



Annual Project and Expenditure Reports

Unit of Measurement: Projects

- Many of the new reporting requirements for CLFRF will be reported at the project level
- Projects group spending into “**closely related activities towards a common purpose**”
- Projects must be granular enough to “report these metrics for a reasonable specific activity or set of activities”

Subawards

- Under projects, recipients must provide obligation and expenditure information for contracts, grants, loans, transfers to other government entities, and direct payments greater than or equal to \$50K

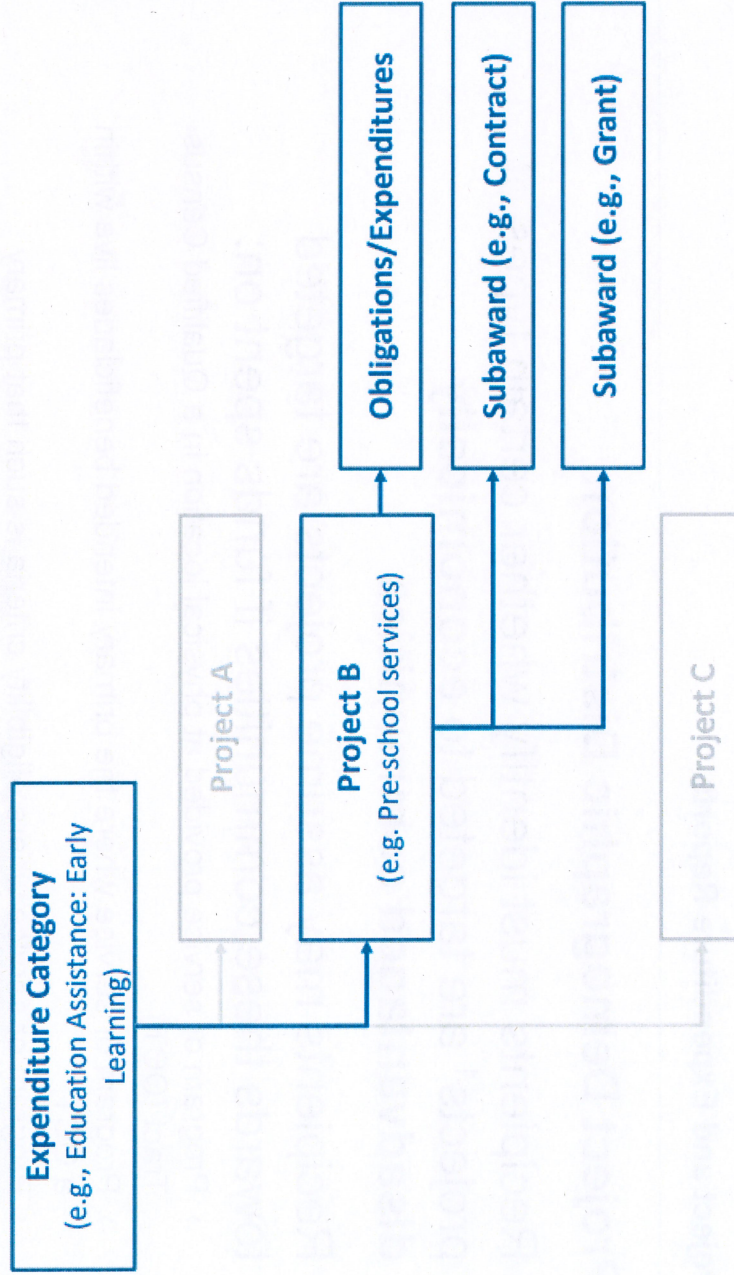
Required data for projects includes...

1. Project Name
2. Project Identification Number
3. Project Expenditure Category – **each project must align to one Expenditure Category**
4. Description (between 50 – 250 words)
5. Status of Completion



Annual Project and Expenditure Reports

Relationships



Impact on Municipalities

- As identify use of funds, group spend by project and identify corresponding expenditure category
- Determine how to track obligations and expenditures by project and collect all required data elements



Project and Expenditure Reports

Project Demographic Distribution

- Recipients must identify whether certain types of projects¹ are targeted to **economically disadvantaged communities**
- Recipients may assume projects are targeted towards these communities if funds spent on:
 - > Program or service provided at physical location in a Qualified Census Tract (QCT)
 - > Program or service where the primary intended beneficiaries live within a QCT;
 - > Program or service where eligibility criteria is such that primary intended beneficiaries earn less than 60% of median income for the jurisdiction
 - > Program or service where eligibility criteria is such that over 25% of intended beneficiaries are below the federal poverty line

¹Information must be reported for projects in Expenditure Categories marked with "A" in Appendix 1

Impact on Municipalities

- As design programs, make determinations on if project targets economically disadvantaged communities

What is a Qualified Census Tract?

HUD defines as a QCT as having "50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more." In the Interim Final Rule, Treasury presumes that certain types of services are eligible uses when provided in a QCT.

Annual Project and Expenditure Reports



Programmatic Performance Indicators (KPIs)

- Some expenditure categories require additional programmatic performance indicators, please see Appendix 2 for details

Civil Rights Act Compliance

- Recipients must provide narrative on compliance with Title VI of the Civil Rights Act of 1964

Impact on Municipalities

- Review Appendix 2 to identify mandatory KPIs associated with project's expenditure category; identify process to capture and report on KPIs

Annual Project and Expenditure Reports



Additional NEU Requirements

- NEUs must register on **SAM.gov** with same DUNS # used to apply for funding
- NEUs are required to provide three documents in first report:
 - › Signed award terms and conditions agreement (*provided to state in funding request*)
 - › Signed assurances of compliance with Title VI of Civil Rights Act of 1964 (*provided to state in funding request*)
 - › Budget documents validating top-line budget total provided to State as part of funding request
- NEUs will report using **NEU Recipient Number**, generated by the Commonwealth when funding was distributed:
 - › **NEU Recipient Number is MA + 0 + 3-digit DOR code**
 - › Example: Chelsea | DOR Code: 057 | NEU Recipient Number: MA0057

Impact on Municipalities

- *Ensure registered on Sam.gov*
- *Compile three required documents to include in first report*



Annual Project and Expenditure Reports

Revenue Replacement

- Recipients must calculate revenue loss using data as of: December 31, 2020/2021/2022/2023
- NEUs should report CY2020 revenue loss in the October 2021 report
- NEUs must also provide a description of government services being provided to the extent of reduction in revenue
- *Anticipate more guidance is forthcoming from US Treasury on how NEUs should incorporate this into the annual report*

Impact on Municipalities

- *Review Interim Final Rule section and FAQs on calculating revenue loss*
- *Complete calculation of CY2020 revenue loss*



What does this mean for my municipality?

All figures subject to change



Municipal Activities

- Municipalities and counties report directly to the federal government. The Commonwealth is providing technical assistance, but **municipalities and counties remain responsible for understanding and adhering to all reporting requirements.**
- Begin by defining **projects** and identifying the **appropriate expenditure categories**. These categories determine **required metrics** that apply to projects.
- **Establish a plan for collecting and reporting data**, and ensure you have the appropriate resources. The Treasury guidance states that “recipients are permitted to use funds to make improvements to data or technology infrastructure and data analytics, as well as program evaluations.”
- Identify **NEU Recipient Number** and collect three required documents that must be included in report.



Appendix A: Expenditure Categories

All figures subject to change



^ Denotes areas where recipients must report on whether projects are primarily serving disadvantaged communities
*** Denotes area where recipient must identify amount of total funds that are allocated to evidence-based interventions (does not apply to NEUs)**

SLFRF Compliance & Reporting

Appendix A: Expenditure Categories

1: Public Health	
1.1	COVID-19 Vaccination ^
1.2	COVID-19 Testing ^
1.3	COVID-19 Contact Tracing
1.4	Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)*
1.5	Personal Protective Equipment
1.6	Medical Expenses (including Alternative Care Facilities)
1.7	Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency
1.8	Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)
1.9	Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19
1.10	Mental Health Services*
1.11	Substance Use Services*
1.12	Other Public Health Services



Appendix A: Expenditure Categories

2: Negative Economic Impacts	
2.1	Household Assistance: Food Programs* ^
2.2	Household Assistance: Rent, Mortgage, and Utility Aid* ^
2.3	Household Assistance: Cash Transfers* ^
2.4	Household Assistance: Internet Access Programs* ^
2.5	Household Assistance: Eviction Prevention* ^
2.6	Unemployment Benefits or Cash Assistance to Unemployed Workers*
2.7	Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^
2.8	Contributions to UI Trust Funds
2.9	Small Business Economic Assistance (General)* ^
2.10	Aid to Nonprofit Organizations*
2.11	Aid to Tourism, Travel, or Hospitality
2.12	Aid to Other Impacted Industries
2.13	Other Economic Support* ^
2.14	Rehiring Public Sector Staff



Appendix A: Expenditure Categories

3: Services to Disproportionately Impacted Communities

3.1	Education Assistance: Early Learning* ^
3.2	Education Assistance: Aid to High-Poverty Districts ^
3.3	Education Assistance: Academic Services* ^
3.4	Education Assistance: Social, Emotional, and Mental Health Services* ^
3.5	Education Assistance: Other* ^
3.6	Healthy Childhood Environments: Child Care* ^
3.7	Healthy Childhood Environments: Home Visiting* ^
3.8	Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System* ^
3.9	Healthy Childhood Environments: Other* ^
3.10	Housing Support: Affordable Housing* ^
3.11	Housing Support: Services for Unhoused Persons* ^
3.12	Housing Support: Other Housing Assistance* ^
3.13	Social Determinants of Health: Other* ^
3.14	Social Determinants of Health: Community Health Workers or Benefits Navigators* ^
3.15	Social Determinants of Health: Lead Remediation ^
3.16	Social Determinants of Health: Community Violence Interventions* ^

* Data was previously reported in category 3, but was moved to category 14.



Appendix A: Expenditure Categories

4: Premium Pay	
4.1	Public Sector Employees
4.2	Private Sector: Grants to Other Employers
5: Infrastructure	
5.1	Clean Water: Centralized Wastewater Treatment
5.2	Clean Water: Centralized Wastewater Collection and Conveyance
5.3	Clean Water: Decentralized Wastewater
5.4	Clean Water: Combined Sewer Overflows
5.5	Clean Water: Other Sewer Infrastructure
5.6	Clean Water: Stormwater
5.7	Clean Water: Energy Conservation
5.8	Clean Water: Water Conservation
5.9	Clean Water: Nonpoint Source
5.10	Drinking water: Treatment
5.11	Drinking water: Transmission & Distribution



Appendix A: Expenditure Categories

5: Infrastructure	
5.12	Drinking water: Transmission & Distribution: Lead Remediation
5.13	Drinking water: Source
5.14	Drinking water: Storage
5.15	Drinking water: Other water infrastructure
5.16	Broadband: "Last Mile" projects
5.17	Broadband: Other projects
6: Revenue Replacement	
6.1	Provision of Government Services
7: Administrative	
7.1	Administrative Expenses
7.2	Evaluation and Data Analysis
7.3	Transfers to Other Units of Government
7.4	Transfers to Non-entitlement Units (States and territories only)



Appendix B: Required Performance Indicators and Programmatic Data

All figures subject to change



Appendix B: Required Performance Indicators and Programmatic Data

	Project & Expenditure Report Metrics
Payroll for Public Health and Safety Employees (EC 1.9)	<ul style="list-style-type: none"> # of gov't FTEs responding to COVID-19 supported under this authority
Household Assistance (EC 2.1-2.5)	<ul style="list-style-type: none"> Description of structure and objectives of program # of individuals served Description of approach to ensure aid to households responds to negative economic impact of COVID-19
Small Business Assistance (EC 2.9)	<ul style="list-style-type: none"> Description of structure and objectives of program # of individuals served Description of approach to ensure aid to businesses responds to negative economic impact of COVID-19
Aid to Travel, Tourism, and Hospitality (EC 2.11-2.12)	<ul style="list-style-type: none"> If aid is provided to other industries, description of pandemic impact on that industry and rationale for aid Description of the aid responds to negative economic impact of COVID-19 For each subaward: sector of employer, purpose of funds



Appendix B: Required Performance Indicators and Programmatic Data

	Project & Expenditure Report Metrics
Rehiring Public Sector Staff (EC 2.14)	<ul style="list-style-type: none"> # of FTEs rehired by governments under this authority
Education Assistance (EC 3.1-3.5)	<ul style="list-style-type: none"> National Center for Education Statistics (“NCES”) School ID or District ID
Premium Pay (both Public Sector EC 4.1 and Private Sector EC 4.2)	<ul style="list-style-type: none"> List of sectors designated as critical to health and well-being of residents by chief executive of jurisdiction # of workers to be served Employer sector for all subawards to third-party employers For groups of workers or individual workers for whom premium pay would increase total pay above 150% of State or county’s (whichever is higher) average annual wage, narrative justification for premium pay
Revenue Replacement (EC 6.1)	<ul style="list-style-type: none"> Revenue replacement calculations in each of the first four annual reports from October 31, 2021 through October 31, 2024*

* Pending confirmation from US Treasury



Appendix B: Required Performance Indicators and Programmatic Data

	Project & Expenditure Report Metrics
All infrastructure projects (EC 5)	<ul style="list-style-type: none"> • Projected/actual construction start date (month/year) • Projected/actual initiation of operations date (month/year) • Location (for broadband, geospatial location data) • For projects over \$10 M: <ul style="list-style-type: none"> ○ Certification of compliance with Davis-Bacon Act and baby Davis-Bacon Acts ○ Certification of project-labor agreement ○ If project prioritizes local hires ○ If project has Community Benefit Agreement
Water and sewer projects (EC 5.1-5.15)	<ul style="list-style-type: none"> • National Pollutant Discharge Elimination System Permit Number (projects aligned with the Clean Water State Revolving Fund) • Public Water System ID number (projects aligned with the Drinking Water State Revolving Fund)
Broadband projects (EC 5.16-5.17)	<ul style="list-style-type: none"> • Speeds/pricing tiers to be offered • Technology to be deployed • Miles of fiber, cost per mile, cost per passing • # of households, businesses projected to have increased access to broadband meeting min. speed standards in areas lacking service



COVID-Related Federal Aid

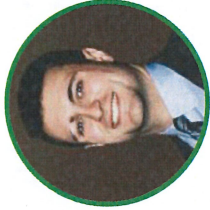
A&F Federal Funds Office (FFO)



Heath Fahle:
Special Director of
Federal Funds



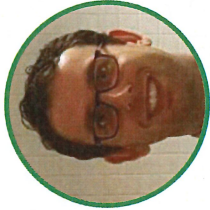
Dana Ellis:
Assistant Director
Federal Funds,
Commonwealth



Brendan Sweeney:
Assistant Director
Federal Funds,
Municipalities



Kate Mayer:
Assistant Director Federal
Funds, Analytics,
Engagement &
Transparency



Brendan Dutch:
Assistant Director
Federal Funds,
Compliance



Kelly Rogers



Katie Tisinger



Katie Berdy

Web: www.mass.gov/federalfunds

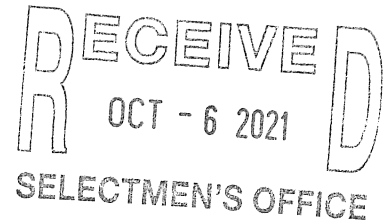
E-mail: ffoanf@mass.gov

Phone: 617-727-2040

**AGENDA ITEM #13
OCTOBER 12, 2021**

**DISCUSS ANIMAL SHELTER REVENUES AND POSSIBLE VOTE TO
INCREASE FEES FOR TOWNS THAT USE THE LAKEVILLE
ANIMAL SHELTER**

Attached is an analysis of Animal Shelter fees that the Board had previously requested.



To: Lakeville Board of Selectmen
Through: Ari Sky, Town Administrator
From: Christina Cotsoridis, Assistant to the Town Administrator
Re: Animal Control Fee Analysis
Date: October 12, 2021

At the August 30, 2021 Board of Selectmen meeting, a request was made by the Board to provide detail on current Lakeville Animal Shelter board fees. This memo provides a three-year historical analysis of expenditures and revenue; a town by town fee collection breakdown; and a comparison of board fees across the region.

