

TOWN OF LAKEVILLE
Select Board Meeting Minutes
December 19, 2022 – 6:30 PM
Lakeville Police Station Meeting Room
323 Bedford Street, Lakeville, MA

On December 19, 2022, the Select Board held a meeting at 6:30 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 6:30 PM by Vice Chair Fabian. Members present were Vice Chair Fabian, Member LaCamera and Member Carboni. Also present was Ari Sky, Town Administrator. Tracie Craig-McGee, Executive Assistant to the Select Board & Town Administrator was attending remotely. LakeCAM was recording the meeting for broadcast.

Select Board Announcements

Vice Chair Fabian read the Select Board announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator's announcements. Member LaCamera asked if the Park Commission has approved the license for the martial arts studio. Mr. Sky said the lease is under the Select Board's jurisdiction, however, Scott Holmes did sit in on the negotiations. Member LaCamera said he would like to see the terms well before the meeting to approve it.

Discuss status of Plymouth County ARPA application

Vice Chair Fabian said we have received a list from Plymouth County on what items have been approved for the ARPA funds. She reviewed the items that were approved or denied. Mr. Sky said that ARPA does not allow money for irrigation wells. Member Carboni asked about the criteria. Mr. Sky said we argued that these two (2) projects enhance the cost of water and quality of water by allowing us to run an irrigation well to the site. Jon Paun Park is similar, but that is to allow us to drill a clean water well. He has a positive reaction from the Treasurer regarding submitting the bathroom facility at the Town House in January for approval. Mr. O'Brien has offered to come January 9th to meet with the Board. We would have to modify the project to remove the Police Station and Town House irrigation. We could use our own ARPA money and fund the projects that way. Vice Chair Fabian said she would rather move ahead with Plymouth County. Member LaCamera asked why it took six (6) months to get the project approved; we lost six (6) months. It took us months to get reimbursed for COVID expenses, and we had to use our own money. Do we get paid now or do we need to front the money? This money was allocated to us and we should get it up front. We didn't know anything about revenue replacement. Mr. Sky said the County had not previously indicated that a revenue replacement round was happening. Member LaCamera said Mr. O'Brien was in Rochester last week and said they could get reimbursed for a feasibility study for a new police and fire station. If we had known that, we could have taken a different approach for our feasibility study for the fire station. There is \$10 million; how does it get allocated? Is it based on population or first come, first serve. Vice Chair Fabian said at the last Advisory Board Meeting the only money they reimbursed was Plymouth and

Marshfield. Member LaCamera said that happened with the CARES money. Mr. Sky said do you want to wait until the 9th or should he proceed with modifying the applications. Vice Chair Fabian said to go ahead and we will meet with the Treasurer on the 9th.

Discuss and possible vote on appointment of Fire Station Building Committee Members and approval of charge

Member Carboni said on the second page, membership, were you including three (3) members at large. Mr. Sky said it should have said XXX members at large. Member Carboni said on page 2, #7 regarding change orders, on building projects there are always a potential for change orders and they can be tricky. Mr. Sky said it was \$10,000 with the Police Station. Member Carboni said we need to be comfortable with the \$50,000 proposed. Change orders come more towards the end of the project, not so much the beginning. Maybe we can lower it from \$50,000, but more than \$10,000. If it meets that threshold, it needs to come back to the Board to vote. She would go with \$20,000. Member LaCamera said \$50,000 is too high. He is okay with \$20,000. Member Carboni said any change orders under \$20,000 would be signed by the Town Administrator. Anything over \$20,000 is submitted to the Select Board for approval. Member LaCamera said the number of committee members needs to be an odd number. Vice Chair Fabian asked about having 9 members. Member Carboni said it would either be 2 or 4 members at large for 9 members. Mr. Sky said we now have 7 applications for at large members. Vice Chair Fabian said she would go with 4 members at large for a 9 member board. Member LaCamera said that is okay. Mr. Sky said we can bring in staff members as needed.

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

VOTED: To approve the charge for the Fire Station Building Committee with a change on the change order limit for Town Administrator approval of \$20,000 and a 9 member committee.
Unanimous in favor.

