



# TOWN OF LAKEVILLE MEETING POSTING & AGENDA

*Town Clerk's Time Stamp  
received & posted:*

*48-hr notice effective  
when time stamped*

Notice of every meeting of a local public body must be filed and time-stamped with the Town Clerk's Office at least 48 hours prior to such meeting (excluding Saturdays, Sundays and legal holidays) and **posted thereafter in accordance with the provisions of the Open Meeting Law, MGL 30A §18-22 (Ch. 28-2009)**. Such notice shall contain a listing of topics the Chair reasonably anticipates will be discussed at the meeting.

Name of Board or Committee:	<u>Select Board</u>
Date & Time of Meeting:	<u>Tuesday, April 9, 2024 @ 5:30 PM</u>
Location of Meeting:	<u>Lakeville Senior Center</u> <u>1 Dear Crossing</u>
Clerk/Board Member posting notice:	<u>Tracie Craig-McGee</u>

Cancelled/Postponed to: \_\_\_\_\_ (circle one)

Clerk/Board Member Cancelling/Postponing: \_\_\_\_\_

**PLEASE ASK IF ANYONE IS RECORDING THE MEETING AND ANNOUNCE THAT LAKECAM IS RECORDING**

## A G E N D A

1. Call to Order
2. Pledge of Allegiance
3. Select Board announcements
4. Town Administrator announcements
5. Discuss and possible vote to assign Plymouth County American Rescue Plan Act Certifier and Filer
6. Update and possible vote on Capital Project Requests for American Rescue Plan Act funding
7. Discuss and possible vote to approve Select Board Meeting Minutes of March 11, 2024 and March 25, 2024
8. Discuss and possible vote to appoint David Frates as Animal Control Officer and Constable and Lisa Podielsky, Darcy Lee, Ronnie Frates and Kathy Seeley as Assistant Animal Control Officers
9. Discuss and possible vote to reappoint Wilford Corey as Veterans' Agent and Graves Officer
10. Discuss and possible vote to appoint Patricia Mustacaros as Member of the Council on Aging Board
11. Discuss and possible vote to appoint Michelle Bouchard to the Conservation Commission as a full member and Brian Anderson as Associate Member
12. Discuss and possible vote to accept resignation of Mark Knox from Conservation Commission
13. Revisit and possible vote to approve the Comprehensive Emergency Management Plan
14. Discuss and possible vote to request the Board of Assessors formalize a Chapter 61 land status report each year to the Select Board
15. Discuss possible updates to the existing Chapter 61 procedures to account for land with no third-party Purchase and Sales Agreement currently place
16. Discuss and possible vote to approve Board of Assessors Office Assistant pay level/grade
17. Discuss and possible vote to approve Public Way License Application for Tour de Crème Bike Ride/Fundraiser on May 19, 2024 and discuss request to waive the fee

18. Committee Updates:
  - a. Senior Center Feasibility
  - b. Fire Station Building Committee
  - c. Old Colony Regional Vocational Technical Building Committee
  - d. Town Administrator Search Committee
19. Schedule Select Board Goal Setting Meeting
20. New Business
21. Old Business
  - a. Meeting Minutes Sample
22. Correspondence
23. Announce next Select Board Meeting
24. Possible Executive Session pursuant to M.G.L c.30A Sec. 21(a)(6) to consider the purchase, exchange, lease or value of real estate (a portion of land located at 1 Elliot Way) if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and not to return to Open Session.

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

**AGENDA ITEM # 1**  
**APRIL 9, 2024**

**CALL TO ORDER**

**AGENDA ITEM #2**  
**APRIL 9, 2024**

**PLEDGE OF ALLEGIANCE**

**AGENDA ITEM #3  
APRIL 9, 2024**

**SELECT BOARD ANNOUNCEMENTS**

A reminder that dog licenses are due by April 30<sup>th</sup>. If you no longer have your dog, please call the Town Clerk's Office to let them know.

List of vacancies: Cable Advisory Committee; Capital Expenditure Committee (Town Moderator appointment); Cemetery Commission (elected); Conservation Commission; Energy Advisory Committee; Park Commission (elected); Lakeville Arts Council; and Open Space Committee.

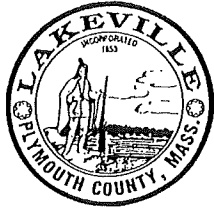
Fun fact:

Lakeville was settled in 1717 as a western parish of Middleborough. It was a long trip for settlers of the outlying areas to get to the Middleborough Town House by foot or horse to do Town business, so settlers made a few attempts to become their own town and on **May 13, 1853**, Lakeville was incorporated as a separate Town.

**AGENDA ITEM #4  
APRIL 9, 2024**

**INTERIM TOWN ADMINISTRATOR REPORT**

Please see attached.



**TOWN OF LAKEVILLE**  
**Town Administrator's Office**  
346 Bedford Street  
Lakeville, MA 02347  
(508) 946-8803

**Interim Town Administrator's Report**  
**March 25, 2024 – April 4, 2024**

**Meetings with Department Heads**

- 1. Select Board Chairman Brian Day**
  - a. IT FY25 Budget
- 2. Treasurer/Collector**
  - a. Appraisal quotes for Cherry Street parcel
- 3. Police Chief, Fire Chief, Health Agent**
  - a. Opioid settlements
  - b. Plymouth County Police Chiefs outreach programs
  - c. Narcan & Buprenorphine
  - d. Fire medical training/Morton Hospital
- 4. DPW Director**
  - a. ARPA projects
- 5. Select Board Chairman Brian Day**
  - a. ARPA projects
- 6. Fire Chief**
  - a. Tour of Fire Station
- 7. DPW Director**
  - a. Staffing/Operations
- 8. Accountant/Representative of Green River Associates**
  - a. FY25 IT Budget
- 9. Facilities Manager**
  - a. Pavilion project
  - b. Restroom/Septic project
  - c. Old Town Hall waterline project
- 10. Select Board Member Brynna Donahue**
  - a. Overview of Town Government
- 11. Town Accountant**
  - a. FY25 Budget
  - b. First Student Transportation
  - c. ARPA

**Meetings with Town Personnel (Non-Department Heads)**

**None**

## **Meetings/Telephone Calls/Zoom Meetings with Non-Town Personnel**

- 1. Discussion on MassDOT Route 79 project with representatives of BETA Group, MassDOT, Attorney Jonathan Eichman of KP Law and DPW Director Frank Moniz**
  - a. Project overview
  - b. Land takings
  - c. Construction schedule
  - d. Funding
- 2. Discussion on a possible land acquisition with a resident and Building Commissioner Nate Darling**
  - a. Process

## **Building Committee**

- 1. Fire Station**
  - a. Project schedule
  - b. Town Meeting

## **Committees**

- 1. Capital Expenditures Committee**
  - a. Capital Plan
  - b. ARPA projects/equipment
- 2. Public Employee Committee**
  - a. Health Insurance Plans
  - b. Health Reimbursement Accounts
  - c. Open Enrollment
  - d. Process moving forward
- 3. Emergency Planning Committee**
  - a. Roles and responsibilities of the committee
  - b. Weather forecast
  - c. Current situation in town
  - d. Rules and responsibilities of Lakeville agencies
  - e. Mitigation measures
  - f. Shelters
  - g. Public outreach



**AGENDA ITEM #5**  
**APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO ASSIGN PLYMOUTH  
COUNTY AMERICAN RESCUE PLAN ACT CERTIFIER AND  
FILER**

The Town Accountant spoke to Plymouth County Treasurer Tom O'Brien. The Town needs to assign someone to act as a certifier and someone else to act as a filer to access the ARPA portal.

Todd supplied the following information and recommended motions:

The Town may apply to Plymouth County for grants for certain eligible purposes to be funded from a grant received by Plymouth County pursuant to the American Rescue Plan Act. The County will receive applications for such grants through its online portal. The County requires evidence of Town authorization before granting access to the portal. The following votes will authorize one Town official to supply the County with all supporting data for each application and another Town official to approve the application and make the required representations and certifications on behalf of the Town to complete and submit the applications.

**Motions:**

**Certifier:**

That the Town Administrator is authorized to approve, finalize, and submit on behalf of the Town any such ARPA Grant application and to make all representations and certifications required to be made on behalf of the Town to complete each such application, with such approval, representations, and certifications to be evidenced by the signature of the Town Administrator on such application; and if any such ARPA grant is awarded, the Town Administrator shall be the recipient of such grant on behalf of the Town.

**Filer:**

That the Town Accountant is authorized to prepare and enter information into the Plymouth County American Rescue Plan portal in support of one or more applications to Plymouth County for grants ("ARPA Grants") to be funded from a grant received by Plymouth County under the American Rescue Plan Act.

**AGENDA ITEM #6  
APRIL 9, 2024**

**UPDATE AND POSSIBLE VOTE ON CAPITAL PROJECT  
REQUESTS FOR AMERICAN RESCUE PLAN ACT FUNDING**

Attached is the ARPA summary and list of Capital project requests for ARPA funding.

## LAKEVILLE - ARPA SUMMARY

	Plymouth County		3/21/2024	
	<u>ARPA</u>	<u>Approved</u>	<u>Expended</u>	<u>Available</u>
Allocation (Phases 1, 2, & 4)	1,714,965.78	(905,203.49)		809,762.29
Water Project		332,800.00	34,077.00	
Ambulance		572,403.49	56,948.00	
Revenue Replacement (Ph 3)	362,329.00	(353,700.00)		8,629.00
Old Town Hall restroom		183,700.00	-	
Gamache Playground		170,000.00	152,069.64	
				818,384.00

	Direct Funding		3/21/2024	
	<u>ARPA</u>	<u>Approved</u>	<u>Expended</u>	<u>Available</u>
Allocation (Tranches 1 & 2)	1,210,073.16	(501,793.00)		708,280.16
Water Feasibility Study		14,800.00	17,400.00	
Covid-19 Vaccination/Testing		100,000.00	-	100,000.00
Outdoor Stage Cover		20,000.00	10,213.16	
TW Tennis Courts		44,785.00	44,785.00	
New Fields Project		120,000.00	52,480.00	
New Fields supplement		30,000.00	-	
Firefighter Staffing (4)	FY2024	172,208.00	26,778.23	
Firefighter Staffing (4)	FY2025	<u>Pending</u> 344,675		(344,675)
Investment earnings to-date	40,155.15			40,155.15
				503,760.31

## Capital Project Requests - ARPA Funding

<b>Arts Council</b>	
Sound system and speakers for the pavilion	TBD
<b>Council on Aging</b>	
Addition for food pantry	250,000.00
<b>FACILITIES</b>	
Town Hall Roof (2 small sections)	10,000.00
Old Library Window Upgrade	TBD
<b>Fire Department</b>	
Transport Trailer for UTV	9,800.00
SCBA Fill Station	100,167.00
Prefabricated Training Building	250,000.00
Water line to the site of the proposed new fire station	TBD
<b>Library</b>	
Irrigation Well at Library	30,000.00
<b>Parks</b>	
Repair and renovate the existing skate park	150,000.00
Replace the beach playground at Clear Pond Park	45,000.00
Replace the basketball courts/volleyball courts at Clear Pond	65,000.00
Renovate and add to the playground at John Paun Park	65,000.00
<b>Police</b>	
Irrigation Well at Police Station	30,000.00
<b>Public Works</b>	
Resurface Howland Road	713,000.00
Resurface Southworth Street & Leonard Street	207,333.00
Crack Sealing	60,250.00
<b>Traffic</b>	
Design/Traffic signalization at Bridge and Main Streets	TBD
<b>Town Clerk</b>	
Vote Tabulators	40,600.00



**SPENDING ON GOVERNMENT SERVICES**

Recipients can use SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the above approach. Government services generally include *any service* traditionally provided by a government, unless Treasury has stated otherwise. Here are some common examples, although this list is not exhaustive:

- ✓ Construction of schools and hospitals
- ✓ Road building and maintenance, and other infrastructure
- ✓ Health services
- ✓ General government administration, staff, and administrative facilities
- ✓ Environmental remediation
- ✓ Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)

Government services is the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements. Recipients should be mindful that certain restrictions, which are detailed further in the Restrictions on Use section and apply to all uses of funds, apply to government services as well.

**AGENDA ITEM #7  
APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO APPROVE SELECT  
BOARD MEETING MINUTES OF MARCH 11, 2024 AND  
MARCH 25, 2024**

**TOWN OF LAKEVILLE**  
**Select Board Meeting Minutes**  
**March 11, 2024 – 5:30 PM**

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

On March 11, 2024 the Select Board held a meeting at 5:30 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 5:30 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present were Interim Town Administrator Robert Nunes and Tracie Craig-McGee, Executive Assistant to the Select Board and Town Administrator. LakeCAM was recording the meeting for broadcast.

**Select Board announcements**

Member Fabian said she has been in contact with Senator Rodrigues and Representative Orrall on the pond level situation. The boards were pulled out on September 18<sup>th</sup> so it is not a question of when the boards will be pulled. January had over 9” of rain which started some of the problem, but February had less. Right now there is water flooding in places where it usually doesn’t have flooding. Quiticas seems low, but according to New Bedford, it is on its way up. This is the problem that the Town has been studying now for five (5) years and hopefully will have some word in the next couple of weeks on the river project cleaning weeds to help the water move quicker out of Assawompset. Everyone is aware that the water is getting high.

Chairman Day then read the Select Board announcements. All of the equipment to repair the playground has been received and the estimate is four (4) weeks to complete starting at March 18<sup>th</sup>. There will be an open house and clothing drive on March 16<sup>th</sup> at Assawompset School.

**Town Administrator announcements**

Mr. Nunes read the Town Administrator announcements.

