

AGENDA
Lakeville Select Board and acting as the
Wage & Personnel Board as needed

Lakeville Police Station – 323 Bedford Street
September 29, 2022 – 6:00 PM

PLEASE ASK IF ANYONE IS RECORDING THE MEETING
AND ANNOUNCE CABLE TAPING (IF PRESENT)

1. Select Board Announcements
2. Town Administrator Announcements
3. Discuss and possible vote on articles for November 14, 2022 Special Town Meeting
4. Joint meeting with Community Preservation Committee to discuss implementation of the Community Preservation Act
5. Discuss and possible vote regarding 475 Kenneth Welch Drive Taunton Water issue
6. Discuss and possible vote on request from Department of Public Works Director regarding Snow Plow Contractor Rate Changes
7. Discuss and possible vote on request from Department of Public Works Director regarding Snow Plow Rate Changes – Freetown/Lakeville Regional School District
8. Discuss and possible vote to declare Fire Department 2008 Ford Taurus as surplus property
9. Discuss and possible vote on request from Joanna Rodrigues for an Outdoor Entertainment Permit for a block party on October 2, 2022 – Association Beach-Charbonneau Avenue
10. Discuss and possible vote on request from Steven Coache for an Outdoor Entertainment Permit for a cookout – October 2, 2022 – 7 Charbonneau Avenue
11. Review and possible vote to approve Select Board Meeting Minutes of August 29, 2022; September 13, 2022; and September 15, 2022
12. New Business
13. Old Business
14. Possible Executive Session pursuant to M.G.L. c.30A, §21(a) (3) to discuss strategy with respect to collective bargaining, specifically with PBA Local 185; IAFF Local 3188 and Laborer's International Union, if an open meeting may have a detrimental effect on the bargaining position of the public body and the Chair so declares

Please be aware that this agenda is subject to change. If other issues requiring immediate attention of the Lakeville Select Board arise after the posting of this agenda, they may be addressed at this meeting.

AGENDA ITEM #1 SEPTEMBER 29, 2022

SELECT BOARD ANNOUNCEMENTS

The Lakeville Arts Council is sponsoring the 17th annual Lakeville Arts & Music Festival on Saturday, October 1, between 10am and 4pm at the Junctions of Routes 105 & 18 and Precinct Street in Lakeville rain or shine. The Festival will bring the usual day of culture, juried crafts, food, live musical entertainment, artistic talents and community memories for everyone who attends. There will be a variety of 50 juried artisans selling their handmade items. For additional information please visit www.lakevilleartscouncilMA.org.

The Lakeville Fire Department's Open House on Saturday, October 8, 2022 from 10 AM to 2 PM. There will be pizza and popcorn. You can try out your corn hole skills and test your throwing arm on the dunk tank. There will be props to take pictures and a kid's firehouse activity & flow path simulator as well as an antique fire truck. This will be held at the Fire Station at 346 Bedford Street.

Elliot Farm located at 202 Main Street will be holding a Harvest Festival on Saturday, October 8, 2022 from 1:00 PM to 5:00 PM. Please visit their website at www.elliottfarm.org/harvestfestival for more details.

On October 9th from 11 AM to 4 PM, an event will be held at Betty's Neck located off of Long Point Road to celebrate the 20th anniversary of the Town of Lakeville purchasing the property. You can pick up a picnic lunch and explore the property or enjoy your lunch listening to music provided by Blake Gorman. At 1 PM, Wingmasters will put on a Birds of Prey Show, followed by free face painting from 2 to 4 PM. Lakeville DPW, Fire and Police will have vehicles for kids to have a close up view and each child 10 and under will receive a surprise.

**AGENDA ITEM #2
SEPTEMBER 29, 2022**

TOWN ADMINISTRATOR ANNOUNCEMENTS

**AGENDA ITEM #3
SEPTEMBER 29, 2022**

**DISCUSS AND POSSIBLE VOTE ON ARTICLES FOR NOVEMBER
14, 2022 SPECIAL TOWN MEETING**

Attached please find the draft articles for the Special Town Meeting on November 14th.

November 14, 2022 Special Town Meeting
Draft Articles

ARTICLE: To see if the Town will vote to transfer the sum of \$11,022.60 from Free Cash and \$297.35 from Park Retained Earnings to pay for the following unpaid bills from the prior fiscal year; or take any other action in relation thereto.

Unpaid Bill No.	Department	Vendor	Amount	Purpose
1	Assessors	Real Estate Research Consultants, Inc.	\$9,200.00	Personal Property listing & valuations
2	Town Offices	Ricoh	82.02	Copier Maintenance
3	Police	Amazon Business	22.58	Boat trailer lights
4	General Insurance	J.K. Olivieri Insurance, Inc.	1,718.00	Year-end auto
5	Park Enterprise	New England Ice Cream	297.35	Clear Pond concession
	Total		\$11,319.95	

Proposed by the Select Board

ARTICLE: To see if the Town will vote to raise and appropriate from taxation the sum of \$75,000 to supplement the appropriations stated below that were previously voted in Article 1 of the May 9, 2022, Annual Town Meeting for the Fiscal Year beginning July 1, 2022, for various Town Departments; or take any other action in relation thereto.

Line No.	Department	Budget Line Item	Amount	Purpose
28	Facilities	Salaries	\$50,000	Facilities Manager
35	Fire	Expenses	20,000	Protective Clothing
	Total		\$70,000	

Proposed by the Select Board

ARTICLE: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for capital improvements and equipment and all costs incidental or related thereto, and to authorize Town Officials to take such action and execute all documents as may be necessary to effectuate the purposes of this vote, or take any action relative thereto.

Department	Project/Purpose	Town Meeting	Amount	Funding Source
1	Police	Firearms replacement	\$30,000	Free Cash
2	Fire Station	Schematic Design	220,000	Free Cash
3	Town Hall	Schematic Design	205,000	Free Cash
	TOTAL		\$455,000	

Proposed by the Select Board

ARTICLE: To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Town of Lakeville, for replacing windows and exterior doors at the Assawompset Elementary School located at 232 Main Road, Lakeville, Massachusetts 02347, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-three and fifty-three hundredths percent (53.53%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or to take any other action relative thereto.

Proposed by the Select Board

ARTICLE: To see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2023, with each item to be considered a separate appropriation:

Appropriations:

From FY 2023 estimated revenues for Committee Administrative Expenses \$ 8,750

Reserves:

From FY 2023 estimated revenues for Historic Resources Reserve \$ 17,500

From FY 2023 estimated revenues for Community Housing Reserve \$ 17,500

From FY 2023 estimated revenues for Open Space Reserve \$ 17,500

From FY 2023 estimated revenues for Budgeted Reserve \$ 113,750

Or take any other action relative thereto.

Proposed by the Community Preservation Committee

ARTICLE: To see if the Town will vote to amend Section 13 of Chapter III of the Town's General Bylaws relative to the Select Board, Section 16 of Chapter II of the Town's General Bylaws relative to the Finance Committee and Section 25(e) of Chapter III of the Town's General Bylaws relative to the Capital Improvements Committee, all for the purpose of making the timeline for establishing the annual town budget more consistent with the Town Administrator Bylaw and the timeline used in recent years, as shown below with additions shown in **bold** and deletions shown in ~~striketrough~~, or take any other action relative thereto.

Part I – Select Board

Section 13. (a) **Each year** the Select Board **shall establish a budget calendar for the ensuing fiscal year.** All boards, committees, heads of departments or other officers of the town authorized by law to expend money, shall furnish ~~directly to the Select Board to the Town Administrator and Finance Committee~~ by January 31st ~~of each year~~ **by a date established by the Select Board,** detailed estimates of the amounts necessary for **salaries, and expenses necessary for** the proper maintenance of the departments under their jurisdiction for the ensuing **fiscal** year with explanatory statements as to any changes from the amounts appropriated for the same purposes in the ~~preceding~~ **then current fiscal** year, ~~and an estimate of amounts necessary for outlays or~~

~~permanent improvements.~~ They shall also prepare estimates of any income likely to be received by the town during the ensuing **fiscal** year in connection with the town's business or property entrusted to their care. ~~The Select Board shall include in their estimate the salaries and expenses connected with their own office, and the salaries of all other town officers shall be included in the estimate for the office, department or branch of the public service of which they are in charge.~~ The Treasurer shall, in addition to ~~his~~ **the** estimate of the amount required for the maintenance of ~~his own~~ **their** office, prepare a separate statement indicating the amounts required for the payment of interest on the town debt and for the payment of such portions of the town debt as may become due during the ~~succeeding~~ **ensuing fiscal** year. (Adopted May 13, 1974; approved by Attorney General June 6, 1974)

(b) Upon receipt of the budget submissions from the various departments, the Town Administrator shall assemble, prepare and present to the Select Board, by a date established by the Select Board, a proposed annual operating budget for each department for the ensuing fiscal year. The Town Administrator's proposed budget shall also include the annual report of the Capital Expenditures Committee. The Select Board shall review the annual proposed budget submitted by the Town Administrator and make recommendations with respect thereto as they deem advisable. The Town Administrator shall present the budget, incorporating the recommendations of the Select Board and the Capital Expenditures Committee to the Finance Committee by a date established by the Select Board.

(c) If the Select Board shall fail to establish an annual budget calendar by January 1, the calendar used to establish the budget for the then current fiscal year will be used to establish the budget for the ensuing fiscal year.

Part II – Finance Committee

Section 16. All articles in any warrant for a town meeting shall be referred to the finance committee for its consideration. ~~The Select Board~~ **Town Administrator** shall transmit **by a date established by the Select Board**, immediately a copy thereof to said committee; after due consideration of the subject matter of such articles, by the committee, they shall report thereon to the town meeting, in writing, such recommendations as it deems best for the interest of the town and its citizens. Said committee shall investigate the financial needs of the town, and its departments, and shall prepare and submit in writing at the annual town meeting, a budget and recommendations of the committee thereon.

Part III – Capital Improvements Committee

Section 25(e)(1) For the purposes of this Section, a capital improvement is defined as a physical betterment, including but not limited to the construction of new buildings or facilities and the alteration of buildings or facilities now or hereafter existing, the purchase of land, or items of equipment, provided that any such physical betterment having a cost of less than \$10,000, and which in the judgment of the committee is not of an unusual or non-recurring nature, shall not be considered a capital improvement.

