



# 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>Monday, May 22, 2023 @ 5:30 PM</u>
Location of Meeting:	<u>Lakeville Police Station</u> <u>323 Bedford Street</u>
Clerk/Board Member posting notice:	<u>Tracie Craig-McGee</u>

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

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

## A G E N D A

1. Select Board announcements
2. Town Administrator announcements
3. 6:15 PM Meet with Cemetery Commission to discuss and possible vote to appoint Joan Gladu Morton to the Cemetery Commission
4. Discuss and possible vote to approve Door to Door Sales Permit Application – Savvy Sales LLC
5. Discuss and possible vote on allocation of donation from Sun Multi Sports
6. Discuss and possible vote on request from The Tuesday Club of Assonet to place a sign on Town Property to advertise the Annual Strawberry Festival on June 18, 2023
7. Discuss and possible vote to approve renewal of Common Victualler License – J & J Seafood – 197 County Street
8. Discuss and possible vote on application to connect to Taunton Water – 237 Main Street
9. Review and possible vote to renew Junk Dealer, Junk Collector, and Auctioneer License for Anthony and Dorita Morris - 33 Myricks Street
10. Discuss and possible vote to accept resignation of Robert Marshall from Cable Advisory Committee
11. Discuss and possible vote to appoint William Hoeg to the Cable Advisory Committee
12. Discuss and possible vote to accept resignation of Diane Wood-Faria from Lakeville Arts Council
13. Discuss and possible vote to approve Select Board Minutes of March 16, 2023; April 21, 2023; April 24, 2023; and May 8, 2023
14. Discuss and possible vote on application for Outside Entertainment from Alexander Koroskenyl – 1 Cedar Pond Road – July 22, 2023
15. Discuss and possible comments on site plan for 156 Rhode Island Road
16. Update on Fire Station Building Committee
17. Discuss potential process for Town Administrator review and contract extension
18. Update from Town Administrator on 6 Barstow Street Chapter 61B removal
19. Discuss and possible vote to approve the policy for consideration process of Chapter Land
20. Update from the Town Administrator regarding 310 Kenneth Welch Drive
21. Discuss Strategic Planning Process and Priorities

22. Discuss concept of scheduling Town Elections to take place after Town Meeting
23. Discuss and possible vote to approve job description for Part Time Groundskeeper/Facilities Laborer
24. Discuss and possible vote to approve FY24 Wage Scale
25. Discuss and possible vote to approve revision of the Town's Social Media Policy
26. New Business
27. Old Business

**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**  
**MAY 22, 2023**

**SELECT BOARD ANNOUNCEMENTS**

There will an observance for Memorial Day on Monday, May 29<sup>th</sup> at 10:30 AM. The observance will start at the Town Office Building/Fire Station and move onto Dickran Diran Square and the Historic Town House. The public is invited to attend.

In case of bad weather, the program will be held indoor at the Historic Town House located at the intersection of Bedford and Precinct Streets.

**AGENDA ITEM #2  
MAY 22, 2023**

**TOWN ADMINISTRATOR ANNOUNCEMENTS**

**AGENDA ITEM #3  
MAY 22, 2023**

**MEET WITH CEMETERY COMMISSION TO DISCUSS AND  
POSSIBLE VOTE TO APPOINT JOAN GLADU MORTON TO THE  
CEMETERY COMMISSION**

As the Cemetery Commission is an elected body, the Select Board and Cemetery Commission members make an appointment jointly.

Joan Gladu Morton has indicated her interest to serve on the Cemetery Commission. If appointed, her term would expire April 1, 2024.

## Tracie Craig-McGee

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**From:** msjoaniemg@aol.com  
**Sent:** Tuesday, April 4, 2023 11:08 PM  
**To:** Tracie Craig-McGee  
**Subject:** Cemetery Commission

To The Select Board:

I am interested in filling the current vacancy on the Cemetery Commission. As a former Cemetery Commissioner, I believe that my knowledge and experience would be beneficial to the Commission.

Thank you for your consideration.

Sincerely,  
Joan Gladu Morton

**AGENDA ITEM #4  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE DOOR TO DOOR  
SALES PERMIT APPLICATION – SAVVY SALES, LLC**

Savvy Sales, LLC has submitted an application to go door to door and leave door hangers promoting re-shopping their insurance for better rates.

They do not have a State Hawkers/Peddlers License, so would require a permit from the Select Board.

I have attached our by-law in regards to Door to Door Sales.



**TOWN OF LAKEVILLE**  
**SELECT BOARD OFFICE**  
346 Bedford Street  
Lakeville, Massachusetts 02347  
Telephone 508-946-8803

**RECEIVED**  
APR 28 2023  
**SELECTMEN'S OFFICE**

**APPLICATION FOR DOOR TO DOOR SALES PERMIT**

Name of Business: Savvy Sales LLC

Name of Person Applying: Haakon W. Perkins

Address: 19 County Road, Mattapoisett MA 02739

Telephone Number: 774-305-9506

Fax Number: 508-758-9604 ATTN Peter B. Perkins

Email Address: n/a

Type of Goods/Services being sold: Requesting no-nock canvassing to leave  
an informational door hanger on residents doors to promote (re)shopping  
their insurance to explore better rates as the industry is seeing large  
increases and it seems many don't know there are options.

Dates which permit is being requested: 06/01/2023 - 06/15/2023

Days/hours during which sales will be sought: Monday-Friday between 9:00AM and 3:00PM.  
Not nessesarily every day and all 6 hours a day.

Haakon W. Perkins  
Signature of representative

04/28/2023  
Date



whatever in this Town, nor post nor paint any advertisement upon any rail, rock, bridge, wall, fence, or building, without the express consent of the owner or occupant thereof, any of the Select Board of the Town, in case the property or structure is the property of the Town. Any person violating this by-law shall be fined not more than Fifty (\$50.00) Dollars for each offense.

6. Whoever violates this by-law may be arrested without a warrant by an officer authorized to serve criminal process in the place where the offense is committed and kept in custody until he can be taken before a Court having jurisdiction of the offense pursuant to Mass. General Laws Chapter 272, Section 59.

7. The provisions of this by-law are severable, and if any of its provisions shall be held to be unconstitutional or otherwise illegal by any other Court of competent jurisdiction, the decision of such Court shall not impair any of the remaining provisions.

*(Adopted June 6, 1983; approved by Attorney General September 12, 1983)*

***(Name change from Board of Selectmen to Select Board Adopted at STM November 8, 2021, approved by Attorney General December 15, 2021.)***

### **DOOR-TO-DOOR SALES**

Section 1. No person shall canvass, solicit, or call from house to house in the town to sell or attempt to sell any goods or services including sales or attempted sales by sample or by the taking of orders for the future delivery of such goods or services without first having received a written permit therefor from the Select Board. Every such permit shall contain such conditions and restrictions as the Select Board, after investigation of the applicant and application, deem necessary to protect the safety, security and convenience of the public.

Section 2. Whoever violates any provision of this by-law shall be punished by a fine of not more than One Hundred Dollars (\$100) for each offense.

*(Adopted May 14, 1984; approved by Attorney General August 10, 1984)*

***(Name change from Board of Selectmen to Select Board Adopted at STM November 8, 2021, approved by Attorney General December 15, 2021.)***

### **HANDICAPPED AND DISABLED VETERAN PARKING**

Section (a). Any person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses,

**AGENDA ITEM #5  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE ON ALLOCATION OF DONATION  
FROM SUN MULTI SPORTS**

This item was previously discussed at the Board's April 24<sup>th</sup> meeting.

Sun Multi Sports has offered a \$1,500 donation to Town non-profit organizations for allowing the Patriot Half Triathlon to use Lakeville Roads.

Member Carboni had asked for a history of where the previous donations had gone:

2022 – Friends of the COA; Friends of the Library and Betty's Neck

2021 – Friends of the COA; Friends of the Library and Farm & Community Collaborative

2020 – Friends of the COA; Park Department and DECA

2019 – Lakeville Historical Society (entire donation)

2018 – Friends of the COA and Friends of the Lakeville Library

**AGENDA ITEM #6  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM THE  
TUESDAY CLUB OF ASSONET TO PLACE A SIGN ON TOWN  
PROPERTY TO ADVERTISE THE ANNUAL STRAWBERRY  
FESTIVAL ON JUNE 18, 2023**

Attached is the annual request from the Tuesday Club of Assonet to place a sign on Town property advertising the Strawberry Festival.

In the past the sign has been at the Town House or at the intersection of Rhode Island Road/Precinct Street.



**THE TUESDAY CLUB OF ASSONET  
P O Box 251  
ASSONET, MA 02702**



April 26, 2023

Attn: Tracie Craig-McGee

The Tuesday Club of Assonet will be holding its annual Strawberry Festival on June 18, 2023. We would like to ask permission to place a sign on town property, as we have done in previous years.

The sign would be placed at a location per the discretion of the Lakeville Selectman.

It will be removed the day after the festival as per your request.

We would like to express our appreciation to you for your cooperation with this annual event.

We look forward to working with you again this year.

As you know, this event is held to provide scholarships for Freetown students.

Sincerely,

Cathy Oliveira

Corresponding Secretary

You may also respond via email: [ourtuesdayclub@aol.com](mailto:ourtuesdayclub@aol.com)

Ellen Lima

President

RECEIVED  
MAY - 3 2023  
SELECTMEN'S OFFICE

**AGENDA ITEM #7  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE RENEWAL OF  
COMMON VICTUALLER LICENSE – J & J SEAFOOD – 197 COUNTY  
STREET**

J & J Seafood has applied for a renewal of their Common Victualler License.

If approved, the license would expire December 31, 2023.

Date: 5/16/2022, 2022

J+J's Seafood Drive-in

(Name of Individual or Firm)

(Business Address)

197 County Road

(Mailing Address, if different from above)

508 726-9086

Business Telephone Number

RECEIVED  
MAY 17 2023  
SELECTMEN'S OFFICE

Enclosed is a check payable to the Town of Lakeville or Commonwealth of Massachusetts (if applicable) in the amount of \$ 25.00. It is my desire to renew the following license (s) held by me: (place X in appropriate box or boxes)

- |                                     |  |          |                     |
|-------------------------------------|--|----------|---------------------|
| <input type="checkbox"/>            | Class I  | \$200.00 |                     |
| <input type="checkbox"/>            | Class II   | \$200.00 | _____               |
|                                     |  |          | Bond exp. date      |
| <input type="checkbox"/>            | Coin-operated amusement device                     | \$100.00 | per machine         |
| <input type="checkbox"/>            | Public Entertainment on Sundays (Town fee)         | \$ 50.00 |                     |
| <input type="checkbox"/>            | Public Entertainment on Sundays (State fee)        | \$ 50.00 | for music & dancing |
| <input type="checkbox"/>            | Dancing on Weekdays                                | \$ 50.00 |                     |
| <input type="checkbox"/>            | Livery (provide proof of insurance & registration) | \$ 35.00 | (per cab)           |
| <input checked="" type="checkbox"/> | Common Victualler                                  | \$ 25.00 |                     |

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

\* Signature of Individual or Corporate Name (Mandatory)

[Handwritten Signature]

By: Corporate Officer  
Mandatory if applicable)

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

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

\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or renovation. this request is made under the authority of Mass. General Laws Chapter 62C, Section 49A.



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 1 Congress Street, Suite 100  
 Boston, MA 02114-2017  
 www.mass.gov/dia

RECEIVED

APR 20 2023

BOARD OF HEALTH

Workers' Compensation Insurance Affidavit: General Businesses.  
 TO BE FILED WITH THE PERMITTING AUTHORITY.

**Applicant Information**

Please Print Legibly

Business/Organization Name: J:J Seafood  
 Address: 197 County Street  
 City/State/Zip: Lakeville MA Phone #: 508-763-5977

Are you an employer? Check the appropriate box:

1.  I am an employer with 4 employees (full and/or part-time).\*
2.  I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3.  We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
4.  We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5.  Retail
6.  Restaurant/Bar/Eating Establishment
7.  Office and/or Sales (incl. real estate, auto, etc.)
8.  Non-profit
9.  Entertainment
10.  Manufacturing
11.  Health Care
12.  Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: CHUBB / ACE AMERICAN INSURANCE CO  
 Insurer's Address: P.O. Box 3556  
 City/State/Zip: Orlando, FL  
 Policy # or Self-ins. Lic. # 6562UBOW476423 Expiration Date: 4-13-24

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: Roger Pinand Date: 4-20-23  
 Phone #: 508-763-5977

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office  
 6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/19/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> ROGER KEITH & SONS INSURANCE AGENCY INC  1575 Main St BROCKTON MA 02301		<b>CONTACT NAME:</b> Josalyn Caradimos <b>PHONE (A/C No, Ext):</b> (508) 583-1106 <b>FAX (A/C, No):</b> <b>E-MAIL ADDRESS:</b> JCaradimos@rogerkeith.com <b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> PINARD ROGER DBA J&J LAKEVIEWDRIVE IN 197 COUNTY RD LAKEVILLE MA 02347		<b>INSURER A:</b> ACE AMERICAN INSURANCE CO <b>NAIC #</b> 22667 <b>INSURER B:</b> <b>INSURER C:</b> APR 30 2023 <b>INSURER D:</b> <b>INSURER E:</b> LAKEVILLE <b>INSURER F:</b> BOARD OF HEALTH	

**COVERAGES** **CERTIFICATE NUMBER:** 883256 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			N/A			EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			N/A			COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			N/A			EACH OCCURRENCE \$ AGGREGATE \$ \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	6S62UB0W47642423	04/13/2023	04/13/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
				N/A			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 Workers' Compensation benefits will be paid to Massachusetts employees only. Pursuant to Endorsement WC 20 03 06 B, no authorization is given to pay claims for benefits to employees in states other than Massachusetts if the Insured hires, or has hired those employees outside of Massachusetts.