**Discuss and possible vote to sign the Memorandum of Agreement with New England Police Benevolent Association, Local 185**

*Matthew Perkins, Police Chief, was present for the discussion.* Mr. Nunes said this has been ongoing for a while. We have come to an agreement subject to the approval by the Select Board. He met with the president of the union to iron out the agreement. The Memorandum of Agreement needs to be signed by the Select Board. Member Fabian asked what the dates that the agreement covers. Mr. Nunes said July 1, 2023 to June 30, 2026. We were going through mediation for JLMC which would have extended this into the next fiscal year, so it is good that we came to this agreement. Chief Perkins said everybody in the Department is happy to have an agreement and be under contract. Member Fabian said this could have gone on until the fall and we would have had to find money for time already worked that they were not getting paid for.

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

VOTED: To enter in an agreement and sign the Memorandum of Agreement with the New England Police Benevolent Association, Local 185 for a period of July 1, 2023 to June 30, 2026.  
Unanimous in favor.

**Discuss and possible vote on recommendations on site plan – 210 Kenneth Welch Drive**

Member Fabian said they make high end boats at this location. She is always concerned about parking, but that does not seem to be an issue here. Member Carboni said she is happy to see that their business is growing. They are not looking for a water allocation. Chairman Day said there is nothing regarding a new curb cut or water allocation which is under the Select Board. The Select Board had no comments.

**Meet with Finance Committee for FY25 Budget Presentation**

*Present for the meeting from the Finance Committee were Maureen Candito; Lawrence Kostant; Katie Desrosiers and Christopher Plonka, Chairman. Darren Beals was attending remotely.*

Finance Chairman Plonka said the Committee has the minutes of February 7, 2024 for approval.

Upon a motion made by Ms. Desrosiers and seconded by Mr. Kostant, it was:

VOTED: To approve the Finance Committee minutes of February 7, 2024.  
Roll call vote: Ms. Candito – aye; Mr. Beals – aye; Ms. Desrosiers – aye; Mr. Kostant – aye and Chairman Plonka – aye.

Chairman Plonka said the next item is to nominate a Finance Committee Member to represent the Finance Committee on the Town Administrator Search Committee. After learning of the time commitment, he would be able to represent the Finance Committee.

Upon a motion made by Ms. Candito and seconded by Ms. Desrosiers, it was:

VOTED: To designate Chairman Plonka as the Finance Committee representative on the Town Administrator Search Committee.  
Roll call vote: Ms. Desrosiers – aye; Mr. Kostant – aye; Ms. Candito – aye; Mr. Beals – aye; and Chairman Plonka – aye.

Mr. Nunes said the presentation tonight will go through the budget process. We will have Department Head meetings in April when the new Select Board Members are in place. This is a level service budget with no employee layoffs; funds contractual and non-union personnel obligations; no enhancement requests were funded; employee upgrade requests were not funded and it is based on conservative revenue. The total tax levy accounts for 83% of the revenue, local receipts are 12% and State Aid is 5% for total revenue of \$36,434,781. The total operating revenue is tax levy is \$30,004,026, broken down as the tax levy of \$28,125,641; 2.5% increase at \$703,141; new growth is estimated at \$129,960; debt exclusions are \$890,963 and F/L Regional School District



exclusions total \$154,321. Projected revenue is: State Aid is \$2,002,654; local receipts of \$4,250,000; free cash of \$120,000 to balance the budget; and the septic loan program of \$58,101 for a total other revenue of \$6,430,755. Combining the levy revenue and projected revenue equals a total of \$36,434,781. He explained what the property tax levy is and what a debt exclusion is. There is debt exclusion revenue of \$1,045,284 for Route 79, the Police Station and removal and reconstruction of the George R. Austin School. New Growth is estimated at \$129,960 for FY25; it was \$341,078 for FY24; \$522,531 for FY23 and \$625,186 for FY22. The Town may not see much new growth in FY25 and hopefully it will be more and we can then adjust the budget in the fall. The Town will have significant growth most likely in FY27 with the hospital redevelopment, which will be built in phases. State Aid: the two (2) largest sources are unrestricted general aid and Smart Growth School Reimbursement. FY25 State Aid is \$2,002,654 and Smart Growth Reimbursement is \$267,750, so there is a net increase of State Aid of \$296,043 from FY24. The Cherry Sheet for FY25 State Assessment is \$220,417. Local Receipts: Motor vehicle excise tax for FY25 is projected at \$2,260,000; projected in FY24 was \$2,000,000; FY23 actual was \$2,257,192 and FY22 actual was \$2,155,242. Ambulance/EMS fees FY25 is projected at \$1,025,000; FY24 was \$1,000,000; FY23 was \$1,102,128 and FY22 was \$1,010,955. Cannabis revenue is not projected in the budget; there are five (5) host community agreements in Town. Legislative changes to the cannabis law has an impact on the host community and development agreements and legal issues are ongoing. Free Cash for FY24 certified as of 7/1/23 is \$3,911,500; the balance as of March 4, 2024 is \$1,587,375; FY23 was \$4,480,687.71 and FY22 actual is \$4,680,88.69. Free Cash will be used to fund capital projects and fund enterprise funds for the Transfer Station and Park Department. The Transfer Station offset will be \$102,500 and Parks Department offset is \$17,500. The Stabilization Fund's current balance is \$2,062,191.

Mr. Nunes said the FY25 General Fund appropriation is \$35,872,184 and is broken down as 57% Education; 14% Public Safety; 7% General Government; 12% Fixed Costs; Debt Service 4%, Culture & Recreation – 1%; Human Services – 1% and Public Works – 4%. He summarized the total operating expenditures. There is an increase of 4.5% over FY24. Fixed costs include unemployment; group insurance and risk management. We are a member of Gateway Health Group and it is self-insured. The trust is facing a \$1.7 million deficit in claims. In order to reduce the 17% premium increase, the Town will pay \$109,182 for the December premium holiday in December of 2023. Employees will not be required to pay back the premium holiday. We are optimistic that claims for the remainder of FY24 will move in a positive direction. Gateway will bid and procure Administrative Service Offices and we will initiate Chapter 32B Sections 21-23 and reconvene the Insurance Advisory Committee (IAC) and the Public Employee Committee (PE C). Department Heads will be met with tomorrow and we will speak about the health insurance. We will be meeting with representatives from the unions serving on IAC and PEC. The health insurance appropriation is \$2,208,003, an 8.5% increase over FY24. Our goal is to get below the 8.5% increase. There are 56 active employees, 14 retirees and 111 retirees on the Medicare supplemental plan. It is his recommendation that we procure the services of a Health Care consultant to review claims and see other health care options for FY26 and beyond. There are other joint purchasing groups out there for health insurance. We should explore those. It will be a discussion that the Town needs to have moving forward. He likes the premium base as it is easier to budget and explain to employees.

Mr. Nunes said Lakeville is a member of Plymouth County Retirement Association. The appropriation for FY25 is \$1,631,268, which is an increase of 8.5% over FY24 and a 27.5% increase since FY22. The goal of the county is to have the fund fully funded by June 30, 2028. Other Post-Employment Benefits Trust Account has a current balance of \$2,872,700 and it is his understanding that there will be an Annual Town Meeting Article for \$310,000. Projects reflected in the Debt Appropriation of \$1,341,823 are the State revolving fund sewer projects; septic program; police station; Route 79 project; new ambulance and Assawompset window and door project. Under Public Safety the budget maintains current staffing for Police and Fire. It does not fund the four (4) firefighters hired with ARPA funding. He recommends funding the four (4) firefighters with ARPA funding in FY25. The Chief is looking for a grant to continue funding these positions. Under Education, he is recommending an appropriation for the F/L Regional School District of \$17,144,035 for FY25, which is a reduction of \$387,582 from their original request of \$17,531,617. There will not be a Proposition 2 ½% override or cuts to services needed if this proposal stands. Lakeville has 1,506 students in the Region. He had a meeting with the Freetown Town Administrator and Superintendent Strauss and the Business Manager and we spoke of the challenges to both communities. We are optimistic that if the School Committee goes along, we will get the reduction. Lakeville is a member of Old Colony Regional Vocational Technical High School and their FY25 appropriation request is \$2,735,738 for 152 Lakeville students. They are in a planning phase for future renovation of the high school or new construction. Chairman Day is a member of the Building Committee for Old Colony and there are three (3) members on the Old Colony School Committee from Lakeville. They are going through their budget process and he is not sure if it will be adjusted downward. We also send 13 students to Bristol County Agricultural School and their appropriation is \$449,980 for 13 students including transport. We have 1 student that attends Norfolk County Agricultural School and that appropriation is \$110,000 including transportation.

Mr. Nunes said the Park Enterprise Fund has a balance of retained earnings of \$28,434 and the Transfer Station is at \$172,633. Because the Town is subsidizing the funds, they technically are not Enterprise Funds, but MGL allows for the subsidizing.

Mr. Nunes said under Capital Planning, we are in the process of scheduling a meeting. The Capital Stabilization Fund balance is \$3,539,251. It is his understanding that this fund was established for the potential funding for partial costs of funding of design, engineering costs, etc. for a new Fire Station. He reviewed the items that are in the capital plan for the various Departments.

Mr. Nunes said the Town received two (2) allocations of ARPA funds: one from Plymouth County and one from the Federal Government. Plymouth County was \$2,077,295. The monies used so far is the water project - \$332,800; new ambulance - \$572,403; old Town Hall restroom - \$183,700; and Gamache playground - \$170,000. There is an available balance of \$818,391. There was a revenue replacement of \$353,700. The Town received \$1,210,073 of ARPA Federal monies. These monies were used for the water feasibility study; COVID 19 testing; outdoor stage cover; Ted Williams Camp tennis courts, new fields project and a new fields supplement, firefighter staffing and investment earnings. There is an available balance of \$745,112. The balance will be higher because some of the funds were not completely expended. We should move forward to spend the balance. We need to commit the funding by June 30<sup>th</sup> and have the projects completed by June 30, 2025. We should meet with the Finance Committee and Department Heads to come up with a plan to spend the remaining balance.

Mr. Nunes said the presentation will be posted on the Town's website.

Member Fabian asked how much of the Federal allocation do we need to keep on standby for firefighters. Mr. Nunes said it will get us through June of 2025. Chairman Day said if we are awarded a SAFER grant it would kick in on September of 2024. Mr. Nunes said he was not sure as the guidelines and application have not come out yet. It is a three (3) year program with no match. Member Fabian asked about the money from the cell tower lease. Chairman Day said it was moved into the Reserve Fund. Member Fabian said we were a bit concerned about losing the \$40,000 annual payment and we could use it this year. How do we access it at Town Meeting if we need it? Member Carboni said it is in the Capital Stabilization Fund. Chairman Day said the former Town Administrator had his eye on potentially using some of that for the Fire Station design. Member Fabian said we got the lump sum payment for 20 years in lieu of a \$40,000 annual payment. Ms. Candito said when we structured that article we put it into a Capital Stabilization Fund and the interest stays with that. Is there another fund we can use to put it in there and put the interest into the operational budget? Mr. Nunes said the investment income would have to stay in the fund. Member Carboni said she will ask the Accountant what the interest was before we transferred the \$2,000,000 in there. Chairman Day said if we pulled out the interest we would be giving up compound interest. Ms. Candito asked if the Cherry Sheet smart growth number is predicated on the 1/1 when calculating what the bonus money is. Mr. Nunes said he was not sure. The Town Accountant said that number has changed in the past; this is based on the Governor's budget.

Chairman Day said when we started on the budget there was a \$750,000 to a \$1,000,000 gap. Mr. Nunes said there was a \$1,154,130 gap to start. They used budget cuts, free cash, and a reduction in the school budget to close the gap. There is not much to cut without impacting services. A few things have come up since we finished the budget and it may need to be tweaked. Member Fabian said looking back at new growth numbers in 2022 and 2023, we are only hovering at \$130,000 now. Even when we at \$625,000 like in 2022, we would still have had to make cuts. Mr. Nunes said regarding the Capital Plan, we are going to spend Free Cash down, which he is a bit concerned about. Chairman Day said the last few years have been level service budgets. It shows how razor thin we are and fixed costs are outpacing what we can raise in our levy. We may not be far away from an override going forward as fixed costs increase. 57% of our budget goes to the schools. Member Fabian said she wants a great education system, but we still have to pay for everything else. She agrees with what Chairman Day is saying that an override may not be far off. Health insurance costs is a big reason why.

Upon a motion made by Ms. Desrosiers and seconded by Ms. Candito, it was:

VOTED: To adjourn the Finance Committee Meeting at 6:32 PM.

Roll call vote: Ms. Desrosiers – aye; Mr. Kostant – aye; Ms. Candito – aye; Mr. Beals – aye; and Chairman Plonka – aye.

**Discuss and vote whether to engage in the process to change health insurance benefits under M.G.L. c.32B, s21-23**

*Lacey Marshall, Human Resources Director and Edd Byrnes, underwriter for NFB were present for the discussion.* Mr. Nunes said we will be reaching out to the unions. We don't want to get into specific plans tonight; we want to just present some facts. Ms. Marshall said we were at a 17% increase for health insurance, but it has been brought down to 12%. The Board's vote tonight would

bring us down to 8.5%. If claims continue as they have, we could decrease more. Section 21-23 gives the municipality the power to say we are changing the health plans without collective bargaining. We would create a Health Reimbursement Account (HRA) with the first-year savings of 25% being given back to the employees through that account. The HRA savings could last two (2) to three (3) years. If an employee had a \$250 deductible it would go up to \$500 and the HRA would pay the difference. Single plans with a \$0 deductible the HRA would pay up to \$500. Ms. Marshall said this is our best action to get to 8.5% and gives her a year to look at what is out there.