(2) It shall be the duty of the committee to ascertain annually what expenditures for capital improvements, as herein defined, will be required by the Town during the ensuing five years, and in making its determination shall confer with the Finance Committee and the Town Accountant, any Town boards, commissions, committees, officers, employees, and other agencies and departments of the Town involved in making expenditures for capital improvements in the Town, all of which shall co-operate with the committee. All such agencies and departments or other authorities of the Town authorized by law to make such expenditures shall furnish detailed estimates of the expenditures necessary for capital improvements under their jurisdiction for the ensuing five years in conjunction with their annual budget requests **presented to the Town Administrator.**

(3) Upon receipt of the capital expenditure submissions from the various departments, the Town Administrator shall assemble, prepare and present to the committee, by a date established by the Select Board, a proposed capital budget for each department for the ensuing five years. The committee shall use the Town Administrator's report to prepare annually a program of expenditures for capital improvements, including recommendations for the scheduling of such expenditures and the financing thereof and the probable impact of such improvements on the tax rate of the Town and shall furnish such report and recommendations to the Finance Committee and Select Board **Town Administrator** on or before the second Monday in April annually **a date established by the Select Board** for use in preparing it's the annual budget recommendations to the Town **for the ensuing fiscal year**. Copies of such report and recommendation shall be deposited with the Town Accountant and with the Town Clerk and copies shall be made available by the Town Clerk upon request. The capital program for the following five years, shall be published with the Capital Expenditures Committee report and included in the Annual Town Report. Such capital program shall be presented to the annual town meeting for acceptance in principle, subject to final action at subsequent town meeting(s).

Proposed by the Select Board

ARTICLE: To see if the Town will vote to authorize the Select Board to grant to the Massachusetts Historical Commission or any other qualified entity a historic preservation restriction on the Town-owned property located at 2 Precinct Street, Lakeville, and the Old Town Hall building thereon, on such terms and conditions and for such duration, which may be in excess of thirty years, as the Select Board deems in the best interests of the Town, and, further, to authorize the Select Board to apply for, accept and expend any and all gifts, grants and/or reimbursement of funds from federal, state, and local sources, without limitation, any grants and/or reimbursements under the Commonwealth's Preservation Projects Fund, for the preservation of the Old Town Hall and costs incidental or related thereto, and to execute any and all agreements, restrictions and other documents necessary or convenient to accomplish the foregoing; or take any action in relation thereto.

Proposed by the Select Board

ARTICLE: To see if the Town will vote to amend the Town's Community Preservation Committee Bylaw, to delete references to the Housing Authority, as shown below, or take any other action relative thereto:

1. Delete the sixth paragraph of Section 1 in its entirety, which currently reads "One member of the Housing Authority as designated by the Authority for an initial term of two (2) years and thereafter for a term of three (3) years."
2. Amend the eighth paragraph of Section as shown here, with additions in **bold** and deletions in ~~strikethrough~~:
~~Three~~ **Four** members to be appointed by the Select Board, one member to be appointed for a term of one (1) year and thereafter for a term of three years and ~~two~~ **three** members to be appointed for a term of two (2) years and thereafter for a term of three (3) years, **provided that one of the two-year appointments shall be an individual with experience in the areas of clearance of substandard, decadent or blighted open areas or the provision of housing for families or elderly persons of low income or engaging in a land assembly and redevelopment projects, including the preservation, restoration or relocation of historical buildings.**
3. Amend the second sentence of Section 2(1) as shown here, with additions in **bold** and deletions in ~~strikethrough~~:

The Committee shall consult with existing municipal boards, including the Conservation Commission, the

Historical Commission, the Planning Board, **and** the Park Commission ~~and the Housing Authority~~, or persons acting in those capacities or performing like duties, in conducting such studies.

Proposed by the Select Board

ARTICLE: To see if the Town will vote to amend the Town of Lakeville Zoning By-Laws to:

Add to Section 8.0 ADMINISTRATION:

8.2 Planning Board Associate Member

There shall be one Associate Member, recommended by the Planning Board and appointed annually by the Select Board for a one-year term. The Associate Member shall sit on the Board for purposes of acting on special permit applications in the case of absence, inability to act, or conflict of interest on the part of any member of the Planning Board or in the event of a vacancy on the Board.

And renumber the remainder of the Section accordingly.

or take any other action relative thereto.

Proposed by the Planning Board

Forward to Planning Board for Public Hearing.

ARTICLE: To see if the Town will vote to accept, for the following boards, committees, or commissions holding adjudicatory hearings in the Town, the provisions of Massachusetts General Laws Chapter 39 Section 23D, which provide that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member’s absence from one session of such hearing, provided that certain conditions as established by said statute are met.

Boards & Committees Affected:

- Planning Board
- Zoning Board of Appeals

Proposed by the Planning Board

ARTICLE: To see if the Town will vote to amend the Town of Lakeville Zoning By-Laws Section 7.4.6 Specific Uses by Special Permit to:

Remove: ~~Signs, Off-Premise~~

~~SPGA – Board of Appeals; All Districts Applies to signs not exempt from local regulation by Chapter 93 of General Laws and not advertising the premises on which located or the occupant thereof or the goods and services available thereon; must advertise a business commodity or service available in Lakeville; shall not exceed 12 square feet in area; must be found to be appropriate for the location; Special Permit to be limited to a time period of not less than 3 years and subject to renewal.~~

Or take any other action relative thereto.

Proposed by Planning Board

Forward to Planning Board for Public Hearing.

ARTICLE: To see if the Town will vote to amend the Town of Lakeville Zoning By-Laws, Section 5.0 Intensity Regulations, 5.2 Footnotes to Intensity Requirements to:

Add Section 5.2.8. In the Business District one side or rear yard setback, on a non-conforming lot abutting another businesses district property, may be reduced by 50% by a Special Permit issued by the Planning Board. This may be only Granted if the applicant can show to the satisfaction of the Board that the reduced setbacks are necessary to allow for the most desirable and efficient site design due to the nonconformity of the lot.

or take any other action relative thereto.

Proposed by the Planning Board

Forward to Planning Board for Public Hearing.

ARTICLE To see if the Town will amend the Lakeville Zoning By-Laws to:

Add to Section 4.1.3 Industrial Uses

	<u>R</u>	<u>B</u>	<u>I</u>	<u>I-B</u>
Warehouse, offices or facilities for distributing merchandise over 100,000 Sq. Ft	N	N	SP	SP

and

Add to Section 7.4.6 Specific Uses by Special Permits

Warehouse, offices or facilities for distributing merchandise over 100,000 Sq. Ft

SPGA – Planning Board

A single building or combination of buildings that exceed a total of 100,000 square feet, located on one lot, shall require a Special Permit from the Planning Board.

or take any other action relative thereto.

Proposed by the Planning Board

Forward to Planning Board for Public Hearing.

ARTICLE: To see if the Town will vote to remove in its entirety Section 7.9 Development Opportunities (DO) District from the Town of Lakeville Zoning By-Law or take any other action thereto.

Proposed by the Planning Board

Forward to Planning Board for Public Hearing.

ARTICLE: To see if the Town will vote to amend the Lakeville Zoning By-Laws by modifying the following sections:

1. Section 7.5.1 (Title and Purpose) to delete the words “*each as in effect as of June 16, 2003*” in the second sentence of the last paragraph thereof.
2. Amend Section 7.5.3 (Permitted Principal Uses) to add a new Subsection (6) as follows: “(6) *Warehouse, Offices or Facilities for Distributing Merchandise.*”
3. Amend Section 7.5.5.2 (Buffer Zones) to delete the existing text thereof and replace it with the text as follows: “*Developments in the Mixed Use Development District shall be subject to Section 5.2.5 of this Bylaw notwithstanding underlying zoning districts. The provisions of Section 5.2.5 of this Bylaw shall not apply to zoning boundaries internal to the Mixed Use Development District.*”
4. Amend Section 7.5.5.3 (Lot Coverage for Office and R&D Uses) to replace the existing Section with the following: “*Lot Coverage– For all office; warehouse, offices or facilities distributing merchandise; and R&D uses located in the Mixed Use Development District, a maximum of 60% of the upland area of the lot may be covered by structures, parking and paved areas.*”
5. Amend Section 7.5.5.7 (Site Plan Approval) to insert the following at the end thereof: “, *provided that the Planning Board may grant exemptions from the provisions in Section 6.7.7 as set forth and based on the factors in the introductory paragraph to such Section or based on the type of structure proposed in the Mixed Use Development District.*”
6. Amend Section 7.5.5.8 to add a new sentence at the end thereof as follows: “*Notice of the public hearing shall be provided as required by M.G.L. c. 40A s. 11.*”

Or take any other action relative thereto.

Proposed by the Planning Board

Forward to Planning Board for Public Hearing.

ARTICLE: To see if the Town will vote to amend the Town of Lakeville Zoning Map, by rezoning 155.4 Acres located on County Street, as shown on the attached map entitled “Zoning Amendment Plan of Land in Lakeville, MA” from the Residential District to the Industrial District.

Or take any other action relative thereto.

Proposed by the Planning Board

Forward to Planning Board for Public Hearing.

ARTICLE: To see if the Town will vote to amend the Lakeville Zoning By-Laws by adding to Section 2.0 definitions: Reusable Materials or Equipment: Used yard maintenance equipment, tools, car parts, construction materials wood, metal, bicycles, toys, furniture, (excluding farm equipment).

On residential property outdoor storage of Reusable Materials or Equipment shall be kept in one area and shall not exceed 500 sq. ft. The storage area shall be screened from view from the street and abutting properties. No Reusable Materials or Equipment shall be stored in any front yard, whether screened or not.

Or take any other action thereto.

Proposed by the Select Board

Forward to Planning Board for Public Hearing.

ARTICLE: To see if the Town will vote to amend the Lakeville Zoning By-Laws, Section 4.0 Use Regulations by:

Adding to Section 4.1.2 Business Uses

	<u>R</u>	<u>B</u>	<u>I</u>	<u>I-B</u>
Licensed junk dealers (Pursuant to the Town of Lakeville General Bylaws)	N	Y	N	N

or take any other action thereto.

Proposed by the Select Board

This article adds the business use of "Licensed Junk Dealers (pursuant to the Town of Lakeville General Bylaws)" to the zoning use chart. This new use would only be allowed in the Business Zone. This would restrict the issuance of new licenses to those properties located in the Business Zone.

Forward to Planning Board for Public Hearing.

ARTICLE: An article amending the current general by-law for Junk, Old Metals or Secondhand Articles to include language mandating junk dealers show commercial activity annually as a requirement for license renewal.

Section 5. A holder of a license is required to prove that the license is being utilized for an active business. The required ledger book shall indicate that multiple sales of "junk" kept on the premises, are conducted in six months of every twelve-month licensing period. The Book shall be presented to the Select Board prior to the issuance of a new license.

Proposed by the Select Board

ARTICLE: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 40, Section 58, to authorize the Town to assess a municipal charges lien on any real property in the Town for the following types of municipal fees and charges that have not been paid by their due date; or take any other action relative thereto.

