

AGENDA
Joint Meeting of Board of Selectmen and Finance Committee
Remote Location Meeting
April 14, 2020 – 3:00 PM

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

1. In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the April 6, 2020 public meeting of the **Board of Selectmen** shall be physically closed to the public to avoid group congregation. **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/>**
2. Discuss reappointment of Brian Day to the Finance Committee
3. Finance Committee review and vote to approve Reserve Fund Transfers
4. Finance Committee to approve minutes of January 13, 2020
5. FY21 Budget Update
6. Discuss any issues with FY20 Budget
7. Discuss FY21 Capital Plan
8. Covid 19 update
9. Discuss voting to re-schedule Annual Town Election to June 16, 2020
10. Discuss rescheduling Annual Town Meeting and review draft Warrant
11. Discuss EEE spraying
12. Discuss appointing Selectman LaCamera as Selectmen Designee for Police Station Building Committee
13. New Business: Commendation for Nathan Gagnier, Firefighter
14. Old Business: Update regarding sale of Lakeville Hospital Property
Update regarding sale of Lakeville Country Club
15. Any other business that may properly come before the meeting

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

AGENDA ITEM #1
APRIL 14, 2020

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the April 6, 2020 public meeting of the **Board of Selectmen** shall be physically closed to the public to avoid group congregation. **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/>**

**AGENDA ITEM #2
APRIL 14, 2020**

**DISCUSS REAPPOINTMENT OF BRIAN DAY TO
THE FINANCE COMMITTEE**

Brian Day's appointment to the Finance Committee expired on April 5, 2020, based on the April 6th Election Date.

As the election will now be taking place in June, the Finance Committee and BOS need to vote to reappoint Brian to the Finance Committee.

As the Selectmen have not yet voted the date of the Annual Town Election (proposed for June 16, 2020) do you want to make the appointment until the day prior to the Annual Town Election for 2020 or specify a date? The Town Clerk recommends making the expiration date June 15, 2020.

Tracie

**AGENDA ITEM #3
APRIL 14, 2020**

**FINANCE COMMITTEE REVIEW AND VOTE TO
APPROVE RESERVE FUND TRANSFERS**

Could the Finance Committee vote to approve the following Reserve Fund Transfers that need to be made:

Property and Liability Insurance	\$6,000
Fire Department (safety equipment)	\$13,500
IT Director Salary	\$21,000
Facilities-Maintenance Expenses	\$10,000
Public Health Nurse Services	\$5,400
Snow & Ice:	
Wages	\$1,170
Vehicle/Equip Repairs	\$17,002
Contracted Services	\$18,277
Road Treatment Supplies	\$41,238

I have attached the request forms with explanations.

Tracie

TOWN OF LAKEVILLE
Reserve Fund Transfer Request
 Fiscal Year 2020

Transfer From		Approved
Account#	Department/Description	Amount
01132200-579000	FINANCE COMMITTEE - Reserve Fund	\$ 6,000.00
		\$ 6,000.00

Account#	Department/Description	Requested
01945200-574000	Property & Liability Insurance	\$ 6,000.00
		\$ 6,000.00

Explanation:

1) Increased premiums re: new Police station and cyber security coverage.

Department



Department Head

Finance Committee

Chair, Finance Committee

Date

Massachusetts General Laws, Chapter 40:

Section 6. To provide for extraordinary or unforeseen expenditures, a town may at an annual or special town meeting appropriate or transfer a sum or sums not exceeding in the aggregate five per cent of the levy of the fiscal year preceding the fiscal year for which the fund, to be known as the reserve fund, is established. No direct drafts against this fund shall be made, but transfers from the fund may from time to time be voted by the finance or appropriation committee of the town, in towns having such a committee, and in other towns by the selectmen; and the town accountant in towns having such an official, and in other towns the auditor or board of auditors, shall make such transfers accordingly.

TOWN OF LAKEVILLE

Reserve Fund Transfer Request

Fiscal Year 2020

Transfer From		Approved
Account#	Department/Description	Amount
01132200-579000	FINANCE COMMITTEE - Reserve Fund	\$ 13,500.00
		\$ 13,500.00

Transfer To		Requested
Account#	Department/Description	Amount
01220200-558600	Fire - Safety Equipment	\$ 13,500.00
		\$ 13,500.00

Explanation:

1) One-time safety equipment needs, which most Fire Departments have available to staff (see attached listing).

Department

Finance Committee

Department Head

Date

Chair, Finance Committee

Date

Massachusetts General Laws, Chapter 40:

Section 6. To provide for extraordinary or unforeseen expenditures, a town may at an annual or special town meeting appropriate or transfer a sum or sums not exceeding in the aggregate five per cent of the levy of the fiscal year preceding the fiscal year for which the fund, to be known as the reserve fund, is established. No direct drafts against this fund shall be made, but transfers from the fund may from time to time be voted by the finance or appropriation committee of the town, in towns having such a committee, and in other towns by the selectmen; and the town accountant in towns having such an official, and in other towns the auditor or board of auditors, shall make such transfers accordingly.