Member Fabian said after we vote tonight, then we have to appoint a retiree to the committee. Ms. Marshall said the IAC consists of members of the collective bargaining units, a nonunion employee and a retiree. The IAC receives the 52.03 document prepared by Mr. Byrnes which will show what the Town is currently paying, what it would pay, and what they will pay if this is implemented. The IAC looks it over and moves forward with a PEC, which is pretty much the same type of people, but there is no non-union participation. That is when the agreements come into play. Mr. Byrnes said it would be the leadership of the individual unions. The retiree is appointed by the Massachusetts Retiree Association for the PEC and there is the lack of a non-union employee on the PEC. Chairman Day said the hope is to impact employees as little as possible. 25% of the savings is put in a pot and paid to employees for expenses. Mr. Byrnes said it is coupled with a reduction in their premium. This fund will help reimburse them for increased costs. Chairman Day said is it a reduction in the premium they have now or if we didn't do anything. Mr. Byrnes said if we didn't do anything. Gateway has not set the FY25 rates yet. Member Carboni asked about a timeframe for the reimbursement request. Ms. Marshall said there would be a third party to submit claims to get the reimbursement paid. Mr. Byrnes said the goal is to make the reimbursement quickly. Ms. Marshall said she and Mr. Nunes will meet with the unions to go over the cost savings. She would like to hold a meeting where every employee is invited to see the costs and how it will impact them. Member Fabian said she would like that to happen because we are changing everything for them. This is going to affect a lot of people. Mr. Nunes said we want this to be a collaborative approach. This budget is a moving target and a lot needs to happen between now and June 30<sup>th</sup>. The 25% will go in an HRA; we may have to make an appropriation to put the money into an HRA at Town Meeting. He has budgeted for an 8.5% increase.

Member Fabian asked does this affect all the retirees? Ms. Marshall said we have 14 retirees on an active plan because they have not hit the age for Medicare. Member Fabian asked will everyone be notified in writing of the change? Ms. Marshall said once the PEC and Select Board come to an agreement, she sends out a letter with details. Member Fabian asked will we be inviting the retirees to come and ask questions. Ms. Marshall said yes. Mr. Nunes said there is an opt out for employees and they will receive an incentive for as long as they are employed with the Town. Ms. Marshall said every employee will go to the \$500 individual/\$1,000 family plan. We have three (3) that are in the high deductible and that will not affect them. Most of our employees are in the \$250/\$750 plan; some are in the no deductible plan which will go to the \$500/\$1,000 deductible. If a new employee comes in, they will be told this is the plan we have and these are the rates. We only have 70 employees that contribute to health insurance. To see savings, you need to be at about 1,000 to get the benefits. Lakeville doesn't have a significant high claim rate, so our rates will be based on our claims, not the bundled rates. Mr. Nunes asked if open enrollment is done by Gateway. Mr. Byrnes said each of the member units select the time period. Chairman Day said the deductible numbers are way lower than the last conversation. Ms. Marshall said the \$2,000 deductible plans are not affected, but everyone else is at the \$500/\$1,000. Chairman Day asked if the Town offers

an individual plus one. Ms. Marshall said no. Mr. Byrnes said it is more common to have the single and family rates. If you give a break to a 2-person group, it makes the family rate go up.

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

VOTED: For the Town of Lakeville to engage in the process to change health insurance benefits under Massachusetts General Laws Chapter 32B, Sections 21-23.  
Unanimous in favor.

### **Discuss and possible vote to appoint a Town retiree to the Insurance Advisory Committee**

*Lacey Marshall, Human Resources Director, was present for the discussion.* Ms. Marshall said that is for the IAC. She is getting clarification from Town Counsel. The letters are requesting a name by March 14<sup>th</sup>. She needs 60 days to notify all persons affected once agreed upon. The PEC gets 30 days to review this. She will reach out to the active retirees to see if anyone is interested in sitting on the committee. Once the PEC is formed, that person is determined by the Massachusetts Retiree Association. Member Fabian asked are we notifying retirees to see if they want to participate. Ms. Marshall said she will call them if they are local to see if they are interested. She will need an emergency meeting to appoint the retiree. The PEC is the one that does the real review. IAC is an advisory committee; the PEC gets into the numbers. Member Fabian said we should post a remote meeting. Member Fabian said we should probably post a meeting for Friday.

Chairman Day had to leave the meeting at 7:03 PM and turned the meeting over to Vice Chairman Carboni.

### **Discuss potential disposal of surplus property – Cherry Street - 042-012-015A and possible vote on method of disposing of the property**

Member Fabian said the Treasurer would request to either auction or put out to bid a piece of property typically. There is a lot of history on this property. She is not ready to declare it as surplus property. Member Carboni said the Town took this for back taxes in June of 2004. At the time they were discussing using it for a pump house location if New Bedford ever brought water into Clark Shores. There is an abutter interested in purchasing the property. Member Fabian said she questioned if it was taken for back taxes and the Treasurer said it was not. We need more information. In the past we have accepted properties, but then there were bills that came up owed. Before we declare it as surplus, do we want to get into the selling of property. If so, who decides if we want to. This is coming out of the proposed abutters policy. We have a land bank where we can bank it. We need more information on this property before we can declare it surplus. Member Carboni said we will table this for discussion. Member Fabian said there was a purchase price of \$2,000, but there may be an error there.

Member Carboni said maybe we should revisit the abutters policy in some point, but there is more information needed to be collected. This item was tabled for the future. Mark Knox said there may be an interest in the property. If you put it up for auction, it could potentially create easement issues. Does it make more sense to divide it between the two (2) abutters? Member Fabian said the Board was not willing to approve the abutters policy the way it was presented. Most of the time we acquire

properties through tax title, but we don't have a committee to discuss if we want to hold onto land or divide the property between abutters. Would a policy say in the case of people that have difficulty getting a new septic system or well, would that trigger the sale of a Town owned property. This property has some issues that we need to figure out. Member Carboni said Mr. Knox presented an option that she did not think of. Mr. Knox said if you divided it, the area would become part of their lot. Member Fabian said and that would go into their tax base. Mr. Knox said an auction could be a last resort. Member Fabian said a property value over \$35,000 over triggers an auction. Member Carboni said you must solicit proposals if it is \$35,000 or over. Member Fabian said she would like to get the Treasurer's opinion on what property to sell. You would want to have the Board of Health and Building Commissioner weigh in.

**Discuss letters of interest received to serve as At Large Member on the Town Administrator Search Committee and possible vote to appoint the At Large Member and discuss meeting times**

Member Carboni said we received six (6) letters. She would prefer to have a full Board to discuss this. She requested that all the people that submitted a letter be notified that the Board will be discussing this at our next meeting so that they could attend. Member Fabian said she knows all but one (1) of the people that submitted a letter and they would all be good. The only reason she wanted to do this was to have an introductory meeting and get the members sworn in. If we are not going to fill the at large one, we should wait. This item was tabled to the March 25<sup>th</sup> meeting.

**Discuss and possible vote on stipend for Planning Board Clerk Cathy Murray**

*Lacey Marshall, Human Resources Director was present for the discussion.* Ms. Marshall said based on the union contract, if a person is working outside of their step for more than 10 days they should be considered for a step increase. She said that we were not sure if we were hiring a planner right away, so we could we do a stipend instead. Ms. Murray has been stepping in for the Town Planner from January 8<sup>th</sup> through March 18<sup>th</sup> and conducting the daily business. She used the hourly rate of the previous Town Planner minus Ms. Murray's hourly rate and then cut it in half to determine the stipend amount which equals \$3,600. On March 15<sup>th</sup> she will then begin again as the Inspectional Services Clerk and work under the Building Commissioner and will stay within her step and grade. Member Fabian said we need to figure out what we are doing with that other position.

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

VOTED: To approve a \$3,600 stipend for Cathy Murray.  
Unanimous in favor.

Mr. Knox said a few months ago the Planning Board asked the Select Board to give the Planning Board a few months to figure out the Town Planner position. He asked if they could meet with the Select Board the first meeting after the election to discuss the Town Planner position.

**Discuss and possible vote to approve Public Way License for Patriot Half Triathlon – June 15, 2024**

Vice Chair Carboni said we have received an application for a Public Way License for the Patriot Half Triathlon that begins at Camp Cathedral in Freetown. All the necessary signatures and

paperwork is included. Member Fabian asked is this the same organization that does the Cranberry Trifest Event. Ms. Craig-McGee said it was. Member Fabian explained the history on the Public Way License. We can request that they send out a post card like the previous group.

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

VOTED: To approve the Public Way License for the Patriot Half Triathlon on June 15, 2024 from 7:00 AM to 9:00 AM.  
Unanimous in favor.

**Discuss and possible vote to approve Public Way License for Cranberry Trifest – August 25, 2024**

Vice Chair Carboni said this has gone before the Park Commission and was approved. We have all the necessary paperwork. Member Fabian asked if they were making a donation like previous years. Ms. Craig-McGee said they are paying a fee to the Park Department per person. Member Fabian said we can request that they send out a postcard notice along the route.

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

VOTED: To approve the Public Way License for Cranberry Trifest on August 25, 2024 from 7:30 AM to 12:30 PM.  
Unanimous in favor.

**Discuss and possible vote to approve Public Way License for 5K Honor Thy Mother Race – May 4, 2024**

Vice Chair Carboni said we have the license application and necessary paperwork and signatures.

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

VOTED: To approve the Public Way License for the 5K Honor Thy Mother Race on May 4, 2024 beginning at 9:00 AM.  
Unanimous in favor.

**Discuss setting dates to hold FY25 budget meetings with Department Heads**

Ms. Craig-McGee noted that one (1) of the Finance Committee members cannot make the April 16<sup>th</sup> budget meeting, but he can meet on the 24<sup>th</sup> or 25<sup>th</sup>. Vice Chair Carboni said the 25<sup>th</sup>. The meetings were set for April 17, 18 and 25 at 5:30 PM.

**Discuss scheduling Select Board meeting dates for May, June and July**

Vice Chair Carboni reviewed the Select Board suggested meeting dates. It was decided to meet on May 6<sup>th</sup> and 20<sup>th</sup> and June 3<sup>rd</sup> and June 24<sup>th</sup>. Member Fabian said we may need July 15<sup>th</sup> to meet to discuss the Interim Town Administrator situation. Vice Chair Carboni said they would hold off on the July meetings.

## **Building Committee Updates:**

### **Senior Center Feasibility Study Committee**

Member Fabian said the Committee is re-evaluating some things. We will convene the Committee to get everyone up to speed.

### **Fire Station Building Committee**

Vice Chair Carboni said the Committee is meeting this Wednesday at 6:30 PM at the Police Station to review the proposed Fire Station layout and site location.

### **Old Colony Regional Vocational Technical Building Committee**

There was no update.

## **New Business**

There was no New Business discussed.

## **Old Business**

Mr. Nunes said he received an email regarding the dog hearing for 40 Clark Road. He asked the Animal Control Officer to inspect the site today as it appears that nothing has been done. The owners were not at home today, so he did not have an opportunity to speak to them. Member Fabian asked if the muzzle is being used. Mr. Nunes said the Animal Control Officer went to the property the day after the hearing and the dog was muzzled, but it did jump at him. Member Carboni said we had very specific dates. Ms. Craig-McGee said the Board had asked for the kennel within two (2) weeks of the hearing. The kennel is on the premises, but leaning against the fence. The date for the kennel was today. The letter did say erect a chain link kennel by March 11<sup>th</sup>. Vice Chair Carboni asked that a letter be sent immediately. Member Fabian said the letter should speak to upon inspection by the Animal Control Officer, the kennel was not erected as instructed at the hearing and that they must have the kennel erected by Saturday, March 16, 2024.

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

VOTED: To send a reminder letter to the owners of Xena at 40 Clark Shore Road that they are past the deadline to erect the kennel and must have the kennel in place by March 16<sup>th</sup> and must inform the Animal Control Officer when you will have it completed for inspection. If the kennel is not up, we may have to discuss removing the dog from the property until the conditions have been met.  
Unanimous in favor.

## **Correspondence**

1. Letter from Cape Rail-
2. Letter from Comcast regarding 2023 license fee payment and changes to Xfinity TV



At 7:50 PM upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To enter into Executive Session to discuss strategy with respect to litigation (Bountiful Farms v. Town of Lakeville, Plymouth Superior Court CIVIL ACTION NO. 2283CV00230) if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares, and votes may be taken and not to return to Open Session.

Roll call: Member Fabian – aye and Vice Chair Carboni – aye.

**List of documents provided at the Select Board Meeting of March 11, 2024**

1. Agenda page
2. Agenda page; Town Administrator report
3. Agenda page; FY25 proposed budget and presentation
4. Agenda page; article from Municipal Advocate; MGL C32B, S21-23
5. Agenda page; draft Memorandum of Understanding
6. Agenda page; information from 30B procurement manual; Assessors plot plan; Vision property card;
7. Agenda page; letters of interest
8. Agenda page; section of October 3, 2011 minutes
9. Agenda page; memo from Planning Board Clerk; site plans
10. Agenda page; memo from Human Resources director
11. Agenda page; public way use application; insurance certificate; map of route
12. Agenda page; public way use application; Park Commission request for event; route maps; insurance certificate
13. Agenda page; public way use application; route map; insurance certificate
14. Agenda page
15. Agenda page
16. Agenda page
17. Agenda page
18. Agenda page
19. Agenda page; letter from Cape Rail; letter from Xfinity
20. Agenda page

**TOWN OF LAKEVILLE  
Select Board Meeting Minutes  
March 25, 2024 – 5:30 PM**

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

On March 25, 2024 the Select Board held a meeting at 5:30 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 5:30 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present were Interim Town Administrator Robert Nunes and Tracie Craig-McGee, Executive Assistant to the Select Board and Town Administrator. LakeCAM was recording the meeting for broadcast.

**Select Board announcements**

Chairman Day read the announcements. Chief O'Brien announced that Deputy Chief Pam Garant was appointed to the National Fire Academy Executive Fire Officer Program.

**Town Administrator announcements**

Mr. Nunes read the Town Administrator announcements. He met with the Town Accountant and Treasurer regarding the Opioid Settlements. The Town received \$8,900 in FY23 that went into Free Cash. In FY24, a bit more than \$10,000 has been received. He will meet with the Chiefs and the Health Agent to put a plan together for using the \$10,000. That will be an annual payment for approximately 15 years. Also, last week the Police Chief and Fire Chief and he met with the F/L Superintendent of Schools Alan Strauss about filing a One Stop Grant regional application with SRPEDD for the district to develop an active shooter/hostile event plan.