Charges, penalties, fines or fees, including interest and all costs to record said lien(s) in the Plymouth County Registry of Deeds, assessed in accordance with the following provisions and not paid by their due date shall

constitute a lien on the real property of the person assessed:

1. Any provision in Section V of the Town's General Bylaws;
2. Any provision in the Town's Zoning Bylaws;
3. Any bylaw, statute or regulation enforced or administered by the Board of Health;
4. Any bylaw, statute or regulation enforced or administered by the Conservation Commission;
5. Any bylaw, statute or regulation enforced or administered by the Building Inspector;
6. Any bylaw, statute or regulation enforced or administered by the Fire Department;
7. Any bylaw, statute or regulation enforced or administered by the Department of Public Works
8. Any bylaw, statute or regulation enforced or administered by the Zoning Board of Appeals; and
9. Any bylaw, statute or regulation enforced or administered by the Planning Board

A municipal charges lien authorized under this section shall take effect upon the recording of a list of unpaid municipal charges and fees by parcel of land and by the name of the person assessed for the charge or fee in the registry of deeds of the county or district where the land subject to the lien lies.

If a charge or fee which is secured by a municipal charges lien remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed under section fifty-three of chapter fifty-nine, the board or officer in charge of the collection of the municipal charge or fee, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such charge or fee to the assessors, who shall forthwith add such charge or fee to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as part of such tax.

If the property to which such charge or fee relates is tax exempt, such charge or fee shall be committed as the tax. A lien under this section may be discharged by filing a certificate from the tax collector that all municipal charges or fees constituting the lien, together with any interest and costs thereon, have been paid or legally abated. All costs of recording or discharging a lien under this section shall be borne by the owner of the property.

Proposed by the Select Board

ARTICLE: To see if the Town will vote to transfer the care, custody and control of the parcels of land identified below, acquired by the Town by tax title foreclosure, from the Treasurer/Collector for the purpose of sale at public auction to the Select Board for the purpose of conveyance and for general municipal purposes, and to authorize the Select Board to convey such parcels on such terms and conditions as the Board may deem appropriate, said parcels being described as follows, or take any other action relative thereto.

<u>Property Address</u>	<u>Assessors Map, Lot</u>
Meadow Lane/Clark Street	042-004-008
Grove Street/Clark Street	042-004-007
9 Violet Street	042-014-005
10 Helen Street	042-018-011
Evergreen Road	042-004-003

Proposed by the Select Board

ARTICLE: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 148, Section 26H to require that every lodging house or boarding house shall be protected throughout with an adequate system of automatic sprinklers in accordance with the provisions of the state building code; and to also accept the provisions of Massachusetts General Laws, Chapter 148, Section 26I to require that any building hereafter constructed or hereafter substantially rehabilitated so as to constitute the equivalent of new

construction and occupied in whole or in part for residential purposes and containing not less than four dwelling units including, but not limited to, lodging houses, boarding houses, fraternity houses, dormitories, apartments, townhouses, condominiums, hotels, motels and group residences, shall be equipped with an approved system of automatic sprinklers in accordance with the provisions of the state building code; For purposes of these statutes, a boarding / lodging house is defined as a building with six or more persons living together not within the second degree of kindred. "Second degree of kindred" means a father, mother, brother, sister, son, daughter, spouse, grandparent, grandchild, brother- or sister-in-law, son- or daughter-in-law, father- or mother-in-law, stepfather, stepmother, stepsister, stepbrother, stepson, or stepdaughter." or take any other action relative thereto.

Proposed by the Select Board

ARTICLE: To see if the Town will vote to accept the layout of Ledgewood Drive as a public way, as heretofore laid out by the Select Board and shown on a plan of land entitled "Roadway Acceptance Plan 'Ledgewood Estates' on Ledgewood Drive in Lakeville, Massachusetts," dated August 28, 2020, prepared by Outback Engineering Incorporated, and to authorize the Select Board to acquire, by purchase, gift, and/or eminent domain, the fee to or easements in said roadway for all purposes for which public ways are used in Lakeville and any access, drainage, utility and other easements incidental or related thereto, or take any other action relative thereto.

Proposed by the Select Board

ARTICLE: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation, as set forth below, to change to position of Town Clerk from an elected position to a position appointed by the Select Board; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition; or take any other action relative thereto.

The petition for special legislation shall take the following form:

AN ACT RELATIVE TO THE POSITION OF TOWN CLERK IN THE TOWN OF LAKEVILLE

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding section 1 of chapter 41 of the General Laws or any other general or special law, rule or regulation to the contrary, there shall be a town clerk for the town of Lakeville. The town clerk shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred and imposed by law on town clerks. The town clerk shall be appointed and may be removed, after the opportunity for a hearing, by the select board of the town. The select board may establish an employment contract, subject to annual appropriation, with the town clerk for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 2. Upon the effective date of this act, the elected office of town clerk shall be abolished and the term of the incumbent of such office terminated. Notwithstanding the foregoing, the elected incumbent holding the office of town clerk on the effective date of this act shall continue to hold such office and perform the duties of that office until the expiration of the term for which the town clerk was

elected, unless he or she sooner vacates such office or until a new town clerk is appointed by the select board in accordance with section 1 of this act.

SECTION 3. No contracts or liabilities in force on the effective date of this act shall be affected by the abolition of the elected office of town clerk or the creation of the appointed office and the appointed town clerk shall, in all respects, be the lawful successor of the office so abolished. All records, property and equipment of the offices of the elected town clerk shall be assigned to the office of the appointed town clerk.

SECTION 4. This act shall take effect upon its passage.

Proposed by the Town Clerk

ARTICLE: To see if the town will vote to authorize the Select Board to petition the General Court for special legislation to provide for recall of officials elected solely by the voters of Lakeville, and, further, to authorize the General Court to make changes of form only to such legislation unless approved by Select Board prior to enactment, and, further to authorize the Board to approve such changes as are within the public purposes of this petition or take any other action relative thereto. Subject to the above-stated rights of the General Court and the Select Board to make certain changes, the proposed special legislation shall include the following provisions relative to the recall of elected Town officials:

Recall of an Elected Official

A. RECALL DESCRIPTION

1. Any holder of an elected office in the Town of Lakeville may be recalled therefrom by registered voters of the Town as hereinafter provided.
2. The recall of an elected official will consist of a 3-step process.
3. An initial recall affidavit shall not be filed against an officer within 3 months after the officer takes office or within the last 3 months of the term.

B. INITIATION OF THE RECALL AFFADAVIT - (Step one) The Affidavit

1. Any 100 registered voters of the Town of Lakeville may initiate a recall petition by filing an affidavit with the Town Clerk.
2. The Select Board may appoint a Temporary/ Interim Town Clerk to handle the recall process and Election should the Town Clerk be the Elected official subjected to the recall.

C. THE PETITION - (Step two) The Petition

1. If the affidavit process has been completed in compliance with the requirements of Section B of this Chapter, the Town Clerk shall provide a sufficient number of copies of petition blanks demanding such recall (printed forms of which shall be kept on hand) to the voters who made the affidavit. The blanks shall be issued by the Town Clerk and bear the Clerk's signature and Official Seal; they shall be dated and addressed to the Select Board and shall contain the names of all persons to whom issued, the number of blanks so issued, the name of the person sought to be recalled, and shall demand the election of a successor to such office.
2. Such blanks must be provided within five Town hall business days during regular business hours.
3. Said recall petition shall be returned and filed with the Town Clerk on the 28th day after the requesting voter receives the blank petitions from the Town Clerk.
4. In the event that the Town hall is not open on the 28th day, the petition may be filed during normal business hours on the next Town hall business day.
5. The petition, before being returned and filed, shall be signed by 200 qualified voters of the Town. Every signature must be accompanied by the signer's place of residence, giving the street and number.

6. Within 5 working days of receipt of the recall petition sheets, the town clerk shall submit the recall petition sheets to the board of registrars of voters and the board of registrars of voters shall verify the number of signatures which are names of registered voters of the town.

D. THE RECALL ELECTION - (Step three) The Recall Election

1. If the petition shall be found and certified by the Registrars of Voters to be sufficient, the Town Clerk shall forthwith submit it with the certificate to the Select Board. The Select Board shall forthwith give written notice to said official of the receipt of said certificate and, if the official sought to be removed does not resign within seven calendar days, shall order an election to be held on a day fixed by them not less than 45 days nor more than 60 days after the date of the Town Clerk's certificate that a sufficient petition is filed. However, if any other Town election is to occur within 90 days after the date of said certificate the Select Board may, at their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.
2. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall all be in accordance with the law relating to elections, unless otherwise provided in this act.
3. Ballots used in a recall election shall contain the following propositions:

FOR THE RECALL OF THE
[NAME OF OFFICER] ()
AGAINST THE RECALL OF THE
[NAME OF OFFICER] ()

Adjacent to each proposition, there shall be a place to mark a vote. Following the propositions shall appear the word "Candidates" with directions to voters as required by section 42 of chapter 54 of the General Laws. Beneath the word "Candidates" shall appear the names of candidates nominated as provided in this act. Adjacent to the name of each candidate shall be a place to mark a vote.

E. DUTIES OF THE INCUMBENT

1. The incumbent shall continue to perform the duties of his/her office until the recall election.
2. If the official is not recalled, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, as provided in this act.

F. VOTING RESULTS

1. If a majority of the votes cast upon the question of recall are in favor of recall, the officer shall be recalled and the votes for the candidates shall be counted.
2. In that instance, the candidate receiving the highest number of votes shall be declared elected for the open office.
3. If less than a majority of the votes cast are in favor of recall, the votes for candidates shall not be counted.
4. If the official is recalled in the recall election, he/she shall be deemed removed upon the election of his/her successor, who shall hold office during the unexpired term.
5. If the successor fails to take office within five days after receiving notification of his/her election, the incumbent shall thereupon be deemed removed and the office vacant.

G. CANDIDATES TO SUCCEED THE ELECTED OFFICIAL

1. Any elected official sought to be recalled may not be a candidate to succeed himself/herself.

2. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of law relating to elections unless otherwise provided by this act.

H. APPOINTMENT OF RECALLED OR RESIGNED OFFICIAL

1. Any person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her shall not be appointed to any Town office within 4 years after such removal or such resignation.
2. In the case of an officer subjected to a recall election and not recalled, a new recall affidavit shall not be filed against that officer until at least 3 months have elapsed after the election at which the previous recall was submitted to the voters of the town.

I. EFFECTIVE DATE

This act shall take effect upon its passage.

By Petition

ARTICLE: To see if the Town will vote to petition the General Court for Special Legislation. Notwithstanding Chapter 43B section 13 of the General Laws or any General or Special Law to the contrary.

SECTION 1. Notwithstanding any general or special law to the contrary, the number of members on the Lakeville Select Board shall be increased from three (3) to five (5). The Select Board shall annually elect a chairperson from among its members.

SECTION 2. At the first Ballot Election to occur following the effective date of this act, three (3) Select Board members shall be elected. The candidate receiving the highest number of votes in that election shall serve a three (3) year term. The candidate receiving the second highest number of votes shall serve a two (2) year term. The candidate receiving the third highest number of votes shall serve a one (1) year term. Thereafter, as the terms of Select Board members expire, successors shall be elected for terms of three (3) years.

SECTION 3. This act shall take effect upon its passage.