Vice Chair Fabian asked about a cutoff date for applications. Mr. Sky said two (2) weeks from today. Vice Chair Fabian asked Mr. Sky to forward the Board the letters of interest for at-large members prior to the meeting.

Discuss and possible vote to appoint Senior Center Addition Feasibility Study Committee

Vice Chair Fabian said the FY23 capital budget includes \$40,000 for a study to assess the feasibility of an addition to the Senior Center. The initial step would be to appoint a feasibility study committee. Members would include the Inspectional Services Director; a Select Board Member; Town Administrator; Senior Center Director; Facilities Manager, Finance Committee Member, and a Council on Aging representative. The Board Members were in approval of the membership.

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

VOTED: To appoint the Inspectional Services Director; a Select Board Member; Town Administrator; Senior Center Director; Facilities Manager, Finance Committee Member, and a Council on Aging representative to the Senior Center Addition Feasibility Study Committee.
Unanimous in favor.

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

VOTED: To appoint Vice Chair Fabian as the Select Board representative to the Senior Center Addition Feasibility Study Committee.
Unanimous in favor.

Member LaCamera asked about language regarding working with the Town on-call project manager. Mr. Sky said we have several Owner's Project Managers under contract on an on-call basis. Member LaCamera said there are some he would prefer not to use. Mr. Sky said there is another firm that we are looking to put under contract. He is working on a management agreement with them. Member LaCamera said he would like it to come to the Board for review. He wants a description on what they will do for the feasibility study. Mr. Sky will bring the scope back to the Board.

Discuss Betty's Neck facility needs

Member LaCamera said we have ARPA money that is available that we could use on the Betty's Neck building. It has been neglected and needs to be fixed. We need to discuss parking, road egress, and handicapped accessibility also. Windows need to be replaced; doors need to be fixed and the interior needs to be fixed. Vice Chair Fabian said she had toured the building with Nancy Yeatts and Marc Resnick. Mr. Resnick is looking at a couple of grants and they have been working on that. Member LaCamera asked if a list has been put together on the work to be done. Vice Chair Fabian said Mr. Resnick was putting together a list of work to be done. Member LaCamera said Ms. Yeatts was happy we were discussing this because nothing has been moving forward.

Member Carboni said we need to broaden the activities that occur there. We are putting money into the building, but when does it get used and for what activities. Maybe there is a subgroup that Ms. Yeatts can put together for activities. Vice Chair Fabian said she is not sure what type of programming has gone on before or will be planned. Mr. Resnick has said some of the grants will provide for different things. Member LaCamera said we need to discuss all of this. We should be utilizing the building more. Vice Chair Fabian said with the 20th celebration, we couldn't use the visitor center. She and Mr. Sky can speak to Ms. Yeatts about setting up a sub group. Member Carboni said the master plan speaks to the recreational aspect of the Town. We have the Community Preservation Committee and maybe some requests can go through them.

Possible vote to ratify the appointment of Select Board Member Carboni to the Freetown/Lakeville Region's Safety Committee

Vice Chair Fabian said this vote was made under New Business on November 22, 2022 and needs to be ratified.

A motion was made by Member Carboni and seconded by Member LaCamera to ratify the vote to appoint Member Carboni to the F/L Regional School District Safety Committee.

Discussion: Member LaCamera asked if the School Committee formed this committee. Member Carboni said the Regional School Committee and the Superintendent of Schools did. Member LaCamera asked if it has been voted by the School Committee. If it is not a formal committee and Freetown and the School Committee have not voted their members, why are we doing this. Mr. Sky said they asked us to designate someone. It wasn't a formal position. Vice Chair Fabian said Member Carboni attended the walk through. Member Carboni said they are looking to meet in January 2023. Member LaCamera said if this is a formal committee, it needs to be posted. If it is not formal, it can't be posted to the public, but it should be. Member Carboni said she isn't sure if this was voted on by the School Committee. Member LaCamera said they did not vote it. Vice Chair Fabian said we can wait on this and see what the School Committee's direction is. Mr. Sky said he will follow up with the Superintendent on this.

The vote on the previous motion was Member LaCamera – abstained; Vice Chair Fabian – nay and Member Carboni – aye. The motion did not pass.