Background

The Lakeville Animal Shelter serves as the only regional municipal animal shelter in southeastern Massachusetts, which maintains contractual agreements with eleven surrounding towns to board stray and surrendered animals. The Shelter charges a number of fees including a surrender fee, an adoption fee and a boarding fee. The boarding fee is a flat \$15 daily rate regardless of the originating community. Participating communities pay no additional expense for the operation of the shelter beyond the boarding fees they are assessed.

Expenditure Detail

Expenditure detail in the last three fiscal years shows relative consistency in General Fund expenditures and considerable variability in Grants and Gifts expenditures applied toward the direct care of animals (food, veterinary care, etc.) Expenses related to that account depend entirely on the number of animals cared for, which fluctuate every year. The animals generate revenue for the Grants and Gifts account in the form of reimbursements from the State, adoption and spay/neuter fees, and donations. In the last two fiscal years, the Grants and Gifts account has taken in more revenue than it has spent on the care of the animals.

Excluding capital expenses, grants, donations, and surrender and boarding fees offset the total budget for the Animal Control Office by approximately 24%, leaving 76% or \$103,142 on average of the total cost of running the department and caring for the animals to the General Fund.

ANIMAL CONTROL ACCOUNTS	FY 2019		FY 2020		FY 2021	
	EXPENSES	REVENUE	EXPENSES	REVENUE	EXPENSES	REVENUE
GENERAL FUND (STAFF AND OPERATIONS)	\$111,605	\$4,850	\$116,309	\$10,530	\$117,461	\$8,775
GRANTS AND GIFT (ANIMAL CARE)	\$18,874	\$18,254	\$16,466	\$25,298	\$26,425	\$29,278
CAPITAL	\$0		\$46,833		\$0	
TOTAL	\$130,480	\$23,104	\$179,608	\$35,828	\$143,886	\$38,053
TOWN CONTRIBUTION	\$107,376		\$143,781		\$105,833	

Town by Town Fee Collection

In 2019, the Shelter served 191 dogs, 62% of which were from Lakeville; 8% were from eight communities (some of whom did not utilize the Shelter at all) and 30% were from Freetown, Raynham or Wareham. That year, surrender and boarding fees from feeder communities totaled \$4,850, or 4% of the general fund budget. (It is important to note that the number of animals listed below are reported on the calendar year, not the fiscal year, which is why the numbers for 2021 year-to-date appear deflated. The fees collected are reported on the fiscal year. This inconsistency will be addressed in future analyses.)

GENERAL FUND DETAIL BY TOWN	FY 2019		FY 2020		FY 2021	
	# OF DOGS	FEES COLLECTED	# OF DOGS	FEES COLLECTED	# OF DOGS	FEES COLLECTED
DOG OFFICER FEES		\$1,020		\$1,130		\$1,905
LAKEVILLE DOG FEES	119		76		32	
ACUSHNET DOG FEES	0	\$125	0	\$375	1	\$0
BERKLEY DOG FEES	3	\$605	4	\$685	0	\$360
BRIDGEWATER DOG FEES	4	\$250	6	\$605	4	\$380
CARVER DOG FEES	5	\$625	4	\$1,020	4	\$375
EAST BRIDGEWATER	0	\$0	0	\$0	0	\$0
FREETOWN DOG FEES	25	\$690	16	\$755	9	\$1,920
HALIFAX DOG FEES	0	0	0	0	1	0
HANSON DOG FEES	1	\$170	0	\$0	1	\$70
RAYNHAM DOG FEES	11	\$745	12	\$3,425	5	\$15
ROCHESTER DOG FEES	3		1	\$390	1	\$105
WAREHAM DOG FEES	21	\$620	20	\$2,145	14	\$3,645
TOTAL	191	\$4,850	118	\$10,530	72	\$8,775

Much of the detail necessary to extract only boarding revenue from feeder communities is not available electronically, as the FEES COLLECTED column above includes surrender fees and boarding fees. As a result, it is not possible to project revenue growth based solely on updating boarding fees. While it would be prohibitively time consuming to input all of the historic detail that would be required to

conduct this analysis, the information is being tracked on paper and, going forward, a system to capture it digitally can be implemented.

Regional Boarding Fee Assessment

Calls were made to all of the communities in southeastern Massachusetts south of Attleboro (excluding the feeder communities to the Lakeville Animal Shelter and the Cape and Islands). The grid below represents the communities that responded to the request for information. None of the communities with Animal Control Officers accept animals from outside of their communities, making the contracts Lakeville holds with surrounding communities unique across the region. In addition, Lakeville's daily rate of \$15 represents among the lowest rates in the area.

TOWN	ACCEPTS ANIMALS FROM OUTSIDE TOWN	NOTES
DARTMOUTH	NO	Town contracts with Humane Society for housing and charges the Town \$20 per day. If a citizen claims their animal it's \$25 a day.
DIGHTON	NO	DAILY RATE \$25
FALL RIVER	NO	City contracts with Forever Paws for housing and charges the City \$24 a day + transfer fee \$35.
MIDDLEBORO	NO	\$25 LEASH VIOLATION DAILY RATE \$10
SEEKONK	NO	FIRST DAY \$10 - DAILY RATE AFTER FIRST DAY \$20
SOMERSET	NO	IMPOUND FEE \$10 DAILY RATE \$20
SWANSEA	NO	IMPOUND FEE \$10 DAILY RATE \$20

Both the Town of Dartmouth and the City of Fall River contract the provision of shelter services to private nonprofits, not unlike what the towns of Freetown, Raynham and Wareham are doing with Lakeville. In both examples, the least those communities are being charged to outsource the service is \$20 per dog per day.

Increasing the Lakeville Animal Shelter's rates to \$20 per dog per day for Lakeville animals and \$25 per dog per day for feeder communities would (1) be consistent with other communities across the region, (2) reflect the demands of being a regional shelter, and (3) would likely result in a modest increase in revenue. The extent to which it would offset expenditures, however, is unclear. It might also be prudent to refine the Town's contracts with Freetown, Raynham and Wareham because their animals represent such a burden on the Shelter, however that proposal requires thoughtful analysis that cannot be done prior to the expiration of the current contracts and without reforming the data collection process.

For example, though the data is currently maintained on paper and therefore cannot be analyzed, it is understood that some percentage of the donations received annually comes from donors outside of Lakeville and from one of the feeder communities. It is not clear what percentage of donations from feeder communities or what informal partnerships (i.e. organizations that take our cats, etc.) would be affected if those communities terminated their contracts with Lakeville.

Next Steps

In the immediate term, it would be appropriate to consider updating the Shelter's current boarding fees. Going forward, there is significant opportunity to digitize, quantify and analyze the important service the Lakeville Animal Shelter provides to the town and to the region.

**AGENDA ITEM #14
OCTOBER 12, 2021**

**DISCUSS AND POSSIBLE VOTE IN REGARDS TO REQUEST FROM
POLICE CHIEF TO ACCESS UP TO 5 HOURS OF THE
SELECTMEN'S MUNICIPAL ASSISTANCE HOURS FROM SRPEDD**

Attached is a memo from the Police Chief to use up to 5 hours of the Board of Selectmen's municipal assistance hours from SRPEDD.



LAKEVILLE POLICE DEPARTMENT

323 Bedford St.
Lakeville, MA 02347



Matthew J. Perkins
Chief of Police

Phone: 508-947-4422
Fax: 508-946-4422

To: Board of Selectmen

From: Matthew J. Perkins
Chief of Police

Subject: Request for SRPEDD time

Date: October 4, 2021

RECEIVED
OCT - 5 2021
SELECTMEN'S OFFICE

Honorable Board,

As part of the Lakeville Police Department's transition to Mark43, a new Computer Aided Dispatch (CAD) and Records Management System (RMS), we need to provide a basic shape file. This file outlines the boundaries of Lakeville and the two distinct patrol sectors used by the Lakeville Police Department. GIS Specialist, Karen Porter, of SRPEDD, stated they could create this shape file and estimated the project would not be more than 5 hours. I respectfully request up to 5 hours from the Board of Selectmen's allotted time under the municipal assistance program.

Respectfully Submitted,

Matthew J. Perkins
Chief of Police
Lakeville Police Department

**AGENDA ITEM #15
OCTOBER 12, 2021**

**DISCUSS POSSIBLE VOTE TO APPOINT TOWN ADMINISTRATOR
AS AMERICANS WITH DISABILITIES COORDINATOR**

Selectman LaCamera is currently appointed as the Town's Americans with Disabilities Coordinator.

**AGENDA ITEM #16
OCTOBER 12, 2021**

**REVIEW AND VOTE TO APPROVE SELECTMEN MEETING
MINUTES OF AUGUST 9, 2021; AUGUST 30, 2021 AND
SEPTEMBER 20, 2021**

TOWN OF LAKEVILLE
Board of Selectmen, acting as the Wage &
Personnel Board as needed
Meeting Minutes
August 9, 2021 – 6:30 PM
REMOTE LOCATION

On August 9, 2021, the Board of Selectmen held a meeting at 6:30 PM remotely from various locations. The meeting was called to order at 6:30 PM by Chair Fabian. Selectmen present were: Chair Fabian, Selectman LaCamera and Selectman Carboni. Also present was Ari Sky, Town Administrator. LakeCAM was recording the meeting for broadcast.

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the August 9, 2021 public meeting of the Lakeville Board of Selectmen will be held remotely. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>.**

Meet with Master Plan Implementation Committee

Members of the Master Plan Implementation Committee present for the discussion were Rodney Dixon, Rita Garbitt, Joseph Chamberlain, II, Patrick Marshall, Jack Lynch and James Rogers. Mr. Dixon said the Board of Selectmen had questions on the matrix that they wanted to meet with the Master Plan Implementation Committee (MPIC) on. Chair Fabian said there were questions on knowing who is responsible for doing certain things. Previously there was a Town Coordinator position, but that is no longer a Town position. She wouldn't mind anything that was the Town Coordinator's responsibility saying Town Administrator or his designee. Mr. Sky said the Town Planner will take on some of the items and the Town Administrator's Office will also take some. It might make sense to come back after the anticipated hires to review the matrix. Mr. Dixon said he agreed with that as he would rather do this once. He asked the MPIC if they wanted to wait to make the changes until after the hires. It was the general consensus of the MPIC to wait on the anticipated hires.

Selectman LaCamera said he would like to address some of the zoning changes, in particular, the Open Space Design Bylaw. The Planning Board needs to discuss that. Regarding economic growth, including identifying areas for growth, would require discussions with the Planning Board, MPIC and Board of Selectmen. In regards to the Economic Development Committee (EDC), Selectman Carboni has been appointed to the Committee to get it up and running. They have not met in a long time. Mr. Dixon asked who has the authority to get those committees that are responsible for their section of the master plan to do what they need to do according to the Master Plan? Vacancies on critical committees will delay the process. Selectman Carboni said even with vacancies, the Boards, Committee or Commissions will still have a quorum in place to be able to meet with the MPIC. Selectman LaCamera said there are items for the Agricultural Commission, which is appointed by the Selectmen. They have not met to discuss the matrix. Regarding the

Historical Commission, we have funded two (2) projects to do an evaluation of historic areas. We will bring it to the attention of the Historical Commission to move forward with these two (2) projects. There are things that Open Space Committee and Planning Board need to discuss. Services and facilities are being handled by the Town Administrator and the Selectmen. There are multiple projects that have been funded and Owner's Project Managers will be hired to get those projects going. Mr. Dixon asked if it is possible to get the Master Plan as a standing agenda item on the responsible Boards, Committee or Commissions agendas. The MPIC could meet with them quarterly or as needed. Mr. Lynch said he is on the Planning Board and they regularly review where they are on their items. He asked Selectman LaCamera about his concerns on zoning. Selectman LaCamera said zoning for commercial, business and industrial zoned areas need to be reviewed to see if the zones are where they need to be or if we need additional zoning. The industrial parks are completely full, and there is not a lot of space for industrial development. The Planning Board should review where commercial development should be. Another is to put together an Open Space By-law where green space would be required for development. There were questions about the Development Opportunities District. Ms. Garbitt noted the other item for the Planning Board was design guidelines.

Chair Fabian said it sounds like there is more work to do. Maybe it should be on everyone's agenda to make decisions in a timely manner. Perhaps MPIC would consider doing a workshop with the other Boards, Committees or Commissions. Mr. Dixon said in compiling the matrix, we found that there were a lot of goals that were accomplished, but we were not aware. Mr. Lynch said he will communicate this to the Planning Board and keep MPIC up to date. Mr. Rodgers said the MPIC has sent a copy of the matrix to the Boards, Committees and Commission. We should have meetings with them to talk about their responsibilities. Selectman LaCamera said he would like to follow up at the end of the month and have the Town Administrator update the Board. Chair Fabian said we need to get the other Boards, Committees and Commissions working on their items. We can meet again at the end of the month with Mr. Sky and Mr. Dixon keeping in touch about this.

The MPIC adjourned their meeting at 6:58 PM.

Meet with Michele MacEachern to discuss the Community Preservation Act

Michele MacEachern, Barbara Mancovsky, Joseph Chamberlain, II, Susan Spieler, and Martha Schroeder were present for the discussion. Ms. MacEachern showed a PowerPoint presentation to the Selectmen regarding the Community Preservation Act (CPA). Ms. Mancovsky said these funds can actually be used to pay debt service, for example, to make a land acquisition. Ms. MacEachern said there are two (2) Towns have addressed the issue of milfoil with CPA funds. Chair Fabian said a question from the Facebook chat is what affordable housing entails? Traditionally in a 40B development, 20% of the units goes to buyers at a lower price that meet certain financial requirements. Chair Fabian said it looks like we need a Fall Special Town Meeting. Once the warrant is open, you can ask the Board to place the CPA article on the warrant. Ms. MacEachern said there is a Facebook page, Lakeville Community Preservation Act. They are

working on a website as well. Ms. Spieler said out of the 187 communities that presently have the CPA, not one (1) community has tried to remove it. Ms. Mancovsky said at communitypreservation.org it shows all the uses for the CPA funds. Ms. MacEachern said they would like the Selectmen to consider adding the CPA article to the Special Town Meeting Warrant.

Meet with Board of Registrars to discuss Absentee Ballot Voting & Early Voting Policies

Present for the discussion were the following members of the Board of Registrars: Lillian Drane, David Morwick and Waltraud Kling Mr. Morwick called the Board of Registrars Meeting to order at 7:30 PM. Mr. Morwick said the Registrars voted on July 22, 2021 on these policies. Ms. Drane said Chapter 54, Section 65 states campaigning is only allowed outside of the polling place. The Secretary of State recommended that policies be put in place regarding this for early voting, which typically does not occur at the regular polling place. This will stop people from wearing something to early voting that attempts to persuade people to vote for a specific candidate. During early voting, there were a few instances of people coming in with hats, t-shirts or pins with candidate's names on them. 2024 will be another big election and she needs support for this. This would cover all municipal buildings that are housing early voting. Chair Fabian was concerned about freedom of speech. Mr. Morwick said people are free to express themselves, but not in the public building where the voting is taking place. They can be outside of the building. A number of surrounding Towns have these policies. Chair Fabian said it would treat whatever location we have for early voting the same way as the Loon Pond Lodge building on election day. Selectman LaCamera said this specifically states 346 Bedford Street. It only applies to early voting and absentee voting at the Town Hall. He thought other municipal buildings should be included for absentee voting.

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

VOTED: To approve the Lakeville Board of Registrars Absentee Ballot and Early Voting Policy dated July 22, 2021.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – abstain.

The Board of Registrars adjourned their meeting at 7:40 PM.

Board of Selectmen Announcements

Chair Fabian read the Board of Selectmen announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator Announcements.

Discuss scheduling of possible Fall Special Town Meeting

Mr. Sky said reviewed eight (8) potential items and the proposed schedule. Selectman Carboni said besides budget items, everything else could wait until the Annual Town Meeting. Mr. Sky said budget items and the MSBA article cannot wait until the spring. Selectman Carboni asked what the budget items are? Mr. Sky said personnel items; Fire Department repairs on ladder truck and a few other small items. Selectman LaCamera said if the CPA doesn't get done in the fall, you can hold the election first, but it is best to get the approval at Town Meeting prior. Chair Fabian said the CPA Group is hoping to get on the Fall Special Town Meeting.