By Petition

**AGENDA ITEM #4
SEPTEMBER 29, 2022**

**JOINT MEETING WITH COMMUNITY PRESERVATION COMMITTEE
TO DISCUSS IMPLEMENTATION OF THE COMMUNITY
PRESERVATION ACT**

**AGENDA ITEM #5
SEPTEMBER 29, 2022**

**DISCUSS AND POSSIBLE VOTE REGARDING 475 KENNETH
WELCH DRIVE TAUNTON WATER ISSUE**

Ari would like to discuss an issue at 475 Kenneth Welch Drive regarding a connection to Taunton Water.

Ari Sky

From: Joan Moniz <jmoniz@taunton-ma.gov>
Sent: Wednesday, September 21, 2022 9:23 AM
To: Ari Sky
Cc: Mike Arruda; Craig Barter; Tracie Craig-McGee
Subject: Re: 475 Kenneth Welch Drive, Lakeville

Ari, it happened on September 2, 2022.

As soon as we realized the application was unsigned, you were notified.

Should you require any action from the City of Taudnton, please let me know.

Best regards,
Joan

From: Ari Sky <asky@lakevillema.org>
Sent: Wednesday, September 21, 2022 9:06 AM
To: Joan Moniz <jmoniz@taunton-ma.gov>
Cc: Mike Arruda <marruda@taunton-ma.gov>; Craig Barter <cbarter@taunton-ma.gov>; Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Subject: Re: 475 Kenneth Welch Drive, Lakeville

Joan -

When did this occur? I responded to your email as soon as I received it last week. Our Select Board will not be pleased to learn that the approval process was circumvented so easily.

Ari J. Sky, ICMA-CM
Town Administrator
Town of Lakeville
346 Bedford Street
Lakeville, Massachusetts 02347

From: Joan Moniz <jmoniz@taunton-ma.gov>
Sent: Wednesday, September 21, 2022 9:02:56 AM
To: Ari Sky <asky@lakevillema.org>
Cc: Mike Arruda <marruda@taunton-ma.gov>; Craig Barter <cbarter@taunton-ma.gov>; Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Subject: Re: 475 Kenneth Welch Drive, Lakeville

Good Morning Ari,

I write to inquire about the status of Lakeville's approval for 475 Kenneth Welch Drive to connect to the City of Taunton's Water System.

Please be advised that the appropriate fees for the new 2" water service line were paid to the City of Taunton and subsequently a meter was installed and the water service was activated without realizing that the Lakeville/Taunton application was unsigned. Be further advised that water is currently going through both lines.

Please advise.

Joan Moniz
Head Administrative Clerk
City of Taunton
DPW-Water, Street & Drains
90 Ingell Street
Taunton, MA 02780

From: Ari Sky <asky@lakevillema.org>
Sent: Wednesday, September 14, 2022 9:44 AM
To: Joan Moniz <jmoniz@taunton-ma.gov>
Cc: Mike Arruda <marruda@taunton-ma.gov>; Craig Barter <cbarter@taunton-ma.gov>; Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Subject: RE: 475 Kenneth Welch Drive, Lakeville

Joan –

Thanks for catching this. Lakeville's approval is definitely required, and we are unaware of guidance that the Town has provided to the contrary. We will reach out to the applicant.

Ari J. Sky, ICMA-CM
Town Administrator
Town of Lakeville
346 Bedford Street
Lakeville, Massachusetts 02347
asky@lakevillema.org
(508) 946-8803



From: Joan Moniz <jmoniz@taunton-ma.gov>
Sent: Tuesday, September 13, 2022 7:00 PM
To: Ari Sky <asky@lakevillema.org>
Cc: Mike Arruda <marruda@taunton-ma.gov>; Craig Barter <cbarter@taunton-ma.gov>
Subject: 475 Kenneth Welch Drive, Lakeville

Good afternoon Ari,

My name is Joan and I work for the City of Taunton Water Department. It's my understanding that Craig Barter and Mike Arruda have been talking with you regarding Lakeville's water usage.

As you know, all Lakeville connections to the Taunton Water System require a sign off by the Lakeville Board of Selectman or Town Administrator. I've attached the application that Buds Goods submitted for 475 Kenneth Welch Drive which is not signed by Lakeville because it indicates N/A per Town of Lakeville.

I realize that this is an existing property that's connected to the Taunton Water System, however, a new 2" inch water service line was installed (new tap)the original 1" service line was not used so the 2" line is considered a new service. To my knowledge, at this time, both lines are in use with a meter for each.

With that being said, would you kindly review the attached application and if acceptable, please sign and return back to me. If denied, please let me know.

Thank you for your prompt attention to this matter.

Should you have any questions, please feel free to contact me.

Best regards,

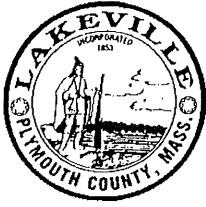
Joan Moniz
Head Administrative Clerk
City of Taunton
DPW-Water, Street & Drains
90 Ingell Street
Taunton, MA 02780

**AGENDA ITEM #6
SEPTEMBER 29, 2022**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM
DEPARTMENT OF PUBLIC WORKS DIRECTOR REGARDING
SNOW PLOW CONTRACTOR RATE CHANGES**

Franklin Moniz will be present. Attached is his request for an increase of snow plow contractor rates.

The Select Board voted on October 12, 2021 to match plow contractor rates to MADOT.



Town of Lakeville Highway Department

*346 Bedford Street
Lakeville, Massachusetts 02347
(508) 947-9521*

RECEIVED
SEP 21 2022
SELECTMEN'S OFFICE

Franklin Moniz
Director
Department of Public Works

September 19, 2022

Mr. Richard LaCamera, Chairman
Lakeville Select Board
346 Bedford Street
Lakeville, MA 02347

Subject: Snow Plow Contractor Rate Changes

Dear Mr. LaCamera,

This letter serves as a formal request for the Select Board to review and approve the change of rates for the plow contractors. MassDOT rates are the template on which the rate changes were created. Please see the attached detailed Plow Contractor Rates with changes.

This change is an important step in maintaining the best snow and ice operation possible to service the town of Lakeville. We will continue to offer a 3-hour guarantee and bonus for early submittal of completed paperwork and meeting attendance. The use of MassDOT as the template for our town is the most efficient and reasonable way to streamline the rates we can offer to our plow drivers. These rates help us retain our current contractors and acquire new contractors to help fill any potential void we may have in storm staffing. Also included are other options such as Loaders, Haulers, Spreaders, etc. These additions are important to ensure we have full coverage and added snow removal alternatives during large storm events.

The plow contractors are an extremely important part to Snow and Ice operations in the Town of Lakeville. The past years have shown a lack of dedicated plow contractors and I believe by keeping the rates competitive it puts the Town of Lakeville in the best position for hiring and maintaining reliable drivers. If you have any questions or require further information please contact me at 508-947-9521.

Sincerely,

Franklin Moniz
DPW Director
Town of Lakeville

2021 - 2022 Proposed Hourly Rental Rates & Vehicle Codes

Code	Vehicle	Current	Proposed
20000	3/4 Ton and 8 foot PRP	\$79.00	\$98.00
30000	11,000 - 16,000 GVW, with minimum 9 foot PRP	\$84.84	\$103.92
40000	16,001- 25,800 GVW, with minimum 10 PRP plow	\$87.43	\$104.92
50000	25,801- 33,000 GVW, with minimum 10 foot plow	\$99.05	\$118.86
60000	33,001- 50,000 GVW, with minimum 10 foot plow	\$116.76	\$140.11
70000	50,001or greater GVW with minimum 11 foot plow	\$126.91	\$152.29
2000	6.00 - 9.99 CY spreader body	\$31.00	\$34.10
100000	Loader less than 2 CY, with AWD	\$87.20	\$100.28
110000	Loader 2.00 - 3.99 CY, with AWD	\$102.66	\$118.06
120000	Loader 4.00 - 5.99 CY, with AWD	\$126.80	\$145.82
130000	Loader 6.00 CY or greater, with AWD (Roadway Only)	\$170.59	\$184.68
300000	10 Wheel Dump - Hauling	\$78.30	\$92.11
310000	Tri-Axle Dump - Hauling	\$84.27	\$99.14
320000	Trailer Dump - Hauling	\$92.72	\$109.08

Guarantees:

- 3 Hour Minimum for all Call-Ins
- All Plow Contractors called every time
- 1 Cutting Edge Per Truck Per Season

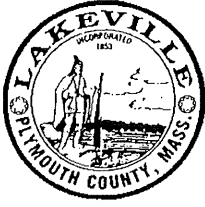
- 2 Hour Bonus if completed paperwork submitted prior to November Contractor Meeting*
- 1 Hour Bonus for attendance at November Contractor Meeting with truck/plow ready for inspection*

*Bonuses to be paid upon submitted timesheet for the first storm

**AGENDA ITEM #7
SEPTEMBER 29, 2022**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM
DEPARTMENT OF PUBLIC WORKS DIRECTOR REGARDING
SNOW PLOW CONTRACTOR RATE CHANGES FOR
FREETOWN/LAKEVILLE REGIONAL SCHOOL DISTRICT**

Franklin Moniz will be present. Attached is his request for an increase of snow plow contractor rates for the Freetown/Lakeville Regional School District.



Town of Lakeville
Highway Department

346 Bedford Street
Lakeville, Massachusetts 02347
(508) 947-9521

RECEIVED
SEP 21 2022
SELECTMEN'S OFFICE

Franklin Moniz
Director
Department of Public Works

September 19, 2022

Mr. Richard LaCamera, Chairman
Lakeville Select Board
346 Bedford Street
Lakeville, MA 02347

Subject: **Snow Plow Rate Change for FLRSD**

Dear Mr. LaCamera,

This letter serves as a formal request for the Select Board to review and approve revisions to the plow rates for the Freetown Lakeville Regional School District (FLRSD).

I'm proposing an increase in line with the MassDOT rates for the 2022-2023 season. Also, as we have hired contractors with upgraded equipment, I have included additional rate categories which may vary based on the availability of staffing during storm events.

The price for sanding services will remain unchanged.

Sincerely,

Franklin Moniz
DPW Director
Town of Lakeville

2022 - 2023 Proposed Hourly Rental Rates & Vehicle Codes

Vehicle	Current	Proposed
3/4 Ton and 8 foot PRP	\$79.00	\$98.00
11,000 - 16,000 GVW, with minimum 9 foot PRP	\$84.84	\$103.92
16,001- 25,800 GVW, with minimum 10 PRP plow	\$87.43	\$104.92
25,801- 33,000 GVW, with minimum 10 foot plow	\$99.05	\$118.86
33,001- 50,000 GVW, with minimum 10 foot plow (spreader not included)	\$116.76	\$140.11
50,001or greater GVW with minimum 11 foot plow	\$126.91	\$152.29
6.00 - 9.99 CY spreader body	\$31.00	\$34.10
Sanding Services – Each	\$90.00	90.00

**AGENDA ITEM #8
SEPTEMBER 29, 2022**

**DISCUSS AND POSSIBLE VOTE TO DECLARE FIRE DEPARTMENT
2008 FORD TAURUS AS SURPLUS PROPERTY**

The Fire Chief is requesting permission to declare a 2008 Ford Taurus sedan as surplus. The car has 113,812 miles on it; repair costs are estimated at approximately \$1600. This vehicles replacement is expected in a month or two.