This certificate of insurance shows the policy in force on the date that this certificate was issued (unless the expiration date on the above policy precedes the issue date of this certificate of insurance). The status of this coverage can be monitored daily by accessing the Proof of Coverage - Coverage Verification Search tool at [www.mass.gov/lwd/workers-compensation/investigations/](http://www.mass.gov/lwd/workers-compensation/investigations/).

Sole proprietor has not elected coverage.

<b>CERTIFICATE HOLDER</b>  Town of Lakeville Attn Board of Health 346 Bedford Street  Lakeville MA 02347	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  Daniel M. Crowley, CPCU, Vice President - Residual Market - WCRIBMA
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**AGENDA ITEM #8  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE ON APPLICATION TO CONNECT  
TO TAUNTON WATER – 237 MAIN STREET**

The Board has received an application from the owner of 237 Main Street (former Heritage Flowers) to connect to Taunton Water.

The property is now being used as a residence and is requesting an allocation of 260 gallons per day.

RECEIVED  
MAY 11 2023  
SELECTMEN'S OFFICE

## City of Taunton Water Connection Application



Department of Public Works  
90 Ingell St  
Taunton, MA 02780  
Phone: 508-821-1045  
Fax: 508-821-1059

Application Date   
Owner's Name   
Mailing Address   
City/Town  Phone Number

Property Address for Connection

Applicants Name & Address  
(if different from owner)

Assessor's Map  Lot  Plot

Received Taunton Water  
Department Specifications?

Street Opening Permit  State Road

Intended Use of Water?

### Residential

Max Gallons Per Day  Peak Demand  Size of Service

### Commercial

Max Gallons Per Day  Peak Demand  Size of Service

### Fire Service

Max Gallons Per Day  Type of System  Backflow Device

### Irrigation System

Estimated GPM/Zone  # of Zones  Backflow Device

The undersigned owner/applicant acknowledges and agrees to the following information stated above. If usage is in access of that approved. The City of Taunton Water Department reserves the right to terminate the water connection.

Applicant Name:

Signature:

Owners Name:

Signature:

Taunton Water Department Supervisor: Mike Arruda

Signature:

Lakeville Board of Selectman (If Applicable)

Signature:

**AGENDA ITEM #9  
MAY 22, 2023**

**REVIEW AND POSSIBLE VOTE TO RENEW JUNK DEALER, JUNK  
COLLECTOR AND AUCTIONEER LICENSE FOR ANTHONY AND  
DORITA MORRIS – 33 MYRICKS STREET**

At the Town Meeting on November 22, 2022, the Junk By-law was revised to require proof that a license is active. The by-law requires copies of a portion of the sales book to be presented to the Select Board for renewal of a permit.

I have enclosed a copy of the letter that the Town Clerk sent to the three (3) entities that hold a Junk Dealer, Junk Collector or Auctioneer license. Of the 3, only Anthony and Dorita Morris have submitted the documentation, which is attached.

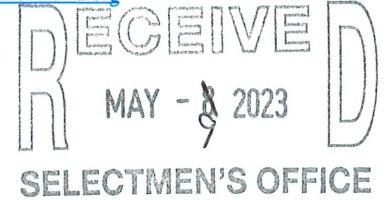
If the Board finds this information sufficient, the license would expire May 1, 2024.

# TOWN OF LAKEVILLE

346 BEDFORD STREET  
LAKEVILLE, MASSACHUSETTS 02346  
FAX: (508) 946-3970



LILLIAN M. DRANE, MMC/CMMC  
TOWN CLERK / REGISTRAR  
TEL: (508) 946-8814  
[ldrane@lakevillema.org](mailto:ldrane@lakevillema.org)



April 19, 2023

Anthony Morris  
Dorita Morris  
33 Myricks Street  
Lakeville, MA 02347

RE: Book Needed for Inspection: Year 2023 Renewals- Junk, Auctioneer & Junk Collectors Dealer's Licenses

At the Special Town Meeting of November 14, 2022 and approved by the Attorney General on February 24, 2023; it was voted: **"copies of the portion of the book pertaining to the current calendar year shall be presented to the Select Board along with any application for renewal of existing license."** See enclosure; Section 2 of the General Bylaws for the Town of Lakeville.

Also, at the Special Town Meeting of November 14, 2022 and approved by the Attorney General on February 24, 2023, it was voted: **"Section 5. A holder of a license is required to prove that the license is being utilized for an active business. For purpose of this Bylaw, a business will be considered active only when the license holder can demonstrate more than three sales of "junk" at a cost of fifty dollars or greater, or bartered for with property valued at fifty dollars or greater, within each six month period of the license. Such sales shall be recorded in the book described in Section 1 of this Bylaw."** See enclosure of the Town of Lakeville's General Bylaw.

The General Bylaws of the Town of Lakeville NOW requires copies of the portion of the book pertaining to items purchased, sold or bartered in the current calendar year to be presented to the Select Board for all Junk, Auctioneer & Junk Collectors Dealer's Licenses renewals.

Before the Select Board discusses your request for renewal for Year 2023, you will need to present this book that is required to be kept pertaining to items purchased, sold or bartered in the current year. The copies of this book will need to be submitted no later than: **MAY 1, 2023 @ 4:00pm to my office.**

If you have any questions, please feel free to contact me at 508-946-8800 or [ldrane@lakevillema.org](mailto:ldrane@lakevillema.org).

Sincerely yours,

Lillian M. Drane, MMC/CMMC  
Town Clerk

Enclosure



**TOWN OF LAKEVILLE**  
346 BEDFORD STREET  
LAKEVILLE, MA 02347  
508-946-8804

RECEIVED  
APR 18 2023  
SELECTMEN'S OFFICE

**OFFICE OF  
BUILDING COMMISSIONER**

TO: Select Board  
FROM: Nathan P. Darling, Building Commissioner  
RE: Auctioneer License; Junk Dealer & Junk Collector License  
DATE: April 18, 2023

NR

As requested by your office, I have visited the four properties associated with these license renewals. Whereas these Auctioneer, Junk Dealer and Junk Collector licenses are discretionary, it is exclusively within the Select Board's jurisdiction to deny or approve them.

- **Anthony and Dorita Morris – 33 Myricks Street:** While this property is within the residential district, it has operated as an auction house for decades. Renewal of associated licenses is recommended.
- **Hugh and Judy Rogers (Dad's Treasurers) – 201 County Street:** The property is within the business district and renewal of associated licenses is recommended.
- **Robin E. Marques and Donald L. Bernier, Jr. – 61 Rhode Island Road:** The property is within the residential district and if you recall, the renewal of associated licenses was not approved last year and should not be considered for renewal this year.
- **Stephen Joseph Davoli dba The Antique Mall, Inc. – 330 Bedford Street:** The property is within the business district and renewal of associated licenses is recommended.

It is also important to note that there have been no official complaints or concerns filed with my office related to the licensed properties nor am I aware of any present Zoning By-Law or Building Code violations that may affect the subject renewals.

CC: Town Clerk

# Auctions 2022

Date	Items Bought	Amount
3/10	Fall River Auction	92.00
3/24	" "	1,098.25
3/27	White Auctions Middleboro	1,220.00
3/31	Fall River Auction	546.25
4/3	American Auction Rehoboth	1,464.00
4/7	Fall River Auction	678.50
4/9	Marion Antique Auction	468.00
4/14	Fall River Auction	258.75
4/21	" "	448.50
4/24	White's Auction Middleboro	1,122.40
4/28	Fall River Auctions	235.75
5/5	" "	172.25
5/12	" "	103.50
5/19	" "	66.12
5/29	White's Auction Middleboro	207.40
6/2	Fall River Auctions	483.00
6/9	" "	172.50
6/16	" "	23.00
6/22	" "	132.25

RECEIVED

APR 28 2023

LAKEVILLE TOWN CLERK

A TRUE COPY ATTEST:  
*Kim Drane*  
 TOWN CLERK

APR 11 11:05 AM





2023

Date	Items Bought	Amount
1/10	2 Soapstone figures	70.00
1/20	Clock	225.00
2/6	MT table w/iron legs	115.00
4/24	large Bronze Planter	250.00
4/25	lg cut glass punch bowl	105.00

A TRUE COPY ATTEST:  
*[Signature]*  
TOWN CLERK

RECEIVED

APR 28 2023

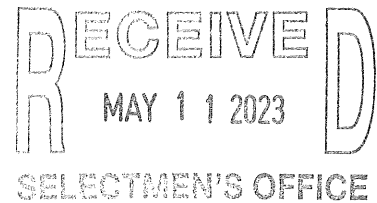
*[Signature]*  
TOWN CLERK  
@ 11:42

**AGENDA ITEM #10  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO ACCEPT RESIGNATION OF  
ROBERT MARSHALL FROM CABLE ADVISORY COMMITTEE**

Attached is Robert Marshall's resignation letter from the Cable Advisory Committee.

Robert W. Marshall  
16 Barstow Street  
Lakeville, MA 02347  
508-947-6846  
Rmarsh1098@aol.com



May 11, 2023

Dear Select Board Members:

Thank you, all! It's been a challenging, though sometimes bumpy, ride from 1984, when I joined the first cable advisory committee, to now, as I look to leave my last. I have enjoyed my time on the LCAC, and I must say that whatever successes we've had could not have occurred without *your* support and that of so many others along the way. There have been countless members of your board, town administrators and members of your office, (Tracie Craig-McGee in particular), and so many more, who have helped us in our struggles to get the best cable service possible. Knowing that you had our backs when we asked for your support was immensely helpful.

By my count, Lakeville has now signed seven cable licenses since our first in 1986, but lately, the cable companies' attitudes at the bargaining table have changed. In the earlier years, our first cable company, Continental, and the early Comcast negotiators seemed far more interested in genuinely providing quality service for its subscribers. Nowadays, I find that it is becoming less so from both Comcast and Verizon. Dealing with these "behemoths" at the bargaining table, whose positions/explanations often are: "That's just our policy...what we're doing all over the country...", have made it very difficult for smaller towns like ours to even get a straight answer as to their rationale for any of their positions. We can only conclude that such reasons are deeply rooted in the profit margin they stand to gain while taking such stances.

Having said all that, please accept this as my letter of resignation from the LCAC, effective immediately. I think it's time for some younger blood to volunteer, while it has been *especially satisfying* to help bring our most recent licenses to completion in the last two years. We were very fortunate to have two stalwarts, like Walter Healey and Tom Cirignano, remaining

ever-diligent on our committee, to help our citizens get the best deals possible. Jose Invencio of LakeCAM was also a great help in our cause as well. It has also been deeply satisfying to see LakeCAM grow to become all that it has.

As I leave, please know that I will continue to remain available to offer any assistance I can. Feel free to call if you should need *anything*.

I'm sure you know, but we should continue to emphasize our *urgent need for more people to serve* on this and other town committees. People who serve on them are truly Democracy's citizen-soldiers who help make our town a better place in which to live. Please continue to "shake the trees" to look for those willing to serve. Much of the "heavy lifting" has been done for the next several years regarding our cable licenses, and there should be plenty of time for newbies to learn the intricacies of how it all works.

Thank you for your support over the years. It has been a great personal satisfaction to help with this valuable and on-going project.

Warmest regards,

A handwritten signature in cursive script that reads "Bob Marshall". The signature is written in black ink and is positioned below the "Warmest regards," text.

Bob Marshall

**AGENDA ITEM #11  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPOINT WILLIAM HOEG TO  
THE CABLE ADVISORY COMMITTEE**

The Cable Advisory Committee, with the resignation of Robert Marshall, now has three (3) vacancies.

The Cable Advisory Committee met and voted to recommend William Hoeg be appointed to the Cable Advisory Committee (see attached email).

Mr. Hoeg submitted an email expressing his interest in serving on the Cable Advisory Committee, which is attached.

If appointed, his term would expire either July 31, 2023 or July 31, 2024.

## Tracie Craig-McGee

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**From:** Robert Marshall <rmarsh1098@aol.com>  
**Sent:** Thursday, May 11, 2023 3:07 PM  
**To:** Ari Sky  
**Cc:** Tracie Craig-McGee; Christina Cotsoridis  
**Subject:** Resignation  
**Attachments:** Resignation Letter--5-11-23.doc

Ari,

As we discussed in the past, I am resigning from the Lakeville Cable Advisory Committee, effective immediately, now that the Verizon license is in effect. We had our most recent meeting today, and Tom Cirignano was elected chair going forward. We did vote to recommend Bill Hoeg be appointed by the Select Board to the cable advisory committee, going forward.

My resignation is *attached here*. As it says in it, I am always available to help in any way I can, especially with the "history" of any issue that may come up. As you know, context is important and informative.