Discuss and possible vote to approve and sign the Right of Entry and License for 58 East Grove, Inc, for the Loon Pond Lodge – 28 Precinct Street

Chair Fabian said this is required for the liquor license approval for the Loon Pond Lodge. The ABCC needs a right to occupy the premises because technically they do not have a lease with the Town. The investigator from the Alcoholic Beverages Control Commission (ABCC) is requesting some type of right to occupy documentation. Selectman Carboni said looking at the current agreement, it states that they would need to secure proper licensing. It has been almost five (5) months since we signed the agreement, it is breach of contract. How long do we wait until we address that? Chair Fabian said we did everything we thought needed to be in the Request for Proposals with Town Counsel's guidance, but the ABCC needs something different. The vendor has done everything we asked of them. This should satisfy the ABCC. Selectman LaCamera said the previous company did not have a license either. Town Counsel should have been aware that this needs to be addressed. This is not Boston Tavern's fault.

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

VOTED: To approve the Right of Entry and License for 58 East Grove, Inc., for the Loon Pond Lodge located at 28 Precinct Street.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Discuss and possible vote for appointment of Christina Cotsoridis as Assistant to the Town Administrator

Christina Cotsoridis was present for the discussion. Mr. Sky said this is a new position authorized by the Board on June 12, 2021. Interviews were held and the interview panel unanimously recommended Christina Cotsoridis to fill the position.

A motion was made by Chair Fabian, (stepping down) and seconded by Selectman LaCamera, to appoint Christina Cotsoridis as Assistant to the Town Administrator at a salary of \$82,000 with three (3) weeks' vacation.

Discussion: Selectman Carboni spoke of her concern on the salary amount as it was not budgeted in the Board of Selectmen's budget. Also, the Board is the Wage & Personnel Board, it sets a precedent of going over budgeted salaries. Regarding vacation time, based on what is in our Wage & Personnel Handbook, it states two (2) weeks for the first year. If we want latitude to navigate with higher level positions, we need to update our policy. She does have an issue with the \$82,000 salary and three (3) weeks of vacation. Selectman LaCamera said the job description was \$80,000 +/- . We knew we had to add money into the Board of Selectmen's salary budget. As far as three (3) weeks, it is up to the Board to decide. Based on the requirements on this position, he does not feel this is an unreasonable request. Selectman Carboni said in our discussions in April, we as a Board never voted a salary for the position. Mr. Sky recommended that she review the meeting and nowhere was it said we would post at \$80,000 +/- . Mr. Sky stated around \$80,000. Chair Fabian said we need to assist Mr. Sky getting a team in place to evaluate lots of things in Town Hall.

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

Barbara Mancovsky asked if the salary funds are from the Town Planner budget. Mr. Sky said there will have to be additional funding to fund this position and the Town Planner salary. Chair Fabian said does not advocate for spending money that we don't have, but if we are to be successful, we need to put key people in place. Selectman LaCamera said Mark Knox, John Olivieri, Nate Darling and Mr. Sky have been interviewing people and hope to have a decision shortly on a candidate for Town Planner. We are committed to hiring a Town Planner.

Discuss and possible vote for appointment of Clorinda Dunphy as Executive Assistant to Director of Inspectional Services and Permitting, Facilities Manager, and Building Commissioner/Zoning Enforcement Officer

Nathan Darling, Building Commissioner, was present for the discussion. Chair Fabian noted that Mr. Darling's Executive Assistant had retired. He is recommending that Clorinda Dunphy fill the vacant position. Ms. Dunphy is a current Town employee. Several candidates were interviewed, and an interview committee of three (3) people chose Ms. Dunphy for the position.

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

VOTED: To appoint Clorinda Dunphy as the Executive Assistant to Director of Inspectional Services and Permitting, Facilities Manager and Building Commissioner/Zoning Enforcement Officer at a salary of \$67,525.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Discuss and possible vote to approve request from Richard Colletti to be reappointed as a Constable

Chair Fabian said Richard Colletti has requested to be reappointed as a constable in Lakeville.

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

VOTED: To reappoint Richard Colletti as a constable with a term to expire August 12, 2022.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair

Fabian – aye.

Discuss and possible vote to appoint a representative from Lakeville to serve on the MBTA Advisory Board

Chair Fabian said the MBTA Advisory Board is requesting confirmation of who is presently serving on the MBTA Advisory Board. As Chief Elected Officer, she is currently the representative.

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

VOTED: To appoint Evagelia Fabian to the MBTA Advisory Board as Lakeville’s Representative.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair

Fabian – aye.

Review and vote to approve Office Supply and Paper Bid Awards for Southeastern Regional Services Group

Chair Fabian said the Southeastern Regional Services Group has gone out to bid for office supply and copy paper bids. W.B. Mason has won both bids. For office supplies the Town will receive a 57.8% discount and for ink/toner a 32.8% discount.

A motion was made by Selectman Carboni and seconded by Selectman LaCamera to approve the bid for office supplies to W.B. Mason for a 57.8% discount on office supplies and 32.8% on ink/toner cartridges for period of July 1, 2021 through June 30, 2022.

Discussion: Selectman LaCamera said it is unfortunate that they did not go out to bid prior to July 1st. Do we have to go back and modify for the discount for everything that has been purchased between now and July 1st. Mr. Sky said it is his understanding that the discount is retroactive to July 1st.

The roll call vote on the previous motion is: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Chair Fabian said for the copy paper bid, we have a list attached for the various types of paper.

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

VOTED: To not read the entire list of paper amounts and approve the bid for copy paper to W.B. Mason as presented for the period of July 1, 2021 through June 30, 2022.
Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Request from Planning Board for comments from the Board of Selectmen regarding the Site Plan for 310 Kenneth Welch Drive

Nathan Darling, Building Commissioner, was present for the discussion. Mr. Sky said the proposal is from Nature's Remedy, soon to be known as Jushi, to add 10,000 square feet on the second story to their operation for administrative purpose. That will allow them to use the entire first floor for marijuana operations. Mr. Darling said currently the second-floor space is being utilized by Cold Storage for office space. The Board Members asked that their concerns about having adequate parking space be sent to the Planning Board.

Discuss and possible vote on request from Lakeville Arts Council regarding permission to place signs for the Annual Arts & Music Festival

Chair Fabian said the Lakeville Arts Council has submitted a request for permission to place signs for the Annual Arts & Music Festival on October 2, 2021.

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

VOTED: To approve the request from the Lakeville Arts Council to place a 3' x 5' sign on the island on Precinct Street and Rhode Island Road and a 3' x 5' banner at the top of Dickran Diran Square.
Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Review and possible vote to approve request for Outdoor Entertainment Permits: 76 Kingman Street – September 11, 2021 and 6 Mark Twain Lane – September 17, 2021

Chair Fabian said the Board has received Outdoor Entertainment Permit requests for September 11, 2021 at 76 Kingman Street and on September 17, 2021 for 6 Mark Twain Lane.

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

VOTED: To approve the Outdoor Entertainment Permit for September 11, 2021 from 3:00 to 9:00 PM at 76 Kingman Street.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

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

VOTED: To approve the Outdoor Entertainment Permit for September 17, 2021 from 5:30 to 10:00 PM at 6 Mark Twain Lane.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Review and possible vote on Board of Selectmen FY22 Goals for Town Administrator

Chair Fabian said in the past, the Selectmen would vote on Selectmen goals. She is not sure if this needs to be done right now as the Selectmen run the Town through the Town Administrator, which can be addressed in the Town Administrator goals. However, we could look at the Board of Selectmen policies. Mr. Sky has presented a list of his own goals. Mr. Sky said his list was things that he has found early on. Selectman Carboni has submitted a list also. Regarding the MCPPO designation, the previous Board decided not to exclude applicants that did not have their MCPPO designation, so she did not want to add that. Some of the things, like professional development, are great, but you could keep up with Mr. Sky on a personal basis. Professional development training for Town Hall staff is important. Mr. Sky said he has been working with Department Heads to identify key staff to get a working knowledge of procurement. Chair Fabian said she would like Mr. Sky to concentrate on getting facility projects done. Another area of concern for here is evaluating health care insurance every few years. Legal fees are also something else to look at. She would like to get the Master Plan done. In six (6) months, she would like to be able to know if some of these things have been done. Selectman Carboni said Mr. Sky gave the Board Members an initial list, but it was then resent as Selectman LaCamera had added some items. She had sent in comments, but did not receive Chair Fabian's goals.

Selectman LaCamera said there is a lot of duplication in goals; we don't have to be very specific on certain things. Mr. Sky had provided high level goals, but some of Selectman Carboni's items come under the high-level goals. Chair Fabian spoke of the minimum three (3) grant goal from Selectman Carboni. She hopes he will apply for more than three (3). Selectman Carboni said it is advantageous to have the Town Administrator have direction and things to feel good about accomplishing. Chair Fabian asked the other Board Members if they wanted to make facilities as important item? Selectman Carboni and Selectman LaCamera agreed. Chair Fabian said is anyone else interested in doing a major analysis of health insurance offerings. Selectman LaCamera said #4 on Mr. Sky's list would cover that. Selectman Carboni said goals are meant to be measurable.

Mr. Sky said traditionally when a Board of Selectmen is putting goals together for administration, those goals are strategic in nature. He wrote the goals for his use to make sure that he was on the right track. Those were not meant to be strategic goals; they were his onboarding process. It is important for the Board to give the administration direction. The health insurance and legal fee analysis are good goals. Mr. Sky said we will have \$4 million in ARPA funds coming and we need to focus on how these will be used. Selectman LaCamera said we are all over the place. There are 40 items on the list. These are not goals. Chair Fabian said she would like to table this until another meeting. Mr. Sky said he can put together a strategic list and send to the Board as a starting point for conversation.

Review and vote to approve Board of Selectmen Minutes from July 12, 2021 and July 26, 2021

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

VOTED: To approve the Board of Selectmen Meeting Minutes from July 12, 2021 and July 26, 2021.
Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

New Business

There was no new business discussed.

Old Business

There was no old business discussed.

Any other business that can properly come before the Board of Selectmen

Selectman LaCamera spoke of the letter received from the Open Space Committee regarding questions that the Board of Selectmen had.

Executive Session

At 8:42 PM, upon a motion made by Selectman Carboni and seconded by Selectman LaCamera, it was:

VOTED: To enter Executive Session pursuant to M.G.L. c.30A, §21a (3) to discuss strategy with respect to collective bargaining with the Firefighter Union if an open meeting may have a detrimental effect on the bargaining position of the public body and the Chairman so declares and pursuant to M.G.L. c.30A, §21a (7) to comply with the Open Meeting Law, MGL Chapter 30A, §22(f): approval of Executive Session

Minutes for February 8, 2021; April 12, 2021; April 26, 2021; May 7, 2021, May 25, 2021 and July 12, 2021 and not to return to Open Session.

Roll Call Vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian.

Other Items

1. Letter from Open Space Committee

List of documents provided at the Board of Selectmen Meeting of August 9, 2021

1. Agenda page
2. Agenda page; Master Plan matrix
3. Agenda page; spreadsheet and PowerPoint presentation on Community Preservation Act
4. Agenda page; memo from Town Clerk
5. Agenda page
6. Agenda page
7. Agenda page; memos from Town Clerk; MGL c41 s110A
8. Agenda page; emails from Town Counsel and ABCC; Right of Entry License
9. Agenda page; letter of interest and resume for Christina Cotsonidis; memo from Town Administrator
10. Agenda page; memo from Building Commissioner; email from Building Commissioner
11. Agenda page; letter from Richard Colletti; email from Police Chief
12. Agenda page; letter from MBTA Advisory Board
13. Agenda page; list of office supply and paper bid awards
14. Agenda page; site plans for 310 Kenneth Welch Drive
15. Agenda page; letter from Lakeville Arts Council
16. Agenda page; applications four outdoor entertainment permits for 76 Kingman Street and 6 Mark Twain Lane
17. Agenda page
18. Board of Selectmen Meeting Minutes of July 12th and 26th, 2021
19. Agenda page
20. Agenda page
21. Agenda page
22. Agenda page

TOWN OF LAKEVILLE
Board of Selectmen, acting as the Wage &
Personnel Board as needed
Meeting Minutes
August 30, 2021 – 6:30 PM
REMOTE LOCATION

On August 30, 2021, the Board of Selectmen held a meeting at 6:30 PM remotely from various locations. The meeting was called to order at 5:00 PM by Chair Fabian. Selectmen present were: Chair Fabian, Selectman LaCamera and Selectman Carboni. Also present was Ari Sky, Town Administrator and Tracie Craig-McGee, Executive Assistant. LakeCAM was recording the meeting for broadcast.

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the August 30, 2021 public meeting of the Lakeville Board of Selectmen will be held remotely. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>.**

Board of Selectmen Announcements

There were no Board of Selectmen announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator announcements.

Discuss scheduling Special Town Meeting and discuss voting to vote to open the warrant

Kathryn Goodfellow, Town Moderator, is present for the discussion. Chair Fabian said the tentative scheduled for Special Town Meeting has been suggested for November 8th. Ms. Goodfellow said she will work with LakeCAM for the setup. She asked to be kept up to date on any changes in safety protocol. She believes it will be in the auditorium. Chair Fabian asked if Town Counsel and the School are available. Ms. Craig-McGee said Town Counsel is and she will check with the School tomorrow. Chair Fabian said there is a preliminary list on the items on the warrant. Mr. Sky said there are two (2) others that may be potential articles that are shown.

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

VOTED: To hold a Special Town Meeting on November 8, 2021 at 7:00 PM at Apponequet High School.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

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

VOTED: To open the warrant for the November 8, 2021 Special Town Meeting until September 14, 2021 at 5:00 PM.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Discussion and approval of the draft Memorandum of Agreement between the Town and the IAFF Local 3188

Michael O'Brien, Fire Chief was present for the discussion. Mr. Sky said the Board has reviewed this in Executive Session. There is an agreement negotiated between the Town and Firefighters' Union regarding Article 22 clarification. Also, there is an agreement regarding training reimbursements that would commit the recipient receiving a stipend to stay with the Town for four (4) years in that position with the Fire Department.

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

VOTED: To approve the Amendment to the Collective Bargaining agreement between the Town and IAFF Local 3188 to amend Article 22, Section 1 as noted on the attachment and to approve the Amendment to Collective Bargaining Agreement between the Town and IAFF Local 3118 to add a new Section 3 to Article 23 regarding reimbursements for training.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Discuss and possible vote to appoint Erika Correia as Treasurer/Collector

Mr. Sky said the Town has converted to an appointed Treasurer/Collector from an elected position. The legislation included language regarding an employment agreement. The position has been advertised at a number of sites, and we received five (5) applications. One (1) candidate withdrew, and interviews were held with the other four (4) candidates. The interview committee unanimously recommend Erika Correia. She is currently the Treasurer/Tax Collector in Dennis. She has completed all the pre-employment requirements. We offered a budgeted salary of \$85,000. She currently earns three (3) weeks of vacation, so he is requesting that vacation be the same. Mr. Sky suggested an 18-month contract that would match the Fiscal Year calendar.

Selectman Carboni said this is the first time the Town is filling this position as an appointed position and she is fine with having a contract. Selectman LaCamera said he is fine with a contract. Selectman Carboni said for this level position, she supports the three (3) weeks of vacation. We need to work on language in the Employee Handbook to reflect when we recruit officials from other communities. Mr. Sky said Ms. Correia must give 30 days' notice. If she gave notice tomorrow, she would start the day after Columbus Day. Ms. Chandler will continue in her position through October 2021. He would like to tell Ms. Correia that she has the position, on the condition

that the contract is amenable. Chair Fabian said the Board can look at the contract and get involved if needed.

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

VOTED: To instruct the Town Administrator to work on a contract for the potential Treasurer/Collector, Erika Correia.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Request from Police Chief to appoint Jared Taje as a Police Officer/Constable

Matthew Perkins and Jared Taje are present for the discussion. Chief Perkins summarized Mr. Taje’s qualifications.