Discuss and possible vote to approve request from Department of Public Works Director to hire William Purcell as Emergency Snow and Ice Worker at Grade 6, Step 5

Vice Chair Fabian said there was a request from the Department of Public Works Director to hire William Purcell as Emergency Snow and Ice Worker at Grade 6, Step 5.

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

VOTED: To approve the request to hire William Purcell as Emergency Snow and Ice Worker at Grade 6, Step 5.
Unanimous in favor.

Discuss and possible vote to approve City of Taunton Water Connection Application for 109 Bedford Street – North Bedford Crossing LLC

Jamie Bissonnette of Zenith Engineering was present for the discussion. Vice Chair Fabian said we had already given our comments on this application. They are now looking for an allocation of 3,960 gallons of water per day.

A motion was made by Member Carboni and seconded by Member LaCamera to approve the request to connect to Taunton Water for the property at 109 Bedford Street with a daily gallonage of 3,960 gallons.

Discussion: Member LaCamera said this is a significant change to the project. Has the Zoning Board of Appeals (ZBA) approved this yet? Mr. Bissonnette said no. MassHousing's approval is for 20 units or less. We just submitted the plans for update to the Town. We polled the ZBA on which way they wanted us to bring the project forward and they voted for us to move forward with 12 units. MassHousing realizes that there may be changes to projects. Member LaCamera said they are now single-family houses on 10,000 square foot lots; before they were duplexes. This should not be approved until the ZBA approves the project and MassHousing approves the change. Vice Chair Fabian said there is an approval from MassHousing of 20 units or less. Mr. Sky said the ZBA continued the hearing for the Select Board to weigh in on the water. Mr. Bissonnette said this has been sent out for outside review. Another question was about the water allocation. If we have to have to go back to the original plan we will. Member LaCamera said the Board had sent a comment letter that we would not approve the water until the development was approved. Member Carboni said she did not recall that.

The vote on the previous motion was Member Carboni – aye; Member LaCamera – nay and Vice Chair Fabian – aye.

Mr. Sky said he will notify the ZBA.

Discuss and possible vote to approve renewal of Lakeville Animal Shelter boarding contracts with the Towns of Acushnet; Berkley; Bridgewater; Carver; East Bridgewater; Freetown; Halifax; Hanson; Raynham; Rochester and Wareham

Vice Chair Fabian said the boarding contract was reviewed at the December 5th Select Board meeting.

A motion was made by Member Carboni and seconded by Member LaCamera to approve the renewal of the boarding contracts for the Lakeville Animal Shelter with the Towns of Acushnet; Berkley; Bridgewater; Carver; East Bridgewater; Freetown; Halifax; Hanson; Raynham; Rochester and Wareham.

Discussion: Member Carboni said this is a continuation of the previous Board discussion. There were questions with Item #10 regarding surrendering of animals and liability. Town Counsel has reviewed this and added language. Mr. Sky said when an animal is surrendered to the Town, the Town owns it. If the Town is boarding it, the Town is not liable. Member LaCamera asked that Item #10 be explained. Mr. Sky said that is an appropriation contingency paragraph and limits financial liability to funds available to pay for appropriated sources for the other Town. Member LaCamera they don't have a budget for an Animal Shelter. Mr. Sky said they have a budget for boarding. Member LaCamera said it doesn't cover us at all. They are paying a \$25 fee and that is all they are responsible for. Mr. Sky said it ties into #11. Member LaCamera said we have 11 towns and they pay \$25 per day for boarding. Since they don't have an animal shelter, they should pay a minimum fee to the Town for these services. Vice Chair Fabian said she did not disagree with that, but the Board just raised the rates. Maybe that can be done for next year so we can give the Town's some notice. Mr. Sky said in FY22, the collected revenue was \$8,500. The FY23 revenue is at \$9,500 midway through the year.

Vice Chair Fabian said we should put this on the calendar in September and review a minimum charge. Member Carboni agreed and thought this should be talked about during budget talks for FY24. Member Carboni would like this to align the contracts with our fiscal year budget. Mr. Sky said the next renewal would have to be an 18-month contract. Vice Chair Fabian said we can ask the Town Administrator to revisit this for an annual fee in August to give the Town's a few months' notice.