Pictures of the vehicle are attached.

Tracie Craig-McGee

Subject: FW: 2008 Ford Taurus - Squad 4

From: Michael P. O'Brien, Fire Chief <mobrien@lakevillema.org>

Sent: Tuesday, September 20, 2022 3:39:32 PM

To: Ari Sky <asky@lakevillema.org>

Subject: 2008 Ford Taurus - Squad 4

Ari,

Our Ford Taurus, designated for replacement this year, has mechanical issues and has been taken out of service.

In my judgement, the repairs will cost more than the vehicle is worth. With the new Car 1 a month or two out, I do not plan to have the vehicle repaired.

Can we have the vehicle surplused for disposal?

Thank you,

Mike

Michael P. O'Brien

FIRE CHIEF

LAKEVILLE FIRE DEPARTMENT

346 Bedford Street

Lakeville, MA 02347

PH 508-947-4121





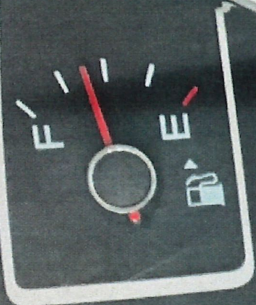
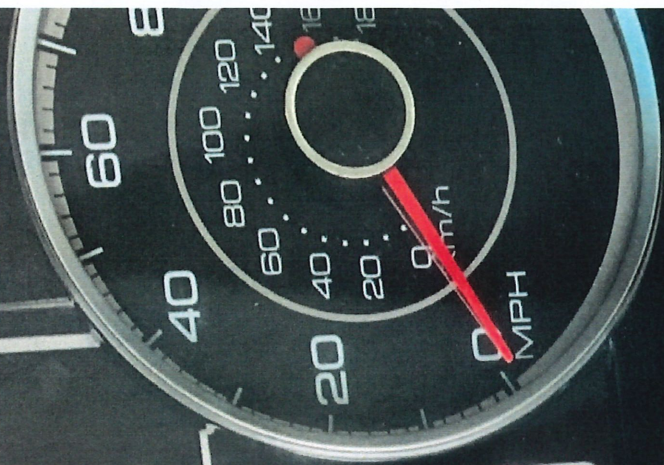
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LAKEVILLE
FIRE DEPT

9880

FIRE 9880



113812 MI



**AGENDA ITEM #9
SEPTEMBER 29, 2022**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM JOANNA
RODRIGUES FOR AN OUTDOOR ENTERTAINMENT PERMIT FOR A
BLOCK PARTY ON OCTOBER 2, 2022 – ASSOCIATION BEACH –
CHARBONNEAU AVENUE**

Attached is a request for an Outdoor Entertainment Permit for a block party on October 2, 2022 from 4 – 7 PM at Association Beach-Charbonneau Avenue (Heaven Heights).

They will have a 3 piece band; no stage or lighting. There will be microphones and speakers.

RECEIVED
SEP 13 2022
SELECTMEN'S OFFICE

THE COMMONWEALTH OF MASSACHUSETTS
Town of Lakeville
APPLICATION FOR LICENSE
(GENERAL)

X 09/12/2022

No. _____

TO THE LICENSING AUTHORITIES:

The undersigned hereby applies for a license in accordance with the provisions of the Statutes relating hereto

X name Joanna Rodrigues, 26 Gerard Ave. East Freetown,
508-439-3413

address + phone

(Full name of person, firm or corporation making application)

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE
IS REQUESTED

To Block Party, 10/02/2022, 4pm-7pm

X date + time + (outdoor

event/entertainment)

GIVE LOCATION
BY STREET
AND NUMBER

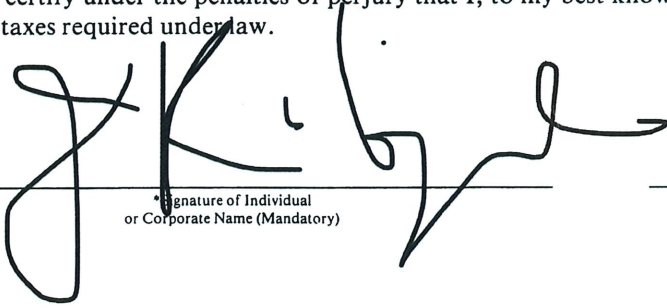
X At _____

Association Beach on

in said City of Charbonneau Ave., Lakeville
Town

in accordance with the rules and regulations made under authority of said Statutes.

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

X 

Signature of Individual
or Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

**Social Security # (Voluntary)
or Federal Identification Number

* This license will not be issued unless this certification clause is signed by the applicant.

** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. c. 62C s. 49A.

Received _____ 20 _____

Hour A.M. _____

P.M. _____

Signature of Applicant

Address

Approved _____ 20 _____

License Granted _____ 20 _____

**AGENDA ITEM #10
SEPTEMBER 29, 2022**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM STEVEN
COACHE FOR AN OUTDOOR ENTERTAINMENT PERMIT FOR A
BLOCK PARTY ON OCTOBER 2, 2022 – 7 CHARBONNEAU
AVENUE**

Steven Coache has applied for an outdoor entertainment permit on October 2, 2022 from 4-8 PM at 7 Charbonneau Avenue. His property abuts the beach. Once the beach party is cleaned up, the block party organizers and the band are going to his house for a cookout.

RECEIVED
SEP 19 2022

THE COMMONWEALTH OF MASSACHUSETTS

Town of Lakeville

No. _____

SELECTMEN'S OFFICE

APPLICATION FOR LICENSE
(GENERAL)

X 9/15

20 22

TO THE LICENSING AUTHORITIES:

The undersigned hereby applies for a License in accordance with the provisions of the Statutes relating thereto

X name Steven Cozche
address + phone 7 Charbonneau Ave 508-287-8384
(Full name of person, firm or corporation making application)

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE
IS REQUESTED

To outside entertainment = soft rock band
X date + time + type October 2, 2022
4-8:00 pm

GIVE LOCATION
BY STREET
AND NUMBER

X At 7 Charbonneau Ave
2-bose speakers - DJ style

in said City of Lakeville
Town

in accordance with the rules and regulations made under authority of said Statutes.

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

X Steven Cozche
*Signature of Individual
or Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

**Social Security # (Voluntary)
or Federal Identification Number

* This license will not be issued unless this certification clause is signed by the applicant.

** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. c. 62C s. 49A.

Received _____ 20 _____

Hour A.M. _____

P.M. _____

Approved _____ 20 _____

License Granted _____ 20 _____

**AGENDA ITEM #11
SEPTEMBER 29, 2022**

**REVIEW AND POSSIBLE VOTE TO APPROVE SELECT BOARD
MEETING MINUTES OF AUGUST 29, 2022; SEPTEMBER 13, 2022
AND SEPTEMBER 15, 2022**

TOWN OF LAKEVILLE
Select Board Meeting Minutes
August 29, 2022 – 6:00 PM
Lakeville Police Station Meeting Room
323 Bedford Street, Lakeville, MA

On August 29, 2022, the Select Board held a meeting at 6:00 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 6:00 PM by Chairman LaCamera. Members present were Chairman LaCamera, Member Fabian and Member Carboni. Also present was Ari Sky, Town Administrator. LakeCAM was recording the meeting for broadcast.

Select Board Announcements

Chairman LaCamera read the Select Board announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator's announcement.

Presentation by Watermark on Assawompset Elementary School Renovation Project

Alan Strauss, Superintendent of Schools; Kara Lees, Director of Finance and Joe Spangenburg from Watermark and Greg Hill from SLAM Collaborative attending remotely were present for the discussion. Chairman LaCamera said this process was started a few years ago, and we were approved by the Massachusetts School Building Authority (MSBA) for the project. Mr. Spangenburg explained what MSBA does and their Accelerated Repair Program, which the Town is using. The reimbursement has been calculated at 53.53% from the MSBA. He explained that as the project is to replace the windows and doors at Assawompset School, anything that is touching the window or door could potentially be eligible for reimbursement. Mr. Hill reviewed the existing conditions assessment of the school. He noted that the school was built in four (4) phases. The oldest windows in the building are 57 years old. The current windows do not meet building codes for energy efficiency or safety. He reviewed the recommended scope of work. Mr. Spangenburg said that conversations have been had with Police, Fire and the Building Commissioner regarding safety. He reviewed the project schedule with target construction in the summer/fall of 2023. The total project budget is \$4.22 million with MSBA funding of \$2.26 million and Town Funding of \$1.96 million.

Chairman LaCamera asked if the window being proposed has been reviewed with the staff? Ms. Lees said Greg Goodwin, Director of Facilities, has been involved with the project. She is not sure if the teachers have seen the proposed windows, but the principal is aware of the type of window. Mr. Strauss said teachers will be more concerned about safety. Mr. Hill said the windows will be similar to what you have now. Chairman LaCamera said would like to know what the window will look like. Mr. Spangenburg said we cannot dictate the manufacturer of the window. We can put out the specifications, but the manufacture is selected by the contractor. Member Fabian said will we know by Town Meeting what the window will look like? Mr. Spangenburg said not until the bids come in and a contractor is selected. Chairman LaCamera said the

this. Member Fabian said when EMS has gone to some of these properties to provide assistance, it has been quite concerning. This is a great start. Chairman LaCamera said we can assess fines and lien properties without having to go to Town Meeting.

Update on potential November 14, 2022 Special Town Meeting Articles

Marc Resnick, Town Planner, was present for the discussion. Mr. Sky reviewed the articles received so far. Mr. Resnick spoke on the articles from the Planning Board. They are to adopt the Mullins Rule; requesting an Alternate Member; remove Off Premise Signs Bylaw; remove the Development Opportunities District (DOD) Bylaw; an article to rezone an area to Industrial; article is to modify setbacks and lot coverages for commercial properties for greater amount of land use by special permit and the Open Space Residential Bylaw, which may be deferred after concerns expressed by the Board of Health and Conservation Commission.

Chairman LaCamera said the DOD is going to be completely removed so why is the Planning Board talking about a DOD in targeted area. Mr. Resnick said it would be in Industrial Zones. Chairman LaCamera said the Attorney General's Office has asked for an extension on the previous passed sign by-law; will this affect the off-premise sign article. Mr. Resnick said he doesn't think this will be affected. Mr. Sky said there may be a road acceptance, along with an article from the Town Clerk to change the Town Clerk to an appointed position upon her leaving the position. We have two (2) citizens petitions, and perhaps another regarding zoning. Mr. Resnick explained the potential zoning petition. Mr. Sky said we will start putting the articles together for the September 13th meeting.