Thank you and all the members of your office who helped us along the way. Knowing we had your support was *very helpful*.

Be well,

Bob Marshall

## Tracie Craig-McGee

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**From:** William Hoeg <wmhoeg@gmail.com>  
**Sent:** Wednesday, May 10, 2023 12:25 PM  
**To:** Tracie Craig-McGee  
**Subject:** Cable Advisory Committee appointment

Good afternoon,

Please accept this email as a formal request for an appointment to the Cable Advisory Committee.

Thank you

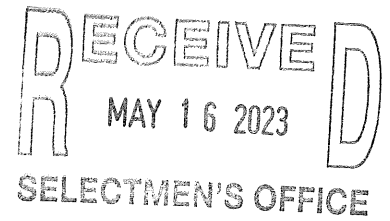
William J. Hoeg  
16 Galfre Road  
Lakeville, MA 02347  
(508)922-6077

**AGENDA ITEM #12  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO ACCEPT RESIGNATION OF  
DIANE WOOD-FARIA FROM LAKEVILLE ARTS COUNCIL**

The Board has received a letter of resignation from Diane Wood-Faria, resigning from the Lakeville Arts Council.





April 29, 2023

Lakeville Select Board  
Bedford Street  
Lakeville, MA

Dear Board,

I'm going to drop out of the Arts Council.

Too many other issues with me these days.

I hope to see everyone soon.

Thank you and good luck to everyone.

  
Diane Wood-Faria

**AGENDA ITEM #13  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE SELECT BOARD  
MINUTES OF MARCH 16, 2023; APRIL 21, 2023; APRIL 24, 2023 AND  
MAY 8, 2023**

**TOWN OF LAKEVILLE**  
**Select Board Meeting Minutes**  
**March 16, 2023 – 6:00 PM**

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

On March 16, 2023, the Select Board held a meeting at 6:00 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 6:00 PM by Vice Chair Fabian. Members present were Vice Chair Fabian, Member LaCamera and Member Carboni. Also present was Ari Sky, Town Administrator and Christina Cotsoridis, Assistant to the Town Administrator. LakeCAM was recording the meeting for broadcast.

Also present for the meeting were Finance Committee Members Brian Day, Chairman; Katherine Desrosiers; Adam Lynch; Lawrence Kostant and Christopher Plonka. Finance Committee Chairman Day called their meeting to order at 6:02 PM.

**FY24 Proposed Budget Overview/Update with the following Departments:**

Information Technology (IT)

*Robert McNally from Green River Associates was present for the discussion.* Mr. McNally said IT is pretty level funded with minor increases in services. A revolving equipment replacement plan was implemented last year. Hardware costs have gone up, and some of the contracts and professional services have increased a bit. Mr. Plonka asked about the replacement process. Mr. McNally said we replace a certain number of PC's every year. We did replace some switches and have an ongoing process to replace some of the infrastructure. We are trying to replace hardware every four (4) years. Mr. McNally summarized licensing services that the Town is using. Finance Committee Chairman Day said a 1% increase is less than he expected. Maintenance agreements bundle a lot; are any of the larger contracts coming up for renewal. Mr. McNally said Pamet migrated to Mark 43, which is not customized for the way New England works. The Chief will have to decide if we are staying with Pamet. Member LaCamera said since Mr. McNally took over IT, we have made significant progress stabilizing our network. Member Carboni asked how much longer is the server room at Town Hall going to be viable. Mr. McNally said most of the equipment has been moved to the Police Station as we have an issue with HVAC with that room. He wants to move everything out of there to the Police Station. He has been replacing and stabilizing things over the past year and is close to being able to move things. We will have an issue if TMLP goes down, so we need a second connection. He has been speaking with Comcast and Verizon about that.

Veterans

*Wilford Corey, Veterans' Agent, was present for the discussion.* Mr. Sky said this budget consists of salary and Veterans Benefits. The Cherry Sheet shows a \$3,000 increase from FY23 to FY24. The Veterans Benefits are a mandate, and we receive reimbursement from the State. We spend about \$160,000 and receive approximately \$95-97,000 reimbursement. Mr. Corey said he

will need some more flag holders for graves. Member Carboni said she has been working with Mr. Corey and Joan Morton on what we are looking for. They are \$14 each, and they are looking for approximately 200 markers, for a bit over \$2,000. Mr. Corey said we get reimbursed for flags, but not the flag holders. Mr. Sky said it was not requested during the budget process, but it should not make a big difference in the budget.

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

VOTED: To add \$2,000 into the Veterans' Budget to purchase the requested flag holders.  
Unanimous in favor.

### Library

*Jayne Viveiros, Library Director, and Patrick Marshall, Chairman of the Library Board of Directors were present for the discussion.* Ms. Viveiros said the budget increase is mainly contract obligations and cost of living increases. She did some significant expense cutting. There is an overall increase 2.2% over last year. The increase in expenses are fuel and trash. The budget meets the requirement for the State for municipal appropriation requirements. We will not lose certification from the State. The intent of certification is that Library services will continue to grow. We are back to pre-Covid numbers for circulation and beat our 2019 numbers. Ms. Viveiros said there is no programming money in the budget. The Friends of the Library support those activities. Grants are sought and we receive State aid, so there is no cost to the taxpayers of Lakeville for programming. We still use a portion of State Aid to help make up the difference on what we need to spend on materials. We must spend 16% of our budget on materials. Vice Chair Fabian asked why is there a 54% drop in buildings and grounds. Ms. Viveiros said the Highway Department has been taking care of landscaping for the past few years. We used to have to hire out for that. Finance Committee Chairman Day asked if Ms. Viveiros thought the increase in use is due to the economy: Ms. Viveiros said people are getting back to their regular business. She will know more next year. Mr. Plonka asked about the hourly wages for clerks and the custodian. Ms. Viveiros said there are step increases for three (3) part time clerks and three (3) full time staff. Member LaCamera asked about the roof replacement in the Capital plan. Are there any other foreseeable improvements? Ms. Viveiros said a thermal audit was done, which should cover some lighting. We discussed the HVAC system, but it is still undetermined what the course of action would be. The systems are functionable, but the building is now 18 years old, so the systems are starting to get to their end of life. Other improvements would be to redesign the layout of materials and carpeting, which we can look to grant funding for.

### Park

*Scott Holmes, Chairman of the Park Commission, was present for the discussion.* Mr. Sky said the revenue to date is \$170,000, which is 79% of their annual revenue. Finance Committee Chairman Day asked do we have historical information on additional fees. Mr. Holmes said spring fees are usually about \$20,000. We are at \$14,000 and have projected at \$38,000, plus the first week at Clear Pond. Vice Chair Fabian asked about the Boston Tavern numbers. Mr. Sky said FY23 was projected at \$115,000; we have \$83,900 to date. FY24 is projected at \$112,000. FY22

actual figure was \$92,800. Mr. Holmes said the figure was increased 5-10% as the bookings were much higher than last year. Finance Committee Chairman Day asked about the percentage? Mr. Sky said the contract's third year starts this month, so they are up to 16%. Vice Chair Fabian said we should start looking at that contract in September. Finance Committee Chairman Day said \$1.2 million and \$1.5 million was their 2<sup>nd</sup> and 3<sup>rd</sup> year revenues proposed. Mr. Sky said he doubts they would make that. A good year is \$150,000. Mr. Holmes said the last year we were close to that was pre-Covid. Mr. Sky said Boston Tavern has utilized that location to do a lot of cooking, so the utility costs are high. We can bill them back for utilities. There are things that we need to look at in the new contract. Mr. Sky said from a revenue standpoint, the operation of that lodge is crucial. About half of the revenue is coming from Loon Pond Lodge. We need to build the resource and develop a relationship that will be able to provide the revenue we need. Member LaCamera asked if the Park Commission is happy with the way things are going. Mr. Holmes said there are no complaints about what they are doing. Vice Chair Fabian said Boston Tavern has been very Town friendly when the Town wants to use the facility. Mr. Holmes said the only issue was with the triathlon. It is our biggest event, and we only received half the money. Mr. Sky said the issue has to do with the triathlon was not a normal buy in terms of food. Mr. Holmes said they had a normal dinner.

Vice Chair Fabian said the Park Department is an Enterprise fund which operates independently of the Town Budget. There is a 9.5% increase which could be accounted for with wages. Mr. Sky said the lifeguard salaries were increased last year. Vice Chair Fabian said there is a total 6.9% increase in expenses. Mr. Holmes said he wanted to change accounts so we can split the expenses and income. Repairs and maintenance is for all the properties in the Park System. His proposed budget was to split it between all the properties. As an accountant, he needs to know where money is going and coming from. Most of the increase is in the wage category. He did a general 5% increase, as he had heard there may be a 3% increase. He did not have the rate increase when he did this. Mr. Kostant asked about the 59% increase in wages. Did you hire more people? Mr. Sky said they increased the pay. Member LaCamera said we paid bonuses because we could not get lifeguards. We also bumped up the hourly wages for the lifeguards. Mr. Sky said year to date is \$30,000 for the lifeguards. The change happened after the budget was adopted. Finance Committee Chairman Day asked do these salaries pay competitive with State parks? Mr. Holmes said he hoped so. At one-point last year, there was a question if we would be able to open. The bonus enticed a few people to stay with us. Mr. Kostant asked is there a problem this year for lifeguards? Mr. Holmes said he didn't know yet.

Vice Chair Fabian said supplies went from \$750 to \$2,000. Mr. Holmes said previous budgets had that at \$2,000. Vice Chair Fabian said some of this is pre-Covid numbers. We would have to go to 2019 to see a realistic budget. Did we ever get the credit card system at Clear Pond? Mr. Holmes said no. Mr. Sky said you need someone's social security number tied to the machine. Mr. Kostant asked can we use Venmo, Cash App, or Paypal? We could get a cell phone set up just for that. Mr. Sky said we can ask around for that. Ms. Desrosiers asked how it went being residents only. Mr. Holmes said it was less stressful with no incidents. Ms. Desrosiers asked were there enough people to have a lifeguard there. Mr. Holmes said yes as they ran the swimming lessons and another lifeguard watched the water. The first week of the season is where a lot of the cash comes in. The rest of the money is in the next fiscal year.

Mr. Lynch said there was talk about opening up the fields next door. Mr. Sky said he just received information from Mike Smith about that. Finance Committee Chairman Day asked would there be more revenue opportunity with the new fields. Mr. Holmes said we would let soccer try those fields and open up the current fields for use. Finance Committee Chairman Day said so you have groups that would pay, but you don't have the space. Mr. Holmes said we could do it, but it would overuse the fields. We want to spread people out. Member LaCamera said on the expense side, there is \$15,000 for a capital project in your budget. What is that? Mr. Holmes said he was unsure. Member LaCamera said we spoke of redoing the basketball court. Mr. Holmes said there is \$20,000 of capital and that is what it is for. Finance Committee Chairman Day asked did the hall rentals and bar receipts go down, but food went up 50%. Mr. Sky said the hall rental was \$30,500; bar was \$13,342, but food was over \$40,000. It was just how it was assigned.

Vice Chair Fabian said there is \$25,000 in FY24 for skateboard park improvements. Member LaCamera said this seems to be flipped compared to last year. Why suddenly is the skatepark the #1 priority. Mr. Holmes said we were fortunate to get the tennis court taken care of and then do the basketball court this spring. Nothing has been done to the skatepark since it was built. Mr. Holmes said they are talking about fixing how you enter the apparatus. They won't tear up the asphalt. There may be some fencing repair. Member LaCamera said we had a lot of conversations about Clear Pond. Mr. Holmes said he thought the Clear Pond things were more important, but he was outvoted. He would like to see some of the Clear Pond repair work out in FY26 and FY27 done. Mr. Holmes said there is work to the bathhouse next year. Member LaCamera said we have made a lot of improvements at Ted Williams Camp, and we are doing our best at John Paun. We should consider taking the Clear Pond projects and propose to use ARPA money to get those fixed now. Member LaCamera said it would be nice to redo the basketball court at Clear Pond for multi-purpose. Mr. Holmes said he would hate to wait years to do some of these projects. Mr. Sky said we need to spend ARPA money by December 2024. We could ask the Park Commission to come back with repairs for Clear Pond Park. Member LaCamera said this would help to provide some things at Clear Pond. Mr. Sky said he has been speaking to Mr. Smith about the ability to use ARPA funds for Clear Pond. Further discussion occurred regarding Clear Pond Park. Mr. Sky said if you are going to use ARPA money, you need to come up with a solid project to clean up the place and make it like the Town deserves. Finance Committee Chairman Day asked if there is anything else the Park Commission wanted to put on the Capital Plan. These items are basically renovations, but no new services.