Category	ITEM	Quantity	Unit cost	Cost
Fire	1 - 10' X 6" Lightweight Suction for E3	1	467.99	467.99
Fire	125 GPM Foam Eductor	1	697.50	697.50
Fire	2 - 6"NH Ball Intake Valves	2	1,811.25	3,622.50
Fire	Air Aspirating Nozzle Attachment (for new nozzles)	1	270.00	270.00
Fire	Vent saw	1	2,500.00	2,500.00
Hazmat	Booms (w/ interlocking clips)	12	155.00	1,860.00
Hazmat	Hazmat spill kit w/ catch basin	1	529.95	529.95
Medical	King.Vision@ LED Video Laryngoscope Kit	2	1,459.99	2,919.98
Rescue	Ice rescue suits	2	750.00	1,500.00
Rescue	Stokes basket with flotation.	1	1,100.00	1,100.00
Safety	car lockout kit	1	80.00	80.00
Safety	Hot sticks	2	319.99	639.98
Safety	Lock Out/Tag Out Kit	2	305.00	610.00
Wildland	Indian tanks	6	180.00	1,080.00

Estimated : 13,457.92

TOWN OF LAKEVILLE

Reserve Fund Transfer Request

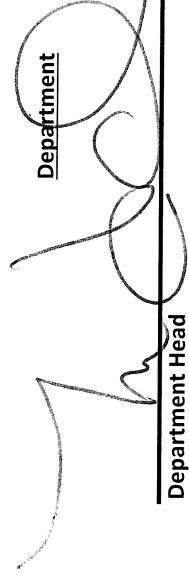
Fiscal Year 2020

Transfer From		Approved
Account#	Department/Description	Amount
01132200-579000	FINANCE COMMITTEE - Reserve Fund	\$ 21,000.00
		\$ 21,000.00

Account#	Department/Description	Requested
01155100-511000	IT Director - Salary	\$ 21,000.00
		\$ 21,000.00

Explanation:

1) Police station and other technology projects have required more time than anticipated; budget based on 25 hours/week.


 Department Head

Finance Committee

Chair, Finance Committee _____
 Date _____

Massachusetts General Laws, Chapter 40:

Section 6. To provide for extraordinary or unforeseen expenditures, a town may at an annual or special town meeting appropriate or transfer a sum or sums not exceeding in the aggregate five per cent of the levy of the fiscal year preceding the fiscal year for which the fund, to be known as the reserve fund, is established. No direct drafts against this fund shall be made, but transfers from the fund may from time to time be voted by the finance or appropriation committee of the town, in towns having such a committee, and in other towns by the selectmen; and the town accountant in towns having such an official, and in other towns the auditor or board of auditors, shall make such transfers accordingly.

TOWN OF LAKEVILLE

Reserve Fund Transfer Request

Fiscal Year 2020

Transfer From		Transfer To	
Account#	Department/Description	Account#	Department/Description
01132200-579000	FINANCE COMMITTEE - Reserve Fund	01193200-524000	Facilities - Maintenance Expenses
		01522200-531000	Public Health Nurse Services
	Approved		Requested
	\$ 15,400.00		\$ 10,000.00
	\$ 15,400.00		5,400.00
	\$ 15,400.00		\$ 15,400.00

Explanation:

- 1) Unforeseen building repairs, due to aging facilities (Historic Library, Town Offices/Fire Station, Library, Park). FY2021 Budget request has been increased by \$20,000 to address ongoing maintenance concerns.
- 2) Additional services required due Health Agent vacancy and a variety of health concerns.

Department

Finance Committee


 Department Head

Date

Chair, Finance Committee

Date

Massachusetts General Laws, Chapter 40:

Section 6. To provide for extraordinary or unforeseen expenditures, a town may at an annual or special town meeting appropriate or transfer a sum or sums not exceeding in the aggregate five per cent of the levy of the fiscal year preceding the fiscal year for which the fund, to be known as the reserve fund, is established. No direct drafts against this fund shall be made, but transfers from the fund may from time to time be voted by the finance or appropriation committee of the town, in towns having such a committee, and in other towns by the selectmen; and the town accountant in towns having such an official, and in other towns the auditor or board of auditors, shall make such transfers accordingly.

**AGENDA ITEM #4
APRIL 14, 2020**

**FINANCE COMMITTEE TO APPROVE MINUTES
OF JANUARY 13, 2020**

This item has been tabled.

Tracie

AGENDA ITEM #5
APRIL 14, 2020

FY 21 BUDGET UPDATE

**AGENDA ITEM #6
APRIL 14, 2020**

DISCUSS ANY ISSUES WITH FY20 BUDGET

Rich asked for this to be on the agenda.

Tracie

AGENDA ITEM #7
APRIL 14, 2020

DISCUSS FY21 CAPITAL PLAN

Lia asked for this to be placed on the agenda.