Member Carboni said regarding Community Preservation Committee, specifically the Housing Authority Member, she has done a draft rewording the article to include a member of the Council of Aging. Discussion occurred about the removal of the Housing Authority from the current by-law and the wording proposed in the bylaw. Ms. Spieler said she did not think that the Housing Authority could be removed as it is part of the MGL. Mr. Sky said that is not what Town Counsel said. Member Fabian said we need clarification.

Discuss Facilities Management Function and possible vote to approve Facilities Manager Job Description

John Viarella, Human Resources Director, was present for the conversation. Mr. Sky said he has had conversations with Nate Darling, John Viarella, Frank Moniz and Board Members regarding the Facilities Manager. The Special Act had assigned facilities management to Inspectional Services. There needs to be dedicated management to facilities. A job description has been developed, and we have looked at ways to get through short term. Non-personnel funds added to Facilities budget can be used to hire project management services under Chapter 149, which allows us to bring someone on line as long as the projects are less than \$30,000. We will advertise the Facilities Manager position. He discussed possible funding to be brought before Special Town Meeting. Member Fabian asked if the Special Act needs to be repealed? Mr. Sky said no. The Special Act establishing the Department of Inspectional Services states that the Director will serve as facilities manager, unless a separate facilities manager is designated by the Board of Selectmen. Member Carboni said we have spoken of hiring an Assistant Inspector so

Upon a motion made by Member Carboni with Chairman LaCamera stepping down to second, it was:

VOTED: To approve the final job description for Facilities Manger as amended.
Member Carboni and Chairman LaCamera were in favor with Member Fabian opposed.

Discussion and possible vote to assign ARPA funding for the Ted Williams Camp Tennis Courts project

Michael Smith, Park Commission member, was present for the discussion. Mr. Smith said the Park Commission received \$24,000 to do the tennis court project, but bids were over \$40,000. He was asked to get more bids, which were all higher than \$24,000. They received a bid of \$44,785. He is asking for the Board to approve ARPA funds for the total amount. Chairman LaCamera said in order to do this right, additional funding is needed. It gets confusing when you mix ARPA funds and Town funds, so we will use the Town money later for the Park Department.

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

VOTED: To approve the use of ARPA money for the Ted Williams tennis courts in the amount of \$44,785.
Unanimous in favor.

Review surplus property list and possible vote to declare items on the list as surplus

Chairman LaCamera said the Town has been in the process of cleaning out three (3) storage containers at Town Hall. Two (2) were emptied and this is what is left. We must declare the property surplus so we can dispose of it. He summarized the list of items.

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

VOTED: To declare the property listed as surplus.
Unanimous in favor.

Discuss and possible vote on Notice of Intent to Layout Ledgewood Drive

Chairman LaCamera said the Board received a request to accept Ledgewood Drive as a public way. Mr. Sky said this just gets the process moving. We are meeting with the applicant's attorney this week.

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

VOTED: That the Select Board vote its intention to lay out Ledgewood Drive as a public way, all as shown on a plan entitled Ledgewood Drive Roadway As Built Plan, "Ledgewood Estates", a Residential Subdivision off Pierce Avenue in Lakeville Massachusetts, dated August 28, 2020, prepared by Outback Engineering,

signed seven (7) Host Community Agreements (HCA). Only two (2) of them are in business. The others have not started. Looking at the legislation passed in July 31, 2022, outside of retail, they have lifted all the restrictions for impact fees, except the local 3% sales tax for retail only. For all of the cultivation facilities, we receive only property taxes. Mr. Sky said we currently receive impact fees and that is under dispute and will go away when the current HCAs expire. Charitable contributions in HCAs are not allowed now. It is unclear if the CCC will grandfather that for current HCAs. Chairman LaCamera said we need to make this decision soon as the HCAs need to be renegotiated within a year of their expiration dates. We will not renew any HCAs for people not doing anything. We don't know if we can ask for mitigation. The agreements with Bountiful Farms and Jushi have not generated a lot of money for the Town, approximately \$200,000.

Member Fabian said she is less inclined to enter into an HCA with the delivery only application. She would like to see a retail facility, but the two (2) that we received would be next door to each other. Chairman LaCamera said he does not have a problem with retail use. Chairman LaCamera said the HCA agreements that the previous Board signed did not have end dates for approvals. Should we have Town Counsel draft up an HCA for retail. Member Fabian said yes. It was decided not to move forward with the delivery application. Member Fabian said the two (2) retail companies were more impressive. Mr. Sky said he will get back to the Board with the renewal dates. Member Fabian said we should ask Town Counsel if we give HCAs to both retail companies and let them decide if they want to compete.

Brian Wall said the charitable contribution cannot be in the HCA, but we can just make a separate donation to the Town outside of the HCA. Mr. Sky said what you do of your own volition is your choice; we cannot require it. Mr. Wall said he considers the 3% is the cost of doing business. We have written to the CCC to clarify the language. We would commit to opening within a year and would love to be part of Lakeville. If your process allows us, we would be located at 8 Harding Street. Do you have a timeline? Chairman LaCamera said within the next few weeks. Mr. Sky said he thinks it may be longer.

New Business

There was no New Business discussed.

Old Business

Chairman LaCamera said at the last meeting, the Board gave its opinion on the LeBaron Hills project with some of the issues we may have. Member Fabian said she watched the last Planning Board Meeting. Michelle MacEachern brought up the fact that in an agreement, the LeBaron Developers had offered to build a sidewalk from Fern Avenue down to the Senior Center. She said that the Select Board turned down the offer. It was not this Board; the decision was made in June 26, 2018 by a previous Board. She is not happy Ms. MacEachern never called anyone to ask what had happened. Chairman LaCamera read the following from minutes of June 26, 2018: "It was determined that the Town no longer wishes to install a sidewalk on Precinct Street. Mr. Atani stated he is getting bids on building the sidewalk and is willing to give cash to the Town in lieu of the sidewalk. Attorney Kwesell stated the sidewalk provision can be changed in the Permit Modification. She can work on the mitigation with Atty. Mather and Atty. Friedman. It does not

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 8:40 PM.
Unanimous in favor.

List of documents provided at the Select Board Meeting of August 29, 2022

1. Agenda page
2. Agenda page
3. Agenda page; Power Point Presentation Slides
4. Agenda page; draft schedule for Special Town Meeting
5. Agenda page; memo from the Assistant to the Town Administrator
6. Agenda page; draft articles for Special Town Meeting
7. Agenda page; memo from Town Administrator; list of funded projects; draft job description for Facilities Manager
8. Agenda page; memo from Town Administrator
9. Agenda page; list of proposed surplus property and photographs
10. Agenda page; letter from Attorney O'Shaughnessy; As-built Plan; Public Way Layout and Acceptance Procedural Checklist; memo from Town Counsel; Select Board's Procedure for Layout and Acceptance of Public Ways;
11. Agenda page; letter from MBTA Advisory Board
12. Agenda page
13. Agenda page; Select Board Meeting Minutes of August 15, 2022
14. Agenda page; memo from Town Administrator
15. Agenda page
16. Agenda page; information on LeBaron Hills project

**TOWN OF LAKEVILLE
Select Board Meeting Minutes
September 13, – 6:00 PM
Lakeville Public Library Meeting Room
4 Precinct Street, Lakeville, MA**

On September 13, 2022, the Select Board held a meeting at 6:00 PM at the Lakeville Public Library Meeting Room. The meeting was called to order at 6:00 PM by Chairman LaCamera. Members present were Chairman LaCamera, Member Fabian and Member Carboni. Also present was Ari Sky, Town Administrator and Tracie Craig-McGee, Executive Assistant to Select Board & Town Administrator. LakeCAM was recording the meeting for broadcast.

Select Board Announcements

Chairman LaCamera read the Select Board announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator's announcements.

Presentation by SOCOTEC on the Town Hall/Fire Station Feasibility Study

Jennifer Dos Santos and Riana Burton from SOCOTEC were present for the discussion. Mr. Sky said the study was funded in the FY22 Capital Program to conduct a feasibility study for the Town Hall/Fire Station. This study was started last year. Ms. Dos Santos spoke of the background of the study and the three (3) options studied. The existing conditions of the Town Hall and Fire Station were reviewed and the current site limitations were reviewed. Alternate sites were evaluated: Precinct Street adjacent to the Council on Aging and Bedford Street adjacent to the Police Station. The Precinct Street parcel is preferred. The existing floor plan of the Town Hall and Fire Station and proposed floor plans were reviewed. Preliminary probable costs for schematic design for the Fire Station were \$214,102 and for the Town Hall would be \$201,750 for a total of \$415,853. A preliminary timeline was reviewed.

Chairman LaCamera said the next step would be to ask Town Meeting for the design funding. After that, a building committee would be formed for each project. The committee would be responsible to come up with a final design and to hire an architect to come up with a cost. Then we would go back to Town Meeting for approval and an override vote. The decision was made to use the existing building for Town Hall. Handicapped accessibility is an issue and all mechanical systems need to be replaced. A stand-alone Fire Station is the right thing to do. Member Carboni said when looking at the options to utilize the current space, what were your findings on possibly putting a second level above the fire bays for additional space for the Fire Department. Is it possible to consider an out building for the larger fire trucks? Ms. Dos Santos said the environmental factors and septic constraints are an issue. The septic system is appropriately sized for the number of current personnel, but adding more personnel or more meeting space, the septic system would be undersized. The septic that is there received several variances to be installed. Building on top of the Fire Station bays would not resolve the width and height issues with the

apparatus bay openings. Member Carboni said if we considered an out building for the larger apparatus and used the bays for the smaller vehicles, we would not have to change the bays. If we aren't changing the number of people in the building, except for meeting space, the septic system might not be an issue. Chairman LaCamera said the Board of Health will not support any waivers to expand the septic system and it would need to be upgraded at a significant expense. DEP will not allow the waivers either. Member Carboni said she wants the Fire Services to have the facility that they need to do the work they do, but also balance the financial piece with the residents. She wants to make sure that we explore all options and is concerned that with the age of the building, we don't know what we will discover with renovations. Chairman LaCamera spoke about the handicapped accessibility issues with the current Town Office Building. Keeping the Fire Station there won't work. It is not fair to the Fire Department Staff to have to go from one building to another. He did not think the cost of renovations to the Town Hall would be as much as they were. A new Town Hall could be built for that money.

Mr. Sky said during the schematic design process we can dig into some of these issues. There is no debt involved with that. The long-term suitability for public safety response needs to be considered. Member Fabian said the Cities of Taunton and New Bedford do not want anyone to build in a Zone A. If we try to fix the Fire Station with an outbuilding, that would be expensive with the mechanical problems in the original building still there. You would need duplicate systems in each building, such as decontamination room, Plymovent, etc. Mr. Sky said the vision of Town Hall is a full renovation with a lot of contingency in there. The prudent thing to do is proceed with the schematic design and keep the numbers down. Chairman LaCamera said the next step is to hire an architect to look at the requirements to look at schematic designs for each building. There is no consideration to look at other options regarding the current building.