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

VOTED: To appoint Jared Taje as a Police Officer/Constable, effective August 30, 2021 for a probational term to expired August 30, 2022.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Discuss request from DPW Director and possible vote to appoint Michael Jones as Heavy Motor Equipment Operator

Franklin Moniz is present for the discussion. Mr. Moniz said this position has been vacant for quite a while. Chair Fabian said this position requires certain licenses. You are requesting a Level 2 Step 4, contingent upon pre-employment screening.

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

VOTED: To hire Michael Jones to be appointed as a Heavy Motor Vehicle Operator at Level 2 Step 4, contingent upon pre-employment screening.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Request for one-day special liquor license for the Lakeville Lions Fall Family Festival-September 11, 2021

Chair Fabian said the Board had received a request for a one-day Special Liquor License for the Lakeville Lions Fall Family Festival on September 11, 2021.

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

VOTED: To approve a one-day liquor license for the Lakeville Lions Family Fall Festival on September 11, 2021 from 12 PM to 5 PM.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – abstain and Chair Fabian – aye.

Review and vote to accept letter of resignation from Brenda Carter from the Council on Aging

Chair Fabian said the Board has received a letter of resignation from Brenda Carter from the Council on Aging.

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

VOTED: To accept the letter of resignation from Brenda Carter from the Council on Aging.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Request from South Shore Race Management to hold Mullein Hill Run for Veterans 5K on November 6, 2021

Chair Fabian said we have a request from South Shore Race Management to hold the Mullein Hill Run for Veterans 5K. Both of the Chiefs have approved this.

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

VOTED: To approve the request from South Shore Race Management Mullein Hill Run for Veterans 5K on November 6, 2021.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Mr. Sky updated the Board on the process for the road use permit, which should be ready for the September 20th meeting.

Discuss scheduling Board of Selectmen Meeting Dates for the remainder of 2021

Chair Fabian said suggested meeting dates through December 31, 2021. She reviewed the potential meeting dates. Selectman Carboni said she is not available on September 20th. Selectman LaCamera said the Board should try to get back on a two (2) week schedule. A three (3) week gap leads to a large agenda. He is proposing a meeting on October 4th and 25th with a meeting on November 8th (6:00 PM) and November 22nd and then December 6th and December 20th.

New Business: Possible discussion on Animal Shelter board fees

Chair Fabian said last year the Board discussed the possibility of increasing some of the Animal Shelter boarding fees. She would like to see the fee increased. Selectman Carboni asked what is the reason for an increase? Chair Fabian said everything is getting more expensive. The Animal Control Officer gets donated food for the shelter, but if he didn't get those donations, we would have to pay for it. We do collect a lot of monetary donations, which helps pay medical expenses for surrendered and stray dogs. Selectman Carboni asked how long the boarding has been in place. Ms. Craig-McGee said eight (8) to ten (10) years. Selectman LaCamera said we have ten (10) communities that use our shelter. They do not have their own Animal Shelters, and we are paying the operating costs for the building. There should be a minimum charge to these Towns because they are saving a lot of money. Mr. Sky said he will look at other Towns with Animal Shelters to see what they charge.

Chair Fabian asked Selectman Carboni what had prompted her to request a staffing report? Selectman Carboni said she wants to get acclimated to past and current staffing levels. She began with the Fire Department due to the recent appointments that have been made. Selectman LaCamera said there is backup documentation on the staffing levels in the budget, along with wages and salaries. The Town Accountant can provide this.

Old Business

Selectman LaCamera said the Board was supposed to meet as a follow-up with the Open Space Committee at this meeting. Mr. Sky said he was directed to reach out to SRPEDD regarding the scope of the update of the Open Space Plan. Jeff Walker has said what the Open Space Committee is asking for is more than 20 hours of work. Once he gets a reasonable scope, he will bring it back to the Board.

Selectman LaCamera said the Master Plan Implementation Committee was going to discuss the last meeting and we were going to meet with them again. Mr. Sky said they have met and reviewed the crosswalk and changing of assignments, but they haven't decided on anything yet. They are meeting again on September 15th. After that, they should be ready to meet with the Board. Selectmen LaCamera said that as Selectman Carboni will not be at the meeting on September 20th, we should push that meeting out.

Selectman LaCamera said regarding Long Pond issues, he saw an email that had incorrect information. Chair Fabian said that email references an August 25th meeting that took place. The Selectmen were not invited to attend. Selectman LaCamera said he wants to get the right information out there. Selectman LaCamera said the email said that Senator Rodrigues was proposing \$50,000 in the budget, but that is nothing. Selectman Carboni asked Mr. Sky to reach out to Senator Rodrigues about this. Selectman Carboni said the APC has been busy with Assawompset and the river, but there needs to be a vehicle for funding to come through. The APC Management team is involved and would be a good vehicle to work on the Long Pond issues.

Chair Fabian said the meeting that took place last week was a Zoom format, and there were so many people that they all could not attend.

Selectman LaCamera asked for an update on where we are on the monies for the design services for the Bridge/Main Street traffic light. Mr. Sky said he had a meeting last week with MassDOT and it will be submitted as a TIP project. It will be match involved. There is a question on the bond money that has not been released. Senator Rodrigues has been helping to facilitate. MassDOT does not view this as a top project. We hope to get it moving so at least we can get money released for design. We can talk to associated developers as well regarding contributing to the project. Selectman LaCamera said he and Mr. Moniz met with MassDOT and SRPEDD over a year ago. The project was \$2.5 million. They said the Town would have to pay for it. That is why the bond money was put in the budget. This will take too long if it is a TIP project. Mr. Sky said it is up to the administration to release the bond funds. MassDOT's suggestion was to submit the TIP project and go to the administration to release the funds. Selectman LaCamera asked who manages the project. Mr. Sky said it is not clear at this point; either MassDOT or the Town. Selectman LaCamera said there is already a preliminary design and studies have been done. MassDOT and SRPEDD wanted to go ahead and have the Town fund 100% of the project, to which we said no. \$2.5 million for a traffic light is ridiculous. Mr. Sky said we are trying, but it is a challenge. Selectman Carboni told Mr. Sky to keep going and we can reach out to Senator Rodrigues and Representative Orrall to try to move it through.

Any other business that can properly come before the Board of Selectmen

There was no other business discussed.

Adjournment

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

VOTED: To adjourn the Board of Selectmen Meeting at 7:42 PM.

Roll call vote: Selectman Carboni – aye; Selectman LaCamera – aye and Chair Fabian – aye.

Other Items

1. The Voice of the Retired Public Employee

List of documents provided at the Board of Selectmen Meeting of August 30, 2021

1. Agenda page
2. Agenda page
3. Agenda page
4. Agenda page; list of proposed articles for Special Town Meeting
5. Agenda page; Memorandum of Agreement (2) with Fire Union
6. Agenda page; memo from Town Administrator; letter of interest and resume of Erika Correia
7. Agenda page; memo from Police Chief
8. Agenda page; memo from DPW Director and resume of Michael Jones
9. Agenda page; 1-day liquor license application; certificate of insurance for vendor
10. Agenda page; letter of resignation from Brenda Carter
11. Agenda page; letter of request to hold road race and map of event
12. Agenda page
13. Agenda page; list of fees from Towns that board at the Animal Shelter
14. Agenda page
15. Agenda page

TOWN OF LAKEVILLE
Board of Selectmen, acting as the Wage &
Personnel Board as needed
Meeting Minutes
September 20, 2021 – 5:00 PM
REMOTE LOCATION

On September 20, 2021, the Board of Selectmen held a meeting at 5:00 PM remotely from various locations. The meeting was called to order at 5:00 PM by Chair Fabian. Selectmen present were: Chair Fabian and Selectman LaCamera. Also present was Ari Sky, Town Administrator and Tracie Craig-McGee, Executive Assistant. LakeCAM was recording the meeting for broadcast.

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the September 20, 2021 public meeting of the Lakeville Board of Selectmen will be held remotely. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>.**

Public Hearing – Propane Underground Storage Tank Hearing for Lakeville Island, LLC, - 57 Long Point Road

Nicholas Kelly from First Colony Development; Kevin Kline and Peter DiPerna from Stantec; Peter Hasenfuss from Osterman Propane; and Fire Chief Michael O'Brien were present for the meeting.

Chair Fabian read the legal notice into the record.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To open the hearing regarding propane gas underground storage tank hearing for Lakeville Island, LLC at 57 Long Point Road.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Mr. Kelly gave an overview of the project. They are proposing to use propane gas to service the project. Mr. Hasenfuss said propane gas seems to be the best fuel for the project as there is no natural gas available. Chief O'Brien has received the plans for the tanks and has reviewed the requirements. There is not anything of concern regarding a code violation. They will have to get a permit from the Fire Department. Chair Fabian read a letter from Ymane Galotti, Superintendent of Water, for the City of New Bedford and a letter from Robert Bouchard, Conservation Agent.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To close the hearing regarding propane gas underground storage tank hearing for Lakeville Island, LLC at 57 Long Point Road.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To approve the license for 57 Long Point Road, Lakeville, MA owner Lakeville Island LLC to install 12 underground 2,000-gallon propane gas storage tanks.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Introduction of new Full Time Firefighters Jason Kirby and Joshua King and Call Firefighters Dustin Mackiewicz; Mark Regan; Anthony DiMare and Blake Williams

Michael O'Brien, Fire Chief, was present for the discussion. Chair O'Brien introduced new Full Time Firefighters Jason Kirby and Joshua King and new Call Firefighters Dustin Mackiewicz; Mark Regan and Blake Williams and summarized their qualifications.

Board of Selectmen Announcements

Selectmen LaCamera announced that the Lakeville Arts Festival will be taking place on October 2, 2021 from 10:00 AM to 4:00 PM.

Town Administrator Announcements

Mr. Sky noted the new phone system is up and running and thanked residents for their patience. We are awarding project manager services contracts to three (3) firms. We have the draft of the SRPEDD ADA report. We are waiting to hear from Federal Government regarding final rules for ARPA. The new Treasurer is starting in October and he hopes to hire a Planner and Human Resources Director soon.

Review and vote to place articles on the Special Town Meeting Warrant – November 8, 2021

Katherine Goodfellow, Town Moderator, Kara Lees, Greg Goodwin and Richard Medeiros from the F/L Regional School District were present for the discussion. The proposed articles were read into the record.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #1 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #2 as amended (added \$120,000 for the Housing Production Plan) to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #3 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Mr. Sky noted that the following language is to be struck from the draft Article #4 “authorized by the Freetown-Lakeville Regional School District”. Also, anywhere where the word “district” appears to be replaced by the word “Town” and “School Building Committee” to be replaced with “Board of Selectmen”.

A motion was made by Selectman LaCamera with Chair Fabian stepping down to second to add Article #4 as amended to the Special Town Meeting Warrant for November 8, 2021.

Discussion: Superintendent Medeiros explained the need for the borrowing and the beginning step to enter into the Massachusetts School Building Authority (MSBA) grant program. Selectman LaCamera noted that this borrowing is only for the design for the repair, feasibility study thru schematic design. Ms. Lees spoke of the repairs that the MSBA may be looking at. Superintendent Medeiros hopes to be before the MSBA meeting in October, and then procurement would begin.

The vote on the previous motion is: roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #5 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Chair Fabian, stepping down to make the motion, and seconded by Selectman LaCamera, it was:

VOTED: To add Article #6 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #7 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #8 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To waive the reading of Article #9 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Mr. Sky said this article is timely due to the Town’s upcoming codification of the General and Zoning By-laws. Selectman LaCamera said there are 150 changes to the Town’s By-laws at the next Town Meeting in May of 2022. He is concerned with the time and work to make these changes. He has no problem with changing the name. Mr. Sky said if the Board would like to make the change, he will get it done. Chair Fabian said that the codification committee will bring the changes to Town

Meeting and present the By-laws as amended. She asked with the way the article is written, does it give the Board the ability to change everything needed to be changed. Mr. Sky noted item #3 in the article.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #9 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To waive the reading of Article #10 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Mr. Sky read a letter from the Council on Aging Chair, Deveney Boyadjian relating the reasons for the change.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #10 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Mr. Sky said Article #11 is a clarification on by-law accepted at the June 2, 2020 Town Meeting. This article addresses concerns from the Attorney General's Office.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To waive the reading of Article #11 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #11 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To waive the reading of the modifications to the Earth Removal By-law in Article #12 to the Special Town Meeting Warrant for November 8, 2021.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Mr. Sky said that we will explain at Town Meeting what the changes are. In Section 2, the threshold for earthwork up to 5,000 square feet disturbed yards will be exempt. In section 3, it speaks about a hearing being required by the Board. Mr. Sky said that the language could be changed to say the Board “may” conduct a hearing instead of “shall”. Chair Fabian and Selectman LaCamera agreed.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To add Article #12 to the Special Town Meeting Warrant as amended for November 8, 2021.

Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Mr. Sky reviewed the schedule for the Special Town Meeting. Selectman LaCamera asked that someone from the Community Preservation Act Committee be present at the warrant review with information. Ms. Goodfellow said everything is organized to use the High School Auditorium. Chair Fabian said that participants will be asked to wear a mask for the Special Town Meeting.

Review budget process for FY23

Mr. Sky reviewed the budget process for FY23 with a budget kick-off in November. He has reached out to the School Districts about the new budget process/deadlines.

Review and possible vote to approve revised job description for Assistant Town Clerk

Chair Fabian said the job description has not been revised in a few years, which leads to the changes to the job description. Selectman LaCamera said regarding some of the qualifications regarding experience, there are probably not a lot of candidates that would be able to meet all of these.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To approved the revised job description for the Assistant Town Clerk.

Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Discuss and possible vote to approve a one-year contract extension for propane gas and fuel oil services

Mr. Sky said this is a contract extension with Jaysan Gas and Standish Energy. This is the last extension under the original contract. Chair Fabian said these are for propane gas service and fuel oil service.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To approve the one-year contract extension for No. 2 Fuel Oil at a price of \$.193 per gallon delivery fee and preventative maintenance service rates of \$105.00 for weekday service; \$125.00 per hour for night house and \$135.00 for weekends and the one-year contract extension for Propane Gas at a price of \$.43 per gallon delivery fee and preventative maintenance service rates at \$98.00 per hour.

Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Review and possible vote to declare various office furniture and equipment surplus

Christina Cotsoridis, Assistant to the Town Administrator, was present for the discussion. Ms. Cotsoridis said in order to stop paying the pod rental fee and save \$960.00 annually for the leased pod, the items inside need to be declared as surplus in order to sell them and empty the pod. One of the pods contain files to be destroyed, which are located in a Town owned pod. The DPW Director

would like to have that pod. Ms. Cotosoridis noted that the Town has brought in a local firm to assess record storage.

Upon a motion made by Chair Fabian, stepping down and seconded by Selectman LaCamera, it was:

VOTED: To declare the following furniture and equipment as surplus: 1 wooden round table with metal base; 1 wooden conference table; 1 farmhouse kitchen table; 4 farmhouse chairs; 2 wooden stain captain style chairs; 2 beige tufted chairs; 2 floral print wooden framed chairs; 4 black foam and metal office chairs; 4 olive colored faux leather chairs; 1 small schoolhouse chair; 9 worn cranberry cushioned chairs; 1 small deacon bench; 2 L-shaped 5 drawer desks; and 1 beige 4 drawer file cabinet.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Chair Fabian asked that the Historical Commission be consulted on the contents to make sure nothing is an antique.

Review and possible vote to approve application for Town Right of Way Use Form

Mr. Sky said a public way license application has been created, working with Town Counsel, Police and Fire Chiefs and the DPW Director for the use of public streets for private events. The objective is to ensure adequate review of application and to establish a fee structure for these events. There is a different fee for non-profits than for-profit entities. The fee is in addition to the detail costs. All requests must be submitted no less than 60 days before the event. Selectman LaCamera said that the Board needs to have the opportunity to waive the fee for non-profit organizations. Mr. Sky will amend the instructions to let the non-profits know that they can request the fees to be waived.

Upon a motion made by Chair Fabian, stepping down, and seconded by Selectman LaCamera, it was:

VOTED: To approved the application, with the amendment that non-profits can request that the fee be waived.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Review and possible vote to approve application from Mahant Ne Sang, Corp., dba Lakeville Liquors and Market, for Pledge of Collateral in regards to the Retail All Alcoholic Beverages Package Store License for the property located at 330 Bedford Street

Chair Fabian said that liquor stores often pledge their license as collateral.