Tracie

Town of Lakeville FY2021 Five-Year Capital Plan DRAFT 2021

3.20.2020

Department	APPROVED		REQUEST			
	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025
POLICE DEPARTMENT:						
One (1) Police Cruiser	\$35,900					
One (1) Unmarked Cruiser	\$31,800					
Ballistic Shields and Helmet	\$22,600					
Two (2) Police Cruisers		\$84,000				
One (1) Unmarked Cruiser		\$28,000				
Two (2) Police Cruisers			\$84,000			
Two (2) Police Cruisers				\$84,000		
Three (3) Police Cruisers					\$120,000	
TOTAL POLICE DEPARTMENT	\$90,300	\$112,000	\$84,000	\$84,000	\$120,000	
FIRE DEPARTMENT:						
Jaws of Life	\$45,000					
New Pumper (Replace 2003 Engine 2)	\$425,000					
Command Vehicle (Deputy Chief) to Replace 2008 Ford Taurus	\$38,000					
Health and Safety-Anti-Cancer Measures						
Pickup Truck 4x4 1 Ton w/plow to Replace 2008 Ford Pick up Truck		\$50,000				
New Pumper (Replace 1991 Engine 3)			\$550,000			
New Ambulance (To replace 2015 Ambulance #5)				\$275,000		
TOTAL FIRE DEPARTMENT	\$508,000	\$50,000	\$550,000	\$275,000	\$0	
EMERGENCY MANAGEMENT						
Generator TO/FS- \$84,000 less \$17,000 already approved	\$0	\$50,000				
Public Safety Communications - Removed \$292,000		\$0				
Small Boat		\$13,000				
TOTAL EMERGENCY MANAGEMENT DEPARTMENT	\$0	\$63,000	\$0	\$0	\$0	
HIGHWAY DEPARTMENT						
Used Cab & Chasis w/multiuse Body, Sander & Plow (Replace 1990)	\$75,000					
Two (2) 40 x 30 Storage Sheds w/ staging materials (replace salt shed)	\$75,000					
Engineer, move & grade BUD Permit material	\$50,000					
Used 38ft Bucket Truck w/Safety Equipment (Replace 1994)	\$60,000					
One (1) Debris (Leaf) Loader, One (1) Riding Mower, One (1) Zero turn Mov	\$25,000					
Roadway Work	\$0	\$375,000	\$375,000	\$375,000	\$375,000	
Stormwater Management Consulting Services		\$100,300	\$45,160	\$72,218	\$64,379	
New 1 Ton w/ Sander & Plow, New 4x4 pick up w/plow(Replace 93,95)		\$113,000				
Used Cab and Chasis w/multiuse body Sander &Plow (replace 2003)		\$80,000				
Used Sweep Sweeper (replace 2005)ms4		\$150,000				
New Skid Steer w/attachments		\$92,500				
Highway Site Work-Move & Grade BUD Permit Material			\$50,000			
Used 1 Ton Pickup with Mini Sander, 4x4 pick up w/plow(1997/2001)			\$85,000			
Used Sidewalk Plow w Vplow			\$75,000			
One (1) Riding Mower, One (1) Zero Turn and Equipment			\$25,000			
One (1) 40/x30 Storage Shed w/Staging Material & Electrical				\$40,000		
Used 1 Ton Pick-up w/Mini Sander, Chop Box & Plow				\$55,000		
Loader with Attachements				\$200,000		
Highway Site Work-Move & Grade BUD Permit Material				\$50,000		
Used Sander Truck/Dump Truck					\$90,000	
One (1) Riding Mower, One (1) Zero Turn and Equipment					\$25,000	
Pave HWY Parking Lot with Drainage					\$200,000	
TOTAL HIGHWAY DEPARTMENT	\$285,000	\$910,800	\$655,160	\$792,218	\$754,379	\$4,057,557
ANIMAL CONTROL						
New 4 Wheel Drive Pick Up (Replace 2005 Truck)	\$30,000	\$0				
Pave Driveway & Parking Lot	\$20,000	\$0				
TOTAL ANIMAL CONTROL	\$50,000	\$0	\$0	\$0	\$0	\$100,000

Town of Lakeville FY2021 Five-Year Capital Plan DRAFT 2021

3.20.2020

Department	APPROVED	REQUEST	FY2022	FY2023	FY2024	FY2025
	FY2020	FY2021				
HISTORICAL COMMISSION						
National Register Listing and Preservation Plans for 2 Cemeteries	\$10,000					
Inventory of Historic and Archaeological Assets Survey	\$25,000					
Reconnaissance Archaeological Survey & Preservation Plan		\$30,000				
TOTAL HISTORICAL COMMISSION	\$35,000	\$30,000	\$0	\$0	\$0	\$100,000
LANDFILL/TRANSFER STATION						
40 CY Container (Open Top) Installation			\$10,000			
Sealcoating		\$21,000				
TOTAL LANDFILL/TRANSFER STATION	\$0	\$0	\$0	\$0	\$0	\$0
GENERAL GOVERNMENT-TECHNOLOGY						
New Town-Wide Phone System (re-wiring with Cat 5 not included)(TM2019	\$40,000					
Town Clerk Database Software Codification (TM 2019)	\$10,000					
Munis Modules Purchase Orders/Fixed Assets (TM 2019)	\$14,000					
Document Management--Town Clerk (TM 2019)	\$75,000					
Records Retention Town-Wide (King Systems)						
It Strategic Plan Budget		\$50,000	\$82,000	\$20,000		
Security Systems Town Locations		\$23,000				
Create Emergency Operations Center Support Technology						
TOTAL GENERAL GOVERNMENT-TECHNOLOGY	\$139,000	\$73,000	\$82,000	\$20,000	\$0	
PARK COMMISSION						
Irrigation System and field work for One (2) New Fields at TWC & Irrigation	\$75,000	\$15,000				
Pick Up Truck(USED)			\$15,000			
Kubota Loader/Backhoe		\$20,000				
Utility Vehicle for transporting Equipment						
Tennis Courts Repair and Paint			\$28,500			
Re-surface TWC Basketball Courts				\$15,000		
Parking Lot Lights at TWC			\$17,500			
Repave Clear Pond Basketball Courts			\$34,000			
Repairs to John Paun Park			\$20,000			
Bathrooms for new fields on Rte. 18			\$50,000			
Drainage material for TW Parking lots		\$30,000				
TOTAL PARK COMMISSION	\$75,000	\$65,000	\$165,000	\$15,000	\$0	
COA						
New Flooring		\$22,000				
TOTAL COA	\$0	\$22,000	\$0	\$0	\$0	
Conservation						
Peach Barn Roof	\$0	\$15,000				
Building Department						
Air Scrubber for Health and Safety		\$15,000				
TOTAL LIBRARY	\$0	\$15,000	\$0	\$0	\$0	
GOVERNMENT-FACILITIES FOR FUTURE CONSIDERATION						
Renovations to Town Office/Fire Station Building						
Fire Sub-Station						
New Highway Garage/Facility (\$179,000 approved TM 2017)						
Total Town	\$1,182,300	\$1,340,800	\$1,536,160	\$1,186,218	\$874,379	