Steve Howe of Myricks Street asked why is the Precinct Street location preferable. Ms. Dos Santos said the traffic pattern on Bedford Street is a higher speed area. Some type of traffic control would need to be considered. There are also environmental issues there and there are septic system concerns. Mr. Howe asked about the fire trucks negotiating Precinct Street. Ms. DeSantis said the station could be better sited on Precinct Street. Brynna Donahue of Crooked Lane asked what would happen to the old building, including the old Library. Chairman LaCamera said the plan was to give the Old Library to the Historical Commission.

Update on MBTA Communities Program and State Affordable Housing Requirements

Marc Resnick, Town Planner, was present for the discussion. Mr. Resnick said the State issued guidelines for the MBTA Communities Program in December of 2021 for high density multi-family housing around transit stations. In the original plan, Lakeville would have to provide zoning for up to 750 multi family housing units by right within ½ mile of the station. The final set of guidelines have been released and are a bit different. They now have four (4) types of transit communities; we are an adjacent small town. The Middleborough Train Station is the regular commuter stop for Lakeville. We would have to provide 5% of our current housing stock, which is 231 units. We don't have a minimum land area to rezone, but we need to rezone for multi-unit housing of 15 units per acre density. Site plan review can apply for these developments, but they must be by right, not special permit. You can request 10% affordable units for regular housing. If you apply for 40R, you would have 20% affordable. We need to submit an action plan in 2023 to

the Department of Housing and Community Development, which would be an outline of the process to comply. Being an adjacent small town, we have until December of 2024 to comply and create the zoning.

Member Fabian read the definition of “as of right”. Would the Planning Board have less say? Mr. Resnick said in a Special Permit situation, yes. Discussion occurred regarding the process to create the action plan. Member Carboni asked is there any input on what we have currently done with high density housing that would fall into supporting the requirements. Mr. Resnick said the current high-density housing is not what they are looking for. They are looking to create the opportunity for new housing. It doesn’t mean that they will be built. We would need to adopt a zoning by-law which would allow this multi family district, perhaps by an overlay district. Member Carboni asked if it has to be in one (1) area. Mr. Resnick said it could be multiple areas, but they need to be a minimum of five (5) acres within half a mile of the Middleboro station.

Chairman LaCamera asked Mr. Resnick to explain “safe harbor”. Mr. Resnick said “safe harbor” is a term that references the Town’s ability to not approve 40B projects. If a community has more than 10% of permanent affordable restricted housing, you have the ability to not approve a 40B project. We are now at 6.5% and it will go down once the latest census figures are calculated into our existing affordable housing numbers. We would need to create more housing to get to 10%. If it is a rental complex, you can count all the units if 25% of the units are affordable. Chairman LaCamera said as you add more houses, the number of houses gets added to the total and the percentage goes down. Mr. Resnick said if you don’t keep up by adding a proportionate number of affordable units, the percentage will go down. The second way to say no to a 40B project, is to have 1.5% or more of the Town’s total land area as affordable housing. Lakeville has 23,000 acres, so 340 acres would be 1.5%. Out of the 23,000 acres, we can subtract water bodies, public lands, certain wetlands and a few other excluded parcels. He expects that Lakeville’s 1.5% would be in the 200 acres range. The third way, which is more of a temporary “safe harbor”, is to approve a large number of units (2% of the housing stock) and you get one (1) or two (2) years “safe harbor” if you have a valid housing production plan. We have not approved any large numbers of units, so we are not eligible for that.

Chairman LaCamera said asked that this item be placed on a Planning Board agenda to clear up any confusion.

Discuss process for consideration of Taunton Water Connection Applications

Chairman LaCamera said we recently had two (2) requests for water connections. One of the requests was for a non-conforming, non-buildable lot. The other was a 40B project which has not submitted a site plan. We need to have some documentation that proves that this project is moving forward. Approval has been made for some projects, but they were never developed. We have received a new Water Application Form from Taunton. This should come to the Select Board first. We need to have an explanation of what they are proposing. Chairman LaCamera said it would be good to have the Town Planner, Building Commissioner and Board of Health weigh in on the applications. Mr. Sky said he has spoken with Taunton Water Officials and they are meeting tomorrow to discuss the water allocation process. Commercial applicants look at this as the first thing to do to determine if the project is feasible. Residential applications are different. The 310

Kenneth Welch Drive application was all over the place. We had to force them to do an engineering report, which is why the Board has not seen the application yet. They were given a separate connection from a fire hydrant, which we were not aware of. Member Carboni asked about Mr. Sky putting together a water allocation process. Mr. Sky said the Town wants to reserve the right to approve, no matter what they do regarding allocations.

Update on Special Town Meeting Articles

Mr. Sky said there are 22 proposed articles, plus a road acceptance that may occur. He summarized the 22 proposed articles. Chairman LaCamera asked if the Town's Bond Counsel looked at the Assawompset School article. Mr. Sky said yes and it was revised; the correct language will be in the next version. Five (5) of the six (6) proposed Planning Board articles were approved by the Planning Board. There are also two (2) citizens petitions. Member Carboni said there was a possibility of another citizens petition for zoning. Mr. Sky said the Town has not received it yet. There may be one (1) or two (2) budget amendments regarding security.

Discuss and possible vote on Public Way Use Application from Charles River Wheelmen to use Lakeville Roads on September 18, 2022 for bike ride

Larry Kernan and Ed Chang from the Charles River Wheelmen were present for the discussion. Mr. Kernan said there are going to be approximately 250 riders spread out over a three (3) hour period in Lakeville. The Charles River Wheelmen are a non-profit group founded in 1956. They are the largest road cycling organization in New England with about 2,500 members. Chairman LaCamera said they will be on Vaughan Street and going down Hitching Post Road and Settlers Drive to get to Main Street. The Police Chief felt it was better to go through the residential streets due to the intersection being very dangerous at Vaughan and Main Street.

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

VOTED: To approve the Public Way Use Application from the Charles River Wheelmen to use Lakeville Roads on September 18, 2022 for a bike ride.
Unanimous in favor.

Discuss and possible vote regarding request from Lakeville Lions to revise 1-day liquor license hours – September 17, 2022

Chairman LaCamera said the Lakeville Lions Club has requested the 1-day liquor license hours for September 17th to be revised to 5:00 PM.

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

VOTED: To approve the change to 5:00 PM for the 1-day liquor license for the Lakeville Lions Club on September 17, 2022, including the rain date of September 18, 2022.
Unanimous in favor.

Discuss and possible vote to allocate Host Community Agreement Charitable Contribution proceeds for the Betty's Neck 20th Anniversary Celebration

Chairman LaCamera said there is going to be a 20th anniversary celebration of the purchase of Betty's Neck at Betty's Neck. Mr. Sky said an allocation of \$800 has been requested from the Host Community Agreement Charitable Contribution Fund. There is \$25,281 in that account that is available. Member Fabian said this will be on October 9th.

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

VOTED: To approve a \$800 allocation from the Host Community Agreement Charitable Contribution Fund for the Betty's Neck 20th Anniversary Celebration.
Two (2) in favor; one (1) abstention (Member Carboni).

New Business

There was no New Business discussed.

Old Business:

Update on Route 79 Project

Mr. Sky said the project is on schedule for construction in FY25. There is land in Taunton that may cause some issues; there may be an Article 97 issue that may require some legislative work. Town Counsel will let us know about that. Chairman LaCamera we are hoping that the project will be funded by October 1st.

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 7:41 PM.
Unanimous in favor.

OTHER ITEMS

1. The Voice of the Retired Public Employee newsletter
2. Inaugural Issue of Plymouth County Parking Quarterly
3. Letter from Massachusetts School Building Authority regarding Assawompset Elementary School

List of documents provided at the Select Board Meeting of September 13, 2022

1. Agenda page
2. Agenda page
3. Agenda page; Town Hall & Fire Station Study
4. Agenda page; DHCD Compliance Guidelines for Multi-family Zoning Districts under Section 3A of the Zoning Act
5. Agenda page; new Taunton Water Connection Application
6. Agenda page; Draft Articles for Special Town Meeting
7. Agenda page; Public Way Use Application – Charles River Wheelmen
8. Agenda page
9. Agenda page; memo from Nancy Yeatts, APC Manager
10. Agenda page
11. Agenda page

TOWN OF LAKEVILLE
Select Board Meeting Minutes
September 15, 2022 – 3:00 PM
Remote Locations

On September 15, 2022, the Select Board held a meeting at 3:00 PM remotely. The meeting was called to order at 3:08 PM by Chairman LaCamera. Members present were Chairman LaCamera, Member Fabian and Member Carboni. Also present was Ari Sky, Town Administrator, Amy Kwesell, Esquire from KP Law and Tracie Craig-McGee, Executive Assistant to the Select Board and Town Administrator. LakeCAM was recording the meeting for broadcast.

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the September 15, 2022 public meeting of the Lakeville Select Board 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/>**

Possible Executive Session pursuant to M.G.L. c.30A, §21a (3) to discuss strategy with respect to litigation (Bountiful Farms, Inc. vs. Town of Lakeville) if an open meeting may have a detrimental effect on the litigating position of the public body, and the Chairman so declares, and not to return to Open Session.

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

VOTED: To enter Executive Session pursuant to M.G.L. c.30A, §21a (3) to discuss strategy with respect to litigation (Bountiful Farms, Inc. vs. Town of Lakeville) if an open meeting may have a detrimental effect on the litigating position of the public body, and the Chairman so declares, and not to return to Open Session.

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

Member Carboni did not enter Executive Session and left the meeting at 3:11 PM.

**AGENDA ITEM #12
SEPTEMBER 29, 2022**

NEW BUSINESS

**AGENDA ITEM #13
SEPTEMBER 29, 2022**

OLD BUSINESS

**AGENDA ITEM #14
SEPTEMBER 29, 2022**

EXECUTIVE SESSION

MOTION:

Possible Executive Session pursuant to M.G.L. c.30A, §21a (3) to discuss strategy with respect to collective bargaining, specifically with PBA Local 185; IAFF Local 3188 and Laborer's International Union, if an open meeting may have a detrimental effect on the litigating position of the public body and the Chairman so declares and not to return to Open Session.

OTHER ITEMS

1. Letter from Mass DOT regarding Route 105 – Elliot Farm Parking Sign Request
2. Letter Division of Capital Asset Management and Maintenance seeking lease space
3. Notices from Department of Public Utilities regarding NSTAR Electric Company dba Eversource Energy
4. Memo from Council on Aging Board on new Vice Chairperson



Charles D. Baker, Governor
 Karyn E. Polito, Lieutenant Governor
 Jamey Tesler, Acting Secretary & CEO
 Jonathan L. Gulliver, Highway Administrator



September 13, 2022

Ari J. Sky
 Town Administrator
 346 Bedford Street
 Lakeville, MA 02347

Subject: Route 105 – Elliot Farm Parking Sign Request

Dear Mr. Sky:

MassDOT is responding to your letter expressing support for the installation of street parking signs on Route 105 adjacent to Elliot Farm.