### Cemetery Commission

*Emery Orrall, Chairman of the Cemetery Commission, was present for the discussion.* Mr. Orrall said he is not seeing a need to increase the budget. We have less than \$12,000 in their account. We need to take down trees endangering the Clark Cemetery, which will be about \$2,500 to \$3,000. We are working to properly restore a table stone monument for Phoebe Turner at Thompson Hill Cemetery, which will be costly. That would allow us to have the cemetery put on the Historic Register. We need to paint the iron railings all over. The Ward Cemetery is in deplorable condition with broken stones, pieces of granite and iron rods scattered around with a homemade fence. Vice Chair Fabian said the Department of Public Works maintains the cemeteries, but Ward Cemetery seems like more work. Mr. Orrall said the marble monuments need to be epoxied back and tipped back up. He would like to see a decent railing. The cemetery

is pretty well hidden. Vice Chair Fabian said there are a few cemeteries off the beaten path with no road. Some cemeteries are reached going through private yards. Vice Chair Fabian asked if you had any success locating a company to help with the Turner stone. Mr. Orrall said he found a company that can manufacture the legs. It should cost about \$4,000 to \$6,000 total for the restore. Ms. Desrosiers asked does that leave enough money in your budget for the other projects. Mr. Orrall said yes. Finance Committee Chairman Day said regarding the Thompson Cemetery granite posts, there is \$50,000 in 2025 capital plan. Mr. Orrall said we could not find them in the gray granite.

Member LaCamera said there are trust funds for the cemeteries. Some of those are available to make the improvements for the cemeteries. The Treasurer/Collector has a list of the cemeteries. They have been building up over the years, including interest. The Cemetery Commission should meet with the Town Accountant and Treasurer to discuss these improvements. Member LaCamera asked if perpetual care goes into one (1) fund. Mr. Orrall said he believes so.

#### Town Administrator

Mr. Sky said this is a catch all budget. We simplified them a bit last year. For the Select Board, there is a 3% increase for non-union staff. The annual impact for two (2) additional Board members is \$9,000 annually, plus \$10,000 for potential health insurance buyout. They do not have to take the buyout and health insurance would be more. In FY24, the stipend would amount of \$2,050. We could put another \$2,500 in FY24 health insurance. Under expenses, there is not much change. Subscriptions increased and there is a reduction in audit service. The OPEB actuarial is not needed in FY24. Finance Committee Chairman Day said you might have to do another audit because of Federal funding. Mr. Sky said it would be a small component. Finance Committee's budget went up a few hundred dollars for training and attending events. The recommendation for the Reserve Fund is \$150,000. There is a \$139,055 balance currently. Legal expenses are a likely target for reserve fund funding. It is at \$65,000 already and it may be more. Public buildings and properties looks larger, but we have transferred items from other line items that were bundled in there. It is up 25% mainly due to rubbish removal. Cable Advisory Committee may have to have some sort of transfer. Member LaCamera asked since both contracts are signed, why do we need the \$8,000 in FY24. Mr. Sky said that should be adjusted. The Historic Commission budget is flat.

Member LaCamera said we talked about insurance and it is time to go out and get quotes. That bill is over \$300,000. Mr. Sky said we can go out if the Board wants to. Member Carboni said it is important to do that. Member LaCamera said they are constantly changing the worker's compensation companies. Mr. Sky said we can put that on the goals. Finance Committee Chairman Day asked Mr. Sky when his contract was coming up in calendar 2024. Mr. Sky said May of 2024. Vice Chair Fabian said she doesn't want to wait; the new Board should put something in place for that. In regards to insurance, Mr. Sky said we used a 6% increase. We are self-insured. The rates are based on a combination of the rate factors and experience. If you have big claims, the rate goes up a lot. Further discussion occurred regarding insurance policies for the Town.

## Cannabis Facilities Update

*Member Carboni recused herself from the discussion and left the meeting at 7:40 PM.* Vice Chair Fabian said she wanted to clear up some information on the cannabis facilities in Lakeville. The real estate taxes are being paid. The legislation was changed by the State so that the impact fees in their Host Community Agreements (HCAs) don't have to be paid. Now we have several companies saying they don't have to pay anything, including their charitable contributions. There is one (1) lawsuit currently. We have zero revenue in this budget from the marijuana companies. It is becoming a bigger problem. Member LaCamera said there are five (5) cultivation facilities in Town and they signed HCAs. These companies have decided because the legislature changed the law that we should not be charging impact fees. However, we are not charging them impact fees. Our position is they are paying a community benefit payment and they should be paying it. One of them was suing us prior to the change in the law and said they would not pay it. Bountiful Farms, Jushi and Northeast Alternatives didn't even tell us; they just said stopped paying. He and Vice Chair Fabian have had conversations with Town Counsel about what to do. At this point, we are going to have to take legal action against them if we want our money. The first agreement expires in June and then another in August. This is not a good situation. It is time that people know what is going on. We are not receiving any money from the cannabis companies; that is why it is not in the budget. We are estimating a loss of \$400,000 in this year's budget.

Mr. Kostant said the State sold the cannabis companies as a great thing; this is how you will buy your police cars and build schools. The State gets their tax income. Member LaCamera said on retail stores, but we don't have any. Vice Chair Fabian said there has not been a ton of feedback from the State on what to do with current HCAs. We cannot turn our backs on five (5) HCAs. Mr. Kostant asked what is our recourse? Member LaCamera said we can forget about the money, but we shouldn't. Vice Chair Fabian said when marijuana was on the ballot, it was about Towns getting money. Finance Committee Chairman Day asked if we are aware of any precedent about this. Vice Chair Fabian said there is one (1) other lawsuit going on now. We are pushing hard to find out where our companies stand. Member LaCamera said this Board had nothing to do with these contracts. Vice Chair Fabian said we wanted to make the Finance Committee and residents aware of what is happening. Member Carboni returned to the meeting at 7:51 PM.

## Budget Update

Member LaCamera said when Mr. Sky and Mr. Hassett put together the revenue projections, we didn't know that the marijuana people were not going to pay their community benefit fees. We will get by this year, but next year is going to be difficult. New growth has gone down by 40%. There is no construction going on. Building permits through February are less than half of what they were last year. Under Local Receipts, we have increased the numbers to offset some of the problems with the marijuana facilities. Instead of having receipts exceeding what we budgeted, these numbers are going to be very close now. License and permits in FY22 were \$699,000. That is down significantly for 2023 and that is concerning. Mr. Sky said as of February, permits were at \$200,000.



## Regional School Budget

Member LaCamera said he and Vice Chair Fabian had attended the public hearing for the Regional School Budget. The Finance Committee doesn't have the presentation for the budget. The budget is going up 4% overall. They presented some of the issues. We are at a \$493,000 assessment right now. That is too high. Their budget is not sustainable at \$45 million with \$1.2 million in salaries, \$500,000 health insurance increase and a \$500,000 increase in special education. They receive \$300,000 in State aid. They are asking the Towns to pick up the rest. They have Federal money from the CARES Act. They have \$318,000 for staffing and that funding is disappearing in December of 2023. They have staffing levels that they cannot maintain. They have no plan on how to absorb their salaries in their budget. Member LaCamera said Freetown and Lakeville received CARES money from the Federal government and gave \$2.1 million of our money for programs and technology. Vice Chair Fabian asked what the plan was going forward when we need to replace these Chromebooks? They did not have a plan. Member LaCamera said we need to look at alternative to bring the budget down. Their E&D budget is at \$2.1 million. They had to turn some of the money back to the Towns because it was so high. He suggested using the E&D to offset the cost for Chromebooks and reduce the assessment to the Towns.

Member LaCamera said under School Choice funding, they have \$966,000 to use to offset the budget. They are getting another \$300,000 in School Choice money as of July 1<sup>st</sup> so they will have \$1.3 million. Finance Committee Chairman Day said didn't they say there were losing \$9,000 per year per student at Regional Finance Committee. Member LaCamera said they want to use it for another purpose. Why aren't we using that money to offset the cost in their budget? They could at least take \$200,000 in E&D for Chromebooks and \$200,000 from School Choice to reduce our budget. If we are conservative and say a \$300,000 reduction, that would be \$172,000 for Lakeville. Member Carboni said we can tell them this is what we did last year and then give them a percentage above what we would give. Member LaCamera asked how do we get to that number? Finance Committee hasn't even seen the budget yet. Vice Chair Fabian said their desire to hang on to \$2.1 million in E&D is unrealistic. They don't want to use it to balance their budget. They can use it for one-time purchases. Member Carboni said they can do that and they talked about it. Vice Chair Fabian said we have to pay attention and be ready to make suggestions to help them. They are talking about taking a special education teacher away to add a special education administrator. Member Carboni said they are talking about removing a bus, but we have bus contracts. Vice Chair Fabian said they would save \$100,000 a bus. Ms. Carboni said in the contract, there is a penalty for removing a bus. Vice Chair Fabian said they have not done a complete bus re-route in the past six (6) years. They like to do it every three (3) years and are looking at 80% bus reimbursement.

Mr. Kostant said he has heard a few things about School Choice. If a student comes from Taunton, Taunton does not send a check. What is the benefit to us? Vice Chair Fabian said you take in some School Choice kids to fill empty seats and get extra money. School Choice provides some diversity. If the School Committee decides they don't want School Choice, we keep the current kids until they graduate. There are 266 kids that are leaving FreeLake to go to other schools. That doesn't include Old Colony students. Why do we have so many kids leaving? What are we not offering? Ms. Desrosiers said is that Grades 1-12. Vice Chair Fabian said yes. Finance Committee Chairman Day said we also have a private school in Town. Ms. Carboni said they did

a good job breaking the cost per student down. That was \$15,000 per student for 2021. This year we have 2,777 students coming in and 66 are School Choice.

Finance Committee Chairman Day said there is \$1.2 million in salary increases; what is new hires versus contractual obligations. Vice Chair Fabian said they reviewed the salary breakdowns. Member LaCamera said what he is proposing will not affect any staffing levels or new hires. Without much effort, they could save \$300,000. He told them this budget is not sustainable. Member LaCamera also would like to lower the Local Receipts to make it better for us the following year. The School Committee also discussed a capacity study at \$200,000 to look at capacity in the Schools. He tried to point out that our student population since 2007 was 3,200, it is now 2,777 students. The numbers over the last five (5) years have been consistent. Why do you need to do a capacity study when it has gone down 500 students. Vice Chair Fabian said they are calling it a master plan. Member LaCamera said they need to look at their student numbers. Demographics have changed.

### **Adjourn**

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

VOTED: To adjourn the Finance Committee Meeting at 8:31 PM.  
Unanimous in favor.

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

VOTED: To adjourn the Select Board Meeting at 8:31 PM.  
Unanimous in favor.

### **List of documents provided at the Select Board Meeting of March 16, 2023**

1. FY24 Budget and Capital Plan

**TOWN OF LAKEVILLE**  
**Select Board Meeting Minutes**  
**April 21, 2023 – 9:00 AM**  
**REMOTE LOCATIONS**

On April 21, 2023, the Select Board held a meeting at 9:00 AM from various remote locations. The meeting was called to order at 9:00 AM by Chairman Day. Members present were Chairman Day and Member Fabian. Also present was Ari Sky, Town Administrator. LakeCAM was recorded the meeting for broadcast.

In accordance with provisions allowed by Chapter 2 of the Acts of 2023, the April 23, 2023 public meeting of the Lakeville Select Board will be held remotely. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>.**

At 9:00 AM, on a motion made by Member Fabian with Chairman Day stepping down to second, it was: it was:

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

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

**TOWN OF LAKEVILLE**  
**Select Board Meeting Minutes**  
**April 24, 2023 – 6:00 PM**

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

On April 24, 2023, the Select Board held a meeting at 6:00 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 6:00 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present were Ari Sky, Town Administrator, 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 Select Board announcements.

**Town Administrator Announcements**

Mr. Sky read the Town Administrator Announcements.

**Joint meeting with Cemetery Commission to discuss and possible vote to appoint Joan Gladu Morton to the Cemetery Commission**

This item was removed from the agenda.

**Meet with Finance Committee to discuss applications and possible vote(s) on joint appointment(s) to fill vacancy(ies) on the Finance Committee**

Chairman Day said we had three (3) people interested in the vacancies last week. If you look at the by-law, a Finance Committee Member can only serve in certain positions. We had someone interested that if they were appointed, they would have to resign from some of the committees they are on. Over the weekend, we received another letter of interest. As we have three (3) candidates, do we want to have them come in and speak. Member Carboni said because the agenda was posted and there were already three (3) people interested at the time the agenda was posted and this letter came in today, is that a violation of the Open Meeting Law. Member Fabian asked if there was a deadline. Mr. Sky said there is no requirement for an application to be shared to the public. If you defer to another meeting, you settle any issues. Member Carboni said we have Town Meeting coming up and it is important to have those seats filled. The late submittal was not in the packet when it went out. Finance Committee Chairman Plonka said he would prefer the opportunity to interview the candidates and we are not prepared to do that tonight. Chairman Day said our next regular meeting is May 22<sup>nd</sup>. Mr. Sky said if you are not going to staff the Finance Committee up prior to Town Meeting, you have time to fill the vacancies. The next time Finance Committee meeting will be meeting is in the fall. Member Fabian said she didn't see the rush to appoint them for Town Meeting. She is okay with interviewing. Chairman Day said we can table this until May

22, 2023. Do we want a deadline? Mr. Sky said we can leave it open for a week or two (2). Member Fabian said we can leave it open, but not too long. Mr. Sky said the closing date is May 5, 2023 at 12:00 PM.

**Meet with Finance Committee and Town Moderator for Warrant Review for the May 8, 2023 Special and Annual Town Meetings**

*Present for the discussion from the Finance Committee were Christopher Plonka, Chairman, Katie Desrosiers and Larry Kostant; Kathryn Goodfellow, Town Moderator, Lillian Drane, Town Clerk and Todd Hassett, Town Accountant. Finance Committee Chairman Plonka opened the Finance Committee meeting at 6:37 PM.*

Special Town Meeting

Chairman Day read the articles on the Special Town Meeting Warrant.