The vote on the previous motion was Member Carboni – aye; Vice Chair Fabian – aye and Member LaCamera – nay.

Discuss and possible vote to approve Annual Town Election for April 3, 2023

Vice Chair said the Town Clerk has requested that the Board approve the positions for the Annual Town Election on April 3, 2023.

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

VOTED: To approve the positions for the Annual Town Election on April 3, 2023 as follows:
One Year Term: One Moderator; Two Year Unexpired Terms: One Cemetery Commissioner; Two Park Commissioners; Three Year Term: One Select Board Member; One Board of Assessors Member; One Board of Health Member; One Cemetery Commissioner; One Finance Committee Member; Two Park Commissioners; One Library Trustee and Five Year Term: One Planning Board Member and Freetown-Lakeville Regional School District Committee – Lakeville - One Three Year Term and Freetown – Two Three Year Terms.
Unanimous in favor.

Meet with Aaron Polansky, Superintendent of Old Colony Regional Vocational Technical School District, to discuss the District's facilities plans

Aaron Polansky, Superintendent/Director from Old Colony Regional Vocational Technical High School and Robert Marshall from the Old Colony Regional Vocational Technical School District School Committee were present. Mr. Polansky said they were invited into the eligibility phase of the MSBA process, which began October 3, 2022. Old Colony was built in 1975 and while the exterior is well maintained, there are pieces of the operation that need attention. Coupled with the enrollments, we thought it was a good time to submit this. We are in the entry point with the MSBA. Vice Chair Fabian said there was a meeting last week and a tentative building committee was put together. Mr. Polansky said the eligibility phase consists of numerous pieces. We needed to submit an initial compliance certification and then establish a School Building Committee. That was due on December 2nd. He reviewed the members of the 22-member committee. A point person was identified for each community. He checked with the representatives from the communities on the School Committee on the point people and received their blessing. It was brought before the School Committee, and they had no objections. We delivered this document to all the Town Administrators and had conversations regarding our vision and asked people about any thoughts. They will need to move forward with their Chapter 74 Viability Document. It is an overview of where they would like to go with the Chapter 74 programming. They would like to add plumbing and HVAC. He said they were looking to offset

some of the male programming. If we add to Chapter 74 programs, we need to add to the academic side to address enrollment. The next step is to ask the member Towns for their support for a part of the feasibility study funding. We feel it will be between \$1 to \$2 million. We are asking for a placeholder on the Annual Town Meeting Warrant to address the feasibility study. We have a stabilization fund in place and will figure out what percentage should be used for the feasibility study so the onus is not strictly on the member towns.

Vice Chair Fabian said she was surprised with the way the committee got put together. Having heard you read the membership, they were specific positions. Mr. Polansky said we needed to fill all the different roles. Vice Chair Fabian said it would be nice to speak about this prior to Town Meeting. We need to receive information at the same time as other communities. Mr. Polansky said he will be sending information out regularly. There will be a webpage created so people can see what is going on. These are open meetings and everyone is invited to attend. He would be willing to meet with local groups. Vice Chair Fabian said warrant review usually happens a week before Town Meeting. It would be nice to get the information out sooner to residents than that. Member Carboni said it is important to be informed. The candidates identified to be on the building committee are good candidates, but she would have like to be informed ahead of time that this was happening. Our budget is affected as a major stakeholder and it is good to be informed on what is happening in the future.