**AGENDA ITEM #8
APRIL 14, 2020**

COVID 19 UPDATE

Lia asked for this to be placed on the agenda.

Tracie

**AGENDA ITEM #9
APRIL 14, 2020**

**DISCUSS VOTING TO RE-SCHEDULE ANNUAL
TOWN ELECTION TO JUNE 16, 2020**

The proposed date for the Annual Town Election is June 16, 2020. The Town Clerk has discussed this date with the Freetown Town Clerk and she is okay with the date.

The Freetown Board of Selectmen discussed this at their meeting on April 13th.

Tracie

**AGENDA ITEM #10
APRIL 14, 2020**

**DISCUSS RESCHEDULING ANNUAL TOWN
MEETING AND REVIEW DRAFT WARRANT**

I have attached the draft warrant so far for the Annual Town Meeting Warrant.

The Annual Town Meeting was previously scheduled for June 1, 2020.

Tracie

COMMONWEALTH OF MASSACHUSETTS

Town of Lakeville

Annual Town Meeting

Monday, June 1, 2020

To any of the Constables of the **TOWN OF LAKEVILLE**,

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet in the

**APPONEQUET REGIONAL HIGH SCHOOL AUDITORIUM
100 HOWLAND ROAD, LAKEVILLE, MA**

On Monday, June 1, 2020 at 7:00 PM, then and there to act on the following articles:

ARTICLE 1: To see if the Town will vote to determine the salaries of all elected officers and to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to defray Town expenses for the fiscal period July 1, 2020 to June 30, 2021, inclusive, said sums to be allocated in accordance with the budget document to be presented at Town Meeting, and to make appropriation, or take any other action relative thereto.

Board of Selectmen

ARTICLE 2: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to operate the Park Department for the fiscal period July 1, 2020 to June 30, 2021, inclusive, and to make appropriation, or take any other action relative thereto.

Board of Selectmen

ARTICLE 3: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to operate the Landfill/Transfer Station for the fiscal period July 1, 2020 to June 30, 2021, inclusive, and to make appropriation, or take any other action relative thereto.

Board of Selectmen

ARTICLE 4: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty Thousand Dollars (\$20,000) to cover the cost of contractual obligations upon retirement of Town Employees, or take any other action relative thereto.

Board of Selectmen

ARTICLE 5:

ARTICLE 6:

ARTICLE 7:

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health, and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the M.G.L., that project and financing costs shall be repaid by the property owners, in accordance with those agreements, as well as, take any other action necessary to carry out the projects, or take any action relative thereto.

Board of Health

ARTICLE 8:

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation, as set forth below, to change to position of treasurer-collector from an elected position to a position appointed by the Board of Selectmen; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen 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.

Board of Selectmen

The petition for special legislation shall take the following form:

**AN ACT RELATIVE TO THE POSITION OF TREASURER COLLECTOR 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 treasurer/collector for the town of Lakeville. The treasurer/collector 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 treasurers and town collectors of taxes. The treasurer/collector shall be appointed and may be removed, after the opportunity for a hearing, by the board of selectmen of the town. The board of selectmen may establish an employment contract, subject to annual appropriation, with the treasurer/collector 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 offices of treasurer/collector shall be abolished and the term of the incumbent of such office terminated. Notwithstanding the foregoing, the elected incumbent holding the offices of treasurer/collector on the effective date of this act shall continue to hold such offices and perform the duties of those offices until the expiration of the term for which the town treasurer/collector was elected, unless he or she sooner vacates such offices or until a new treasurer/collector is appointed by the board of selectmen 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 treasurer/collector or the creation of the appointed office and the appointed treasurer/collector shall, in all respects, be the lawful successor of the office so abolished. All records, property and equipment of the offices of the elected treasurer/collector shall be assigned to the office of the appointed treasurer/collector.

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

ARTICLE 9: To see if the Town will vote to amend the Town's General By-Laws by inserting a new By-Law entitled "Right to Farm By-Law", as shown below, and further, to authorize the Town Clerk to assign such numbering as is appropriate to bring said By-Law into conformance with the existing codification; or take any action relative thereto.

RIGHT TO FARM GENERAL BY-LAW

SECTION 1 Legislative Purpose and Intent

The purpose and intent of this By-Law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A. We the citizens of Lakeville, MA restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("Home Rule Amendment").

This General By-Law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Lakeville, MA by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-Law shall apply to all jurisdictional areas within the Town.

SECTION 2 Definitions

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- raising of livestock including horses;
- keeping of horses as a commercial enterprise; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing

animals.