Article 1: Chairman Day said there are six (6) unpaid bills from the last fiscal year. Mr. Hassett said one (1) bill was in dispute and the other five (5) came in late. The dispute has been resolved for the Bristol County Agricultural School.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To recommend the approval of Article #1 on the Special Town Meeting Warrant.  
Unanimous in favor.

Article 2:

Chairman Day said there are unused capital project balances for a total of \$45,000 going to the Fire Department for thermal imaging firefighter tracking and pump operations equipment.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To recommend the approval of Article #2 on the Special Town Meeting Warrant.  
Unanimous in favor.

Article 3:

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To recommend the approval of Article #3 on the Special Town Meeting Warrant.  
Unanimous in favor.

Annual Town Meeting

Finance Committee Chairman Plonka said they have a group of articles that they want to make no recommendation on.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To make no recommendation on Articles 11, 12, 13 and 15 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Member Carboni asked does the Finance Committee need to make either an approval or non-approval recommendation. Ms. Goodfellow said as long as the Finance Committee has voted to either recommend, not recommend or vote not to make a recommendation, that is fine.

Article #1:

Chairman Day said this is the annual budget for the Town.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Ms. Desrosiers, it was:

VOTED: To recommend the approval of Article #1 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Article #2:

Chairman Day said this is for the operation of the Park Department.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To recommend the approval of Article #2 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Article 3:

Chairman Day said this is for the operation of the Landfill/Transfer Station.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To recommend the approval of Article #3 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Article 4:

Chairman Day said this is for the FY24 Capital Budget in the amount of \$901,045.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Ms. Desrosiers, it was:

VOTED: To recommend the approval of Article #4 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Article #5

Chairman Day said this is to add funds to the Stabilization Fund.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Ms. Desrosiers, it was:

VOTED: To recommend the approval of Article #5 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Article #6

Chairman Day said this is add to the Other Post Employment Benefits Trust.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To recommend the approval of Article #6 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Article #7

Chairman Day said this is the article for the Community Preservation Act funding. He listed the categories that will be funded. Mr. Hassett said the 5<sup>th</sup> category is optional to come back to another Town Meeting for project funding.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Ms. Desrosiers, it was:

VOTED: To recommend the approval of Article #7 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Article 8

Chairman Day asked if Mr. Polansky will be making this motion. Mr. Sky said he asked permission to speak. Chairman Day said because this is the District taking on debt, they must put the whole amount in the article. Mr. Sky said he asked for the District to give us the actual number,

but they will discuss it at Town Meeting. Would it be appropriate to have a member of the School Committee make the motion? Ms. Goodfellow said whoever makes the motion speaks first. Mr. Sky said he will ask Mr. Marshall.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Ms. Desrosiers, it was:

VOTED: To recommend the approval of Article #8 on the Annual Town Meeting Warrant.  
Unanimous in favor.

#### Article 9

Chairman Day said this is an article to finance water pollution abatement facility projects.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To recommend the approval of Article #9 on the Annual Town Meeting Warrant.  
Unanimous in favor.

#### Article #10

Chairman Day said this is to increase demand fees from \$15 to \$20. Ms. Goodfellow said she needs Mr. Correia on the list of people speaking that are not residents.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Mr. Kostant, it was:

VOTED: To recommend the approval of Article #10 on the Annual Town Meeting Warrant.  
Unanimous in favor.

#### Article #11

Ms. Goodfellow said she will be recusing herself as Moderator for this article. Norman Orrall will be acting as Deputy Moderator. Chairman Day said this is to increase the Town Moderator's term from one (1) year to three (3).

#### Article #12

Chairman Day said this is regarding the codification of the Town's General Bylaws. Member Fabian said the updated version is posted on the Town's website. Mr. Sky said it is also available at the Library and Town Hall for review. Member Fabian said we need to stress that this document will not be available at Town Meeting. Mr. Sky said we recorded a video about what the codification process is.



Article #13

Chairman Day said this is regarding the codification of the Town's Zoning Bylaws.

Article #14

Chairman Day said this is a citizen's petition for special legislation for a recall process.

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Ms. Desrosiers, it was:

VOTED: Not to recommend Article #14 on the Annual Town Meeting Warrant.  
Unanimous in favor.

Article #15

Chairman Day said this is a citizen's petition. Mr. Sky said Planning Board voted to recommend against this.

Adjournment of Finance Committee Meeting

Upon a motion made by Finance Committee Chairman Plonka stepping down and seconded by Ms. Desrosiers, it was:

VOTED: To adjourn the Finance Committee Meeting at 7:19 PM.  
Unanimous in favor.

**Discuss and possible vote on appointments for the remaining positions regarding reorganization of the Select Board**

Chairman Day said there are some positions from the Board's reorganizations that need to be discussed.

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

VOTED: To appoint Chairman Day as Veterans Service Officer.  
Unanimous in favor.

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

VOTED: To appoint Chairman Day as Parking Clerk.  
Unanimous in favor.

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

VOTED: To appoint Chairman Day as Select Board representative on the Regional Finance Committee.  
Unanimous in favor.

Chairman Day asked do we need a designated point person for the FY25 Budget? Member Carboni and Member Fabian said no. Chairman Day asked what is the goal of the liaison positions and should we keep these? Ms. Carboni said at one point, these were created to help improve lines of communication and be a point of contact for any concerns. Mr. Sky said you may want to keep the Park Commission liaison as they are an elected body. Member Carboni said there has been no liaisioning the past year with the School Department. It has been more of a reporting back to the Board. Chairman Day asked if this should be eliminated? Member Carboni said the ultimate goal is to have the Superintendent of Schools communicate with the Town Administrator of both communities. At any point in time, a School Committee Member can reach out to a Select Board member. She doesn't know if there is any benefit having a person for the School Department. Chairman Day said he would suggest to vacate that position and see how things go and if there is a need for a liaison it can come back. Chairman Day asked about the liaison with the Council on Aging. Member Fabian said she spends hours of time going to the Council on Aging coffee hours. She speaks to seniors or staff, the fundraising committee and actual Board Members. Chairman Day said we will leave the Council on Aging liaison as it is. Ms. Carboni said for the Park Commission, we should leave it as it is. We need to establish rapport with the new Chair and there are a lot of proposed projects going on. We should keep the lines of communication open.

### **Discuss process for Town Administrator contract renewal**

Member Fabian said she wanted to make Chairman Day aware that a review was done last year for Mr. Sky and that is available for his review. Do we want to go through the review process as basis for contract renewal? As of May 16<sup>th</sup> we are less than a year away from his contract expiration. She would be happy to work on that. The review last year took a couple of months. Chairman Day said if we want to move forward with a renewal, Mr. Sky is within his rights to say he isn't interested so we need time to find a replacement. He would like to see the renewal process closed by September or October. Member Fabian said the first step is getting the review done. Member Carboni said May 16<sup>th</sup> is three (3) weeks away. We should have been in the process already. Member Fabian said Mr. Sky can send Chairman Day the goals established last year. Chairman Day said it is awkward timing with the election and contract year. It's not fair to have someone new come on and do a review. Mr. Sky said he put together a self-evaluation last year and he could do that again. Member Fabian asked Mr. Sky if his contract spells out when the review is done. Mr. Sky said on his hire anniversary. Chairman Day will put a timeline together for May 22<sup>nd</sup>

### **American Rescue Plan Act update and possible vote to approve the purchase of a new ambulance and the Park Commission's new fields project**

*Fire Chief Michael O'Brien and Scott Holmes and Michael Smith from the Park Commission were present for the discussion.* Mr. Sky said there are two (2) streams of funding: one (1) directly from the Federal Treasury and one (1) from Plymouth County. We received two (2) tranches



from the U.S. Treasury for a total allocation of \$1,210,073, which the Board has designated \$14,800 for a feasibility study of water services; \$100,000 for COVID response, \$20,000 for the outdoor stage cover, and \$44,785 for the Ted Williams Camp tennis courts project leaving \$1,030,488. Unfunded at this point is \$83,800 estimated for the installation of irrigation wells at the Police Station and Historic Library. These could be funded using the Town's ARPA allocation. Plymouth County has indicated that we can be eligible for \$2,077,294 in County Covid funding, subject to approval. A portion is being carved out as revenue replacement fees which amount to \$443,428. To date the Town has applied for \$332,800 in water projects, \$183,700 for Historic Town Hall restroom improvements and \$170,000 for the Gamache Playground project. \$353,700 of the amount requested would be under the revenue replacement category.

Mr. Sky said the uses are pretty limited for ARPA if you are not a Town with utilities. He summarized the categories. The County has suggested we can fund rescue equipment. We have an ambulance in the Capital Improvement Plan for 2025. The application is for \$572,000 for a replacement ambulance, which includes the equipment. Mr. Sky said this is a unique opportunity for the Town and will help the Capital Improvement Plan. Member Fabian said at least one (1) or two (2) communities were able to purchase ambulances with the CARES money; we need to take advantage of this. Mr. Sky said the consultant couldn't promise anything, but felt it was a strong application. Chairman Day asked if this leaves you in a position of one (1) ambulance being outfitted differently. Chief O'Brien said the only difference would be a mechanized stair stretcher. Chairman Day asked can you request those also. Chief O'Brien said he can look into it. Chairman Day asked about the timeline on the funds. Mr. Sky said they must be spent by the end of 2025.

Mr. Sky said the other project is the North Fields project. The Park Commission has developed a proposal to complete the field project constructed in 2019 on Bedford Street. There are no amenities, no parking area, access is tough and there are no restrooms. He spoke to members of the Park Commission about using some of the Town's ARPA funding to make those fields usable. Mr. Smith said the fields have been sitting there unused for three (3) years. There is a lot of work needed for access. There are poles down there with wires sticking out. The fields are being taken care of and are in great shape. Our soccer fields are getting beat up, but we can't rest them. We want to move soccer over and let the other fields rest. Then we can get other groups signed up to use the fields. Mr. Holmes said we had two (2) contracts give us pricing to go with crushed gravel for the parking lot, which would allow water to flow through. We would like to carve out a 100 x 100' area to allow people to congregate there with picnic tables and maybe a commissary down the road. We had a local fence contractor give us two (2) estimates on fencing. We met with Mr. Moniz and finished off the amounts to remove the telephone poles along the fields from being driven on. We will fence off the fields. Mr. Smith said there will be a lower and upper parking lot and some clearing for line of sight exiting the site. Mr. Sky said this will be the third ARPA project for the Park Commission. There will still be about \$885,000 available for funding. Member Carboni asked if we can build signage into this proposal to identify where the fields are. Mr. Sky said probably. Member Carboni said maybe it could be an Eagle Scout project. Mr. Smith said we don't have money in our budget for signs.

Member Carboni asked if they are looking to get this program going by September. Member Fabian said we should add in money for signage. If it was an Eagle Scout project, it would require fundraising and that takes time. Chairman Day said you should be looking at more; maybe this is Phase 1. Should there be a Phase 2? Mr. Holmes said the electric and water are on the southeast

side of the field and will come across. We are not allowed to build a building. Chairman Day said we do not have any lighted soccer fields. Mr. Holmes said in the fall they are needed. Chairman Day said utilities could include internet. We could also put in scoreboards, bleachers and security gates. Mr. Smith said he would like cameras. Chairman Day said are you adding another playground? That is a long way to the Gamache playground. Mr. Holmes said even for a small playground it is \$40-\$50,000. Chairman Day said this could be another phase. Mr. Smith asked if the Board is willing to add more money for signs. Member Fabian would be willing to add money for signs based on what is in front of us. Mr. Sky said it could be raised to \$120,000. Mr. Holmes said the pole across the street has a conduit for power. Mr. Sky said it would probably double the cost of the project to light it.

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

VOTED: To apply to Plymouth County for the allocation of \$572,410 in ARPA funding to fund an ambulance and associated equipment.  
Unanimous in favor.

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

VOTED: To designate up to \$120,000 from the Town's ARPA funding for the North Fields Improvement Project.  
Unanimous in favor.

The Board called a quick recess.

**Discuss and possible vote to apply to the Community Preservation Committee (CPC) for design and permit funding for the Old Bridge Street/Nemasket River access project**

*Marc Resnick, Town Planner, was present for the discussion.* Mr. Resnick said this project came about when he was working with the Open Space Committee last year looking at Town Owned property. He was speaking to Nancy Yeatts and she mentioned a few properties located along the Nemasket River. We visited one (1) on Vaughn Street and spoke about doing a handicapped accessible fishing pier. She mentioned a property on Old Bridge Street. The idea is to improve the parking area there and access point to the Nemasket River by removing the ground asphalt as the drainage runs directly off that parking lot into the access ramp into the river. It should be regraded and improved with crushed stone. There could be a boat ramp to allow for easier access to the river with a handicapped accessible pier. The cost would probably not exceed \$25,000 for the engineering, and design and the surveying expense would be about \$15,000. You may have to do additional environmental studies, and it will require a higher level of permitting with the Army Corp. of Engineers As long as you stay out of the channel it should be approved.