Member LaCamera said we should have been notified as to what was going on. Is this a feasibility study or a building committee? The MSBA has not approved a building committee. Mr. Polansky said for the eligibility process, they ask for you to assemble a Building Committee. Member LaCamera asked is this a building project or feasibility study. Mr. Polansky said we are in eligibility phase and they ask for names to be submitted for a building committee. We have not yet been invited into a feasibility stage yet. Member LaCamera asked why this is being called a building committee. Mr. Polansky said that is how the MSBA refers to it. The eligibility phase is a 270-day phase and runs from October 3rd. The feasibility study agreement is determined at the close of the eligibility phase, which ends June 30, 2023. Member LaCamera said this has to be approved by Town Meeting in all five (5) Towns, so there is no money available until at least May. How will you do anything between now and then. Mr. Polansky said no money is required between now and then. He wanted to speak with the member towns about a placeholder on the warrant for us to present a proposed number for a feasibility study if we are invited into the feasibility phase. We are in the early stages right now. There is a vote required to fund the feasibility study if we are invited in. Member LaCamera said you talk about new programs, but you are asking for the feasibility study, you need to know what vision you want. Mr. Polansky said he would come to the communities to discuss that. Member LaCamera said you also want to expand the other programs to have more students. Mr. Polansky said 1 program in particular from 10 students per class to 12 students for an increase of 8 students over 4 years. We would be looking at Chapter 74 programs; a maximum of 12 students for 4 programs for an increase of 48 students per year over a 4-year term. Member LaCamera said is this going to be a new building or addition. Mr. Polansky said we will receive the scenarios in the feasibility phase. We have a stabilization fund put asked and on Wednesday, the School Committee will discuss an offset for the \$1.2 million feasibility study and we will ask for the Towns to fund a portion of it. Mr. Polansky said there is \$933,000 right now. Mr. Sky asked if that includes the MSBA reimbursement. Mr. Polansky said we were quoted 54.16% for all eligible expenses. Discussion occurred regarding reimbursement

from MSBA. Member LaCamera said this could be a \$100 million project. We could be responsible for \$15-16 million. Then the cost of the operating budget to increase the enrollments and add staff. He would like to see the projected operating costs. Mr. Polansky said through the feasibility study it would help develop those. Member LaCamera said we need to know those going to Town Meeting. Mr. Polansky said \$100 million is probably a low number. Member LaCamera said this will be the largest capital expense for the Town of Lakeville ever. This will be an override vote.

Member LaCamera said there was an email about \$2 million. Mr. Polansky said we don't have fire suppression capacity and we were wondering about running a water line from Middleborough to Old Colony for \$2.1 million. One of the Towns said we might be able to contribute money from ARPA. All five (5) towns are not in the position to do that, so that is off the table. Member LaCamera said if we go ahead with a new building, the demolition is not covered. Mr. Polansky said he is aware of that.

Review and possible vote to renew Annual Liquor Licenses

Vice Chair said the Board needed to vote to approve the renewal of the annual Alcoholic Beverage Licenses that expire on December 31, 2022.

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

VOTED: To renew the following annual liquor licenses all with expiration dates of December 31, 2023 with addresses and hours of operation as listed in the packet: **Package Store Wine & Malt:** Gulf Resources, Inc.; **Package Store All Alcohol:** Mahant NE Sang Corp., dba Lakeville Liquors and Market; BBP, Inc., d/b/a Muckey's Liquors; Tamarack Wine & Spirits, Inc. and Aarav Liquors, Inc., dba Star Liquor Market; **Restaurant All Alcohol:** Hawaii Corp, d/b/a/ Orchid of Hawaii Restaurant; Poquoy Brook Golf Club, LLC, dba Poquoy Brook Pub; Lakeville Golf Club, Inc., dba Lakeville Golf Club; LeBaron Operating Company, LLC dba LeBaron Hills Country Club; The Back Nine Club, LLC, dba The Back Nine Club; Baldies Pizzeria, Inc. and Ken & L Inc., dba Saga Sushi; **Club All Alcohol:** Lakeville Fraternal Order of Eagles, Aerie No. 3994; **General On-Premise Wine & Malt:** Lakeville Virtual Entertainment Group, Inc., dba The Broken Tee Virtual Golf Club and **General on Premise All Alcoholic Beverages:** 58 East Grove Inc., dba Boston Tavern.
Unanimous in favor.

Review and vote to approve annual Class I and Class II License Renewals

Vice Chair Fabian said the Board needed vote to approve the six (6) Class II and two (2) Class I Dealer Licenses that expire on January 1, 2023.