Upon a motion made by Chair Fabian stepping down, and seconded by Selectman LaCamera it was:

VOTED: To approve the pledge of license for Mahant Ne Sang, Corp., dba Lakeville Liquors and Market.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Request from Planning Board for review of Subdivision Definitive Plan – 6 lots – 162 Bedford Street

Tim Wynn was present for the discussion. Chair Fabian explained that the Board of Selectmen can make a recommendation/comments on the proposed subdivision at 162 Bedford Street, but do not have a vote. Mr. Wynn said he received an abutter's notification and, in the letter, it stated to call the Conservation Office at Town Hall for additional information. He called for two (2) weeks and got just a ringing phone. He called Prime Engineering for a copy of the plans for the subdivision. He continued to try to contact the Conservation Commission for the time and date. Robert Bouchard called him today from the Conservation Commission and said that the meeting had already been held. Mr. Bouchard told him the legal notice was in the paper. Mr. Sky said that the number was supposed to have been forwarded to another desk, but it was not done. Mr. Wynn asked about the certified notice. Chair Fabian said that she spoke to one of the Conservation Commission members who said that there were many questions sent out to the peer reviewer, so a final decision has not been made. Mr. Wynn asked that the next notice should include the date and time of the meeting. Selectman LaCamera agreed that the date and time should be added. He said that the Planning Board Meeting is the more important meeting, as they will be the entity reviewing all the plans. We found out today that we have not received all the information for the subdivision, and we will not be making any comments on this tonight.

Discuss and possible vote to approve request from Stingray City Realty Corp. to connect to Taunton Water at 155 Rhode Island Road

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To approve the application to connect to Taunton Water for the property located at 155 Rhode Island Road, Lakeville, MA.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Discuss and possible vote to approve request from Lakeville Funeral Homes Realty Trust to connect to Taunton Water at 17 Main Street

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To approve the application to connect to Taunton Water for the property located at 17 Main Street, Lakeville, MA.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Request from Elliot Farm LLC for a one-day beer and wine liquor license – October 9, 2021 – 202 Main Street

Chair Fabian said this request is for a one-day beer and wine liquor license for Elliot Farm's Harvest Festival on October 9, 2021.

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To approve the one-day beer and wine liquor license on October 9, 2021 for 202 Main Street, Lakeville, MA.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Discuss request from Charles River Wheelers to use Lakeville roads for the Cranberry Century Ride – October 3, 2021 (waiting on information)

Chair Fabian said that this organization requested to come through Lakeville. They were informed that they need a DOT permit, but they have not responded to attempts to contact them.

Upon a motion made by Chair Fabian stepping down and seconded by Selectman LaCamera, it was:

VOTED: To table this request.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Review and vote to accept resignation of Jesse Medford from Open Space Committee

Upon a motion made by Chair Fabian stepping down and seconded by Selectman LaCamera, it was:

VOTED: To accept the resignation letter of Jesse Medford from the Open Space Committee.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

Review and vote to approve Selectmen Meeting Minutes of September 10, 2021

Chair Fabian noted that these minutes will be tabled until the next meeting as Selectman LaCamera was not present.

New Business

There was no New Business discussed.

Old Business

Chair Fabian noted that there is a meeting being planned to discuss water issues next week, but it has not been confirmed yet.

Any other business that can properly come before the Board of Selectmen

There was no any other business discussed.

Adjournment

Upon a motion made by Selectman LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To adjourn the Board of Selectmen’s Meeting at 6:47 PM.
Roll call vote: Selectman LaCamera - aye and Chair Fabian – aye.

List of documents provided at the Board of Selectmen Meeting of September 20, 2021

1. Agenda page
2. Agenda page; legal ad; letter to applicant; application for license; plans; tank specifications; memo from Fire Chief; letter from Stantec; email from City of New Bedford; email from Conservation Agent
3. Agenda page; memo from Fire Chief
4. Agenda page
5. Agenda page
6. Agenda page; list of warrant articles
7. Agenda page; FY23 budget process
8. Agenda page; draft job description – Assistant Town Clerk
9. Agenda page; contract extension pages and original contracts from 2019
10. Agenda page; pictures of surplus items
11. Agenda page; draft application
12. Agenda page; licensing authority certification; application for amendment – pledge of collateral and associated documents
13. Agenda page; application for approval of Definitive Plan
14. Agenda page; water connection application
15. Agenda page; water connection application
16. Agenda page; application for one-day beer and wine liquor license; certificate of insurance
17. Agenda page; letter
18. Agenda page; resignation letter
19. Agenda page; Board of Selectmen Meeting Minutes
20. Agenda page
21. Agenda page
22. Agenda page

**AGENDA ITEM #17
OCTOBER 12, 2021**

**DISCUSS AND POSSIBLE RECOMMENDATION TO ZONING
BOARD OF APPEALS REGARDING PETITION FOR HEARING –
BUD'S GOODS & PROVISIONS CORP – 475 KENNETH W. WELCH
DRIVE**

Attached is a copy of the application package to the ZBA for a Special Permit for the property located at 475 Kenneth W. Welch Drive – Bud's Goods & Provisions Corp.



OFFICE OF
ZONING BOARD OF APPEALS
Secretary: Cathy Murray

Town of Lakeville
Lakeville Town Office Building
346 Bedford Street
Lakeville, Massachusetts 02347

RECEIVED
OCT - 4 2021
SELECTMEN'S OFFICE

TO: Building Department
Planning Board
Conservation Commission
Board of Health
Town Administrator ✓

FROM: Board of Appeals

DATE: October 1, 2021

RE: Attached Petition for Hearing
Bud's Goods & Provisions Corp. – 475 Kenneth W. Welch Drive

Attached please find a copy of one (1) Petition for Hearing, which has been submitted to the Board of Appeals. The hearing for this petition will be held on October 21, 2021.

Please review and forward any concerns your Board may have regarding this petition to the Board of Appeals, if possible, no later than Monday, October 18, 2021.

Thank you.



Town of Lakeville
Zoning Board of Appeals
346 Bedford Street
Lakeville, MA 02347
508-946-3473

Special Permit Application
Petition for hearing
Marijuana Uses only

Name of Petitioner: Bud's Goods & Provisions Corp.

Mailing Address: 54 West Boylston Street, Worcester, MA 01606

Name of Property Owner: Green Peak LLC

Location of Property: 475 Kenneth W. Welch Drive

Registry of Deeds: Book No. 9460 Page No. 18

Map 24 Block 006 Lot 008

Petitioner is: _____ owner tenant _____ licensee _____ prospective purchaser

Marijuana Use(s) applying for:

- Marijuana Retailer
 - Marijuana Research Facility
 - Independent Testing Laboratory
 - Marijuana Cultivator
 - Registered Marijuana Dispensary (RMD)
 - Craft Marijuana Cooperative
 - Marijuana Product Manufacturer
 - Craft Marijuana Cooperative
 - Marijuana Transporter
 - Microbusiness
- *(Must also complete Tiers of Marijuana Cultivator)

Tiers of Marijuana Cultivator

Each licensee (except a Craft Marijuana Cooperative) may have three licenses, but the total canopy authorized by the licenses added together may not exceed 100,000 square feet.

Please indicate all Tiers that are licensed (L) or are in process (✓) from the Cannabis Control Commission.

- Tier 1-up to 5,000 square feet
- Tier 2-5,001 to 10,000 sq. ft.
- Tier 3-10,001 to 20,000 sq. ft.
- Tier 4-20,001 to 30,000 sq. ft.
- Tier 5-30,001 to 40,000 sq. ft.
- Tier 6-40,001 to 50,000 sq. ft.
- Tier 7-50,001 to 60,000 sq. ft.
- Tier 8-60,001 to 70,000 sq. ft.
- Tier 9-70,001 to 80,000 sq. ft.
- Tier 10-80,001 to 90,000 sq. ft.
- Tier 11-90,001 to 100,000 sq. ft.

Please include a brief to the Board along with all documents required from the attached Special Permit Checklist with your application. Use additional paper if necessary.

Please see the enclosed narrative.

I HEREBY REQUEST A HEARING BEFORE THE ZONING BOARD OF APPEALS WITH REFERENCE TO THE ABOVE PETITION. ALL OF THE INFORMATION ON THIS PETITION, TO THE BEST OF MY KNOWLEDGE, IS COMPLETE AND ACCURATE AND CONFORMS TO THE REQUIREMENTS OF THE MARIJUANA USES SUBMITTAL CHECKLIST AND THE TOWN OF LAKEVILLE ZONING BY-LAW.

Petitioner: Bud's Goods & Provisions Corp., by Alex Mazin, President & Director

Date: August 19, 2021

Signed: *Alex Mazin*

Telephone: 774-239-2200

Email: alex@budsgoods.com

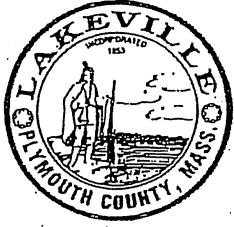
Owner Signature: *Alex Mazin*
(If not petitioner)

Owner Telephone: 774-239-2200

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes No

Phil Silverman, Counsel, Vicente Sederberg LLP
(Name and Title)



Town of Lakeville
Zoning Board of Appeals
346 Bedford Street
Lakeville, MA 02347
508-946-3473

SPECIAL PERMIT APPLICATION FOR ALL MARIJUANA USES SUBMITTAL CHECKLIST

Please use this Checklist when assembling your Application.

If you need additional information related to Special Permits and/or Marijuana Uses please consult the Zoning By-Law for the Town of Lakeville located on the Town's Website at www.lakevillema.org, Section 7.4.

- Application must be filled out completely and accurately. Please include the original and 20 copies of all requested paperwork.
- A check in the amount \$240.00 made payable to the Town of Lakeville for the filing fee and a check in the amount \$120.76 made payable to Southcoast Media Group for the legal ad fee. It will also be the responsibility of the applicant to pay any required additional charges. These include, but are not limited to peer review, consultant fees, or legal fees.
- One (1) PDF digital copy of the complete application submitted on a flash drive or via email to cmurray@lakevillema.org.
- A completed, signed Notice to Tax Collector Form. Treasurer's signature is required to ensure all Taxes are paid up to date on the subject property.
- An abutter's list certified by the Lakeville Assessor's office listing all interested parties within 300 feet of the subject property.
- A detailed floor plan of the proposed Marijuana Use that identifies the square footage available and describes the functional areas of the facility;
- 21 copies of detailed Site Plans that have been endorsed and signed by the Lakeville Planning Board. At least two sets of these plans must be full size.
- A copy of the Written Operating Procedures as required by 935:500.105 and/or 935CMR501:105 which shall include, at a minimum, the following:
 - a. Security measures in compliance with 935 CMR 500.110 and/or 935CMR501.110 to the extent such information may be made publicly available;
 - b. Employee security policies;
 - c. Proposed hours of operation and after-hours contact information;
 - d. Proposal for storage of marijuana;

- e. Emergency procedures, including a disaster plan in case of fire or other emergencies;
 - f. Policies and procedures for preventing the diversion of marijuana to individuals younger than 21 years old;
 - g. Policies and procedures for energy efficiency and conservation in accordance with 935 CMR 500.105, and a plan for implementation of such policies;
- A copy of the proposed waste disposal procedures.
- A copy of the Host Community Agreement (HCA) signed by the Lakeville Board of Selectmen.

Deficient or incomplete filings could result in a delay for a hearing.

Zoning Board of Appeals Staff Signature

Date



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Bud's Goods & Provisions Corp. (“**Bud's Goods**”), seeks a Special Permit from the Lakeville Zoning Board of Appeals and Site Plan Review Approval from the Lakeville Planning Board to operate an Adult Use Marijuana Product Manufacturing and Transporter Facility (the “**ME**”) at 475 Kenneth Welch Drive in Lakeville (the “**Property**”). The Property is located within the Industrial Zoning District within the Marijuana Zoning Overlay. Pursuant to the Town of Lakeville Zoning Bylaw Section 7.4.6, such a use is permissible subject to a Special Permit from the Zoning Board of Appeals.

I. Project Context

The Property is currently a vacant 20,000 square foot industrial building that is located along Kenneth Welch Drive in close proximity to its intersection with Bedford Street. Bud's Goods anticipates interior renovations to allow for the operation of a 6,747 square foot ME within the existing premises. Please see the enclosed Site Plans and Floor Plans, attached hereto as **Exhibit A**, which were designed in full compliance with the standards set forth by the Lakeville Zoning Bylaw.



1 Map View of Property and Surroundings

II. Project Narrative

With a focus on safe and efficient operations, Bud's Goods has identified the Property as an ideal location at which to operate an ME. The Property is located in an area designated by local zoning for the aforementioned use, allows for easy access employees off of a main road, and is located proximate to a number of other industrial parcels with similar use classifications.

A. Project Exterior

Parking & Loading: Access to the Property may be obtained by a curb cut off of Kenneth Welch Drive towards the southern property line. A total of 23 parking spaces are available on site.

Marijuana and marijuana products will be securely transported to and from other Marijuana Establishments utilizing a secure shipping and receiving area as well as standard operating procedures consistent with Cannabis Control Commission's regulations and in a manner approved by the Commission following review of such procedures and an on-site inspection to ensure site security. Similarly to other area retail uses, the ME will utilized armored cash transport to securely transport money to financial institutions.

Signage and Lighting: Facility signage will be discrete and utilized for employee and vendor wayfinding only. Bud's Goods will not utilize signs or printed materials advertising marijuana products or any logo or symbols with images of marijuana.

The applicant intends to utilize the existing lighting that affixed to the building and intended to illuminate the parking lot to ensure the safety of employees leaving the facility during evening hours. The lights are downward cast and do not result in light pollution to abutting properties. The exterior security cameras utilize infrared capabilities and do not require external sources of light to operate effectively.

B. Project Interior

No members of the public will be granted access to Bud's Goods' ME. Employees, vendors, and visitors will be required to check in with security upon entry to the establishment. Employees will be required to provide their Agent ID card and other access badges which will grant them the ability to traverse only such portions of the facility that are necessary for their job function. Visitors such as contractors or vendors may only visit the facility for legitimate reasons and must obtain temporary badging and be escorted by a registered agent at all times.

C. Facility Operations

Please see the enclosed operational narratives, attached hereto as **Exhibit B**.

III. Property Operations

A. Trash

Marijuana Waste: No usable marijuana waste will be stored in the exterior of the site. All recyclables and waste, including organic waste composed of or containing finished marijuana and marijuana products, will be stored, secured, and managed in accordance with applicable state and local statutes, ordinances, and regulations.

Liquid waste containing marijuana or by-products of marijuana processing will be disposed of in compliance with all applicable state and federal requirements, including but not limited to, for discharge of pollutants into surface water or groundwater (Massachusetts Clean Waters Act, M.G.L. c. 21 §§ 26 through 53; 314 CMR 3.00: *Surface Water Discharge Permit Program*; 314 CMR 5.00: *Groundwater Discharge Program*; 314 CMR 12.00: *Operation Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers*; the Federal Clean Water Act, 33 U.S.C. 1251 *et seq.*, the National Pollutant Discharge Elimination System Permit Regulations at 40 CFR Part 122, 314 CMR 7.00: *Sewer System Extension and Connection Permit Program*), or stored pending disposal in an industrial wastewater holding tank in accordance with 314 CMR 18.00: *Industrial Wastewater Holding Tanks and Containers Construction, Operation, and Record Keeping Requirements*.

Organic material and recyclable material will be redirected from disposal in accordance with the waste disposal bans described at 310 CMR 19.017: *Waste Bans*. To the greatest extent feasible,

any recyclable material as defined in 310 CMR 16.02: *Definitions* will be recycled in a manner approved by the Commission and any remaining marijuana waste will be ground and mixed with other organic material as defined in 310 CMR 16.02: *Definitions* such that the resulting mixture renders the marijuana unusable for its original purpose. Once such marijuana waste has been rendered unusable, the mixture may be composted or digested at an aerobic or anaerobic digester at an operation that is in compliance with the requirements of 310 CMR 16.00: *Site Assignment Regulations for Solid Waste Facilities*.