Member Carboni asked if this originated from the Open Space Committee? Mr. Sky said from looking at Town owned parcels. Member Carboni asked why are we not going through ARPA for this. Mr. Sky said it has not been proposed for ARPA. Member Carboni said we should look into ARPA as it is an existing property. Mr. Sky said ARPA is until the end of 2024. It is a finite resource. If you can get grant money that is better, but we can look at that. We need to do some work with Community Preservation Act (CPA) money. Chairman Day said can the design phase

go through CPA and ARPA for construction. Mr. Sky said we can apply for a grant for the construction. If we don't get it, we can use ARPA.

Member Fabian said her biggest concern is the timing for permitting. This is a nice spot; there are always people putting in a canoe. How can we configure the parking lot to get more vehicles? Chairman Day said Step #1 is May 19<sup>th</sup> for the application. We can approve it, but go down the path to look for more funding. Mr. Resnick said the Step 1 process is super preliminary to see if the project falls under the categories for CPA. Even if we decide to go with different funding, you can withdraw. If the Board decides not to submit the Step 1 application and then in June wants to, you can't. If you like the project, you may want to at least authorize him to submit the Step 1 application. We can discuss Step 2 later. Member Fabian said the parking is her biggest concern. We only own the land so far and then the other land is owned privately. She doesn't want residents on that street experiencing a parking problem. Chairman Day asked where would the pier go. Mr. Resnick said to the right of the boat ramp where the marsh grass is. Chairman Day said this is a nice project, but he is concerned about trash pollution. Mr. Sky said they spoke to Frank Moniz about maintenance. He has his staff go out there a few times a week. He feels an improvement will cause a marginal increase and will need trash removal more often. More support will be required if it is a success.

Barbara Standish of Bridge Street said that property used to be part of the farm she lives on. Her father in law donated that land to the Town in the early 70's. She is very interested to see where the pier will be because that area floods. There are a lot of people down there in the day. Trash is a huge problem. Chairman Day asked is there a path on the other side of the bridge. Mr. Resnick said you can walk through to Ocean Spray. Member Fabian said the part that appeals to her is having a place for someone with disabilities to be able to fish. She doesn't know that we will get permission to cut a path for the pier. Ms. Standish said there are red bellied cooter turtles out there. Mr. Resnick said there would be no tree cutting. We could pull the parking lot back away from the trees and direct drainage into a swale protected by a wooden guard rail. After surveying and wetlands identification, we could extend the parking where there are bushes. Member Fabian said there are a lot of people with boat trailers, so parking would be reduced.

Chairman Day said are we limited to the parcels on the side or is this a town Road. Mr. Resnick said there is a bridge there with crumbling asphalt. Halfway over the bridge is Middleborough. The structure may be fine for pedestrians. Chairman Day said this is just whether or not we want to submit a Step 1 application. The CPC could say it doesn't fit the funding. Member Carboni asked why wouldn't Open Space sponsor this application. Mr. Resnick said he hasn't spoken to them about it. Mr. Sky said the Town owns the property. Member Carboni said how did this get originated? Mr. Resnick said he put this together. He did not know this parcel existed until he spoke to Nancy Yeatts about putting a ramp at the Vaughan Street property. She said there was a better location for a fishing pier. Member Fabian said giving people with disabilities a place to go and fish is great, but she is worried about the permitting. Mr. Resnick said Jamie Bissonnette of Zenith Engineering has confirmed that design and permitting for these types of piers is permissible. It may require time and effort, but because we are not in the main channel in the river, it is like any other dock on Long Pond.

Chairman Day asked when is the next Open Space meeting? Mr. Resnick said a week from this coming Thursday. Chairman Day said we could ask Open Space if they have an opinion on this and we could add it to our May 8<sup>th</sup> meeting. We could put Step 1 forward to meet the deadline

and investigate other funding sources. When will CPC meet to look at the projects. Mr. Resnick said probably a week or two (2) after the applications are due. They will determine if the project is eligible to submit to Step 2. For timing, if it was approved in Step 2, it would go to Fall Town Meeting for funding. Perhaps a year from now we could be looking at grant funding. You may have leftover ARPA money for some of the construction. Chairman Day asked is there opportunity for community input for the CPC? Mr. Resnick said meetings are open to the public. There is not a requirement for a public hearing. Chairman Day asked if anyone wanted to make a motion? He is fine approving it to move forward as there are a lot of checks and balances. Member Fabian doesn't want to say no, but she is trying to find a way to say yes. Member Carboni said she didn't know it was Town property. To sponsor something that she doesn't know much about, she has a hard time sending it to CPC, so she is out. Chairman Day said we don't have time to table it for further discussion, but we can look at other funding besides CPC. Mr. Sky said you can ask for more information from Mr. Resnick. Member Fabian said she would like to know if we have any problems there with the Police. She would like to get a sense of how many people use it.

**Discuss request from MassHousing for comments in regards to proposed development known as Rocky Woods off of Freetown Street**

Chairman Day said last week he met with the Chairs of the Planning Board and Zoning Board of Appeals (ZBA), Mr. Sky and Town Counsel to understand what is this step and what are they are looking for regarding comments. If they filed for project application, it would go to ZBA. MassHousing is looking for the Select Board to respond with any concerns the Town has. If we submit the concerns, they are sent along to the developer. We received a memo from the Town Planner, Fire Chief and Police Chief. Mr. Resnick said this is to determine if the site is eligible. Member Fabian said she is concerned about any Native American historical sites there. She would like the State to know that this should be vetted. Member Carboni said as part of the process with any Federal funding or involvement, Natural Heritage and the Tribes are notified that this project is going in, and they would send out for archeological studies, which is paid by the developer. Mr. Resnick said they will file a Massachusetts Environmental Protection Act (MEPA) report and will most likely require a Phase 1 Assessment of the area. Being a lower area, the site they are most concerned with is the upper rocky hilly area. They may determine that other parts may require more study. That would come out during the MEPA process. Member Fabian said she is also concerned with the traffic by the schools, which is not great in the mornings and afternoon. It dissipates, but is really problematic when there is an event at the schools. Mr. Resnick said when looking at that intersection and the school driveways, there is probably a better alternative to the present configuration. Member Fabian said this is definitely well water. Mr. Resnick said the developer has shown on the preliminary drawings a private well.

Member Fabian asked would this be a public drinking water supply with mandatory testing? Mr. Resnick said it would be considered a public water supply and would have to follow testing requirements. Mr. Sky said we could note that this is community water and it should be affordable. Chairman Day said anything we provide will not affect the outcome. Member Fabian said do you get a discount on water if you buy an affordable unit. Susan Spieler asked if a 40B has to have Town water. What is that well going to do to resident's wells around there. Member Fabian said typically 40Bs don't usually have this many units unless there is Town water.

Member Carboni said if this comes to fruition, what will that do to our housing index numbers. Mr. Resnick said this is 200 for sale units, so only 50 units would count towards the affordable

housing inventory. In a rental project, you can count all the units. Member Fabian asked about a sidewalk, which would be very expensive. Mr. Resnick said given the number of units it should be mentioned. Mr. Sky said the letter would not say require it, but would speak to pedestrian access.

Chairman Day summarized the comments from Fire and Police. He said Town Counsel said we can ask for an extension. Chairman Day said one of the action items was for Town Counsel to provide us with a start to finish for the project so we can understand what this would look like. He asked members to send their concerns to Mr. Sky.

### **Revisit Scope of Work for the Senior Center addition Feasibility Study**

*Lori Fahey, Council on Aging Director, was present for the discussion.* Member Carboni said we have an on-call Owners Project Manager who presented a \$36,000 fee for the work. She had requested additional information, and it was broken down by hours. Chairman Day said invoices to be billed monthly for the percentage of work completed. Can we pay when deliverables are received? Mr. Sky said he can do that. Typically, you will see that the phases are the deliverables and they bill for the percentage of the work done. Sometimes different phases are running parallel. Usually on construction processes you see percentage billing. We can structure the task order around that concept. Chairman Day said in Phase 3 they are going to give us a probable cost. Are they looking at the upcoming construction season? This will hopefully get us to a better number and understanding. Mr. Sky said we should end up with a more solid number, which may not fit in our current number.

### **Discuss Scope of Work for the Classification and Compensation Study**

*John Viarella, Human Resources Director, was present for the discussion.* Mr. Sky said there was money funded in Human Resources' FY23 budget to look at some of the governance issues in the past. The Board doesn't need to approve the scope of work, but Mr. Viarella is looking for guidance from the Board on the direction you would like to take. Member Fabian asked would we get job descriptions and requirements from other communities. Another position may pay \$20,000 more than we do, but can require additional educational experiences. Mr. Viarella said one of the requirements is to secure information not readily available to the general public and compare apples to apples. They also look at all forms of pay, such as longevity, education incentives, etc. The study is supposed to be comprehensive. Member Fabian said asked for a list of the approximate 60 unique job titles. Within the past three (3) or four 4 years, we have updated or approved new job descriptions for the Town Administrator; Assistant to the Town Administrator; Fire Chief; Police Chief and Town Planner. If one of these positions comes back as underpaid, we have to be prepared to find the money. Mr. Sky said he will not be using this study to come to the Board with something that is unsustainable. Member Fabian said she doesn't want to lose people. Mr. Sky said his vision is to look at a range of positions and give a percentage benchmark. Member Fabian said she is protective of the Select Board being the Wage & Personnel Board and the appeal process for the employees. Member Carboni asked Mr. Viarella to email the number of non-union employees. Mr. Viarella said the next step is to get a document out to vendors for bidding. We will see what comes back for pricing and capabilities. Once the document goes out, there will be two (2) or three (3) weeks until due. The selection process will not take long.



Chairman Day asked when was this last performed. Mr. Sky said he has not found that a comprehensive study was ever performed. Chairman Day said we only have a few meetings left; we need a quick turnaround. Mr. Sky said we just need to get someone under contract before June 30<sup>th</sup>. Mr. Sky said he and Mr. Viarella will be evaluating the responses. Ms. Drane said the Town Clerk's position needs to be looked at, even though it is elected. Maureen Candito asked if this was grant funded. Mr. Sky said funding was appropriated in the FY23 budget.

### **Discuss possible changes to the Social Media Policy**

*John Viarella, Human Resources Director, was present for the discussion.* Chairman Day said he wanted to get this in front of the Board as there is a lengthy redlined document. Mr. Sky said this will probably be the May 22<sup>nd</sup> meeting, if we can have comments back from the Board by May 15<sup>th</sup>. Member Fabian asked what is prompting this? Have there been complaints? Mr. Sky said the last version was updated in 2020 and this is clarifying the policy. Member Fabian said she would like to discuss the Town's actual use of social media. During our two (2) heated topics last year, she wanted more to go on social media. Who decides if we post on a local site and put links where people can get information. Anyone under 35 does not go to the Town's website; they use other social media. We need to put the information on other sites. Mr. Sky said it is an executive policy and we can have that discussion. We shared information on the Town's Facebook site; it is a question on what the Board would like to do.

### **Revisit and possible vote on designation of donation from SunMulti Sport Events for Patriot Triathlon**

Chairman Day said Sun Multi Sport Events has offered a \$1,500 donation for the Patriot Triathlon. Member Carboni said she would like to do this on May 22<sup>nd</sup> and asked a list be created on organizations that the donation can go to.

### **Revisit and possible vote to approve Part Time Assistant Animal Inspector Job Description**

*John Viarella, Human Resources Director, and Edward Cullen, Health Agent, were present for the discussion.* Chairman Day said we are essentially approving a defined job description put out by MGL. The Board of Health will review applicants and make the appointment to the State. Mr. Cullen said ten (10) years ago there were two (2) inspectors. One of them left and the other inspector took over all the responsibilities. He no longer wants to perform all those responsibilities and asked us to find someone. Chairman Day said this is a \$787 per quarter 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 Assistant Animal Inspector as presented.  
Unanimous in favor.

**Discuss and possible vote to reappoint David Frates as Animal Control Officer and Constable and Darcy Lee; Lisa Podielsky, Kathy Seeley and Ronnie Frates as Assistant Animal Control Officers**

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

VOTED: To appoint David Frates as Animal Control Officer/Constable and Darcy Lee; Lisa Podielsky; Kathy Seeley and Ronnie Frates as Assistant Animal Control Officers for terms to expire April 30, 2024.  
Unanimous in favor.

**Discuss and possible vote to reappoint Wilford Corey as Veteran's Agent and Graves Officer**

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

VOTED: To reappoint Wilford Corey as Veterans' and Graves Officer for a term to expire April 30, 2024.  
Unanimous in favor.

**Discuss and possible vote to appoint Lakeville's representative on the Old Colony Elder Services Board**

*Lori Fahey, Council on Aging Director, was present for the discussion.* Ms. Fahey said the Old Colony Elder Services Board is where we get our Meals on Wheels program.

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

VOTED: To re-appoint Lori Fahey to the Old Colony Elder Services Board for a term to expire June 30, 2024.  
Unanimous in favor.

**Discuss and possible vote to appoint Gayle Dragicevich and Patricia Mustacaros as Alternate Members on the Council on Aging Board of Directors**

Chairman Day said there are two (2) vacancies on the Board right now for Alternate Members. The Council on Aging Board has voted to recommend Gayle Dragicevich and Patricia Mustaaros as Alternate Members.