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

VOTED: To approve To approve the following Class II Licenses: Chris Altieri, dba C&E Enterprises – 43 Freetown Street; Leonardo Solana, dba Solana auto Sales – 18 Staples Shore Road; Andrews Family Automotive – 79 Main Street; Linda Bury &

Jason Bury dba Elite Auto Sales – 431 Bedford Street; Grigis Automotive – 35 Bedford Street; and David Rose, dba Dave’s Auto – 67 Main Street and the renewal of the Class I Licenses for Rousseau’s Recreation Rentals – 150 Bedford Street and Route 44 Collision Center RV’s & Boats – 8 Harding Street, all with expiration dates of January 1, 2024 with all conditions on these licenses be the same as the previous year.

Unanimous in favor.

Review and vote to approve annual Common Victualler License Renewals

Vice Chair Fabian said the Board needed to vote to renew the annual Common Victualler License Renewals that expire on December 31, 2022.

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

VOTED: To approve the renewal of the Common Victualler Licenses for the following, all having an expiration date of December 31, 2023: Baldies Pizzeria, Inc. – 40 Main Street; The Sunshine Café – 12 Harding Street; Aramark Educational Services, LLC For the F/L School System – 96, 100, and 112 Howland Road and 232 Main Street; Royal Pizza – 68 Main Street; Tand, Inc., d/b/a Subway – 330 Bedford Street; Nexdine, LLC (for Ocean Spray) – One Ocean Spray Drive; The Back Nine Club, LLC, dba The Back Nine Club – 17 Heritage Hill Road; Poquoy Brook Golf Club, LLC d/b/a Poquoy Brook Pub – 20 Leonard Street - Hawaii Corp., dba Orchid of Hawaii Restaurant – 201 Bedford Street; Lakeville Aerie #3994 Fraternal Order of Eagles, Inc. – 217 County Street; Lakeville Golf Club, Inc. dba Lakeville Golf Club – 44 Clear Pond Road; Assawompset Golf Company, LLC/dba LeBaron Hill Country Club – 183 Rhode Island Road; Ken & L Inc., dba Saga Sushi – 13 Harding Street; and Sandy LLC (Dunkin Donuts) – 330 Bedford Street. Unanimous in favor.

Review and possible vote to approve Select Board Meeting Minutes of December 5, 2022

Member Carboni said that when we open and close a hearing, she would like to have the times listed in the votes. Member Carboni said on Page 2 discussing the single tax rate vs. split tax rate, line 12, after beneficial, to include “**Member Carboni mentioned the section regarding shifting the tax burden within the document that was provided.**”

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

VOTED: To approve the December 5, 2022 Select Board Meeting Minutes as amended. Unanimous in favor.

New Business

Member LaCamera said the Lakeville MBTA station is closing in December of 2023. He asked what are we doing with that station. The Governor Elect is discussing selling off State property

for affordable housing. That is a 1,000-parking space station. They already tried to lease it to a solar company. Vice Chair Fabian asked for an update from the Town Planner. The MBTA Advisory Board is not discussing closing stations. If they keep the station, do we maintain it. Mr. Sky said it's going to be a station for the Cape Flyer in phase 1 and in phase 2 it becomes an active station again. Member LaCamera said Middleboro only has 500 spaces. What kind of shuttle services are they going to provide for overflow parking to get to the new station. What about the people who live in those apartments; are they walking?

Old Business

Vice Chair Fabian said she may need to change a meeting date in February.

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 8:18 PM.
Unanimous in favor.

List of documents provided at the Select Board Meeting of December 19, 2022

1. Agenda page
2. Agenda page
3. Agenda page; emails from the Town Administrator
4. Agenda page; memo from the Town Administrator; draft charge
5. Agenda page; memo from the Town Administrator
6. Agenda page
7. Agenda page
8. Agenda page; memo from DPW Director
9. Agenda page; City of Taunton Water Application; site plan
10. Agenda page; sample revised contract
11. Agenda page; memo from Town Clerk
12. Agenda page; letter from Aaron Polansky; presentation on plans for Old Colony Vocational
13. Agenda page
14. Agenda page; memo from Director of Inspectional Services
15. Agenda page
16. Agenda page; Select Board Meeting Minutes of December 5, 2022
17. Agenda page
18. Agenda page