Please be advised that parking signs have been installed as shown in the design plans developed by Environmental Partners. This work was completed on August 5, 2022, and enforcement of the new parking signs is now the responsibility of the Lakeville Police Department.

Please contact Kenneth Charlton, District Traffic Engineer at (857) 368-5203 with any questions regarding this matter.

Sincerely,


 Mary-Joe Perry (Sep 13, 2022 11:45 EDT)

Mary-Joe Perry
 District Highway Director

DMS/dms 

cc: MJP
 WDT 
 KLC 
 Files 

RECEIVED
 SEP 19 2022
SELECTMEN'S OFFICE

①

District 5, 1000 County Street, Taunton, MA 02780
 Tel: 857-368-5000, Fax: 508-880-6102
 www.mass.gov/massdot



The Commonwealth of Massachusetts

Executive Office for Administration and Finance

Division of Capital Asset Management and Maintenance

One Ashburton Place

Boston, Massachusetts 02108

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

RECEIVED
SEP 19 2022

Tel: (617) 727-4050
Fax: (617) 727-5363

MICHAEL J. HEFFERNAN
SECRETARY
ADMINISTRATION & FINANCE

CAROL W. GLADSTONE
COMMISSIONER

SELECTMEN'S OFFICE

September 13, 2022

Chair
Board of Selectmen
Town of Lakeville
346 Bedford Street
Lakeville, Massachusetts 02347

RE: Commonwealth's Search for Lease Space

Dear Sir or Madam:

We wish to notify you that the Division of Capital Asset Management and Maintenance has issued a Request for Proposals (RFP) seeking to lease space in your community as summarized below:

Location:	Bridgewater, Brockton, Easton, Lakeville, Middleborough, Raynham, Taunton, or West Bridgewater
Type of Space:	Office
Amount of Space:	Approximately 4,000 square feet of Usable Area
For Use By:	Division of Banks
Project Number:	202203400

The deadline for submission of proposals is October 6, 2022 at 2:00 p.m. The RFP can be viewed and downloaded from COMMBUYS using the link at <https://www.mass.gov/service-details/leasing-property-to-the-commonwealth>. You may also email geleasenotices.dcammm@mass.gov to request a copy of the RFP, referencing the agency name and project number in your request.

Sincerely,

Dan Cordeau
Director, Office of Leasing and State Office Planning

cc: John Prudente, DCAMM

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RECEIVED
SEP 21 2022
SELECTMEN'S OFFICE



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 22-119

September 8, 2022

Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2019-2021 Three-Year Energy Efficiency Plan Term Report.

On August 1, 2022, NSTAR Electric Company d/b/a Eversource Energy ("Company") filed with the Department of Public Utilities ("Department") its 2019-2021 Three-Year Energy Efficiency Plan Term Report ("Term Report"). The Term Report documents actual energy savings, benefits, and expenditures resulting from the implementation of the Company's 2019-2021 three-year energy efficiency plan approved by the Department in NSTAR Electric Company, D.P.U. 18-119 (2019). The Term Report also describes all pending internal and/or external investigations within the Company's service area regarding potential fraud in the implementation of the Mass Save program. The Department has docketed this matter as D.P.U. 22-119.

The Department will review the Term Report to determine, among other things, whether the Company: (1) reported its program savings, benefits, and costs accurately and reliably; and (2) implemented its energy efficiency programs in a manner that was consistent with statutory requirements and the Department-approved three-year plan. See G.L. c. 25, § 19(d)(2); G.L. c. 25, § 21(b)(3); G.L. c. 25, §§ 19(a) and (c). Based on the results of the investigation, the Department will approve final recovery of costs incurred during the three-year term, including performance incentive payments. G.L. c. 25, § 19.

Due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic, the Department will conduct a virtual public hearing to receive comments on the Company's filing. The Department will conduct the hearing using Zoom videoconferencing on **Thursday, October 27, 2022**, beginning at **2:00 p.m.** Attendees can join by entering the link, <https://us06web.zoom.us/j/81162104126>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearings, attendees can dial in at **(646) 558-8656 (not toll free)** and then enter the **Meeting ID# 811 6210 4126**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Tuesday, October 25, 2022**, to sarah.smegal@mass.gov with your name, email address, and mailing address. If you anticipate commenting by telephone, please leave a voicemail message by **Tuesday**,

3

October 25, 2022, at (617) 305-3653 with your name, telephone number, and mailing address.

Any person interested in commenting on the Company's filing may also submit written comments to the Department no later than the close of business (5:00 p.m.) on **Friday, October 28, 2022**. At this time, all filings will be submitted only in electronic format consistent with the Commission's June 15, 2021 directive related to modified filing requirements. Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)); however, until further notice, parties must retain the original paper version and the Department will later determine when the paper version must be filed with the Department Secretary.

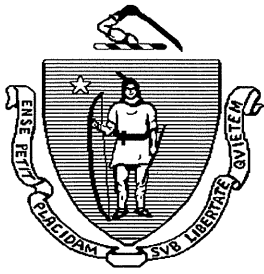
Any person who desires to participate otherwise in the evidentiary phase of this proceeding shall file a petition for leave to intervene no later than 5:00 p.m. on **Thursday, October 20, 2022**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. All responses to petitions to intervene must be filed by the close of business (5:00 p.m.) on the second business day after the petition to intervene was filed.

All documents must be submitted to the Department in **pdf format** by e-mail attachment to dpu.efiling@mass.gov and sarah.smegal@mass.gov. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-119); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB. All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "22-119") at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber>. In addition, one copy of all written comments and petitions to intervene should be emailed to the Company's attorneys, John K. Habib, Esq., at jhabib@keeganwerlin.com, and Ashley S. Marton, Esq., at amarton@keeganwerlin.com.

At this time, a paper copy of the filing will not be available for public viewing at the Company's offices or the Department due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic. The filing and all subsequent related documents, pleadings and/or filings submitted to the Department and/or issued by the Department will be available on the Department's website as referenced above as soon as is practicable. To the extent a person or entity wishes to submit comments or intervene in accordance with this Notice, electronic submission, as detailed above, is sufficient. To request materials in accessible formats for people with disabilities (Braille,

large print, electronic files, audio format), contact the Department's ADA coordinator at DPUADACoordinator@mass.gov.

For further information regarding the Company's filing, please contact the Company's attorneys, identified above. For further information regarding this Notice, please contact Sarah Smegal, Hearing Officer, Department of Public Utilities, at sarah.smegal@mass.gov.



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND REQUEST FOR COMMENTS

D.P.U. 22-BSF-C3 (NEMA)

September 8, 2022

Petition of NSTAR Electric Company d/b/a Eversource Energy for Approval of an Alternative Basic Service Procurement Plan.

On September 6, 2022, NSTAR Electric Company d/b/a Eversource Energy (“NSTAR Electric” or the “Company”) filed a petition with the Department of Public Utilities (“Department”) for approval of an alternative basic service procurement plan for the Company’s large commercial and industrial (“C&I”) customers in the Northeastern Massachusetts Reliability Region (“NEMA”) load zone for the period October 1, 2022, through December 31, 2022. The Department docketed this matter as D.P.U. 22-BSF-C3 (NEMA).

Pursuant to Pricing and Procurement of Default Service, D.T.E. 99-60-B (2000) and Default Service Procurement, D.T.E. 02-40-C (2003), the Department requires electric distribution companies to procure 100 percent of their C&I basic service load requirements on a quarterly basis. Consistent with these requirements, on July 19, 2022, the Company issued a request for proposal (“RFP”) to solicit 100 percent of its basic service load requirements for its large C&I basic service customers in the NEMA and Southeastern Massachusetts Reliability Region (“SEMA”) load zones for the three month (October 1, 2022, through December 31, 2022) basic service period.

On August 25, 2022, the Department approved the Company’s proposed basic service rates for the SEMA load zone. NSTAR Electric Company d/b/a Eversource Energy, D.P.U. 22-BSF-C3 (SEMA) (August 25, 2022). However, the Company did not award load blocks to suppliers for the three-month basic service period in the NEMA load zones. The NEMA bids for each 25 percent tranche resulting from the July 19, 2022 RFP were limited and were substantially higher than the winning SEMA bid. In its analysis, the Company determined the NEMA bids were unreasonably high and unacceptable.

Accordingly, the Company has proposed an alternative basic service procurement plan to serve large C&I customers in the NEMA load zone. The Company proposes to self-supply for these customers by assuming the responsibility for managing the load asset for these customers in the ISO-NE day ahead energy market. The Company proposes to set the basic service rate for the affected customers at the same rate approved by the Department for large C&I customers in the SEMA load zone. Under the Company’s proposal, any under- or over-recovery of costs would be collected through the Company’s basic service true up factor set forth in M.D.P.U. No. 47C.

The Department will accept written comments on the Company’s petition. Written comments must be filed with the Department no later than close of business (5:00 p.m.) on

Friday, September 16, 2022. To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed below, is sufficient.

All comments must be submitted to the Department in **.pdf format** by e-mail attachment to dpu.efiling@mass.gov and patrick.m.houghton@mass.gov. All comments also must be sent to counsel for NSTAR Electric Company, Daniel Venora, Esq., by email attachment to dvenora@keeganwerlin.com. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-BSF-C3 (NEMA)); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB.

Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)) regarding the filing of documents. However, at this time, all filings will be submitted to the Department only in electronic format, consistent with the Department's June 15, 2021 Memorandum addressing continued modified filing requirements. Until further notice, parties must retain the original paper version of the filing and the Department will later determine when the paper version must be filed with the Department Secretary.

At this time, a paper copy of the filing will not be available for public viewing at the offices or the Department. The filing and other documents submitted in electronic format will be posted as soon as practicable at on the Department's website through our online File Room at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "22-BSF-C3"). To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at DPUADACoordinator@mass.gov.

Any person desiring further information regarding the Company's filing should contact counsel for NSTAR Electric Company, Daniel Venora, Esq., at dvenora@keeganwerlin.com. Any person desiring further information regarding this notice may contact Patrick Houghton, Hearing Officer, Department of Public Utilities, at patrick.m.houghton@mass.gov.

Lakeville Council on Aging
1 Dear Crossing
Lakeville, MA 02347

RECEIVED
SEP 12 2022
SELECTMEN'S OFFICE

TO: Select Board
Town Clerk

FROM: Deveney R. Boyadjian, Chairperson-Council on Aging Board

SUBJECT: Reorganization of Council on Aging Board

DATE: September 12, 2022

Paula Frodyma, Vice-chairperson of the Council on Aging Board submitted her resignation as she and her husband are moving out of state. At their meeting of September 7, 2022, the Council on Aging Board elected Hilary Wood as the new Vice-chairperson.

4