Solid waste containing marijuana may be ground up and mixed with other solid waste such that the resulting mixture renders any marijuana unusable for its original purpose. Once such marijuana has been rendered unusable, the resulting solid waste may be brought to a solid waste transfer facility or a solid waste disposal facility (e.g., landfill or incinerator) that holds a valid permit issued by the Department of Environmental Protection or by the appropriate state agency in the state in which the facility is located.

No fewer than two agents will witness and document how the solid waste or organic material containing marijuana is handled on-site, including, but not limited to, the grinding up, mixing, storage and removal from the facility in accordance with 935 CMR 500.105(12). When marijuana products or waste is disposed or handled, the company will create and maintain a written or electronic record of the date, the type and quantity disposed or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two agents present during the disposal or other handling, with their signatures. Bud's Goods will keep these records for at least three years.

Non-Marijuana Waste: Waste that does not contain marijuana will be stored in an exterior dumpster and picked up weekly by a commercial trash vendor. Although no marijuana will be present in this dumpster, it will remain locked until such time that the commercial trash pick up occurs.

B. Snow Removal

Snow removal will follow existing practices utilized by the property owner.

C. Loading

Product deliveries will leave from the facility on a regular basis in unmarked transport vans. Pursuant to 935 CMR 500.105, there will be no advertising, markings, or branding indicating that the vehicle is being used to transport marijuana. Routes and times used for the transportation of marijuana and marijuana products are randomized. Marijuana and marijuana products will be transported in secure, locked storage compartments that are a part of the vehicle transporting the marijuana products and cannot be easily removed. At least two agents will staff vehicles transporting marijuana. One agent will remain in the vehicle at all times, and the other will be accompanied by a staff member into the facility and through the receiving area.

An armored car service will pick up monetary instruments as needed each week.

D. Traffic and Parking

With 23 dedicated parking spaces located on site, Bud's Goods respectfully submits that there is ample parking to accommodate its employees and delivery vehicles. Bud's Goods anticipates hiring 25 employees, with a maximum of 12 on site at any given time. The company will take great care to develop, implement, and refine operational procedures that ensure that shifts overlap and will not result in congestion within the parking lot or the store. Operational procedures will be continually evaluated and adjusted as necessary to ensure optimal function of the facility.

The company respectfully submits that its proposed use of the Property will not disturb the existing right of way, pedestrian access, and will not cause a hazard to vehicle or pedestrian traffic. Traffic generated and patterns of access and egress will not cause congestion, hazard, or a substantial change to the neighborhood character.

E. Odor

Please see the enclosed Odor Control Plan, attached hereto as **Exhibit C**.

IV. Compliance with Town of Lakeville Zoning Bylaw Section 7.4.6

- A. **Section 7.4.6(B): Marijuana Uses shall not be located within 500 feet of a public or private school providing education in kindergarten or grades 1 through 12.**

The proposed ME is not located within 500 feet of a public or private school providing education in kindergarten or grades 1 through 12.

- B. **Section 7.4.6(D): Marijuana Uses shall be located only in a permanent building and not within any mobile facility, with the exception of the transporting of marijuana and marijuana products under a Marijuana Transporter license.**

The proposed ME is located within a permanent facility.

- C. **Section 7.4.(E): Required Application Materials for Marijuana Use Special Permits**

1. **A detailed floor plan of the proposed Marijuana Use that identifies the square footage available and describes the functional areas of the facility.**

Please see the floor plan included as part of **Exhibit A**, which identifies the square footage available and describes the functional areas of the facility.

2. **Detailed Site Plans that include the following information:**

- a. **Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, signage and all other provisions of this By-Law;**

Please see the site plan included as part of **Exhibit A**, which includes a compliance table outlining requirements as outlined above for the existing structure.

b. Convenience and safety of vehicular and pedestrian movement on the site to provide secure and safe access and egress to and from the site;

Please see the site plan included as part of **Exhibit A**, which demonstrates the existing parking development which was previously designed to ensure convenience and safety of vehicular and pedestrian movement to the site to provide secure and safe access and egress to and from the site.

c. Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected be substantially affected by on-site changes;

Please see the site plan included as part of **Exhibit A**, which demonstrates the existing parking development which was previously designed to ensure convenience and safety of vehicular and pedestrian movement when accessing the site through multiple points of entry to the parking lot.

d. Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises;

Please see the site plan included as part of **Exhibit A**, which provides a parking table demonstrating satisfaction with parking requirements as outlined in the Lakeville Zoning Bylaws. Additionally, there is additional unused paved area that can facilitate additional parking spaces if needed.

e. Site design such that it provides convenient, secure and safe access and egress for clients and employees arriving to and from the site.

Please see the site plan included as part of **Exhibit A**, which was previously designed to provide convenient, secure and safe access and egress for clients and employees arriving to and from the site.

f. Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and

The applicant proposes minor wayfinding and parking signage in full compliance with all requirements set forth by the Town of Lakeville. No other exterior changes are proposed to the exterior of the structure or any nearby landscaping.

g. Adequacy of water supply, surface and subsurface drainage and light.

The changes proposed as part of this permit application would not necessitate modifications to the existing utilities provided as part of the building structure.

3. A copy of the Written Operating Procedures as required by 935 CMR 500.105 and/or 935 CMR 501.105, which shall include, at a minimum, the following:

a. Security measures in compliance with 935 CMR 500.110 and/or 935 CMR 501.110, to the extent such information may be made publicly available;

Please see **Exhibit B** which provides a security narrative outlining compliance with 935 CMR 500.110. Facility specific security materials can be made available upon request.

b. Employee security policies;

Please see **Exhibit C** which outlines employee security policies.

c. Proposed hours of operation and after- hours contact information;

Bud's Goods proposes the following hours of operation:

Monday – Friday: 6:00 am – 8:00 pm

After hours contact: Alexander Mazin, alex@budsgoods.com, 774-239-2200

d. Proposal for storage of marijuana;

Please see **Exhibit D** which outlines marijuana storage procedures.

e. Emergency procedures, including a disaster plan in case of fire or other emergencies;

Please see **Exhibit E** which outlines emergency procedures, including a disaster plan in case of fire and other emergencies.

f. Policies and procedures for preventing the diversion of marijuana to individuals younger than 21 years old;

Please see **Exhibit F** which outlines policies and procedures to prevent the diversion of marijuana to individuals under the age of 21.

g. Policies and procedures for energy efficiency and conservation in accordance with 935 CMR 500.105, and a plan for implementation of such policies;

Bud's Goods has developed the following Energy Compliance Plan to ensure that its Cultivation and Manufacturing facility facility remains in compliance with the energy efficiency and conservation regulations codified in 935 CMR 500.103(1)(b), 500.105(1)(q), 500.105(15) and 500.120(11).

Energy Efficiency and Equipment Standards

Bud's Goods will maintain compliance at all times with the Commission's minimum energy efficiency and equipment standards and meet all applicable environmental laws, regulations, permits and other applicable approvals including, but not limited to, those related to water quality and quantity, wastewater, solid and hazardous waste management, and air pollution control, including prevention of odor and noise pursuant to 310 CMR 7.00: Air Pollution Control. Bud's Goods will adopt and use additional best management practices as determined by the Commission to reduce energy.

Building Envelope

The building envelope for Bud's Goods' indoor cultivation and manufacturing facility, to the extent applicable, meets minimum Massachusetts Building Code requirements and all Massachusetts amendments (780 CMR: State Building Code), International Energy Conservation Code (IECC) Section C402 or The American Society of Heating, Refrigerating and Air-conditioning Engineers (ASHRAE) Chapters 5.4 and 5.5 as applied or incorporated by reference in 780 CMR: State Building Code.

Bud's Goods is considering the following strategies to reduce electric demand:

1. LED lighting
2. Lighting schedule implementation
3. Active load management and energy storage programs

As the need and opportunity for facility upgrades and maintenance arise in the future, Bud's Goods will continue to evaluate strategies to reduce electric demand.

Opportunities for Engagement with Energy Efficiency Programs

Bud's Goods plans on engaging with the energy efficiency program offered by Mass Save and will coordinate with Lakeville officials to identify other potential energy saving programs and initiatives.

HVAC and Dehumidification

Bud's Goods' Heating Ventilation and Air Condition (HVAC) and dehumidification systems will meet Massachusetts Building Code

requirements and all Massachusetts amendments (780 CMR State Building Code), IECC Section C403 or ASHRAE Chapter 6 as applied or incorporated by reference in (780 CMR: State Building Code). As part of the documentation required under 935 CMR5 00.120(11)(b), Bud's Goods will provide a certification from a Massachusetts Licensed Mechanical Engineer that the HVAC and dehumidification systems meet Massachusetts building code as specified in 935 CMR 500.120(11)(c) and that such systems have been evaluated and sized for the anticipated loads of the facility.

h. A copy of proposed waste disposal procedures.

Please see the above

IV. Compliance with Town of Lakeville Zoning Bylaw Section 7.4.1

1. The use is not noxious, harmful or hazardous, is socially and economically desirable and will meet an existing or potential need.

Bud's Goods has demonstrated that it has taken great care to minimize any adverse impacts on abutters and parties of interest through thoughtful site design and the implementation of comprehensive standard operating procedures, including:

- The selection of a Property within the Marijuana Zoning Overlay which has been identified as an appropriate zone for ME uses and is not within 500 feet of any offending buffer uses;
- The design of a state-of-the-art facility that has been specifically developed to accommodate best practices for ME uses;
- On site to protect against congestion at the site;
- An odor control plan to protect against odor escape from the vault;
- Nuanced signage, exterior design, and screening to maintain a respectful streetscape façade; and
- A thoughtful operational plan for all facets of its operations.

2. The advantages of the proposed use outweigh any detrimental effects, and such detrimental effects on the neighborhood and the environment will not be greater than could be expected from development which could occur if the special permit were denied.

Bud's Goods has demonstrated that it has taken great care to minimize any adverse impacts on abutters and parties of interest through thoughtful site design and the implementation of comprehensive standard operating procedures, including:

- The selection of a Property within the Marijuana Zoning Overlay which has been identified as an appropriate zone for ME uses and is not within 500 feet of any offending buffer uses;
- The design of a state-of-the-art facility that has been specifically developed to accommodate best practices for ME uses;
- On site to protect against congestion at the site;
- An odor control plan to protect against odor escape from the vault;
- Nuanced signage, exterior design, and screening to maintain a respectful streetscape façade; and
- A thoughtful operational plan for all facets of its operations.

3. The applicant has no reasonable alternative available to accomplish this purpose in a manner more compatible with the character of the immediate neighborhood.

Bud's Goods selected a parcel appropriately located within the Marijuana Overlay District, which was designed to be compatible with the surrounding neighborhood.

Exhibit A

Exhibit B

PREVENTION OF DIVERSION

Bud's Goods & Provisions Corp.'s ("Bud's Goods") operating policies and procedures ensure prevention of diversion, theft, and illegal or unauthorized conduct pursuant to the Commission's Adult Use of Marijuana regulations codified in 935 CMR 500.000. Considerations regarding diversion prevention measures include, but are not limited to, marijuana establishment agent and consumer accountability, and identifying, recording, and reporting diversion, theft, or loss. Marijuana in the process of transport, analysis, or retail sale is to be stored and tracked in a manner that prevents diversion, theft, or loss.

More specifically, diversion measures include policies and procedures requiring that:

- Identification will be verified on the premises to ensure that only individuals 21 years or older are permitted in Bud's Goods' adult-use marijuana establishment.
- Any marijuana establishment agent who has diverted marijuana will be immediately dismissed, which will be reported to law enforcement and the Commission pursuant to 935 CMR 500.105(1)(m).
- All employees involved in the handling and sale of marijuana for adult use will complete a responsible vendor training program with a curriculum covering diversion prevention and prevention of sales to minors and will comply with all other marijuana establishment agent training requirements under 935 CMR 500.105(2).
- Bud's Goods will only engage in reasonable marketing, advertising, and branding practices that do not promote the diversion of marijuana and that comply with all other marketing and advertising requirements under 935 CMR 500.105(4).
- Warning statements required by the Commission's regulations will be affixed to all applicable products, and Bud's Goods' labels will comply with all other labeling of marijuana and marijuana products requirements under 935 CMR 500.105(5).
- Tamper or child-resistant packaging will be used for applicable marijuana products, and Bud's Goods' products will comply with all other packaging of marijuana and marijuana products requirements under 935 CMR 500.105(6).
- Bud's Goods will maintain real-time inventory and will track and tag all marijuana seeds, clones, plants, and marijuana products, using Metrc as the seed-to-sale methodology in a form and manner to be approved by the Commission.
- Records will be kept for inventory, seed-to-sale tracking for all marijuana products, personnel (including documentation of the completion of required training), and waste disposal, and Bud's Goods will comply with all other record keeping requirements under 935 CMR 500.105(9).
- Marijuana that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, will be stored in a separate area, until such products are destroyed; and Bud's Goods will comply with all other storage requirements under 935 CMR 500.105(11).
- Two or more marijuana establishment agents will witness and document how the marijuana waste is disposed or otherwise handled, and Bud's Goods will comply with all other waste disposal requirements under 935 CMR 500.105(12).
- All transported marijuana products will be linked to Metrc; all vehicles transporting marijuana will be staffed with a minimum of two marijuana establishment agents; and any vehicle accidents, diversions, or other reportable incidents that occur during transport will be reported to the Commission and law enforcement within 24 hours. Bud's Goods will comply with all other transportation requirements under 935 CMR 500.105(13).
- All security requirements under 935 CMR 500.110 will be followed, including:
 - Implementing sufficient safety measures to deter theft of marijuana and marijuana products and prevent unauthorized entrance into areas containing marijuana and marijuana products

- at Bud's Goods' adult-use marijuana establishment location to protect the premises, employees, Bud's Goods' agents, consumers, and the general public;
- Adopting procedures to prevent loitering and to ensure that only individuals engaging in activity expressly or by necessary implication permitted by the Commission's regulations and its enabling statute are allowed to remain on the premises;
- Storing all finished marijuana products in a secure, locked safe or vault in such a manner as to prevent diversion, theft, and loss;
- Restricting access to employees, agents or volunteers specifically permitted by Bud's Goods, agents of the Commission, state and local law enforcement and emergency personnel, and all other limited access areas requirements under 935 CMR 500.110(4);
- Implementing an adequate security system to prevent and detect diversion, theft or loss of marijuana, notifying law enforcement and the Commission within 24 hours of a diversion, theft or loss of any marijuana product, and all other security and alarm requirements under 935 CMR 500.110(5); and
- Obtaining, at Bud's Goods' own expense, a security system audit by a vendor approved by the Commission, and all other security audits requirements under 935 CMR 500.110(10).

STORAGE OF MARIJUANA

Bud's Goods & Provisions Corp. ("Bud's Goods") will ensure that all marijuana and marijuana products are stored in compliance with 935 CMR 500.105(11). Specifically, Bud's Goods will ensure the following:

- The facility will have adequate lighting, ventilation, temperature, humidity, space, and equipment, in accordance with applicable provisions of 935 CMR 500.105: *General Operational Requirements for Marijuana Establishments* and 500.110: *Security Requirements for Marijuana Establishments*;
- The facility will have separate areas for storage of marijuana that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, until such products are destroyed,
- All storage areas will be maintained in a clean and orderly condition;
- All storage areas will be free from infestation by insects, rodents, birds, and pests; and
- All storage areas will be maintained in accordance with the security requirements of 935 CMR 500.110 *Security Requirements for Marijuana Establishments*.

Per the requirements of 935 CMR 500.110, all finished marijuana products will be stored in a secure, locked safe or vault in such a manner as to prevent diversion, theft, and loss. The vault will be a secure, limited access storage room that is outfitted with adequate security features for the purposes of storing Marijuana or Marijuana Products. The vault will be adequately sized to store inventory that is not being actively handled for purposes of dispensing, packaging, processing or transportation. Furthermore, all safes, vaults, and any other equipment or areas used for the storage of marijuana or marijuana products, including prior to disposal, will be securely locked and protected from entry, except for the actual time required to remove or replace marijuana.

The storage of finished products will be under conditions that will protect them against physical, chemical, and microbial contamination as well as against deterioration of finished products or their containers, per the requirements of 935 CMR 500.105(3)(b)(15). In accordance with 935 CMR 500.105(3)(c), Bud's Goods will comply with sanitary requirements. All edible products will be prepared, handled and stored in compliance with the sanitation requirements in 105 CMR 590.000: *State sanitary code chapter X: Minimum Sanitation Standards for Food Establishments*.