**Discuss and possible vote to approve Select Board Meeting Minutes of February 26, 2024 and March 11, 2024**

Member Carboni had some comments and she will provide her corrections to Ms. Craig-McGees. Member Fabian said on page 10 at the top, she thought the motion was made by Chair Day and seconded by Member Carboni. Chairman Day said on page 5 the paragraph that starts with Member Fabian on the third line, should read Chairman Day the Board had no desire to remove or destroy the dog.

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

VOTED: To approve the Select Board Meeting Minutes of February 26, 2024 as amended.  
Unanimous in favor.

Member Carboni said on page 2, under discuss and possible vote on site plan for 210 Kenneth Welch Drive, it should note that the Select Board had no comments to submit. Also, there was a section to be removed that was a duplicate that she had already spoken to Ms. Craig-McGee about

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

VOTED: To approve the Select Board Meeting Minutes of March 11, 2024 as amended.  
Unanimous in favor.

### **Discussion and possible vote on American Rescue Plan Act Projects**

Todd Hassett, Town Accountant, was present for the discussion. Mr. Nunes said on the first page is a summary of available balances and projects voted on for Plymouth County and the Federal government. These projects are not on the Capital Plan. The Capital Expenditures Committee (CEC) is meeting Thursday and we will look at the regular Capital Plan and the ARPA Capital Projects. We need to submit the ARPA list to Plymouth County. Chairman Day said he wants to let CEC look at this as long as Plymouth County doesn't need this too soon. Member Fabian suggested funding for water service and possibly a traffic light for the proposed Fire Station location. Chairman Day said Parks has requested a well for the north fields. Member Fabian said we have a late entry from the Arts Council. Mr. Hassett said funds are committed in 2024, but we have until December 31, 2026 to spend them. Member Carboni asked can we encumber these. Mr. Hassett said yes as long as they are spent by December 31, 2026. Mr. Nunes said the list only included FY25 for firefighter staffing. The Chief is going to submit a SAFER grant for those four (4) firefighters. He is not looking for a vote this evening; the Department Heads want to come in and advocate for their items. Member Fabian asked if we know if any of these are for the skatepark? Mr. Hassett said that project would be a good candidate for some of these funds. Chairman Day said so these are possible projects. Mr. Nunes said yes; they came from the Department Heads. Richard LaCamera of Old Powderhouse Road said there will be significant costs for the water line and traffic light. It would be a good idea to use some of the ARPA. Two (2) years ago we received a State grant for a traffic light at Bridge Street; the traffic study is done and we need to allocate \$200,000 to move forward. MassDOT will release the money as long as we provide the \$200,000. We should try to do something about that and hopes the Board considers that for ARPA money. It is the most dangerous intersection in Town besides the Route 18/105 intersection. Chairman Day said we can see if that falls under infrastructure.

### **Discuss and possible vote to accept the proposed Fire Station site location recommendation from the Fire Station Building Committee**

*Michael O'Brien, Fire Chief, Kyle Robinson, Saccoccio Associate and Richard Pomroy of Pomroy Associates were present for the discussion.* Member Carboni said the Fire Station Building Committee (FSBC) met and received a presentation for the three (3) proposed locations of the Fire Station in the Ted Williams Camp. A matrix of the locations was reviewed and there was one (1) site that stood out. Mr. Pomroy said Saccoccio was hired in December of 2023 and reviewed the programming of the Fire Department. Early diagrams have been created based on that to see where the facility would work. Once the site is picked we will refine the design. Programming was completed in mid-February and the design was tested on the sites and presented to the committee. If we get a site, we will begin working on pricing to prepare for a fall town meeting. Chairman Day asked about the square footage. Mr. Pomroy said we are looking at just over 24,000 square feet before refinement. Mr. Robinson said we came up with between 24-25,000 square feet. The first consideration was if all three (3) sites were able to accommodate this size station. Looking through the matrix, it is somewhat comparable on some aspects, like building size. After do they fit, we took

each site individually to compare. The Precinct Street site is a bowl collecting runoff and water and there are concerns about if it is a wetland area and it would need to be leveled. The other sites are located in the Camp with an internal area off of Bedford and across the driveway from the Police Station. Both were similar except the internal site is a logistical problem. Being on Bedford Street is direct access. Member Fabian said asked how did the internal site even get into this. Member Carboni said the sites were based on the feasibility study. Member Fabian said she thought it was going to be just the other two (2). Chairman Day said they are almost the same. Mr. Robinson said we took the layout based on the Bedford Street site and placed it on the other sites. The TWC internal site needs more pavement and takes up more area. It was felt that Bedford Street is a better site and there are cost benefits to that site in general.

Fire Chief O'Brien said the closer we are to the Routes 18/105 intersection means more lives and property can be saved. The farther away from that hub takes some of that away. Chairman Day said what kind of outlook are you doing in these designs. Mr. Robinson said they tried to cover 10 years out and see what could happen up to 20. The building has a 50 plus year life. You don't want to overbuild; we build on where the Department will be in 10 years. Member Fabian asked about the utilities, location and local traffic impact from the matrix. Mr. Robinson said water will need to be extended from the Police Station, taking site drainage and a septic system into account. Precinct Street scored lower because of those issues. It really came down to stormwater containment and runoff. We were looking at what is in the immediate surroundings. It was a combination of the impact on the main intersection and where calls come from. Precinct Street has more residential properties. Chief O'Brien said the Camp options would be the most disruptive to Ted Williams Camp functions. There could be gridlock with events at the camp. For the other site we would have to use the COA driveway and we weren't sure if the radius could be achieved with the equipment turning onto Precinct. For the Bedford Street site, all vehicles will be direct to Bedford. The intent is not to affect the camp road. Mr. Robinson said the staff can come through the camp road and the equipment leaves off of Bedford Street.

Member Carboni said the Committee met briefly this week and voted to recommend to the Select Board the proposed location be the Bedford Street location. Brynna Donahue asked if the Select Board had a copy of the deed for Ted Williams Camp. She wants to be aware of the issues we may face. Special Town Meeting 5/12/86 and read article #4. She is not sure if it was amended. She read from the Select Board handbook about handling municipal property. Darryl Bernier has threatened to go to the people that sold the land to the Town. Chairman Day said the land was determined not to be Chapter 97 land when the Police Station was built. Town Counsel has confirmed from the Police Station process that this is one of the offices has been vetted. There was a minor land swap that took place for the Police Station. There were no fines or fees in regards to the Police Station. Ms. Donahue said this land was just trees and brush. The other land has a stream and walking trails. They should be considered. Chairman Day said he doesn't think that it would affect the old haunted house building. Member Carboni said we had to start somewhere. Ms. Donahue said she wanted it on the record that we have investigated. Member Carboni said the FSBC will be keeping the Parks Commission posted with progress. Paula Houle asked if any kind of survey on the impact of a fire station on a public park is being done. Chief O'Brien said the site recommendation stays clear of the park. Having first responders' close increases the safety of those that use the park. The concerns the Park Commission had were reflected. Member Fabian said we

need to look forward and get professional opinions to make the best decision. We need to select a location to continue to move forward.

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

VOTED: That the Select Board accepts the recommendation of the proposed Fire Station location as the Bedford Street site (Option C).  
Unanimous in favor.

**Discuss and possible vote on request from the Fire Chief to adopt the Comprehensive Emergency Management Plan**

*Michael O'Brien, Fire Chief, was present for the discussion.* Chief O'Brien thanked Cadet Grealley, who was an intern at the Lakeville Fire Department starting in 2023. She did all the data gathering and used the MEMA template. Chairman Day said he has not had an opportunity to go through the report. Member Fabian said she sent a few comments to the Chief. Member Fabian said on page 12 on the final draft, she asked if listed events should include flooding. Chief O'Brien said he can include flooding. Chairman Day said the current fire station is listed as the Emergency Operations Center. Chief O'Brien said the location is wherever he is. Member Fabian said including flooding would help when we ask for money to mitigate flood issues. Member Carboni said flooding impacts our emergency vehicles getting through. If this comes back the next meeting and we approve, does this become a working document. Chief O'Brien said there is a section in there about the process to modify the document. This will come back to the Board with minor edits.

**Discuss and possible vote on request from Fire Chief to declare boat motor as surplus equipment**

*Michael O'Brien, Fire Chief, was present for the discussion.* Chief O'Brien said that the Police Department got a new motor for their boat, so he took that motor for the Fire Department boat. The motor has been well maintained with less hours. He is asking to surplus their old motor.

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

VOTED: To approve the request from the Fire Chief to declare the boat motor as surplus.  
Unanimous in favor.

**Discuss and possible vote on request from Fire Chief to receive ownership of an emergency response utility terrain vehicle from the Bristol County Fire Chiefs' Association**

*Michael O'Brien, Fire Chief, was present for the discussion.* Chief O'Brien said Senator Rodrigues attached the Town to a bond bill for emergency rescue units relating to the MBTA. The money has been released and there will be a utility terrain vehicle equipped for patient carrying and light firefighting purposes. The State is buying them and Bristol County Fire Chiefs have to give it to someone who can accept them on behalf of the Town. This will most likely be used for rescuing hikers and to be able to get out on the tracks. The trailer did not survive the Capital Plan, but he is requesting it under ARPA.

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

VOTED: To support the request from the Fire Chief to receive ownership on behalf of the Town for the emergency response utility terrain vehicle from the Bristol County Fire Chief's Association.  
Unanimous in favor.

**Discuss and possible vote on revising physical and drug testing hiring requirements**

*Lacey Marshall, Human Resources Director, was present for the discussion.* Ms. Marshall said on the second page of the document, she broke down the positions that are required for physical and drug testing and the ones required by the union contract.

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

VOTED: To support the recommendation of the Human Resources Director to change the verbiage in the employee handbook to state: as part of the Town of Lakeville's employment procedures, all new employees are required to undergo a medical examination and drug screening, depending on the nature of their job, after a conditional offer of employment has been made by the Town. The examination will be conducted by a physician designated by the Town of Lakeville.  
Unanimous in favor.

**Discuss and possible vote to approve job description for Part-Time Office Assistant for Town Clerk/Select Board**

*Lacey Marshall, Human Resources Director, was present for the discussion.* Ms. Marshall said right now we are currently operating by two (2) floaters, one (1) which is substantially used by the Town Clerk's Office. Her budget is going down about \$15,000 in FY25. This will dedicate the part-time Office Assistant to the Town Clerk's Office and then still maintain two (2) floaters. Member Carboni said our Town Clerk has indicated that there was a need for a part time position for that office. Chairman Day said the Office Assistant is specifically for the Town Clerk's Office. Ms. Marshall said there will be a floater designated to the Select Board and an emergency floater. Discussion occurred regarding the funding of this position.

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

VOTED: To approve the job description for the Part Time Office Assistant for the Town Clerk's Office.  
Unanimous in favor.

**Discuss and possible vote to approve job description for Part-Time Assessor Field Assistant**

*Lacey Marshall, Human Resources Director, was present for the discussion.* Ms. Marshall said the Assessors' Field Assistant is going to part time and there is a part time Office Assistant who will be going to full time. This is a decrease of \$20,000 in the Assessors' budget.

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

VOTED: To approve the job description for the Part Time Assessor Field Assistant.  
Unanimous in favor.

**Discuss and possible vote to approve job description for Full-Time Assessor Office Assistant**

Member Fabian said this will give us more hours for the Assessors' window to be open.

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

VOTED: To approve the job description for the Full Time Assessor Office Assistant.  
Unanimous in favor.

**Discuss and possible vote to appoint at-large member on Town Administrator Search Committee**

Member Carboni said it was important for a full Board to discuss this. Chairman Day read the names of the people that submitted letters of interest. This is for the at-large member of the Town Administrator Search Committee. There are a lot of qualified candidates here. He thought Ms. Desrosiers application, based upon her position in Mattapoisett and her knowledge of the Town, would be an excellent candidate. Member Carboni said where Ms. Desrosiers has worked under a Town Administrator, she would have a different perspective.

Chairman Day asked the prospective candidates if they would like to say a few words. Robert Marshall spoke of a list of what the Town should be looking for in a Town Administrator that he compiled and his experience with Town government. Katie Desrosiers said she has served two (2) terms on Finance Committee and is aware with the issues and her current position as Assistant Town Administrator allows her to note things that are not on the job description. She had previously worked in the Town Manager's Office in Bridgewater prior to Mattapoisett. Linda Elwell said she is the President of the Friends of the Council on Aging and brings managerial experience from 30 years working at Blue Cross/Blue Shield. She would like to help the Town make a good decision. Paul Meleedy said he has been an active member of various committees in Town, served as Chairman of the Board of Assessors, and has had a view of interaction between residents and the Town Administrator. Britney Lepore said she does not have any municipal experience, but is enrolled at Bristol Community College as an Executive Administrative Assistant and it would be good to be involved in the community and get experience.

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

VOTED: To appoint Katie Desrosiers as a member of the Town Administrator Search Committee for a term to expire on July 31, 2024.  
Unanimous in favor.

**Review proposals received from consultant firms for Town Administrator Search and possible vote on consultant**

*Lacey Marshall, Human Resources Director, was present for the discussion.* Ms. Marshall said we had originally reached out in December and received three (3) responses: Gov HR Municipal Resources, Inc. and Community Paradigm. Based on the amount, which was over \$10,000, Ms. Craig-McGee reached out with an Invitation to Quote. GovHR did not provide a quote; Municipal Resources, Inc. submitted the same proposal and we received a new proposal from Groux-White. Municipal Resources, Inc. will be providing the same services as before based on a lower cost from being a previous customer. She would recommend Municipal Resources, Inc. at \$9,500 with \$1,500 additional for advertising. Groux-White quoted \$9,800, but did not give a cost for advertising. Member Carboni said because MRI developed the document explain who we are, they can just fine tune it. However, the job description would need to be reviewed. Member Fabian said they are offering to do significant amount of work for us. She is not seeing the same kind of services from Groux-White. Chairman Day said Municipal Resources, Inc. gave us the proposed timeline; the last time they were pretty spot on. Member Fabian said it was a phenomenal experience working with MRI last time and she would recommend going with them again.