“Farming” shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manure, fertilizers and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

SECTION 3 Right to Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Lakeville, MA. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-Law are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right to Farm By-Law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

SECTION 4 Disclosure Notification

Not later than 21 days after the purchase and sale contract is entered into, or prior to the sale or exchange of real property if no purchase and sale agreement exists, for the purchase or exchange of real property, or prior to the acquisition of a leasehold interest or other possessory interest in real property, located in the Town of Lakeville, MA, the landowner shall present the buyer or occupant with a disclosure notification which states the following:

“It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances.”

A copy of the disclosure notification shall be given on a form prepared by the Town and shall be signed by the landowner prior to the sale, purchase, exchange or occupancy of such real property. A copy of the disclosure notification must be filed with the Board of Selectmen or its designee prior to the sale, purchase, exchange or occupancy of such real property. In addition to the above, a copy of this disclosure notification shall be provided by the Town to landowners each fiscal year by mail.

A violation of Section 4 shall be subject to a fine of \$300 and shall be enforced by the Board of Selectmen or its designee. The Town is authorized to enforce Section 4 under the non-criminal disposition provision of G.L. c. 40, § 21D.

SECTION 5 Resolution of Disputes

Any person who seeks to complain about the operation of a farm

may, notwithstanding pursuing any other available remedy, file a grievance with the Select Board, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Select Board may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

SECTION 6 Severability Clause

If any part of this By-Law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-Law. The Town of Lakeville, MA hereby declares the provisions of this By-Law to be severable.

Agricultural Commission

ARTICLE 10: To see if the Town will vote to accept the provisions of G.L. c. 40, §57, as amended by Chapter 408 of the Acts of 1993, and adopt the General By-Law appearing on the warrant, which would permit the licensing authority to deny an application, to revoke or suspend any local license or permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges.

DENIAL, REFUSAL OR SUSPENSION OF LICENSES AND PERMITS OF DELINQUENT TAXPAYERS

SECTION 1 List of Persons Neglecting or Refusing to Pay Taxes, Assessments or Municipal Charges. The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the Tax Collector, shall annually, and may

periodically, furnish to each Department, Board, Commission or Division, hereinafter referred to as the licensing authority that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges and that such a party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

SECTION 2 Denial, Refusal or Suspension of License; Hearing.

The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the Tax Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the Tax Collector; provided, however, that written notice is given to the party and the Tax Collector, as required by applicable provisions of law and the party is given a hearing, to be held not earlier than fourteen (14) days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Tax Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the Tax Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and

the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

SECTION 3 Waiver of Denial, Suspension or Revocation. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in Section 1 of Chapter 268A in the business or activity conducted in or on said property.

SECTION 4 Exceptions. This By-Law shall not apply to the following licenses and permits: Open burning, Section 13 of Chapter 48; bicycle permits, Section 11A of Chapter 85; sales of articles for charitable purposes, Section 33 of Chapter 101; children work permits, Section 69 of Chapter 149; clubs, associations dispensing food or beverage licenses, Section 27E of Chapter 140; dog licenses, Section 137 of Chapter 140; fishing, hunting, trapping licenses, Section 12 of Chapter 101; marriage licenses, Section 28 of Chapter 207; and theatrical events, public exhibition permits, Section 181 of Chapter 140.

Board of Selectmen

Suggested By-Law from Town Counsel, Gregg Corbo Friday, 1/17/20

ARTICLE 11: To see if the Town will vote to amend the Zoning By-Law, **Section 8.7 Temporary Licenses** to change the licensing authority for mobile homes and storage boxes from the Board of Selectmen to the Building Commissioner and to make the changes shown below, with the additions in **bold** and deletions in ~~strikethrough~~:

MOBILE HOME-STORAGE BOXES-TRAILERS

8.7 Temporary Licenses

Notwithstanding the other provisions of this by-law, the owner and occupier of a residence which has been unintentionally destroyed or the owner of a conforming lot under these by-laws

and permitted for building a single family residence, may apply for a license from the Building Commissioner to place a mobile home as defined herein and to reside in such home for a period not to exceed twelve months while the residence is being built or rebuilt. Any such mobile home shall be subject to the provisions of the State Sanitary Code. Such a license may be issued for a period of six (6) months and may be reserved by written request thirty (30) days prior to expiration for an additional six (6) months due to unforeseen circumstances or other unavoidable delays.

(Adopted June 16, 2003; approved by Attorney General September 9, 2003)

8.7.1 Upon application from the owner of a parcel of land, the Building Commissioner may issue a temporary license to place a mobile home as defined herein, on such land of the applicant for a temporary residence of transient non-paying guests for a period not to exceed three months. Such license shall be non-renewable. Any such mobile home shall be subject to the provisions of the State Sanitary Code.

(Adopted June 16, 2003; approved by Attorney General September 9, 2003)

8.7.2 Upon application from the owner of a parcel of land, the Building Commissioner may issue a temporary license to place an unoccupied mobile home as defined herein, for storage on such lot for a period not to exceed one year, but may be renewed annually.

(Adopted June 16, 2003; approved by Attorney General September 9, 2003)

8.7.3 Upon application from the owner of a parcel of land, the Building Commissioner may issue a Temporary License to place a storage box, as defined herein, on the subject property to be used for storage of vehicles or other personal property for a period not to exceed one year and may be renewed annually subject to review by the ~~Board~~ **Building Commissioner**.

(Adopted June 14, 2004; approved by Attorney General September 16, 2004)

Mobile Home: Same as house trailer, meaning a dwelling unit built on a chassis and containing complete electrical, plumbing and sanitary facilities, designed and intended to be moved as a unit to a fixed location and installed on a permanent or a temporary foundation or support for use as stationary living quarters. This definition shall not include a travel or camping trailer which is a vehicle designed to travel on highways on

rubber-tired wheels and used as living quarters for a period not to exceed several weeks at any one location.

