbers went down a bit. Being the Chair is different as you interact more with the Town Administrator, perhaps because she was used to get information first hand and communicating every day, she feels that there is a little less communication and is not getting the information she should be. She feels she has to look harder for information. In the strengths section, budget and financial planning is a strength that Mr. Sky has possessed. She noted communication, but also put notes in there at the special meeting the Board had, she was a bit disappointed that it is assumed that it is okay not to consult the Select Board. When policies are being created that Select Board Members are going to be responsible for using day to day, the Select Board should have an option to participate in the creation, not just in amending a document. For instance, several things that have come to our attention, including the Old Bridge Street project and the Abutters By-laws, we all had similar concerns. The one other area is that this Town is not prepared to go in a direction of a Town Manager. The Town has voted for more representation for a 5-member Board, not less, voted a recall by-law and voted down the change to an appointed Clerk. Sometimes Mr. Sky has a tendency to stay narrow focused and not paying attention to Facebook comments. Sometimes it is the same people, but these are people that are not afraid to speak out. We have to pay attention to how some of the residents feel and they are very conservative. They want more representation so for us to try to be pushed towards a Town Manager role, we are going in the other direction where the residents want more say, not less.

Chairman Day said all of us need to find a way to communicate a bit better. We put that in the goals going forward. Member Fabian said she would like other Board members to consider that residents want to be in control of their Town government. We have to acknowledge that. If it takes more time to get two (2) more members on Board, then we need to do that. The residents expect us to be more involved than Boards in other Towns. We should all be making phone calls to get

information needed. The past year has been eye-opening about how much residents are paying attention.

Member Carboni asked Mr. Sky to give his perspective on his year in review. Mr. Sky said this is the first he has seen the document and did not want to do a cold comment. Member Carboni said she isn't asking him to comment on the document. Mr. Sky said he would withhold comment. Chairman Day said some of the things Member Fabian brought up, the votes were not all unanimous at Town Meeting, but it is the temperature of the room. There are residents that did not vote and their voices should be heard. Mr. Sky said the Town deserves the form of government that it wants. Is the form of government in place what residents want? We have a strong Town Administrator Act in place, and if he didn't assume the responsibility, he is not doing the job. Perhaps the Town needs to decide the form of government they want, perhaps something different. Experience shows the need for executive authority is greater, not less with five (5) members. You could always try a different direction. In 2021, he was given the reins to make the organization run. If that is not the approach the Board is comfortable with, the Board can go in a different direction. Chairman Day said looking at the Town Administrator Act, it outlines our role versus the Town Administrator's role. Whether that is what the Town wants is up for review. He reviewed some of the parts of the Act. He is a bit more hands off, watching to see if things that are asked for are done, but you are the one with the reins. Mr. Sky said he has no issues with Board members talking with staff, but it is disruptive for him to do his job if there are conversations going on that he does not know of. It makes him less effective. Member Carboni said there was a rule on the School Committee of no surprises. She would not want to surprise the Town Administrator or staff. At this point, Mr. Sky has been able to protect this Board in that respect to get ahead of anything that would be a surprise.

### **New Business**

There was no New Business discussed.

### **Old Business**

Chairman Day asked about the liquor license transfer that had been voted on the last meeting. Ms. Craig-McGee said the ABCC investigator found things that needed to be revised in the application and missing information or information that did not correspond. The applicant will be withdrawing his application and will hire an attorney to fill out the application. He has purchased the property, but is not allowed to sell alcohol. Chairman Day asked if we should send a letter. Ms. Craig-McGee said that we should and tell him that he needs to remove the stock until the transfer is completed.

### **Correspondence**

There was no Correspondence.

## **Adjournment**

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

VOTED: To adjourn the Select Board Meeting at 8:41 PM.  
Unanimous in favor.

## **List of documents provided at the Select Board Meeting of September 18, 2023**

1. Agenda page
2. Agenda page
3. Agenda page
4. Agenda page; ABCC application for transfer of license and associated documents
5. Agenda page; Select Board Meeting Minutes of September 5, 2023
6. Agenda page; schedule for Special Town Meeting; draft articles for warrant
7. Agenda page; House bill No. 2093 with amendment; emails with Town Counsel
8. Agenda page; warrant to Animal Control Officers
9. Agenda page; memo from Director of Inspectional Services
10. Agenda page; memo from DPW Director
11. Agenda page
12. Agenda page
13. Agenda page
14. Agenda page
15. Agenda page