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

VOTED: To accept the quote of Municipal Resources, Inc. for the next Town Administrator recruitment process for the Town of Lakeville.  
Unanimous in favor.

Member Fabian said she can work with Ms. Marshall regarding the amount of finalist candidates. Member Carboni said the charge should go off of the Select Board's policy.

**Revisit discussion on dog hearing for 40 Clark Shores Road – Alisha Tetreault**

Chairman Day said on February 26<sup>th</sup> we had a dangerous dog hearing and came up with three (3) requirements: muzzled when outside; kennel in place by March 11<sup>th</sup> and they would have fencing between the home and kennel by tonight. There have been multiple visits by the Animal Control Officer and the dog was muzzled. The kennel was not in place by the 11<sup>th</sup>; they were notified on the 12<sup>th</sup> and it was up by the 15<sup>th</sup>. Member Fabian said she and David Frates visited the site and the owners welcomed her to inspect with him. She did not touch the fencing, but Mr. Frates was grabbing the fence. There is a kennel inside of a fenced in area. He shook the fence on all sides and it is as secure as it will get. If there was chicken wire there she did not see it. The dog goes out the back door and it in an enclosed area. There is also some pavement that the dog cannot dig out of it. That is the best we are going to get, short of us deciding it is not good enough. In her opinion, it is the best we will get.

Chairman Day asked if they met the conditions. Member Fabian said yes. The dog was not barking as we were walking around the property and the dog has been using the kennel area. She would recommend that Mr. Frates make sporadic visits to ensure compliance. Member Carboni said she drove by and saw the same condition. Member Fabian said they should know that we have asked the ACO to make sporadic visits. Chairman Day said strongly recommended that they keep piecing



together as much fencing as they can. Member Fabian said they do have some fencing left over. It looks pretty secure. Member Carboni asked to send a letter to the dog owner. Douglas Caron of 8 Beechwood Avenue said at the previous meeting you said that chain link fence needed to be weaved into the kennel for no digging. The fence is located on the neighbor's property at one section. Member Fabian said she doesn't know what the property line is, but it does overlap the other fence. Chairman Day said the Board can circle back if something needs to be corrected. Member Fabian asked if the neighbor's property was seasonal? Mr. Caron said it may be. Chairman Day said we can't confirm where the property line is. Member Fabian asked Mr. Caron if the fence is on your property? Mr. Caron said no. Member Fabian said it is up to the neighbor who may be affected to complain. We will continue to monitor it.

### **Revisit the revised Housing Production Plan and possible vote to approve**

Chairman Day said we received the revised plan that was updated by SRPEDD and we have the sample letter to send to the State.

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

VOTED: To approve the Housing Production Plan and send a letter of approval to the State similar to the Town of Westbridge.  
Unanimous in favor.

### **Update on information pertaining to a potential 40R sub-district encompassing some or all of 43 Main Street**

Chairman Day said in early February, a working group was formed to talk to Rhino Capital about switching to a 40R development. They did not say no, but will likely file for a 40B development while we investigate this further. We have identified a few parcels already developed that can potentially be used to stitch together the 43D district. We asked Rhino for more information on their proposed project and would need that to be able to put in a potential by-law. Mark Knox said we need information from them. The Executive Office of Housing and Livable Communities was given a rough draft and thought it could work with more information. Member Carboni said where the developer has not submitted a 40B project yet and we put a sub-district overlay there, they could file both the 40B and 40R. Chairman Day said they could do both and decide. Mr. Knox said their view is they could permit a 40B quicker because they don't need frontage and subdivide it. We need the metes and bounds to try to craft this into a 40R. Member Carboni said if we want to redistrict and expand the smart growth district, does that happen first before a plan is filed. Mr. Knox said we cannot create a smart growth overlay until we have metes and bounds. Chairman Day said they may release an update around the next month. If the Board is still open, we can continue getting information with them.

### **Revisit potential disposal of surplus property – Cherry Street - 042-012-015A and possible vote on method of disposing of the property**

*Nathan Darling, Building Commissioner, was present for the discussion.* Member Fabian said Mr. Nunes and the Treasurer/Collector and she worked together on the history of the acquisition of

this property. At one point the property was in tax title. It was redeemed and we later purchased it for \$2,000. Basically, the property at 5 Cherry Street was a conforming property, but the Town purchasing the lot with the garage turned it into a non-conforming lot. The Treasurer would like to see that lot made whole again by selling the lot back to 5 Cherry Street and it would go back on the tax roll. Instead of one (1) whole lot, we now have two (2) parcels that aren't legal. The Town bought it to create a location for a pumping station and that was years ago and she doesn't see that coming forward. We are not setting a precedent. We are restoring the original parcel. We agreed that there should be an appraisal on the lot to see what it is worth. Mr. Nunes said appraisal proposals were solicited and she received two (2).

Mr. Darling said the properties were held in common ownership in the late 50's and merged. When we bought it, we created infectious invalidity and the only way to fix it is to combine them again. This property needs to go to 5 Cherry Street. Member Fabian said this came to be through the proposed abutters' policy, but it doesn't have anything to do with that.

**Discuss and possible vote to approve and sign the Southeastern Regional Services Group Department of Public Works services contracts**

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

VOTED: To approve the Department of Public Works SERSG contacts and authorize the Town Administrator to sign the contracts.  
Unanimous in favor.

**Discuss and possible vote to comment on Definitive Subdivision Plan for Pinecrest Village**

Member Carboni said it looks like where the location is that they are going to close it off and connect to Beechtree Drive. Chairman Day said this is in Huckleberry Shores. Member Carboni said Cedarwood Place is looking to expand. Chairman Day said the Board had no comments.

**Discuss and possible vote to approve 1-day beer and wine license for The Bartending Service of New England, LLC – April 26, 2024 – 141 County Street**

Member Carboni recused herself from the discussion.

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

VOTED: To approve the 1-day beer and wine license for the Bartending Service of New England on April 26, 2024 for 141 County Street from 6:30 to 9:00 PM.  
Member Fabian and Chairman Day voted in favor; Member Carboni abstained.

**Building Committee Updates:**

**Senior Center Feasibility Study Committee**

Member Fabian said the Committee is re-evaluating some things. We will convene the Committee to get everyone up to speed.

### Fire Station Building Committee

Vice Chair Carboni said the Committee is meeting this Wednesday at 6:30 PM at the Police Station to review the proposed Fire Station layout and site location.

### Old Colony Regional Vocational Technical Building Committee

There was no update.

### New Business

There was no New Business discussed.

### Old Business

There was no Old Business discussed.

### Correspondence

1. South Coast Rail Public Notification Requirement
2. Notice from Keolis regarding 2024 Yearly Operational Plan
3. Letter from Comcast regarding changes to Xfinity TV

### **Executive Session**

The Select Board, members of the Community Preservation Committee, Conservation Commission and Open Space Committee will be going into Executive Session.

At 7:44 PM, upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To enter Executive Session pursuant to M.G.L c.30A Sec. 21(a)(6) to consider the purchase, exchange, lease or value of real estate if the Chairman declares that an open meeting may have a detrimental effect on the negotiating position of the public body and not to return to Open Session.

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

The Community Preservation Committee had previously opened their meeting to conduct business. Members present were Susan Spieler; Barbara Standish; Kathleen Barrack; Nancy LaFave; Nancy Yeatts; John Lucey; Paula Houle and Chair Michelle MacEachern.

At 7:39 PM, the Community Preservation Committee, upon a motion made by Chair MacEachern and seconded by Mr. Lucey, it was:

VOTED: To enter Executive Session pursuant to M.G.L c.30A Sec. 21(a)(6) to consider the purchase, exchange, lease or value of real estate if the Chairman declares that an open meeting may have a detrimental effect on the negotiating position of the public body and not to return to Open Session.  
Roll call vote: Ms. Spieler – aye; Ms. Standish - aye; Ms. Barrack - aye; Ms. LaFave; - aye; Ms. Yeatts - aye; Mr. Lucey - aye; Ms. Houle – aye and Chair MacEachern – aye.

Amy Knox, Chair of the Open Space Committee opened their meeting. Members present were Joan Morton; Deveney Boyadjian; David Zelonis and Amy Knox, Chair.

At 7:41 PM, the Open Space Committee, upon a motion made by Chair Knox and seconded by Mr. Zelonis, it was:

VOTED: To enter Executive Session pursuant to M.G.L c.30A Sec. 21(a)(6) to consider the purchase, exchange, lease or value of real estate if the Chairman declares that an open meeting may have a detrimental effect on the negotiating position of the public body and not to return to Open Session.  
Roll call vote: Chair Knox – aye; Mr. Zelonis – aye; Ms. Morton – aye; and Ms. Boyadjian – aye.

Robert Bouchard, Chairman of the Conservation Commission opened their meeting. Members present were Nancy Yeatts; Joseph Chamberlain; Mark Knox and Robert Bouchard, Chairman.

At 7:42 PM, the Conservation Committee, upon a motion made by Chairman Bouchard and seconded by Ms. Yeatts, it was:

VOTED: To enter Executive Session pursuant to M.G.L c.30A Sec. 21(a)(6) to consider the purchase, exchange, lease or value of real estate if the Chairman declares that an open meeting may have a detrimental effect on the negotiating position of the public body and not to return to Open Session.  
Roll call vote: Ms. Yeatts – aye; Mr. Chamberlain – aye; Mr. Knox – aye; and Chairman Bouchard – aye.

**List of documents provided at the Select Board Meeting of March 25, 2024**

1. Agenda page
2. Agenda page; Town Administrator report
3. Agenda page; Select Board meeting minutes February 26, 2024 and March 11, 2024
4. Agenda page; ARPA Summary; email from Joanne Upham
5. Agenda page; memo from Town Administrator; matrix of locations; slides for three sites

6. Agenda page; memo from Fire Chief; Comprehensive Emergency Management Plan
7. Agenda page; memo from Fire Chief
8. Agenda page; memo from Fire Chief
9. Agenda page; memo from Human Resources Director with data
10. Agenda page; memo from Human Resources Director; draft job description
11. Agenda page; memo from Human Resources Director; draft job description
12. Agenda page; memo from Human Resources Director; draft job description
13. Agenda page; letters of interest for at-large position
14. Agenda page; response to request for quote from Municipal Resources, Inc. and Groux-White Consulting, LLC ;
15. Agenda page
16. Agenda page; memo from Planning Board; sample letter of approval; Housing Production Plan
17. Agenda page; email from Chairman Day
18. Agenda page; memo from Treasurer/Tax Collector; deeds and plans
19. Agenda page
20. Agenda page; memo from Planning Board and subdivision plan
21. Agenda page; application
22. Agenda page
23. Agenda page
24. Agenda page
25. Agenda
26. Agenda; correspondence
27. Agenda page

**AGENDA ITEM #8  
APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO APPOINT DAVID FRATES AS ANIMAL CONTROL OFFICER/CONSTABLE AND LISA PODIELSKY, DARCY LEE, RONNIE FRATES AND KATHY SEELEY AS ASSISTANT ANIMAL CONTROL OFFICERS**

The appointments of the Animal Control Officer and Assistant Animal Control Officers expire on April 30, 2024.

If you wish to make the reappointments, the **motion would be:**

To make the following re-appointments, all with terms to expire April 30, 2025:

<b>Name</b>	<b>Position</b>
David Frates	Animal Control Officer/Constable
Darcy Lee	Assistant Animal Control Officer
Ronnie Frates	Assistant Animal Control Officer
Lisa Podielsky	Assistant Animal Control Officer
Kathy Seeley	Assistant Animal Control Officer

**AGENDA ITEM #9**  
**APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO REAPPOINT WILFORD  
COREY AS VETERANS' AGENT AND GRAVES OFFICER**

The appointment for Wilford Corey as Veterans' Agent and Graves Officer expires April 30, 2024.

If you would like to reappoint him, the appointment term would expire April 30, 2025.

**AGENDA ITEM #10  
APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO APPOINT PATRICIA  
MUSTACAROS AS MEMBER OF THE COUNCIL ON AGING  
BOARD**

Attached is a letter from the Council on Aging Board President requesting that Patricia Mustacaros be appointed as a full member due to a vacancy. She is currently serving as an alternate member.

If appointed, her term would expire on July 31, 2025.





April 1, 2024

Dear Members of the Town of Lakeville Select Board:

At our last Council on Aging Board meeting on March 6, 2024, the Chair made a motion to recommend to the Select Board that Alternate Member, Patricia Mustacaros, be appointed as a full member. The motion was seconded and approved by all board members.

There is a vacancy on the COA Board due to the resignation of Bruce Baptiste, a long-time board member.

Please place this matter on your next scheduled board meeting agenda.

Thank you.

A handwritten signature in cursive script, reading "Deveney Reis Boyadjian". The signature is written in black ink and is positioned above the printed name.

Deveney Reis Boyadjian, Chairperson  
Lakeville Council on Aging Board

**AGENDA ITEM #11  
APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO APPOINT MICHELLE  
BOUCHARD TO THE CONSERVATION COMMISSION AS A  
FULL MEMBER AND BRIAN ANDERSON AS ASSOCIATE  
MEMBER**

Attached is the memo from the Conservation Commission requesting the above appointments.

If Michelle Bouchard is appointed, the expiration date of the term would be July 31, 2026 as the vacant term expired in 2023 and Conservation Members have 3-year staggered terms.

If Brian Anderson is appointed, the expiration date of the term would be July 31, 2025 as alternates have a 1-year term.