Storage Boxes, Trailers: any trailer completely enclosed or covered in any way; shipping containers, also referred to as cargo boxes; and trailers which are or were part of a tractor trailer unit. This definition shall not include a travel or camping trailer which is a vehicle designed to travel on highways on rubber-tired wheels and used for recreational purposes.

Or take any other action relative thereto.

Board of Selectman

ARTICLE 12: To see if the Town will vote to amend the Town’s Zoning By-Law and Zoning Map with the respect to the regulation of Marijuana Uses by taking the following actions:

- (1) Amend the Town of Lakeville Zoning Map to create a “Marijuana Overlay District” comprised of parcels located within the Town’s Industrial District as shown on the Town’s Zoning Map.

MILLENNIUM CIRCLE – HARDING STREET

Address	Map-Block-Lot
4 Harding Street	022-001-004
8 Harding Street	022-001-003-01
10 Harding Street	022-001-003-05
12 Harding Street	022-001-002
14 Harding Street	022-001-003-07
155 Millennium Circle	022-001-003-03
200 Millennium Circle	022-001-003-04
215 Millennium Circle	022-001-003-09
240 Millennium Circle	022-001-003-06
415 Millennium Circle	022-001-003-02

GREAT PONDS INDUSTRIAL PARK – KENNETH WELCH DRIVE

Address	Map-Block-Lot
Kenneth W Welch Drive	024-006-004C
Kenneth W Welch Drive	024-006-009
Kenneth W Welch Drive	024-006-007
Kenneth W Welch Drive	024-006-009A
Kenneth W Welch Drive	060-008-002D
100 Kenneth W Welch Drive	060-008-017

100 Kenneth W Welch Drive	060-008-018
100 Kenneth W Welch Drive	060-008-018A
170 Kenneth W Welch Drive	060-008-019
175 Kenneth W Welch Drive	060-008-002F
200 Kenneth W Welch Drive	060-008-014A
210 Kenneth W Welch Drive	060-008-014B
220 Kenneth W Welch Drive	060-008-014C
230 Kenneth W Welch Drive	060-008-014F
234 Kenneth W Welch Drive	061-002-009
240 Kenneth W Welch Drive	061-002-003C
260 Kenneth W Welch Drive	061-002-003B
303 Kenneth W Welch Drive	061-003-001A
305 Kenneth W Welch Drive	061-003-001
308 Kenneth W Welch Drive	061-002-003A
310 Kenneth W Welch Drive	061-002-003
475 Kenneth W Welch Drive	024-006-008
520 Kenneth W Welch Drive	024-006-004A
540 Kenneth W Welch Drive	024-006-004

(2) Amend the Town’s Zoning By-Law Section 3.1 Zoning Districts to include the following new provisions shown below in **bold**:

3.1.10 – Marijuana Overly District

3.2.9 – The Marijuana Overly District shall be comprised of parcels located within the Town’s Industrial District as shown on the Town’s Zoning Map.

(3) Amend the Town’s Zoning By-Law Section 7.4.6 “Marijuana Uses” as follows, with deletions noted in ~~strikethrough~~ and additions in **bold** and underlined:

Marijuana Uses - Adult Use Marijuana Establishments, and Marijuana Retailers, and Registered Marijuana Dispensaries
 SPGA – Zoning Board of Appeals; ~~Industrial District~~
Marijuana Overlay District.

A. All Marijuana Uses, including Adult Use Marijuana Establishments, Marijuana Retailers, and Registered Marijuana Dispensaries, shall require a Special Permit from the Zoning Board of Appeals, **and shall only be permitted to locate within the Marijuana Overlay District, as shown on the Town’s Zoning Map.**

- (4) Amend the Zoning By-Law Section 4.1 Table of Use Regulations by striking the following uses from Section 4.1.3 Industrial Uses:
~~Adult Use Marijuana Establishment (not including
Marijuana Retailers)
Adult Use Marijuana Retailers
Registered Marijuana Dispensary (as defined by MGL)~~

See Page # of this Warrant for the Marijuana Overlay District Maps

Or take any other action relative thereto.

Planning Board

ARTICLE 13: To see if the Town will vote to:

- A) Authorize the Board of Selectmen to acquire, by purchase, gift and/or eminent domain, the fee to and/or permanent and/or temporary easements, for public way purposes, including without limitation, for the construction, installation, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, drainage, utilities, driveways, retaining ways, guardrails, slopes, grading, rounding, construction, landscaping, and other appurtenances and/or facilities, to enable the Town to undertake the Route 79 (Myricks St./Rhode Island Road) Rehabilitation Project and for any and all purposes incidental or related thereto, in, on and under certain parcels of land located on or near Route 79 Street and approximately shown on plans entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Route 79 (Myricks St./Rhode Island Road) in the Town of Lakeville Plymouth County", prepared by Beta, Inc. on file with the Town Clerk, as said plans may be amended and/or incorporated into an easement plan, and land within 200 feet of said parcels;
- B) Transfer the care, custody, and control of a portion or portions of the Town-owned property or properties shown on the aforementioned plans from the board or officer having custody of the same for the purposes for which such properties are currently held to the Board of Selectmen for public way and utility purposes and further to dedicate said portions of the Town-owned properties to the foregoing purposes, and, if applicable, authorize the Board of Selectmen to submit petitions to the General Court

to allow the foregoing under Article 97 of the Massachusetts Constitution or otherwise;

- C) Authorize the Board of Selectmen to dispose of any excess land located outside the altered layout of Route 79 on such terms and conditions and for such consideration as the Selectmen deem appropriate;
- D) Appropriate the sum of \$2,300,000 to fund the foregoing project and any and all costs incidental or related thereto, including, without limitation, the cost of any land/easement acquisitions, appraisals, and surveys, and. to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7 or 8, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44, Section 20, as amended, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) the amounts required to pay the principal of and interest on the borrowing authorized by this vote; and
- E) Authorize the Board of Selectmen to enter into all agreements and take any and all actions as may be necessary or appropriate to effectuate the aforesaid purposes.