TRANSPORTATION OF MARIJUANA

Bud's Goods & Provisions Corp. ("Bud's Goods") will ensure that all transported marijuana and products are properly tracked through Metrc. Bud's Goods will properly track and label all seeds and clones in the

form and manner deemed acceptable by the Commission. Bud's Goods will only transport marijuana from its licensed facilities to other licensed Marijuana Establishments as permitted by Bud's Goods' license. There will be no advertising, including, but not limited to, vinyl-wrapped vehicles, signs, logos or markings, indicating that the vehicle is being used to transport marijuana on transportation vehicles not owned by Bud's Goods.

Any vehicle used to transport or deliver marijuana or marijuana products will comply with applicable Massachusetts Registry of Motor Vehicles (RMV) requirements. A Bud's Goods. vehicle will not include any additional external marking that indicate the vehicle is being used to transport or deliver marijuana or marijuana products.

All vehicles will be equipped with a video system that includes one or more video cameras in the storage area of the vehicle and one or more video cameras in the driver area of the vehicle and which shall remain operational at all times during the entire transportation process and which shall have the ability to produce a clear color still photo whether live or recorded and a date and time stamp embedded in all recordings which shall always be synchronized and set correctly and shall not significantly obscure the picture. In the event that any marijuana product is undeliverable or refused by the destination, Bud's Goods will ensure that it will be transported back to Bud's Goods' originating facility.

Bud's Goods will staff all vehicles transporting marijuana and marijuana products with at least two Bud's Goods agents, one of whom will remain in the vehicle at all times that the vehicle contains marijuana or marijuana products. Prior to departing the premises to transport marijuana products, Bud's Goods will make a video record of weighing, inventorying, and accounting for all marijuana products to be transported.

When receiving transported marijuana, within eight hours after arrival, Bud's Goods will re-weigh, re-inventory, and account for, on video, all marijuana and marijuana products received. When videotaping the weighing, inventorying, and accounting of marijuana and marijuana products before transportation or after receipt, Bud's Goods will ensure that the video shows each product being weighed, the weight, and the manifest. Prior to departure from its facility, Bud's Goods will package marijuana and marijuana products in sealed, labeled, and child-resistant packaging, and ensure that marijuana and marijuana products remain as such during transportation.

All vehicles and transportation equipment used in the transportation of marijuana products requiring temperature control for safety must be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana or marijuana products from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c). Any vehicle used to transport marijuana or marijuana products will be owned or leased by Bud's Goods or a marijuana transporter, will be properly registered, inspected and insured in the Commonwealth, and equipped with an alarm system.

In the case of an emergency stop during the transportation of marijuana or marijuana products, Bud's Goods will maintain a log describing the reason for the stop, the duration of the stop, the location of the stop, and any activities of its personnel exiting the vehicle. Bud's Goods comply with applicable requirements of 935 500.110(9): Incident Reporting. Bud's Goods will ensure that all routes used for the transportation of marijuana or marijuana products are randomized and remain within the Commonwealth.

Storage Requirements

Bud's Goods will transport marijuana and marijuana products in secure, locked storage compartments that are a part of the vehicle transporting the marijuana products and cannot be easily removed. Storage and transportation of finished products will be under conditions that will protect them against physical,

chemical, and microbial contamination, while also protecting against deterioration of finished products or their containers. Marijuana and marijuana products will not be visible from the outside of the vehicle.

If and when Bud's Goods transports marijuana or marijuana products to more than one Marijuana Establishment at a time, the marijuana and marijuana products for each marijuana establishment will be kept in a separate locked storage compartment during transportation, and separate manifests will be maintained for each marijuana establishment. If and when Bud's Goods is transporting marijuana and marijuana products to multiple marijuana establishments, Bud's Goods will obtain permission from the Commission to adopt reasonable alternative safeguards. When transporting marijuana and marijuana products, no other products will be transported or stored in the vehicle nor will firearms be located in the vehicle or on transporting agents.

Communications

Any vehicle used by Bud's Goods to transport marijuana and marijuana products will contain a global positioning system (GPS) monitoring device that is:

- Not a mobile device that is easily removable;
- Attached to the vehicle at all times that the vehicle contains marijuana and marijuana products; and
- Monitored by Bud's Goods during transport of marijuana and marijuana products. Bud's Goods will obtain an inspection from the Commission prior to initial transportation of marijuana and marijuana products and after any alteration to the locked storage compartment.

Each Bud's Goods agent transporting marijuana products will have access to a secure form of communication with personnel at Bud's Goods at all times that the vehicle contains marijuana and marijuana products. Bud's Goods will utilize either two-way digital or analog radio, cellular phones, or satellite phones for these purposes dependent upon the transportation area, base capabilities, cellular signal coverage, antenna coverage, and frequency of transportation.

Prior to and immediately after leaving Bud's Goods premises, Bud's Goods agents will be required to use a secure form of communication to contact agents at the Bud's Goods facility to test communications and GPS operability. In the event that communications or the GPS system fail while on route, the Bud's Goods agents transporting marijuana or marijuana products must return to the originating Bud's Goods location until the communication system or GPS system is once again operational. Marijuana establishment agents transporting marijuana or marijuana products will be required to contact the Bud's Goods facility when stopping at and leaving any scheduled location, and regularly throughout the trip, at least every 30 minutes.

Bud's Goods will ensure that there is a Bud's Goods agent assigned to monitoring the GPS unit and secure form of communication, who will be required to log all official communications with marijuana establishment agents transporting marijuana products. All manifests used in the transportation of marijuana will be filled out by Bud's Goods agents in triplicate, with the original manifest remaining with Bud's Goods, a second copy provided to the destination marijuana establishment upon arrival, and a copy to be kept with the Bud's Goods agent during transportation and returned to the marijuana establishment or marijuana transporter upon completion of the transportation. Bud's Goods will securely transmit the manifest to the destination marijuana establishment via facsimile or email prior to departure.

Manifests

Upon arrival at the destination marijuana establishment, Bud's Goods' agents will compare the manifest produced by Bud's Goods agent and the copy transmitted by facsimile or email to the destination marijuana establishment. Each manifest will include, at a minimum, the originating marijuana establishment name, address, and registration number; the names and registration numbers of the agents who transported the marijuana products; the name and registration number of the marijuana establishment agent who prepared the manifest; the destination marijuana establishment name, address, and registration number; a description

of the marijuana and marijuana products being transported, including the weight and form or type of the product; the mileage of the transporting vehicle at departure and mileage upon arrival at destination marijuana establishment, as well as mileage upon return to Bud's Goods; the date and time of departure from Bud's Goods and arrival at destination marijuana establishment for each transportation; a signature line for the marijuana establishment agent who receives the marijuana products; the weight and inventory before departure and upon receipt; the date and time that the transported products were re-weighed and re-inventoried; the name of the marijuana establishment agent at the destination marijuana establishment who re-weighed and re-inventoried products; and the vehicle make, model, and license plate number.

Bud's Goods will maintain the manifest inside of its vehicle throughout the entire transportation process until delivery is complete. All transportation manifests will be retained by Bud's Goods for a minimum of one year and will be available for inspection by the Commission upon request. Should any unusual discrepancy occur in weight or inventory, Bud's Goods agents will document and report the discrepancy to the Commission and law enforcement authorities not more than 24 hours after the discovery of such a discrepancy. Bud's Goods agents will report to the Commission and law enforcement authorities any vehicle accidents, diversions, losses, or other reportable incidents that occur during transport, not more than 24 hours after such accidents, diversions, losses, or other reportable incidents.

Each agent transporting or handling marijuana or marijuana products for Bud's Goods will be registered as a marijuana establishment agent and have a driver's license in good standing issued by the Massachusetts Registry of Motor Vehicles for all classes of vehicle the marijuana establishment agent will operate for Bud's Goods prior to transporting or otherwise handling Bud's Goods' marijuana or marijuana products.

All Bud's Goods agents will carry their registration cards at all times when transporting marijuana or marijuana products for Bud's Goods and will produce their registration card to the Commission or law enforcement officials upon request. Bud's Goods will use best management practices to reduce energy and water usage, engage in energy conservation, and mitigate other environmental impacts wherever possible.

Representatives of the Commission, other Commonwealth agencies, and emergency responders responding in the course of an emergency will have access to all Bud's Goods transportation vehicles as necessary.

INVENTORY PROCEDURES

Bud's Goods & Provisions Corp. ("Bud's Goods") will maintain real-time inventory in compliance with 935 CMR 500.105(8), including, at a minimum, maintaining inventory of marijuana plants; marijuana ready for dispensing; all marijuana products; and all damaged, defective, expired, or contaminated marijuana and marijuana products awaiting disposal. All marijuana seeds, clones, plants, and marijuana products will be tagged and tracked within Metrc.

Bud's Goods will utilize Metrc, a real-time seed-to-sale tracking system, which will provide the electronic tracking of individual marijuana plants, including during cultivation, growth, harvest and preparation of marijuana products (as applicable), and final sale. Metrc will allow Bud's Goods to utilize unique-plant and unique-batch identification numbers to accurately track inventory.

Bud's Goods will:

- Establish inventory controls and procedures for the conduct of inventory reviews, and comprehensive inventories of marijuana products in the process of cultivation, and finished, stored marijuana;
- Conduct a monthly inventory of marijuana in the process of cultivation and finished, stored marijuana;
- Conduct a comprehensive annual inventory at least once every year after the date of the previous comprehensive inventory; and

- Promptly transcribe inventories if taken by use of an oral recording device.

The record of each inventory will include, at a minimum, the date of the inventory, a summary of the inventory findings, and the names, signatures, and titles of the individuals who conducted the inventory. All inventory records will be kept in accordance with Bud's Goods' record keeping procedures. Bud's Goods' agents will document and Bud's Goods will report any unusual discrepancy in weight or inventory to the Commission and law enforcement authorities not more than 24 hours after the discovery of such a discrepancy.

Waste Disposal

Any inventory that becomes outdated, spoiled, damaged, deteriorated, mislabeled, or contaminated will be segregated from other products and destroyed in accordance with the provisions of 935 CMR 500.105(12), and any such waste will be stored, secured, and managed in accordance with applicable state and local statutes, ordinances, and regulations. Specifically, liquid waste containing marijuana or by-products of marijuana processing will be disposed of in compliance with all applicable state and federal requirements, including but not limited to, for discharge of pollutants into surface water or groundwater (Massachusetts Clean Waters Act, M.G.L. c. 21 §§ 26-53; 314 CMR 3.00: Surface Water Discharge Permit Program; 314 CMR 5.00: Groundwater Discharge Program; 314 CMR 12.00: Operation Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers; the Federal Clean Water Act, 33 U.S.C. 1251 et seq., the National Pollutant Discharge Elimination System Permit Regulations at 40 CFR Part 122, 314 CMR 7.00: Sewer System Extension and Connection Permit Program), or stored pending disposal in an industrial wastewater holding tank in accordance with 314 CMR 18.00: Industrial Wastewater Holding Tanks and Containers.

Organic material, recyclable material, and solid waste generated at a marijuana establishment will be redirected or disposed of as follows:

1. Organic material and recyclable material will be redirected from disposal in accordance with the waste disposal bans described at 310 CMR 19.017: Waste Bans.
2. To the greatest extent feasible:
 - a. Any recyclable material as defined in 310 CMR 16.02: *Definitions* will be recycled in a manner approved by the Commission; and
 - b. Any remaining marijuana waste will be ground and mixed with other organic material as defined in 310 CMR 16.02: *Definitions* such that the resulting mixture renders the marijuana unusable for its original purpose. Once such marijuana waste has been rendered unusable, the mixture may be composted or digested at an aerobic or anaerobic digester at an operation that is in compliance with the requirements of 310 CMR 16.00: Site Assignment Regulations for Solid Waste Facilities.
3. Solid waste containing marijuana waste will be ground up and mixed with solid wastes such that the resulting mixture renders the marijuana unusable for its original purposes. Once such marijuana waste has been rendered unusable, it will be brought to a solid waste transfer facility or a solid waste disposal facility (e.g., landfill or incinerator) that holds a valid permit issued by the Department of Environmental Protection or by the appropriate state agency in the state in which the facility is located.

No fewer than two Bud's Goods agents will witness and document how the marijuana waste is disposed or otherwise handled (recycled, composted, etc.) in accordance with 935 CMR 500.105(12). When marijuana products or waste is disposed or handled, Bud's Goods will create and maintain a written or electronic record of the date, the type and quantity disposed or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two Bud's Goods agents will be present during the disposal or other handling, with their signatures. Bud's Goods will keep these records for at least three

years. Bud's Goods understands that this period will automatically be extended for the duration of any enforcement action and may be extended by an order of the Commission.

QUALITY CONTROL AND TESTING

Quality Control

Bud's Goods & Provisions Corp. ("Bud's Goods") will comply with the following sanitary requirements:

1. Any Bud's Goods agent whose job includes contact with marijuana or nonedible marijuana products, including cultivation, production, or packaging, is subject to the requirements for food handlers specified in 105 CMR 300.000, and all edible marijuana products will be prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 590.000, and with the requirements for food handlers specified in 105 CMR 300.000.
2. Any Bud's Goods agent working in direct contact with preparation of marijuana or nonedible marijuana products will conform to sanitary practices while on duty, including:
 - a. Maintaining adequate personal cleanliness; and
 - b. Washing hands thoroughly in an adequate hand-washing area before starting work, and at any other time when hands may have become soiled or contaminated.
3. Bud's Goods' hand-washing facilities will be adequate and convenient and will be furnished with running water at a suitable temperature. Hand-washing facilities will be located in Bud's Goods' production areas and where good sanitary practices require employees to wash and sanitize their hands, and will provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
4. Bud's Goods' facility will have sufficient space for placement of equipment and storage of materials as is necessary for the maintenance of sanitary operations;
5. Bud's Goods will ensure that litter and waste is properly removed and disposed of so as to minimize the development of odor and minimize the potential for the waste attracting and harboring pests. The operating systems for waste disposal will be maintained in an adequate manner pursuant to 935 CMR 500.105(12);
6. Bud's Goods' floors, walls, and ceilings will be constructed in such a manner that they may be adequately kept clean and in good repair;
7. Bud's Goods' facility will have adequate safety lighting in all processing and storage areas, as well as areas where equipment or utensils are cleaned;
8. Bud's Goods' buildings, fixtures, and other physical facilities will be maintained in a sanitary condition;
9. Bud's Goods will ensure that all contact surfaces, including utensils and equipment, will be maintained in a clean and sanitary condition. Such surfaces will be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the US Environmental Protection Agency (EPA), in accordance with labeled instructions. Equipment and utensils will be so designed and of such material and workmanship as to be adequately cleanable;
10. All toxic items will be identified, held, and stored in a manner that protects against contamination of marijuana products. Toxic items will not be stored in an area containing products used in the cultivation of marijuana. Bud's Goods acknowledges and understands that the Commission may require Bud's Goods to demonstrate the intended and actual use of any toxic items found on Bud's Goods' premises;
11. Bud's Goods will ensure that its water supply is sufficient for necessary operations, and that any private water source will be capable of providing a safe, potable, and adequate supply of water to meet Bud's Goods' needs;
12. Bud's Goods' plumbing will be of adequate size and design, and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the marijuana establishment. Plumbing will properly convey sewage and liquid disposable waste from the

marijuana establishment. There will be no cross-connections between the potable and wastewater lines;

13. Bud's Goods will provide its employees with adequate, readily accessible toilet facilities that are maintained in a sanitary condition and in good repair;
14. Bud's Goods will hold all products that can support the rapid growth of undesirable microorganisms in a manner that prevents the growth of these microorganisms; and
15. Bud's Goods will store and transport finished products under conditions that will protect them against physical, chemical, and microbial contamination, as well as against deterioration of finished products or their containers.

Bud's Goods' vehicles and transportation equipment used in the transportation of marijuana products or edibles requiring temperature control for safety will be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana products or edibles from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c).

Bud's Goods will ensure that Bud's Goods' facility is always maintained in a sanitary fashion and will comply with all applicable sanitary requirements.