RECEIVED  
APR - 2 2024  
SELECTMEN'S OFFICE



*Town of Lakeville*  
*Conservation Commission*  
*346 Bedford St.*  
*Lakeville, MA 02347*

*Phone: (508) 946-8823 FAX: (508) 946-0112*

To: Board of Selectmen  
From: Conservation Commission  
Date: April 1, 2024  
RE: Michelle Bouchard & Brian Anderson appointment

The Conservation Commission currently has an opening for another member. We have reviewed three individuals that expressed interest and submitted resumes for the position.

At our meeting on March 26th, the Commission voted unanimously to recommend Michelle Bouchard for appointment to the Conservation Commission. Michelle has an extensive science background and has attended many meetings as an interested citizen. We look forward to having her on the Board.

In addition, the Commission voted to appoint Brian Anderson as an Associate Member.

Sincerely,

Bob Bouchard  
Conservation Agent/Commission Chairman

**AGENDA ITEM #12  
APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO ACCEPT  
RESIGNATION OF MARK KNOX FROM THE  
CONSERVATION COMMISSION**

Attached is a letter of resignation from Mark Knox from the Conservation Commission.

---

**MARK J KNOX**

508-243-3555

Mark J Knox  
87 Pierce Ave.  
Lakeville, MA 02347

April 3, 2024

RECEIVED  
APR - 3 2024  
SELECTMEN'S OFFICE

Lakeville Select Board and Conservation Commission.

After much deliberation I have decided to resign from my appointed position on the Lakeville Conservation Commission effective immediately. I appreciate my time served and hope this letter is received without prejudice.

I would like to thank all of the board members, past and present that have committed their personal time and effort to Lakeville. Serving Lakeville has been a rewarding, educational and meaningful experience and I am grateful for the opportunity. I also wish all the best to the remaining and future Conservation Commission members, as I know this position comes with great responsibility, Stress and commitment.

Best Regards,

Mark Knox

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**AGENDA ITEM #13  
APRIL 9, 2024**

**REVISIT AND POSSIBLE VOTE TO APPROVE THE  
COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

Attached is the revised plan for the Board's consideration.

I have attached Chief O'Brien's memo to the Select Board from the March 25<sup>th</sup> meeting.



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

RECEIVED  
MAR 18 2024  
SELECTMEN'S OFFICE

PAMELA GARANT  
DEPUTY CHIEF  
pgarant@lakevillema.org

To: Lakeville Select Board  
From: Michael P. O'Brien, Fire Chief   
RE: Comprehensive Emergency Management Plan Adoption  
Date: March 13, 2024

This document has been written to request Select Board consideration and possible vote to adopt the most recent version of the Comprehensive Emergency Management Plan (CEMP).

This document is an all hazards plan developed to address the natural and human-caused hazards that threaten our community. The plan is a template for "best practice" response to area disasters and emergencies. Situational variables and availability of resources will dictate reasonable departures from the prescribed plan execution.

The updating of the CEMP has been performed under my authority as the Emergency Management Director. The majority of the update work was delegated to Deputy Director Pam Garant. The Deputy was supported by MEMA staff and was assisted by Massachusetts Maritime Cadet Maeve Greally, who provided service to Lakeville as part of an internship program. Cadet Greally is an Emergency Management major at the Academy.

The plan has been vetted and approved Massachusetts Emergency Management Agency and reviewed by the previous town administrator.

**AGENDA ITEM #14  
APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO REQUEST THE BOARD  
OF ASSESSORS FORMALIZE A CHAPTER 61 LAND  
STATUS REPORT EACH YEAR TO THE SELECT BOARD**

This item was brought up at the previous Select Board meeting.



**AGENDA ITEM #15  
APRIL 9, 2024**

**DISCUSS POSSIBLE UPDATES TO THE EXISTING  
CHAPTER 61 PROCEDURES TO ACCOUNT FOR LAND  
WITH NO THIRD-PARTY PURCHASE AND SALES  
AGREEMENT CURRENTLY IN PLACE**

Attached is the most recent Chapter 61 Right of First Refusal Policy and Procedures adopted June 12, 2023.



## TOWN OF LAKEVILLE SELECT BOARD

### CHAPTER 61 RIGHT OF FIRST REFUSAL POLICY AND PROCEDURES

**Adopted: June 12, 2023**

This document serves as a guide for municipal staff, boards, and residents of the Town of Lakeville regarding the Town's right of first refusal when landowners seek to convert or sell land classified or recently classified for tax purposes under M.G.L. Chapter 61, 61A or 61B ("Chapter Land"), to residential, commercial or industrial use.

The provisions of state law governing this process are found in M.G.L. Chapter 61, Section 8, Chapter 61A, Section 14 and Chapter 61B Section 9. Chapter 61 applies to forestland, Chapter 61A applies to agricultural and horticultural land (which may also include forestland), and Chapter 61B applies to recreation land (which may also include forestland). The statute should be consulted for the exact wording of requirements to be followed by all parties.

#### **Notice of Intent**

In accordance with the Chapter statutes, a landowner seeking to sell or convert Chapter Land to residential, commercial or industrial use while the land is so classified, or within one (1) year after the land is removed from classification, must provide a "Notice of Intent" to sell or convert Chapter Land, by U.S. certified mail or hand-delivery, to the Select Board, Planning Board, Assessors, Conservation Commission, and State Forester (c/o the Commissioner of the Department of Conservation and Recreation). It is the responsibility of the property owner to make sure that the Notice of Intent completely satisfies the statutory requirements, which must include at a minimum:

1. A statement of intent to sell or convert.
2. A statement of proposed use of the land.
3. The location and acreage of land as shown on a map drawn at the scale of the Assessor's map.
4. The name, address, and telephone number of the landowner, and the attorney representing the landowner, if any.
5. In the case of an intent to sell land for a Disqualifying Use, a certified copy of an executed purchase and sale agreement specifying the purchase price and all terms and conditions of the proposed sale, which is limited only to the property classified under a Chapter Statute and must be a bona fide offer. To be a bona fide offer, the offer to purchase must be made by a party

unaffiliated with the landowner for a fixed consideration payable upon delivery of the deed, and may not be dependent upon potential changes to current zoning or conditions or contingencies relating to the potential for, or the potential extent of, subdivision of the property for residential use, or the potential for, or the potential extent of, development of the property for industrial or commercial use.

6. Any additional agreements or a statement of any additional consideration for any contiguous land under the same ownership, and not classified under a Chapter Statute, but sold or to be sold contemporaneously with the proposed sale.

If the Notice of Intent to sell or convert does not contain all of the required material, the Town has thirty (30) days following receipt of the Notice to notify the landowner in writing that the Notice is insufficient and does not comply. If the Notice is deemed insufficient, the landowner may resubmit a sufficient Notice.

### **Sale for Residential or Commercial Use – Town Option to Purchase**

For a period of 120 days after the day a complete Notice to Sell is deposited in the mail to all appropriate parties, as shown by the certified mail receipt, the Town shall have a first refusal option to meet a bona fide offer to purchase the land. The Town's options are to:

1. Following a public hearing held by the Select Board, exercise its option to purchase the property upon the terms of the bona fide purchase offer by recording a Notice of Exercise at the Registry of Deeds and providing the landowner written notice of such exercise by certified mail and a purchase and sale agreement; or
2. Following a public hearing held by the Select Board, assign the option to purchase to a nonprofit conservation organization, the Commonwealth or any of its political subdivisions, by recording a Notice of Assignment at the Registry of Deeds, and providing written notice to the landowner, following which the option may then be exercised by such entity in the same manner as the Town and within the 120-day period, or
3. Determine not to exercise or assign its right of first refusal, either before or after the hearing, and notify the property owner that it does not intend to exercise its right of first refusal.

If the Town does not record a notice of exercise or assignment within the 120-day period, the Town will be deemed to have not exercised its option and the option will expire. The landowner may not revoke a Notice to Sell once submitted to the Town.

### **Conversion to Residential or Commercial Use – Town Option to Purchase**

If the landowner intends to convert the use of Chapter Land to a Disqualifying Use (residential, commercial, or industrial use), the Town must take the following steps to exercise its option to purchase the property:

1. Within thirty (30) days from the date of the Notice of Intent to Convert, obtain at its expense an impartial appraisal from a certified appraiser of the fair market value of the Chapter Land

and deliver the appraisal to the landowner.

2. In the event the landowner disagrees with the Town's appraisal, the owner must obtain a second appraisal, at the owner's cost, within sixty (60) days from the date of the conversion notice; alternatively, the owner may accept the Town's appraisal.
3. If the Town disagrees with the owner's appraisal, the owner and the Town will select a mutually acceptable appraiser, who shall deliver the appraisal to the owner and the Town within ninety (90) days from the date of the conversion notice. The value of the Chapter Land as determined by the third appraiser is final.
4. The Town has 120 days from the date on which the fair market value has been determined to decide whether to exercise its option to purchase the Chapter Land, following the same process for exercising an option initiated by a Notice to Sell.
5. A landowner may revoke a Notice of Intent to Convert at any time during the appraisal process.

### **Factors for Consideration**

The Select Board has identified a series of factors to consider when presented with a Notice of Intent to Convert or Purchase & Sale Agreement:

1. Has the property been designated for protection or acquisition in the Master Plan, Open Space Plan or as a Community Priority Area (PDA/PPA)?
2. Does the property have access to municipal water?
3. Does the property have sufficient access to transportation, e.g. roads and/or sidewalks?
4. What is the property's likely development potential?

Other factors could include the presence of wetlands or vernal pools, a natural heritage designation, rivers or streams and public access to water bodies, as well as the character of the surrounding neighborhoods. These considerations, while not determinative, should be utilized to provide insight regarding the most appropriate response to a property's intended removal from Chapter 61.

## **Procedures for Review of Notices and Evaluation of Properties: Roles of Town Staff and Boards**

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This document sets forth a recommended procedure for Town review of a Notice of Intent to sell or convert Chapter Land. It shall not be construed to limit the authority of the Select Board, the Town Administrator, and their designees, who may take actions within their authority regarding such Notices as they deem appropriate.

### Town Counsel

It is recommended that Town Counsel review each Notice of Intent to verify that the Notice is proper and complete. If the Notice of Intent does not contain all of the material required by statute, Town Counsel will notify the Town Administrator, who will provide for delivery of written notification of insufficiency to the landowner within 30 days of receipt.

Town Counsel may be consulted to determine the final day of the 120-day period to exercise an option to purchase and may seek confirmation from the landowner or his/her representative regarding this date.

In the event of a sale, it is recommended that Town Counsel review the purchase and sales agreement to determine whether the agreement constitutes a bona fide offer and does not include any contingencies that are prohibited under the Chapter Statutes (such as subdivision approval). As part of such review Town Counsel may be asked to confirm the fixed purchase price, and to advise the Select Board and the Town Administrator concerning all contingencies in the agreement and the actions the Town must take to exercise or assign the option and purchase the property.

In the event the Town determines to exercise an option to purchase, Town Counsel should be requested to draft the purchase and sale agreement that must be sent to the owner with the Town's notice of exercise.

### Town Administrator

Upon receipt of a legally sufficient Notice of Intent to Convert, the Town Administrator shall consult with the Select Board to determine if the Town will obtain and provide to the landowner an appraisal of the land as required to begin the process of fixing a purchase price for the Town's consideration of its option to purchase the property.

Upon receipt of a legally sufficient Notice of Intent to Sell, and upon final determination of a purchase price following receipt of a Notice of Intent to Convert, the Town Administrator will contact all relevant Town Departments to review the property and assess potential impacts to the Town's natural resources, zoning, master plan, open space plans and the potential impact on Town services. The relevant Town Departments, Boards, Commission, and Committees are as follows:

- Select Board
- Planning Board
- Board of Assessors

Conservation Commission  
Open Space Committee  
Park Commission  
Master Plan Implementation Committee  
Inspectional Services Department  
Planning Department  
Police Department  
Fire Department  
Department of Public Works

The Town Administrator may also send the notice to the Wildlands Trust or other relevant local land trusts to determine whether a land trust is interested in the assignment of the Notice of Intent. In addition, the notice will be sent to the Community Preservation Committee for informational purposes; a response or follow up is not expected unless the Select Board decides to pursue an alternative to removal of the property from Chapter 61.

During the initial review period, the Town Administrator will provide the Select Board with an analysis of potential considerations for the property, including relevant historical information, site conditions, development potential and applicability within the context of existing Town planning documents. The Town Administrator will also determine whether prior funds were authorized or appropriated for the purchase of the parcel and inform the Select Board of his or her findings. In addition, the Town Administrator will work with the Board of Assessors to identify fully taxed components of the property if the non-Chapter 61 components have not been previously delineated.

The Town or its assignees, during the 120-day period provided the Town by law to consider exercising an option to purchase Chapter Land, may at reasonable times and upon reasonable notice, enter upon the land for the purpose of surveying and inspecting the land, including, but not limited to, evaluation of natural resources, soil testing for purposes of Title V and the taking of water samples.

#### Boards, Committees and/or Commissions

Upon receipt of notification from the Town Administrator, the Chairs of relevant Boards, Committees and/or Commissions will place the Notice of Intent filing on their next meeting agenda. Any such Board, Department, or Commission will notify the Select Board, within 30 days of receiving the Notice, of their recommendation to the Select Board as to whether the property should be acquired by the Town. If any Board, Department or Commission recommends acquisition they shall also identify and recommend a funding source to the Select Board.

#### Select Board

Following the receipt of a proper and complete Notice of Intent the Select Board will:

1. On properties for which a purchase and sale agreement has been submitted, the Board shall promptly schedule a meeting to discuss the Notice of Intent and any comments from the appropriate Boards, Committees and Commissions on the purchase option. The Select Board may vote at anytime during the 120-day period, with or without a public hearing, not

to exercise the Town's purchase rights.