Or take any other action relative thereto.

Board of Selectmen

ARTICLE 14:

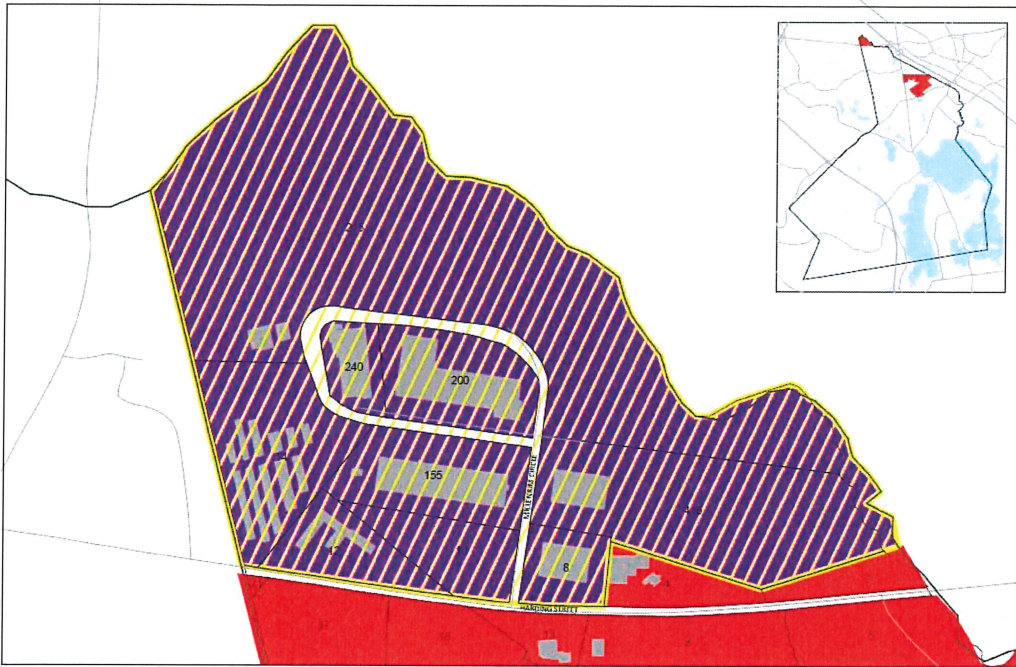
ARTICLE 15: To see if the Town will vote to accept Satucket Trail as a Town Way as laid out by the Board of Selectmen and to authorize the Selectmen to acquire by gift, purchase, or eminent domain, an easement or fee simple in the way and any related easements as shown on the road layout plan drawn by Allen & Major Associates, Inc., on file with the Town Clerk

as shown on Sheet 1 of the plan entitled “Street Acceptance Plan Satucket Trail in Lakeville, MA dated December 26, 2018”, or take any other action relative thereto.

Board of Selectmen



MARIJUANA OVERLAY DISTRICT MAPS



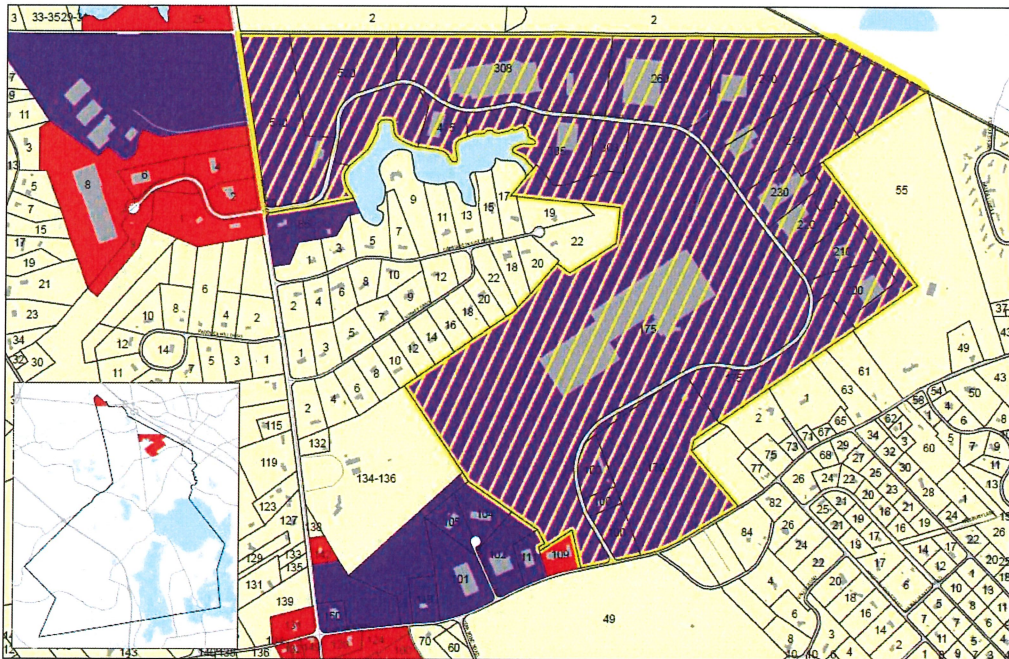
Town of Lakeville - Proposed Marijuana Overlay District Map
Millennium Circle

July 2019. Maps included by 000000 are for the purpose of adding regional zoning districts and are not intended for use in other applications. The maps are intended for informational purposes only. © 2019 Lakeville, Minnesota. All rights reserved. All other trademarks are the property of their respective owners.