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

VOTED: To appoint Gayle Dragicevich and Patricia Mustacaros as Alternate Members on the Council on Aging Board of Directors for a term to expire July 31, 2024.  
Unanimous in favor.

**Discuss and possible vote to appoint Delegate and Alternate Delegate to the Joint Transportation Planning Group**

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

VOTED: To reappoint Franklin Moniz as Delegate and Evagelia Fabian as Alternate Delegate for a term to expire on June 1, 2024.  
Unanimous in favor.

**Discuss and possible vote to renew Earth Removal Permit for T.L. Edwards at 435 Bedford Street**

*Marc Resnick, Town Planner, was present for the discussion.* Mr. Resnick said he met with Terry Edwards and did a tour of the site. This site is basically a stockpile storage site with some processing.

A motion was made by Member Carboni and seconded by Member Fabian to approve the Earth Removal Permit for T.L. Edwards at 435 Bedford Street with an expiration date of March 31, 2024.

*Discussion:* Chairman Day said our application needs some revision; the form says they pay ahead, but the form says also behind. This applicant is basically moving stockpiles. We don't want to double charge him for material that he dug before.

The vote on the previous motion was unanimous in favor.

**Discuss and possible approval of Select Board Meeting Minutes of March 27, 2023 and April 10, 2023**

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

VOTED: To approve the Select Board Meeting Minutes of March 27, 2023.  
Two (2) in favor (Members Fabian and Carboni) and one (1) abstention (Chairman Day).

Chairman Day said under MBTA communities after the last sentence in the discussion to add "we will analyze where Lakeville stands regarding compliance before making any further decisions".

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

VOTED: To approve the Select Board Meeting Minutes of April 10, 2023 as amended.  
Unanimous in favor.

## **New Business**

There was no New Business discussed.

## **Old Business**

Chairman Day said regarding 415 Millennium Circle, Town Counsel said since the Board is the water controlling authority, the applicant does not have to go back to Zoning Board of Appeals.

Chairman Day said he is looking at pushing the Board's July 24<sup>th</sup> meeting to July 31<sup>st</sup>. We would be meeting July 10<sup>th</sup> and July 31<sup>st</sup>. Member Fabian said she could not say yes to the meeting change.

## **Correspondence**

1. Memo from Town Planner regarding Community Preservation Funding Process
2. Memo from Fire Chief regarding designation of Lakeville Fire Department as a Built for Life Fire Department

## **Executive Session**

At 9:32 PM, a motion was made by Member Carboni and seconded by Member Fabian it was:

VOTED: To enter into Executive Session pursuant to the provisions of M.G.L. c.30A, §21(a) (3) to discuss strategy with respect to collective bargaining, specifically with PBA Local 185 if an open meeting may have a detrimental effect on the bargaining position of the public body and the Chairman so declares and pursuant to the provisions of M.G.L. c.30A, §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 pursuant to M.G.L. c.30A, §21(a) (7) to comply with the Open Meeting Law, M.G.L. c.30A, §22(f): approval of Executive Session Minutes for March 27, 2023 and not to return to Open Session.

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

**List of documents provided at the Select Board Meeting of April 24, 2023**

1. Agenda page
2. Agenda page
3. Agenda page; Town Administrator announcements
4. Agenda page; letter from Old Colony Regional Vocational Technical High School District
5. Agenda page; legal ad; letter to applicant; ABCC Alteration of Premises Application
6. Agenda page; FY24 Budget and Capital Plan
7. Agenda page
8. Agenda page; Special Town Meeting Warrant Articles and Warrant; list of Warrant Articles
9. Agenda page; Annual Town Meeting Warrant Articles and Warrant; list of Warrant Articles; email from Old Colony Regional Vocational Technical High School District
10. Agenda page; letter from DPW Director; proposed rate sheet
11. Agenda page; memo from Town Administrator; proposal from RTA
12. Agenda page; memo from Facilities Manager; Animal Shelter renovation budget; photographs of work to be done
13. Agenda page; proposed job description – Part Time Clerk – Inspectional Services
14. Agenda page; proposed job description – Part Time Animal Inspector
15. Agenda page-notice from SRPEDD
16. Agenda page-Taunton Water Connection application; email from Zenith Consulting Group; email from Town Administrator; proposed layout plan; Zoning Board of Appeals notice of special permit
17. Agenda item; memo from the Town Administrator; Host Community Funding Applications
18. Agenda item; email from Council of Aging Board Chair
19. Agenda item; letter from Sun Multi Sport Events; Public Way License Applications for Cranberry Trifest and Patriot Half Triathlon
20. Agenda page; letter from Lakeville Arts Council
21. Agenda page
22. Agenda page
23. Agenda page; Select Board Meeting Minutes of February 6, 2023 and March 13, 2023
24. Agenda page
25. Agenda page
26. Agenda page; letter from Comcast

**TOWN OF LAKEVILLE  
Select Board Meeting Minutes  
May 8, 2023 – 6:00 PM**

**Apponequet High School  
100 Howland Road, Lakeville, MA**

On May 8, 2023, the Select Board held a meeting at 6:00 PM at Apponequet High School. The meeting was called to order at 6:00 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present was Ari Sky, Town Administrator. LakeCAM was recording the meeting for broadcast.

**Meet with Town Moderator for her appointment of a member to the Capital Expenditures Committee**

*Kathryn Goodfellow, Town Moderator, was present for the conversation.* Ms. Goodfellow noted that she has appointed Michael Smith as a Town Moderator's Member of the Capital Expenditures Committee.

**Update on 310 Kenneth Welch Drive property**

Mr. Sky said there has been an ongoing issue with this property. On April 27, 2023, another meeting was held with staff, the property owners and property manager. He summarized the major points of the meeting. Under Public Safety, they are working on installing a bidirectional amplifier. Under Parking, Northeast Alternative is in discussion to secure off-site parking. They will provide a shuttle for employees. The property owners are securing bids for a guardrail installation along the south side of Kenneth Welch Drive. The full parking plan is currently before the Conservation Commission. Under Water, there is work on the inactive well, as well as, various recycling measures is underway. They intend to submit a revised Taunton Water application for approximately 15,000 gallons per day before the end of the month. Under Septic, the owner has contracted with an engineering firm to design an additional tank. They anticipate design by the end of May. Member Carboni said so the water and parking should be resolved by the end of May. He anticipates that there will be interim measure for parking by the end of May.

**Discuss process and consideration of the Notice of Intent to remove 6 Barstow Street from Chapter 61B**

Mr. Sky said a Notice of Intent to Convert Chapter 61 property is a different process than a purchase. The Town has its own appraisal underway, which must be forwarded to the owner by May 22. An appraisal from the owner, which was received with the initial Notice of Intent, captured land that is not in conservation status and will have to be resubmitted. The owner will have 60 days from the receipt of the Notice of Intent to provide their own appraisal. If the two appraisals differ, the Town and owner may jointly hire a third appraiser to conduct an impartial appraisal, which will be the final estimate of the property's fair market value. Once the final value is determined, the Town will have 120 days to decide upon whether to exercise its option to

### **Attend Special and Annual Town Meetings**

The Board's meeting was continued to attend the Special and Annual Town Meetings. The Town Meetings were adjourned at 9:24 PM.

### **List of documents provided at the Select Board Meeting of May 8, 2023**

1. Agenda page; email from Michael Smith; letter from Town Moderator
2. Agenda page
3. Agenda page; email from Town Counsel; letter from Attorney Michael O'Shaughnessy; Vision card; Land Tax Lien; plot plan; and appraisal report
4. Agenda page; petition from Middleborough Gas & Electric Department; MassDOT permit
5. Agenda page; memo from HR Director; proposed job description; previous job description
6. Agenda page; application for Outside Entertainment Permit
7. Agenda page
8. Agenda page
9. Agenda page

**AGENDA ITEM #14  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE ON APPLICATION FOR OUTSIDE ENTERTAINMENT FROM ALEXANDER KOROSKENYL – 1 CEDAR POND ROAD – JULY 22, 2023**

The Board has received an application for outside entertainment for a backyard barbeque with live music on July 22, 2023 from 3 PM to 10:30 PM (rain date of July 23, 2023).

According to the applicant, there will be a 4-piece country band with an acoustic guitar, electric guitar, bass guitar and drums. There will be a sound system and lighting.

I have attached a blurb from the Police Department log regarding a noise complaint from the party last year.



RECEIVED  
MAY 11 2023  
COLLECTOR'S OFFICE

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

X

May 10, 2023

No. \_\_\_\_\_

TO THE LICENSING AUTHORITIES:

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

X name Alexander Koroskenyi

address + phone 1 Cedar Pond Rd Lakeville, MA 02347 978-500-0983

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

STATE CLEARLY  
PURPOSE FOR  
WHICH LICENSE  
IS REQUESTED

To outside entertainment  
X date + time + type Saturday July 22, 2023 3PM - 10:30PM

Backyard BBQ with Live Music \*Rain Date: Sunday July 23, 2023

GIVE LOCATION  
BY STREET  
AND NUMBER

X At 1 Cedar Pond Rd Lakeville, MA 02347

in said City of Lakeville  
Town

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

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

X [Signature]  
\*Signature of Individual  
or Corporate Name (Mandatory)

By: Corporate Officer  
(Mandatory, if Applicable)

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

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

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

Received \_\_\_\_\_ 20 \_\_\_\_  
Hour A.M. \_\_\_\_\_  
P.M. \_\_\_\_\_

Signature of Applicant

Address

Approved \_\_\_\_\_ 20 \_\_\_\_

License Granted \_\_\_\_\_ 20 \_\_\_\_

## Tracie Craig-McGee

---

**From:** Alex Koroskenyi <alex@coastalevent.com>  
**Sent:** Thursday, May 11, 2023 10:01 AM  
**To:** Tracie Craig-McGee  
**Subject:** RE: FW: Application for outdoor entertainment

The band is a standard configuration 4 piece country band. Acoustic Guitar, Electric Guitar, Bass Guitar & Drums. There will be a Sound System & Lighting.

On May 11, 2023 9:33 AM, Tracie Craig-McGee <tcraig-mcgee@lakevillema.org> wrote:

Hi Alex,

Could you please expand on what type of entertainment this will be. If it was a bank, how many members and what type of instruments. Also, will there be lights and speakers.

*Tracie Craig-McGee*

*Executive Assistant - Select Board*

*& Town Administrator*

*Town of Lakeville*

*346 Bedford Street*

*Lakeville, MA 02347*

*508 946-8803*

---

**From:** Alex Koroskenyi <alex@coastalevent.com>  
**Sent:** Wednesday, May 10, 2023 3:31 PM  
**To:** Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>  
**Subject:** RE: FW: Application for outdoor entertainment

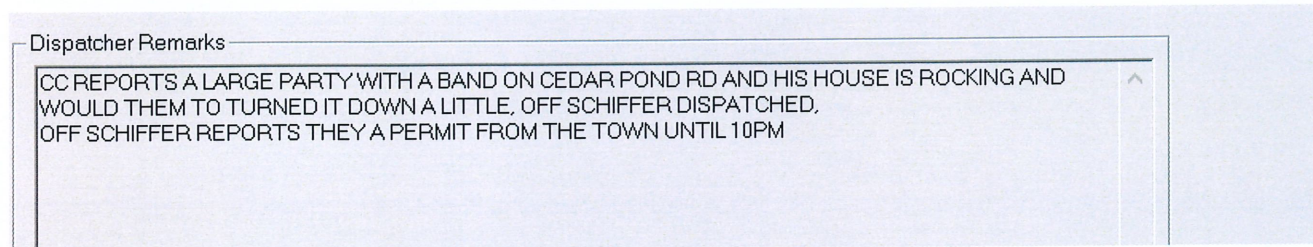
Hi Tracie,

## Tracie Craig-McGee

---

**From:** Kristen Campbell, Administrative Assistant, Lakeville Police Department  
**Sent:** Thursday, May 11, 2023 11:54 AM  
**To:** Tracie Craig-McGee  
**Subject:** RE: 1 Cedar Pond Road

There is no officer narrative for it. this is all it says.



Thank you,

Kristen Campbell  
Administrative Assistant  
Records Access Officer

Lakeville Police Department  
323 Bedford Street  
Lakeville, MA 02347

508 947-4422 x3



*Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to public access under the Massachusetts Public Records Law, M.G.L. c.66.s.10*

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**From:** Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>  
**Sent:** Thursday, May 11, 2023 11:52 AM  
**To:** Kristen Campbell, Administrative Assistant, Lakeville Police Department <kcampbell@lakevillema.org>  
**Subject:** RE: 1 Cedar Pond Road

Can you send that one. Thanks!

*Tracie Craig-McGee  
Executive Assistant - Select Board  
& Town Administrator  
Town of Lakeville  
346 Bedford Street*

**AGENDA ITEM #15  
MAY 22, 2023**

**DISCUSS AND POSSIBLE COMMENTS ON SITE PLAN FOR 156  
RHODE ISLAND ROAD**

Attached is a request from the Planning Board for the Board to review the site plan for 156 Rhode Island Road. Also attached are comments from the Fire Chief.