2. Per the Chapter Statutes, the Select Board shall hold a public hearing with notice in accordance with the Open Meeting Law (M.G.L. Chapter 30A, Sections 18-25) before exercising or assigning the Town's option to purchase. It is recommended that direct abutters to the land be notified of the public hearing.
3. Exercise of the Town's option to purchase, or the assignment of that option, shall be accomplished by vote of the Select Board, followed by written notice thereof mailed to the landowner by certified mail at such address as may be specified in the Notice of Intent, and by recording a Notice of Exercise or Assignment at the Registry of Deeds, all within the 120-day period.
4. On Conversion properties the Board may, but is not required, to allow the appraisal process to be completed, and the value of the Chapter Land determined, before holding a public meeting to consider a Notice of Intent to Convert. Regardless, the appraisal of the property must be completed, and the value of the land determined before the Board may hold a Public Hearing to consider the purchase of the property.
5. The Select Board may vote at the public hearing or at any later meeting, within the 120-day timeframe, to either: a) exercise the option to purchase, b) assign the Town's purchase rights to a qualified nonprofit conservation organization or agency or to the Commonwealth or any of its political subdivisions, or c) decline to exercise the first refusal option or option to purchase.
6. Authorization to purchase Chapter Land must be obtained from Town Meeting, and if possible, should be obtained within the 120-day period. If grant funds have not previously been secured or the Town has not appropriated funds for the purchase, Town Meeting must appropriate the necessary funds. If the funds have not previously been appropriated at an Annual Town Meeting, the Select Board must hold a Special Town Meeting within the 120-day period. Funding procedures in circumstances requiring a debt exclusion, such as a special election, must also be addressed within the 120-day period.

### **Exercise of the Town's Purchase Rights**

The Select Board may consider the purchase of property in executive session when an open meeting could negatively impact the Town's negotiating position in circumstances where negotiation is permitted by statute. Regardless, the Select Board must choose one of four courses of action when considering a Notice of Intent:

#### Exercise of First Refusal Option:

If the Select Board decides to exercise the Town's first refusal or option to purchase the land at or after a public hearing, it must:

1. Schedule a Town Meeting and place an article on the warrant for the purpose of obtaining authorization to purchase the property and appropriating the necessary funds.
2. Schedule an election if an override or debt exclusion vote is required to authorize the funding.
3. Send the landowner by certified mail a notice of the Town's exercise of right of first refusal in accordance with the Chapter Statutes and include, with the notice, a purchase and sale agreement signed by the Town that, for a sale, is on the same terms and conditions that were set forth in the agreement between the owner and the buyer, or, in the event of a conversion, the Town's form of purchase and sale agreement, all within the 120-day period.
4. The closing is to occur within 90 days after the purchase and sale agreement is endorsed by the landowner and returned by certified mail to the Town, or upon expiration of any extended period the landowner has agreed to in writing, whichever is later.
  - a. Record at the Registry of Deeds, within the 120-day period, a Notice of Exercise signed by the Select Board, stating that the Board voted to exercise the right of first refusal or purchase option. The Notice should include the name of the owner of the land and a description of the premises which is adequate for identification.
5. As a courtesy, provide written notification of the Select Board's vote to appropriate Town boards, commissions, and committees.
6. Close on the property by the date set forth in the purchase and sale agreement.

Assignment of First Refusal Option:

If the Select Board votes to assign the Town's purchase rights to a qualified nonprofit conservation organization or to the Commonwealth or any of its political subdivisions after a public hearing, the following steps must be completed:

1. The nonprofit must use a "major portion of the property", meaning at least 70% of the property, for any Chapter Lands purposes, but may be permitted to undertake a limited development on the balance (provided it is not larger than the area proposed to be developed by the buyer, in the event of a right of first refusal); the Select Board may place conditions on this use, for example the number of lots in the limited development can be specified, and all land other than that which may be developed is to be bound by a permanent deed restriction that meets the requirements of MGL Chapter 184.
2. The Town must notify the landowner by certified mail in accordance with the Chapter Statutes to the address specified in the landowner's Notice of Intent, of the Town's assignment of its option to a nonprofit conservation organization, stating the name and address of nonprofit organization and the terms and conditions of the assignment, within the 120-day period.



3. The Town also must cause to be recorded at the Registry of Deeds, within said 120-day period, a notice of the Select Board's vote, to include the name of the owner of the land and a description of the premises which is adequate for identification, the name and address of the organization or agency of the Commonwealth which will exercise this option and the terms and conditions of the assignment. The Assignee must exercise its purchase rights, inform the landowner of the exercise, and record a Notice of Exercise, all within the 120-day period.
4. As a courtesy, the Town should provide written notification to appropriate Town boards, commissions, and committees of their vote.

Non-Exercise of First Refusal Option:

If the Town decides not to exercise its purchase rights or its right to assign such rights, the Select Board will:

1. Prepare and send the owner by certified mail a notice of non-exercise in accordance with the Chapter Statutes.
2. Execute a recordable Notice of Non-Exercise signed by the Select Board which contains the name of the record owner of the land and a description of the premises which is adequate for identification purposes. Specific information from the purchase and sales agreement, such as purchase price, may be included in the Select Board's vote and notice to the landowners of non-exercise, but should not be included in the Notice of Non-Exercise to be recorded. The Notice of Non-Exercise may be recorded by the landowner or buyer.
3. As a courtesy, provide written notification to appropriate Town boards, commissions and committees of the vote of the Select Board.

Failure to Act:

If the Town fails to record either the notice of exercise or the notice of assignment within the 120-day period, the Town will be deemed to have failed to exercise its right of first refusal or option to purchase, and the right and option will terminate. Upon termination of the right and option the landowner is free to convert the use of the Chapter Land or to sell said land in accordance with the original terms spelled out in the Notice of Intent.

**The attached checklists shall be used by the Town Administrator's office to ensure that all statutory requirements under M.G.L. Chapter 61 are followed.**

**AGENDA ITEM #16**  
**APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO APPROVE BOARD OF  
ASSESSORS OFFICE ASSISTANT PAY LEVEL/GRADE**

Attached is a memo from the HR Director.



RECEIVED  
APR - 1 2024  
SELECTMEN'S OFFICE

**MEMO**

To: Lakeville Select Board  
From: Lacey Marshall

Date: April 1, 2024  
CC: Robert Nunes, Town Administrator

Subject: Full-Time Board of Assessors Office  
Assistant

The purpose of this memo is to discuss hiring above the minimum rate for the BOA Office Assistant.

Linda Pendergrace was hired as the Part-Time BOA Clerk on February 27, 2017. She has been granted step increases yearly for her performance and is currently receiving \$24.02 per hour.

On March 26, 2024 the full-time BOA Office Assistant position opened internally. Linda applied for the position and is fully qualified to transition from her part-time role to full-time.

The current minimum hourly rate for Level 4 step 1 is \$19.67. Linda has been performing the duties and responsibilities for this position for over 7 years. It is requested that she start at Level 4 step 6 \$23.74 per hour.

The cost is currently funded in the FY25 budget

**AGENDA ITEM #17  
APRIL 9, 2024**

**DISCUSS AND POSSIBLE VOTE TO APPROVE PUBLIC  
WAY LICENSE APPLICATION FOR TOUR DE CRÈME BIKE  
RIDE/FUNDRAISER ON MAY 19, 2024 AND DISCUSS  
REQUEST TO WAIVE THE FEE**

Attached is the letter from the Friends of the Mattapoisett Bike Path and the Public Way License Application that has been signed off on.

They have also submitted a letter to the Board requesting the waiver of the \$250 fee.



Mattapoissett Land Trust, Inc.



Friends of the Mattapoissett Bike Path

February 12, 2024

Robert Nunes  
Lakeville Interim Town Administrator  
346 Bedford Street  
Lakeville, MA 02347

Dear Mr. Nunes:

I am writing on behalf of the Mattapoissett Land Trust and the Friends of the Mattapoissett Bike Path to request permission to hold a charity bike ride event — the Tour de Crème — on Sunday, May 19, 2024.

Starting from Mattapoissett, the event consists of three scenic bike rides (it is not a race) through Fairhaven, Freetown, Acushnet, Rochester, Lakeville, and Middleborough with rest stops at the area's creameries. This is an annual event started in 2016, interrupted by a 3-year hiatus due to the COVID-19 pandemic and unfortunate weather, that returned last year. We are excited for this year's annual ride.

The 45-mile ride passes through Lakeville this year, as shown on the enclosed route maps. Riders leaving Annie's Ice Cream Shack in Freetown will enter Lakeville going north on MA-105 and will leave Lakeville by Marion Road in Middleborough, going on to their next ice cream stop at the Robin's Nest in Rochester.

We expect the first riders to arrive in Lakeville at approximately 11:00 am. The last riders should be through Lakeville by 2:00 pm. In all, we expect 100 cyclists to participate in this ride.

We will orient riders with paper maps, a few notice boards placed at easy-to-miss turns (removed immediately following the event), and discreet on-road markings similar to those used by local cycling clubs. We will have "ambassador" and "sweep" cyclists, dedicated support vehicles, and an event hotline to assist lost or stranded cyclists.

All participants will be required to wear helmets. They will be directed to call 911 in case of any medical emergency. We plan to go forward with the event in the event of showers or light rain but will cancel in the event of heavy rain, dense fog, or other dangerous conditions.

Proceeds from the event will benefit the Mattapoisett Land Trust and Friends of the Mattapoisett Bike Path, both of which are 501(c)(3) charitable organizations.

Please contact me if you have any concerns, know of any conflicts, or can offer suggestions for improving public safety. I may be reached at 617-347-7755 or at [manager@mattlandtrust.org](mailto:manager@mattlandtrust.org).

To apply for a MassDOT permit to use state-maintained highways, I am also requesting that town officials sign and return the enclosed event notification form.

Thank you for considering our request. We look forward to cyclists enjoying the scenic roads and delicious ice cream again this year.

Sincerely,

Colleen Andrews  
Operations Manager  
Mattapoisett Land Trust, Inc.

Enclosures: route maps, event notification form

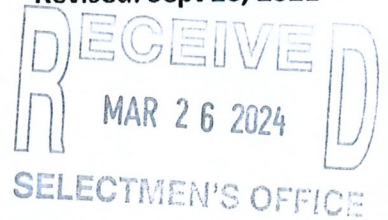
cc: Police Chief Matthew Perkins, Fire Chief Michael O'Brien



Town of Lakeville  
 346 Bedford Street  
 Lakeville, MA 02347

Attn: DPW

Revised: Sept 20, 2021



**Public Way License Application**

*Must be Submitted No Less Than 60 Days Before Event*

This license application is for parties who wish to use public ways for private events. All license applications shall be subject to review and approval by the Select Board in its sole discretion.

Public Way License Fee: \$500. Fee is reduced to \$250 for nonprofit organizations providing proof of legal status.

Additional charges for Police details and EMS coverage may apply. All requesting organizations must provide a map of the impacted streets and evidence of insurance.

**Section 1 - Request Summary/Contact Info.**

Organization/Applicant <b>Mattapoissett Land Trust</b>		Event/Project Name <b>Tour de Creme bike ride/fundraiser</b>		Event/Project Location <b>Start and end in Mattapoissett, MA</b>	
Primary Contact <b>Colleen Andrews</b>		Phone # <b>617-347-7755</b>	Email <b>manager@mattlandtrust.org</b>		
Application Date <b>3/6/2024</b>	Date(s) of Event <b>5/19/2024</b>	Time(s) of Event <b>10am-4pm</b>	Applicant Signature <i>Colleen Andrews</i>		

**Section 2 - Description of Request**

Please use this space to describe your request. Include an overview of anticipated activities and specific requirements (EMS coverage, Police detail, road maintenance, etc.) Attach additional pages and information as needed.

The Tour de Creme is a bike ride (not a race) fundraiser organized by two non-profits, Mattapoissett Land Trust and Friends of the Mattapoissett Rail Trail. There are 3 different routes (9, 24, and 45-miles) - the 45 mile route briefly utilizes Lakeville roads. There will be approximately 100 riders on this route, or less. No state roads are used in Lakeville so Lakeville is not included in our DOT permit. No police details are needed in Lakeville. We have volunteer flaggers stationed at all tricky turns to direct riders and any traffic; all riders are briefed on safety and required to wear helmets; all riders wear wristbands with event contact phone numbers for if they become lost or need assistance; all riders have physical and digital route maps; the 45 mile ride will have 2 volunteer ride ambassadors, leading and following the ride to ensure no riders become separated. The route is marked ahead of time by volunteers with temporary signage (to be removed directly after event) and with discrete/temporary road markings (similar to those used by local cycling clubs).

**Section 3 - Reviews (Date of Approval)**

1. DPW FM 3/11	2. Inspectional Svcs ND 3/11	3. Police MP 3/11	4. Fire MO 3/11	5. Town Admin	6. Select Board	Board/Commission N/A	7. DOT Approval Required <input type="checkbox"/>
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**Section 4 - Process/Comments**

Evidence of Insurance (Date) 3/5/2024	Payment Received (Amount/Date) <i>check rec'd \$250</i> <i>3/11/24</i>	Additional Comments
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**Section 5 - Fee Estimates**

Base License Fee:	\$250
Police Detail:	\$0
Fire/EMS Coverage:	\$0
Other (Describe):	\$0
<b>Total Estimate:</b>	<b>\$250.00</b>

Other Fees Description:

# 45-mile Tour de Crème



Scan for RideWith GPS digital map



If you need assistance or leave the ride call 508-556-7433.  
In case of emergency, call 911

Wear a bike helmet, allow vehicles to pass and obey traffic laws.

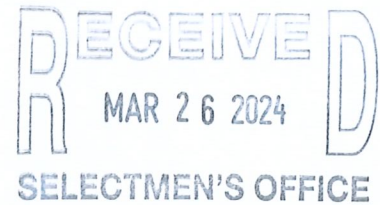


tourdecreme.org









Dear Town of Lakeville Select Board,

3/5/2024

I am writing on behalf of the Mattapoissett Land Trust and the Friends of the Mattapoissett Bike Path in regard to our charity bike ride event — the Tour de Crème — happening on Sunday, May 19, 2024. Both organizations are IRS 501 c(3) charitable non-profits.