Legend

- Industrial
- Business
- Proposed Marijuana Overlay District (MOD)
- Water
- Municipal Boundaries
- Structures
- Interstates
- Arterials and Collectors
- Local Roads

500 feet ①



Town of Lakeville - Proposed Marijuana Overlay District Map
Great Pond Industrial Park

July 2019. Maps included by 000000 are for the purpose of adding regional zoning districts and are not intended for use in other applications. The maps are intended for informational purposes only. © 2019 Lakeville, Minnesota. All rights reserved. All other trademarks are the property of their respective owners.

Legend

- Residential
- Industrial
- Business
- Proposed Marijuana Overlay District (MOD)
- Water
- Municipal Boundaries
- Structures
- Interstates
- Arterials and Collectors
- Local Roads

1000 feet ①

You are directed to serve this warrant by posting an attested copy hereof fourteen (14) days at least before the day appointed for the Special Town Meeting and seven (7) days at least before the day appointed for the Annual Town Meeting at the following places: Town Office Building, Baldies Pizzeria, Cisco's Pizza, the Clark Shores Association Bulletin Board, Apponequet Regional High School, Lakeville Senior Center, and Assawompset Elementary School.

Hereof fail not and make return of the warrant with your doings hereon at the time and place of said meeting.

Given under our hands this [redacted] day of [redacted], 2020.

Evagelia Fabian, Chairman

John Powderly

Richard LaCamera

Town of Lakeville, Board of Selectmen

A true copy, Attest:

Constable

Lakeville, MA [redacted], 2020

**AGENDA ITEM #11
APRIL 14, 2020**

DISCUSS EEE SPRAYING

Maureen would like to update the Selectmen regarding this.

Tracie

**AGENDA ITEM #12
APRIL 14, 2020**

**DISCUSS APPOINTING SELECTMAN LACAMERA
AS SELECTMEN DESIGNEE FOR POLICE STATION
BUILDING COMMITTEE**

Aaron Burke is currently serving on the Police Station Building Committee as the Selectmen's Designee.

Rich is requesting to be appointed as the Selectmen's Designee for the Police Station Building Committee. If appointed his term will expire July 31, 2020.

Tracie

AGENDA ITEM #13
APRIL 14, 2020

NEW BUSINESS

Fire Chief O'Brien has submitted the attached commendation letter for Nathan Gagnier (if the Board would like to acknowledge).

Tracie



MICHAEL O'BRIEN
FIRE CHIEF
mobrien@lakevillema.org

Lakeville Fire Department

346 Bedford Street
Lakeville, Massachusetts 02347

TEL 508-947-4121 FAX 508-946-3436

WILLIAM PURCELL
DEPUTY CHIEF
wpurcell@lakevillema.org

April 13, 2020

FF Nathan Gagnier
346 Bedford Street
Lakeville, MA 02347

RE: Commendation Award

Dear Firefighter Gagnier,

This letter has been written to acknowledge your meritorious service during the March 16, 2020 structure fire at 109 Rhode Island Road. A copy of this letter has been sent to the Lakeville Board of Selectmen and to the Lakeville Human Resources Department for inclusion in your permanent record.

At 1420 hours on the mentioned date, FF Gagnier responded to the report of a fire outside of an office building from home. Arriving prior to all fire apparatus, it was evident that the fire had extended from landscaping into the structure. FF Gagnier, wearing his personal protective clothing and without the protection of a hose line, entered the structure to ensure the building had been evacuated. While inside, FF Gagnier retrieved a fire extinguisher and directed it at the exterior fire.

Shortly after, firefighters arrived on scene with apparatus and attacked the concealed structure fire. Walls and ceilings had to be opened up before the fire could be fully extinguished.

It is certain that FF Gagnier's quick thinking and action slowed the advancement of the fire. Property damage would have been much greater and the risk to responders much increased had FF Gagnier not acted as he did and when he did.

It is with great pride that the leadership of the Lakeville Fire Department does hereby award you this commendation for actions above and beyond expectations and standards.

Respectfully submitted,

Michael P. O'Brien
Fire Chief

LAKEVILLE FIRE DEPARTMENT

THIS ACKNOWLEDGES THAT



FF Nathan Gagnier



HAS BEEN AWARDED A FIRE DEPARTMENT COMMENDATION
FOR MERITORIOUS SERVICE AT THE SCENE
OF A MARCH 16, 2020 STRUCTURE FIRE.

APRIL 13, 2020

MICHAEL P. O'BRIEN, FIRE CHIEF

AGENDA ITEM #14
APRIL 14, 2020

OLD BUSINESS

Rich would like to give updates regarding the sale of the Lakeville Hospital property and the Lakeville Country Club.

Tracie