Bud's Goods will follow established policies and procedures for handling voluntary and mandatory recalls of marijuana products. Such procedures are sufficient to deal with recalls due to any action initiated at the request or order of the Commission, and any voluntary action by Bud's Goods to remove defective or potentially defective marijuana products from the market, as well as any action undertaken to promote public health and safety.

Any inventory that becomes outdated, spoiled, damaged, deteriorated, mislabeled, or contaminated will be disposed of in accordance with the provisions of 935 CMR 500.105(12), and any such waste will be stored, secured, and managed in accordance with applicable state and local statutes, ordinances, and regulations.

Bud's Goods will process marijuana in a safe and sanitary manner. Bud's Goods will process the leaves and flowers of the female marijuana plant only, which will be:

- Well-cured and generally free of seeds and stems;
- Free of dirt, sand, debris, and other foreign matter;
- Free of contamination by mold, rot, other fungus, and bacterial diseases;
- Prepared and handled on food-grade stainless steel tables; and
- Packaged in a secure area.

All edible products will be prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 590.000: Minimum Sanitation Standards for Food Establishments, and any marijuana product that is made to resemble a typical food or beverage product will be packaged and labeled as required by 935 CMR 500.105(5) and 500.105(6). When selling or otherwise transferring marijuana to another marijuana establishment Bud's Goods will provide documentation of its compliance with the testing requirements of 935 CMR 500.160: *Testing of Marijuana and Marijuana Products*, and standards established by the Commission for the conditions, including time and temperature controls, necessary to protect marijuana products against physical, chemical, and microbial contamination as well as against deterioration of finished products during storage and transportation.

Testing

Bud's Goods will not sell or otherwise market marijuana or marijuana products that are not capable of being tested by Independent Testing Laboratories, except as allowed under 935 CMR 500.000. No marijuana product will be sold or otherwise marketed for adult use that has not first been tested by an Independent Testing Laboratory and deemed to comply with the standards required under 935 CMR 500.160.

Any Independent Testing Laboratory relied upon by Bud's Goods for testing will be licensed or registered by the Commission and (i) currently and validly licensed under 935 CMR 500.101: *Application Requirements*, or formerly and validly registered by the Commission; (ii) accredited to ISO 17025:2017 or the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission; (iii) independent financially from any Medical Marijuana Treatment Center, Marijuana Establishment or Licensee; and (iv) qualified to test marijuana and marijuana products, including marijuana-infused products, in compliance with M.G.L. c. 94C, § 34; M.G.L. c. 94G, § 15; 935 CMR 500.000: *Adult Use of Marijuana*; 935 CMR 501.000: *Medical Use of Marijuana*; and Commission protocol(s).

Testing of Bud's Goods' marijuana products will be performed by an Independent Testing Laboratory in compliance with a protocol(s) established in accordance with M.G.L. c. 94G, § 15 and in a form and manner determined by the Commission, including but not limited to, the *Protocol for Sampling and Analysis of Finished Medical Marijuana Products and Marijuana-infused Products*. Testing of Bud's Goods' environmental media will be performed in compliance with the *Protocol for Sampling and Analysis of Environmental Media for Massachusetts Registered Medical Marijuana Dispensaries* published by the Commission.

Bud's Goods' marijuana will be tested for the cannabinoid profile and for contaminants as specified by the Commission including, but not limited to, mold, mildew, heavy metals, plant-growth regulators, and the presence of pesticides. In addition to these contaminant tests, final ready-to-sell Marijuana Vaporizer Products shall be screened for heavy metals and Vitamin E Acetate (VEA) in accordance with the relevant provisions of the *Protocol for Sampling and Analysis of Finished Marijuana and Marijuana Products for Marijuana Establishments, Medical Marijuana Treatment Centers and Colocated Marijuana Operations*. Bud's Goods acknowledges and understands that the Commission may require additional testing.

Bud's Goods' policy of responding to laboratory results that indicate contaminant levels are above acceptable limits established in the protocols identified in 935 CMR 500.160(1) will include notifying the Commission (i) within 72 hours of any laboratory testing results indicating that the contamination cannot be remediated and disposing of the production batch and (ii) of any information regarding contamination as specified by the Commission immediately upon request by the Commission. Such notification will be from both Bud's Goods and the Independent Testing Laboratory, separately and directly, and will describe a proposed plan of action for both the destruction of the contaminated product and the assessment of the source of contamination.

Bud's Goods will maintain testing results in compliance with 935 CMR 500.000 *et seq* and the record keeping policies described herein and will maintain the results of all testing for no less than one year. Bud's Goods acknowledges and understands that testing results will be valid for a period of one year, and that marijuana or marijuana products with testing dates in excess of one year shall be deemed expired and may not be dispensed, sold, transferred or otherwise conveyed until retested.

All transportation of marijuana to and from Independent Testing Laboratories providing marijuana testing services will comply with 935 CMR 500.105(13). All storage of Bud's Goods' marijuana at a laboratory providing marijuana testing services will comply with 935 CMR 500.105(11). All excess marijuana will be disposed in compliance with 935 CMR 500.105(12), either by the Independent Testing Laboratory returning excess marijuana to Bud's Goods for disposal or by the Independent Testing Laboratory disposing of it directly. All Single-servings of marijuana products will be tested for potency in accordance with 935 CMR 500.150(4)(a) and subject to a potency variance of no greater than plus/minus ten percent (+/- 10%).

Any marijuana or marijuana products that fail any test for contaminants must either be reanalyzed without remediation, remediated or disposed of. In the event marijuana or marijuana products are reanalyzed, a sample from the same batch shall be submitted for reanalysis at the ITL that provided the original failed result. If the sample passes all previously failed tests at the initial ITL, an additional sample from the same batch previously tested shall be submitted to a second ITL other than the initial ITL for a Second Confirmatory Test. To be considered passing and therefore safe for sale, the sample must have passed the Second Confirmatory Test at a second ITL. Any Marijuana or Marijuana Product that fails the Second Confirmatory Test will not be sold, transferred or otherwise dispensed to Consumers, Patients or Licensees without first being remediated. Otherwise, any such product shall be destroyed in compliance with 935 CMR 500.105(12): *Waste Disposal*.

If marijuana or marijuana products are destined for remediation, a new test sample will be submitted to a licensed ITL, which may include the initial ITL for a full-panel test. Any failing Marijuana or Marijuana Product may be remediated a maximum of two times. Any Marijuana or Marijuana Product that fails any test after the second remediation attempt will not be sold, transferred or otherwise dispensed to Consumers, Patients or Licensees and will be destroyed in compliance with 935 CMR 500.105(12): *Waste Disposal*.

Quality Control Samples

Bud's Goods may create sample Marijuana Product ("Marijuana") to be provided internally to employees for purposes of ensuring product quality and making determinations about whether to sell the Marijuana. Quality Control Samples and employee feedback regarding such samples will allow Bud's Goods to produce the highest quality Marijuana Products for distribution on the adult use market. Quality Control Samples provided to employees may not be consumed on Bud's Goods' Premises nor may they be sold to another licensee or Consumer. Quality Control Samples will be tested in accordance with 935 CMR 500.160: Testing of Marijuana and Marijuana Products. Bud's Goods will limit the Quality Control Samples provided to all employees in a calendar month period to the following aggregate amounts:

1. Five grams of Marijuana concentrate or extract, including but not limited to tinctures;
2. Five hundred milligrams of Edibles whereby the serving size of each individual sample does not exceed five milligrams and otherwise satisfies the potency levels set forth in 935 CMR 500.150(4): Dosing Limitations; and
3. Five units of sale per Cannabis product line and no more than six individual Cannabis product lines. For purposes of 935 CMR 500.130(8): Vendor Samples, a Cannabis product line shall mean items bearing the same Stock Keeping Unit Number.

If Quality Control Samples are provided as Vendor Samples pursuant to 935 CMR 500.130(8), they will be assigned a unique, sequential alphanumeric identifier and entered into the Seed-to-sale SOR in a form and manner to be determined by the Commission, and further, shall be designated as "Quality Control Sample." Quality Control Samples will have a legible, firmly Affixed label on which the wording is no less than 1/16 inch in size containing at minimum the following information:

1. A statement that reads: "QUALITY CONTROL SAMPLE NOT FOR RESALE";
2. The name and registration number of the Marijuana Product Manufacturer;
3. The quantity, net weight, and type of Marijuana flower contained within the package; and
4. A unique sequential, alphanumeric identifier assigned to the Production Batch associated with the Quality Control Sample that is traceable in the Seed-to-sale SOR.

Upon providing a Quality Control Sample to an employee, Bud's Goods will record:

1. The reduction in quantity of the total weight or item count under the unique alphanumeric identifier associated with the Quality Control Sample;
2. The date and time the Quality Control Sample was provided to the employee;
3. The agent registration number of the employee receiving the Quality Control Sample; and

4. The name of the employee as it appears on their agent registration card.

RECORDKEEPING PROCEDURES

Bud's Goods & Provisions Corp. ("Bud's Goods") has established policies regarding recordkeeping and record-retention in order to ensure the maintenance, safe keeping, and accessibility of critical documents. Electronic and wet signatures are accepted forms of execution of Bud's Goods documents. Records will be stored at Bud's Goods in a locked room designated for record retention. All written records will be available for inspection by the Commission upon request.

Recordkeeping

To ensure that Bud's Goods is keeping and retaining all records as noted in this policy, reviewing Corporate Records, Business Records, and Personnel Records to ensure completeness, accuracy, and timeliness of such documents will occur as part of Bud's Goods' quarter-end closing procedures. In addition, Bud's Goods' operating procedures will be updated on an ongoing basis as needed and undergo a review by the executive management team on an annual basis.

- **Corporate Records**

Corporate Records are defined as those records that require, at a minimum, annual reviews, updates, and renewals, including:

- Insurance Coverage:
 - Directors & Officers Policy
 - Product Liability Policy
 - General Liability Policy
 - Umbrella Policy
 - Workers Compensation Policy
 - Employer Professional Liability Policy
- Third-Party Laboratory Contracts
- Commission Requirements:
 - Annual Agent Registration
 - Annual Marijuana Establishment Registration
- Local Compliance:
 - Certificate of Occupancy
 - Special Permits
 - Variances
 - Site Plan Approvals
 - As-Built Drawings
- Corporate Governance:
 - Annual Report
 - Secretary of Commonwealth Filings

- **Business Records**

Business Records require ongoing maintenance and updates. These records can be electronic or hard copy (preferably electronic) and at minimum include:

- Assets and liabilities;
- Monetary transactions;
- Books of accounts, which will include journals, ledgers, and supporting documents, agreements, checks, invoices, and vouchers;
- Sales records including the quantity, form, and cost of marijuana products;
- Salary and wages paid to each employee, or stipend, executive compensation, bonus, benefit, or item of value paid to any persons having direct or indirect control over Bud's Goods.

- **Personnel Records**

At a minimum, Personnel Records will include:

- Job descriptions for each agent and volunteer position, as well as organizational charts consistent with the job descriptions;
- A personnel record for each marijuana establishment agent. Such records will be maintained for at least twelve (12) months after termination of the agent's affiliation with Bud's Goods and will include, at a minimum, the following:
 - All materials submitted to the Commission pursuant to 935 CMR 500.030(2);
 - Documentation of verification of references;
 - The job description or employment contract that includes duties, authority, responsibilities, qualifications, and supervision;
 - Documentation of all required training, including training regarding privacy and confidentiality requirements, and the signed statement of the individual indicating the date, time, and place he or she received said training and the topics discussed, including the name and title of presenters;
 - Documentation of periodic performance evaluations; and
 - A record of any disciplinary action taken.
 - Notice of completed responsible vendor and eight-hour related duty training.
- A staffing plan that will demonstrate accessible business hours and safe operating conditions;
- Personnel policies and procedures; and
- All background check reports obtained in accordance with 935 CMR 500.030: Registration of Marijuana Establishment Agents 803 CMR 2.00: Criminal Offender Record Information (CORI).
- Handling and Testing of Marijuana Records
 - Bud's Goods will maintain the results of all testing for a minimum of one (1) year.
- Inventory Records
 - The record of each inventory will include, at a minimum, the date of the inventory, a summary of the inventory findings, and the names, signatures, and titles of the agents who conducted the inventory.
- Seed-to-Sale Tracking Records
 - Bud's Goods will use Metrc as the seed-to-sale tracking software to maintain real-time inventory. The seed-to-sale tracking software inventory reporting will meet the requirements specified by the Commission and 935 CMR 500.105(8)(e), including, at a minimum, an inventory of marijuana plants; marijuana plant-seeds and clones in any phase of development such as propagation, vegetation, flowering; marijuana ready for dispensing; all marijuana products; and all damaged, defective, expired, or contaminated marijuana and marijuana products awaiting disposal.
- Incident Reporting Records
 - Within ten (10) calendar days, Bud's Goods will provide notice to the Commission of any incident described in 935 CMR 500.110(9)(a), by submitting an incident report in the form and manner determined by the Commission which details the circumstances of the event, any corrective action taken, and confirmation that the appropriate law enforcement authorities were notified within twenty-four (24) hours of discovering the breach or incident.
 - All documentation related to an incident that is reportable pursuant to 935 CMR 500.110(9)(a) will be maintained by Bud's Goods for no less than one year or the duration of an open investigation, whichever is longer, and made available to the Commission and law enforcement authorities within Bud's Goods' jurisdiction on request.
- Visitor Records
 - A visitor sign-in and sign-out log will be maintained at the security office. The log will include the visitor's name, address, organization or firm, date, time in and out, and the name of the authorized agent who will be escorting the visitor.

- Waste Disposal Records
 - When marijuana or marijuana products are disposed of, Bud's Goods will create and maintain an electronic record of the date, the type and quantity disposed of or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two Bud's Goods agents present during the disposal or other handling, with their signatures. Bud's Goods will keep disposal records for at least three (3) years. This period will automatically be extended for the duration of any enforcement action and may be extended by an order of the Commission.
- Security Records
 - A current list of authorized agents and service personnel that have access to the surveillance room will be available to the Commission upon request.
 - Recordings from all video cameras which shall be enabled to record twenty-four (24) hours each day shall be available for immediate viewing by the Commission on request for at least the preceding ninety (90) calendar days or the duration of a request to preserve the recordings for a specified period of time made by the Commission, whichever is longer.
 - Recordings shall not be destroyed or altered and shall be retained as long as necessary if Bud's Goods is aware of pending criminal, civil or administrative investigation or legal proceeding for which the recording may contain relevant information.
- Transportation Records
 - Bud's Goods will retain all transportation manifests for a minimum of one (1) year and make them available to the Commission upon request.
- Vehicle Records (as applicable)
 - Records that any and all of Bud's Goods' vehicles are properly registered, inspected, and insured in the Commonwealth and shall be made available to the Commission on request.
- Agent Training Records
 - Documentation of all required training, including training regarding privacy and confidentiality requirements, and a signed statement of the individual indicating the date, time, and place he or she received the training, the topics discussed and the name and title of the presenter(s).
- Responsible Vendor Training
 - Bud's Goods shall maintain records of Responsible Vendor Training Program compliance for four (4) years and make them available to inspection by the Commission and any other applicable licensing authority on request during normal business hours.
- Closure
 - In the event Bud's Goods closes, all records will be kept for at least two (2) years at Bud's Goods' expense in a form (electronic, hard copies, etc.) and location acceptable to the Commission. In addition, Bud's Goods will communicate with the Commission during the closure process and accommodate any additional requests the Commission or other agencies may have.
- Written Operating Policies and Procedures

Policies and Procedures related to Bud's Goods' operations will be updated on an ongoing basis as needed and undergo a review by the executive management team on an annual basis. Policies and Procedures will include the following:

 - Security measures in compliance with 935 CMR 500.110;
 - Employee security policies, including personal safety and crime prevention techniques;
 - A description of Bud's Goods' hours of operation and after-hours contact information, which will be provided to the Commission, made available to law enforcement officials upon request, and updated pursuant to 935 CMR 500.000.
 - Storage of marijuana in compliance with 935 CMR 500.105(11);
 - Description of the various strains of marijuana to be cultivated, processed or sold, as applicable, and the form(s) in which marijuana will be sold;