We have requested permission to utilize Lakeville roads (please see route map) on our 45-mile route by submitting a Public Way License Application to Jennifer Jewell and the Lakeville DPW, as well as the requested \$250 application fee for non-profits. We respectfully request that you waive the \$250 fee for our charity ride.

The event is a fundraiser where all proceeds are split between the two organizing partners and the funds are dedicated to bettering and extending public walking, hiking and biking trails in Mattapoissett. The proceeds are put right back into our community to create better, more accessible public access to the outdoors and recreation. We rely on volunteers and community support to reduce costs and make the event a successful fundraiser. The Tour de Crème is the largest fundraising effort for each organization.

In preparation for this event, we contact all towns included in our routes and request permission to utilize roads. These towns include Rochester, Acushnet, Freetown, Fairhaven and Mattapoissett. This year, and each of the past 5 years, no town has requested payment for the application or use of their roads. Thus, we would greatly appreciate your consideration to waive Lakeville's application fee for our charity ride.

We appreciate your consideration of this request. Please do not hesitate to contact me if you have any questions.

Sincerely,

*Colleen Andrews*

Colleen Andrews  
Mattapoissett Land Trust, Inc.  
Community Engagement and Stewardship Manager  
Tour de Creme Co-Chair  
manager@mattlandtrust.org  
617-347-7755

**AGENDA ITEM #18  
APRIL 9, 2024**

**COMMITTEE UPDATES:**

- A. SENIOR CENTER ADDITION FEASIBILITY STUDY**
  
- B. FIRE STATION BUILDING COMMITTEE**
  
- C. OLD COLONY FEASIBILITY STUDY**
  
- D. TOWN ADMINISTRATOR SEARCH COMMITTEE**

**AGENDA ITEM #19**  
**APRIL 9, 2024**

**SCHEDULE SELECT BOARD GOAL SETTING MEETING**

Chair Carboni asked for this to be placed on the agenda.

**AGENDA ITEM #20**  
**APRIL 9, 2024**

**NEW BUSINESS**

**AGENDA ITEM #21**  
**APRIL 9, 2024**

**OLD BUSINESS**

**a. Meeting Minutes Sample**

Chair Carboni would like to revise the minute template to include a signature and date at the top of the first page.

**TOWN OF LAKEVILLE**  
**Select Board Meeting Minutes**  
**March 25, 2024 – 5:30 PM**

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

On March 25, 2024 the Select Board held a meeting at 5:30 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 5:30 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present were Interim Town Administrator Robert Nunes and Tracie Craig-McGee, Executive Assistant to the Select Board and Town Administrator. LakeCAM was recording the meeting for broadcast.

**Select Board announcements**

Chairman Day read the announcements. Chief O'Brien announced that Deputy Chief Pam Garant was appointed to the National Fire Academy Executive Fire Officer Program.

**Town Administrator announcements**

Mr. Nunes read the Town Administrator announcements. He met with the Town Accountant and Treasurer regarding the Opioid Settlements. The Town received \$8,900 in FY23 that went into Free Cash. In FY24, a bit more than \$10,000 has been received. He will meet with the Chiefs and the Health Agent to put a plan together for using the \$10,000. That will be an annual payment for approximately 15 years. Also, last week the Police Chief and Fire Chief and he met with F/L Superintendent of Schools Alan Strauss about filing a 1 stop grant regional application with SRPEDD for the district to develop an active shooter/hostile event plan. SRPEDD will take the lead drafting the grant application.

**Discuss and possible vote to approve Select Board Meeting Minutes of February 26, 2024 and March 11, 2024**

Member Carboni said add in her comments. Lia – page 10 at the top, motion made by Chair Day and seconded by Member Carboni. Chairman Day said page 5 – member asked to have, 3<sup>rd</sup> line Chairman Day said he had no desire to remove or destroy the dog, it was the Board.

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

VOTED: To approve the Select Board Meeting Minutes of February 26, 2024 as amended.  
Unanimous in favor.

Member Carboni page 2, put under paragraph Select Board had no comments to submit. Section to be removed that was duplicate.

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

VOTED: To approve the Select Board Meeting Minutes of March 11, 2024 as amended.  
Unanimous in favor.

**AGENDA ITEM #22**  
**APRIL 9, 2024**

**CORRESPONDENCE**

1. Department of Environmental Protection Waterways Regulation Program



RECEIVED  
MAR 26 2024  
SELECTMEN'S OFFICE

**PUBLIC NOTICE**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATERWAYS REGULATION PROGRAM**

**Notice of Simplified License Application pursuant to M.G.L. Chapter 91  
24-WW-PRE-0026-APP**

**NOTIFICATION DATE: March 28,2024**

**PERMITTEE: Gary M Jaspersohn**

**PROJECT SITE ADDRESS: 3 Mona Street, Lakeville, MA 02347,  
Plymouth County, Massachusetts**

Public notice is hereby given of the application for a Chapter 91 Simplified License by Gary M Jaspersohn to construct/maintain an existing private, non-commercial, aluminum dock with an adjacent pontoon boat lift and jet ski lift in the waters of Long Pond at 3 Mona Street, Lakeville, Plymouth County, Massachusetts 02347. In as much as the property is only 50' wide, a 25' minimum to the property line is not feasible as per 310 CMR 9.36(2).

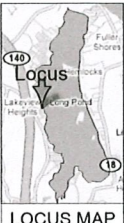
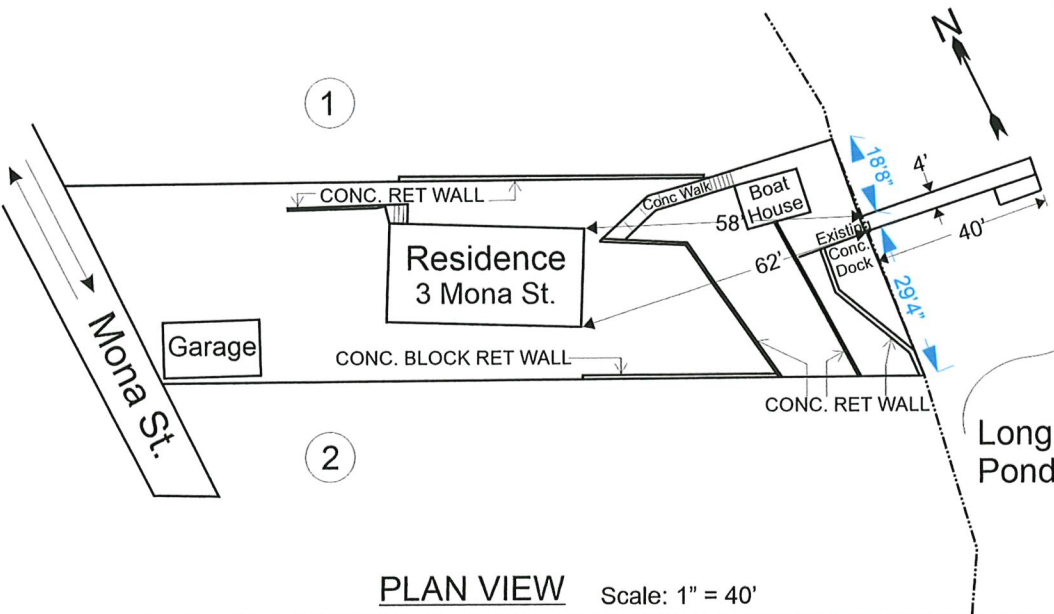

***The Department will consider all written comments on this Waterways application received by within 30 days of the "Notification Date".*** Failure of any aggrieved person or group of ten citizens or more to submit written comments to the Waterways Regulation Program will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c). The group of citizens must include at least five citizens who are residents of the municipality in which the proposed project is located.

Project plans for this Waterways application are on file for public viewing electronically, by request to [dep.waterways@mass.gov](mailto:dep.waterways@mass.gov). If you do not have access to email, please leave a voicemail at (617) 292-5929 and you will be contacted with information on alternative options.

It is recommended that public comments be filed electronically with [dep.waterways@mass.gov](mailto:dep.waterways@mass.gov) when possible. Alternatively, comments may be mailed to the Waterways Regulation Program at: 1 Winter Street, 5<sup>th</sup> Floor, Boston, MA 02108.

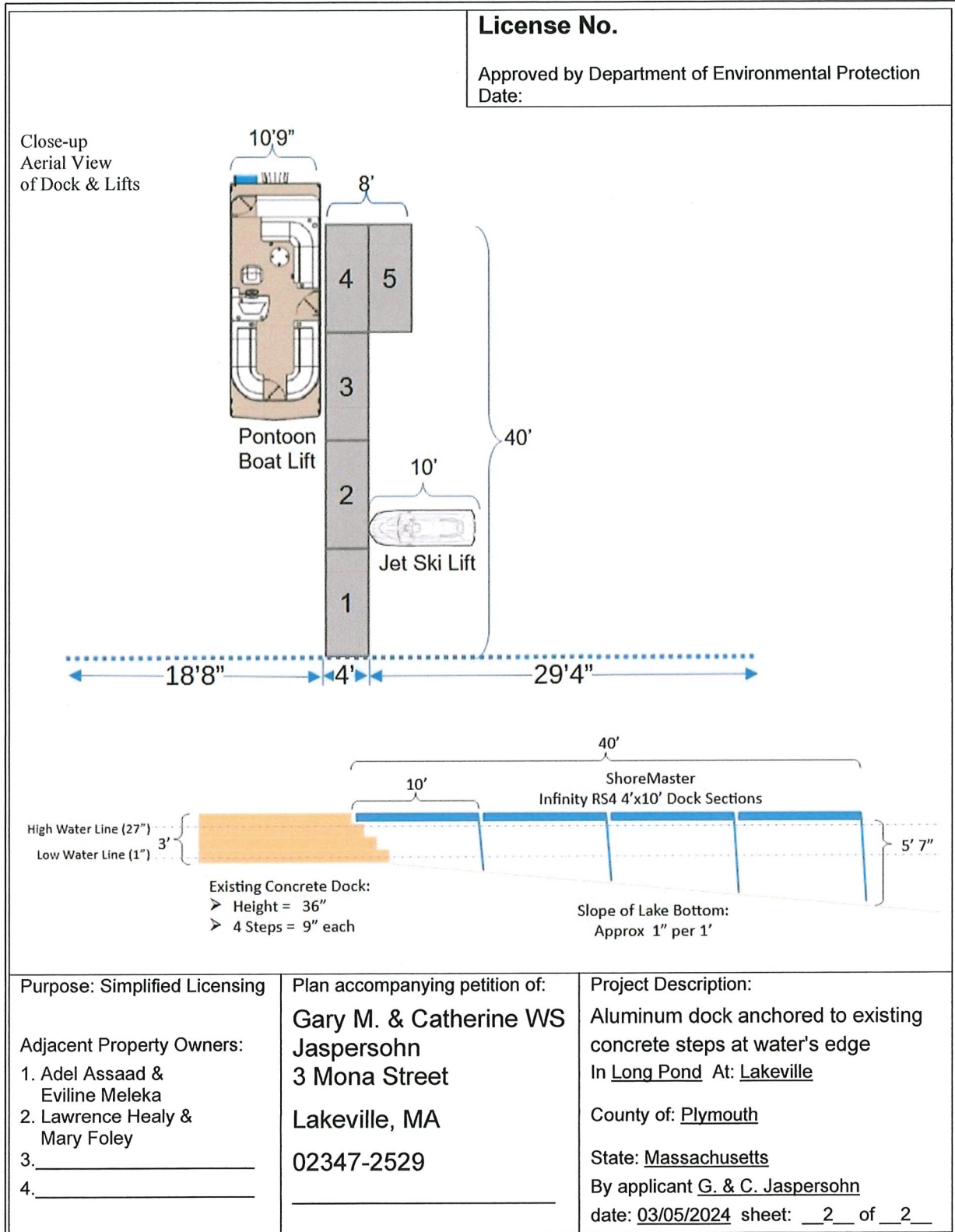
**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Waterways Regulation Program  
 Chapter 91 Simplified Waterways License Application

Appendix B: Simplified License Plan

<b>License No.</b> Approved by Department of Environmental Protection Date: _____		
		
 <p style="text-align: center;"><b>PLAN VIEW</b>    Scale: 1" = 40'</p>		
1 Mona Street, Lakeville ----->>  3 Mona Street, Lakeville ----->>  5 Mona Street, Lakeville ----->>		
Purpose: Simplified Licensing  Adjacent Property Owners: 1. Adel Assaad & Eviline Meleka 2. Lawrence Healy & Mary Foley 3. _____ 4. _____	Plan accompanying petition of: <b>Gary M. &amp; Catherine WS Jaspersohn</b> <b>3 Mona Street</b>  <b>Lakeville, MA</b> <b>02347-2529</b> _____	Project Description: Aluminum dock anchored to existing concrete steps at water's edge In <u>Long Pond</u> At: <u>Lakeville</u>  County of: <u>Plymouth</u>  State: <u>Massachusetts</u> By applicant <u>G. &amp; C. Jaspersohn</u> date: <u>03/08/2024</u> sheet: <u>  1  </u> of <u>  2  </u>

**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Waterways Regulation Program  
 Chapter 91 Simplified Waterways License Application

Appendix C: Simplified License Plan



**AGENDA ITEM #23**  
**APRIL 9, 2024**

**ANNOUNCE NEXT SELECT BOARD MEETING**

The next regularly scheduled Select Board Meeting is April 22<sup>nd</sup> at 5:30 PM at the Police Station.

Budget meetings will be held on April 17, 18 and 25<sup>th</sup> at 5:30 PM at the Senior Center.

**AGENDA ITEM #24  
APRIL 9, 2024**

**POSSIBLE EXECUTIVE SESSION PURSUANT TO M.G.L. C.30A SEC. 21(A)(6) TO CONSIDER THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL ESTATE (A PORTION OF LAND LOCATED AT 1 ELLIOT WAY) IF THE CHAIR DECLARES THAT AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE NEGOTIATING POSITION OF THE PUBLIC BODY AND NOT TO RETURN TO OPEN SESSION.**