## Lakeville Fire Department

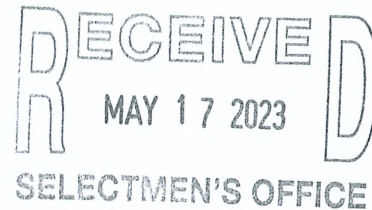
346 Bedford Street  
Lakeville, Massachusetts 02347

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

MICHAEL O'BRIEN  
FIRE CHIEF  
mobrien@lakevillema.org

PAMELA GARANT  
DEPUTY CHIEF  
pgarant@lakevillema.org

To: Lakeville Planning Board  
From: Michael P. O'Brien, Fire Chief   
RE: 156 Rhode Island Road Proposal  
Date: May 16, 2023



The document has been submitted as comment on the May 9, 2023 plan submission for the proposed building at 156 Rhode Island Road.

- The fire department access for the proposed building meets the minimum dimensional requirements of the Fire Code on the southwest and northeast ends of the building and exceeds requirements in all other areas. Signage and markings should be required to discourage the blocking of fire department access in the areas of minimal access.
- The dimensions of the building will trigger the requirement for an automatic fire sprinkler system. The fire department will require that the fire department sprinkler connection be located on the northwest or southwest sides of the building. The access to that connection must not be block by parking, utilities, landscaping, or any building feature. A 36" clear path to the connection is required and must be maintained.
  - The site plan should address the location of the sprinkler connection.

Thank you for the opportunity to comment on this proposal. Please contact the fire department if additional comment or information is required.

## Tracie Craig-McGee

---

**From:** Cathy Murray, Appeals Board Clerk  
**Sent:** Monday, May 15, 2023 1:56 PM  
**To:** Matthew Perkins, Lakeville Chief of Police; Michael P. O'Brien, Fire Chief; Edward Cullen; rjbouchard@verizon.net; Franklin Moniz, DPW Director; Nathan Darling, Building Commissioner & Zoning Enforcement Officer; Tracie Craig-McGee; Ari Sky  
**Cc:** Kristen Campbell, Administrative Assistant, Lakeville Police Department; Pamela Garant, Fire Deputy Chief; Fran Lawrence, Part time Board of Health Clerk; Lori Canedy; Jennifer Jewell, DPW - Administrative Assistant; Clorinda Dunphy  
**Subject:** RE: 156 Rhode Island Road-Revised Site Plan  
**Attachments:** 156 Rhode Island Road-Site Plan-Revised-5-9-23.pdf

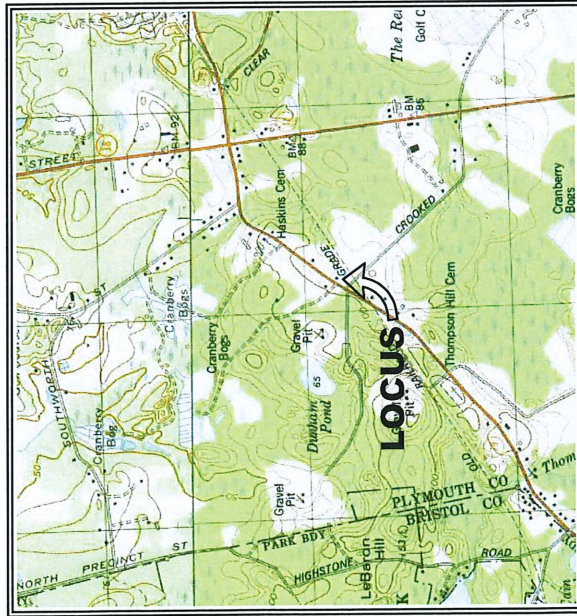
Hi everyone,

Attached please find the revised Site Plan for 156 Rhode Island Road. The hearing for this revised Site Plan will be on June 8, 2023. Please forward any comments or concerns that you may have regarding this revised Plan to the Planning Board at your earliest convenience.

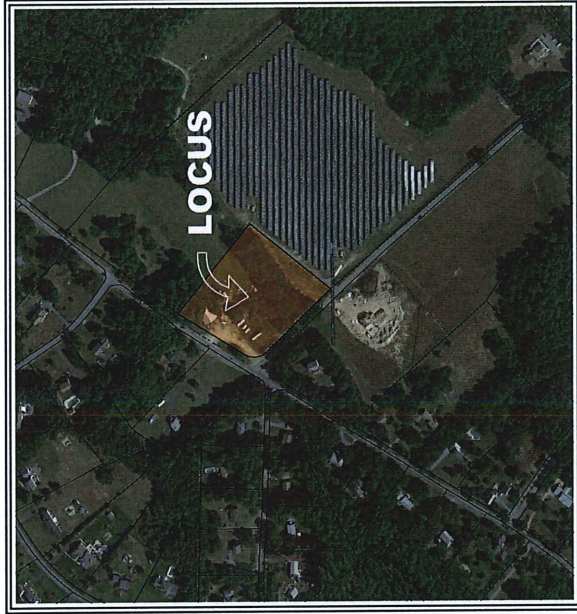
Thanks

Cathy

# SITE PLAN COMMERCIAL DEVELOPMENT 156 RHODE ISLAND ROAD, LAKEVILLE, MA



LOCUS MAP  
NOT TO SCALE



AERIAL MAP  
1" = 200'

DESCRIPTION	EXISTING	PROPOSED	DESCRIPTION	EXISTING	PROPOSED
CATCH BASINS	⊕	⊕	INTERMEDIATE CONTOUR	—(5)—	—(5)—
SEWER MANHOLE	⊙	⊙	INDEX CONTOUR	—(10)—	—(10)—
DRAIN MANHOLE	⊙	⊙	SPOT ELEVATIONS	⊙ 150.0	⊙ 150.0
ELECTRIC MANHOLE	⊙	⊙	DEAN LINE	—(D)—	—(D)—
SW TREATMENT UNIT	⊙	⊙	WATER LINE	—(W)—	—(W)—
GAS GATE	⊙	⊙	GAS LINE	—(G)—	—(G)—
WATER HYDRANT	⊙	⊙	ELECTRICAL AREA	—(E)—	—(E)—
POWER POLE	⊙	⊙	200' RIVERFRONT AREA	—(R)—	—(R)—
CHAIN LINK FENCE	—(C)—	—(C)—	100' RIVERFRONT AREA	—(R)—	—(R)—
STOCKADE FENCE	—(S)—	—(S)—	50' BUFFER ZONE	—(B)—	—(B)—
OVERHEAD WIRES	—(O)—	—(O)—	30' BUFFER ZONE AE	—(B)—	—(B)—
LIGHT POLE	⊙	⊙	LIMIT OF FLOOD ZONE AE	—(F)—	—(F)—
			WETLAND FLAG	—(W)—	—(W)—

## TABLE OF CONTENTS

SHEET	PLAN ID
CS1.1	COVER SHEET
EX1.1	EXISTING CONDITIONS PRIOR TO 9/22
EX1.2	EXISTING CONDITIONS AFTER 9/22
SP1.1	SITE LAYOUT PLAN
SP1.2	GRADING & DRAINAGE
SP1.3	LANDSCAPE AND TRAFFIC
EC1.1	EROSION CONTROL PLAN
D1.1	DETAILS 1
D1.2	DETAILS 2
D1.3	DETAILS 3
SSD1.1	SEPTIC SYSTEM DETAILS-1
SSD1.2	SEPTIC SYSTEM DETAILS-2

TOWN OF LAKEVILLE PLANNING BOARD:

DATE APPROVED:	DATE ENDORSED:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**OWNER(S):**  
T. SIKORSKI REALTY, LLC

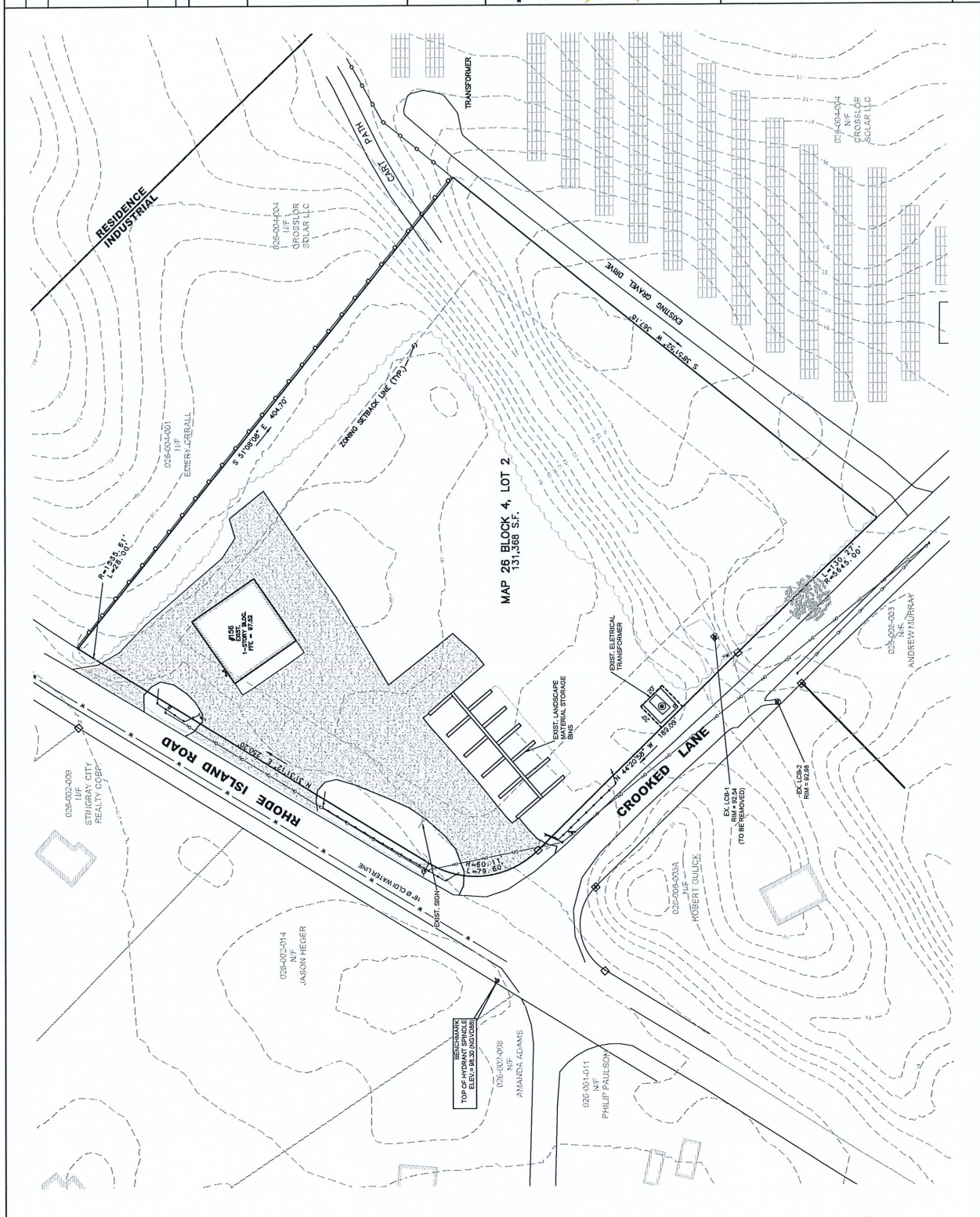
**APPLICANT:**  
T. SIKORSKI REALTY, LLC  
50 TURNER ST.,  
E. TAUNTON, MA 02718

**PREPARED BY:**

**RiverHawk**  
ENVIRONMENTAL  
CIVIL ENGINEERING & ENVIRONMENTAL CONSULTING  
2183 OCEAN STREET, MARSHFIELD, MA 02050  
781-338-4639 www.riverhawkllc.com

PREPARED MARCH 10, 2022  
REVISED MAY 9, 2023

DATE: MAR. 10, 2022		PROJECT NO. 00484-011	SCALE: AS SHOWN	APPROVED BY: [Signature]	APPROVED BY: [Signature]
EX. CONDITIONS PLAN PRIOR TO 9/22		CIVIL ENGINEERING & ENVIRONMENTAL CONSULTING		2183 OCEAN STREET, WASHINGTON, MA 02090	
COMMERCIAL DEVELOPMENT		156 RHODE ISLAND ROAD LAKEVILLE, MA		05/09/2023	
EX.1.1		T SIKORSKI REALTY, LLC E. TAUNTON, MA, 02718		[Seal]	
REV.	DATE	DESCRIPTION	BY	APP.	
1	4/21/22	TOWN PLANNER COMMENTS	HR	HR	
2	10/2/22	PA COMMENTS RE: LAYOUT	HR	HR	
3	1/19/23	TOWN PLANNER COMMENTS	AM	HR	
4	3/2/23	SPERICAL COMMENTS	AM	HR	
5	5/9/23	TECHNICAL COMMENTS	HR	HR	



**SITE SUMMARY:**  
 CURRENT OWNERS/APPLICANT:  
 T SIKORSKI REALTY, LLC  
 50 TURNER ST.  
 E. TAUNTON, MA, 02718  
 ASSESSOR'S REFERENCE:  
 MAP 26, BLOCK 4, LOT 2  
 DEED REFERENCE:  
 BOOK 52,511, PAGE 227  
 (PLYMOUTH COUNTY REGISTRY OF DEEDS)

**ZONING:**  
 ZONING DISTRICT(S):  
 INDUSTRIAL/RESIDENCE  
 FEMA / WETLANDS:  
 FLOOD PLAIN - ZONE X

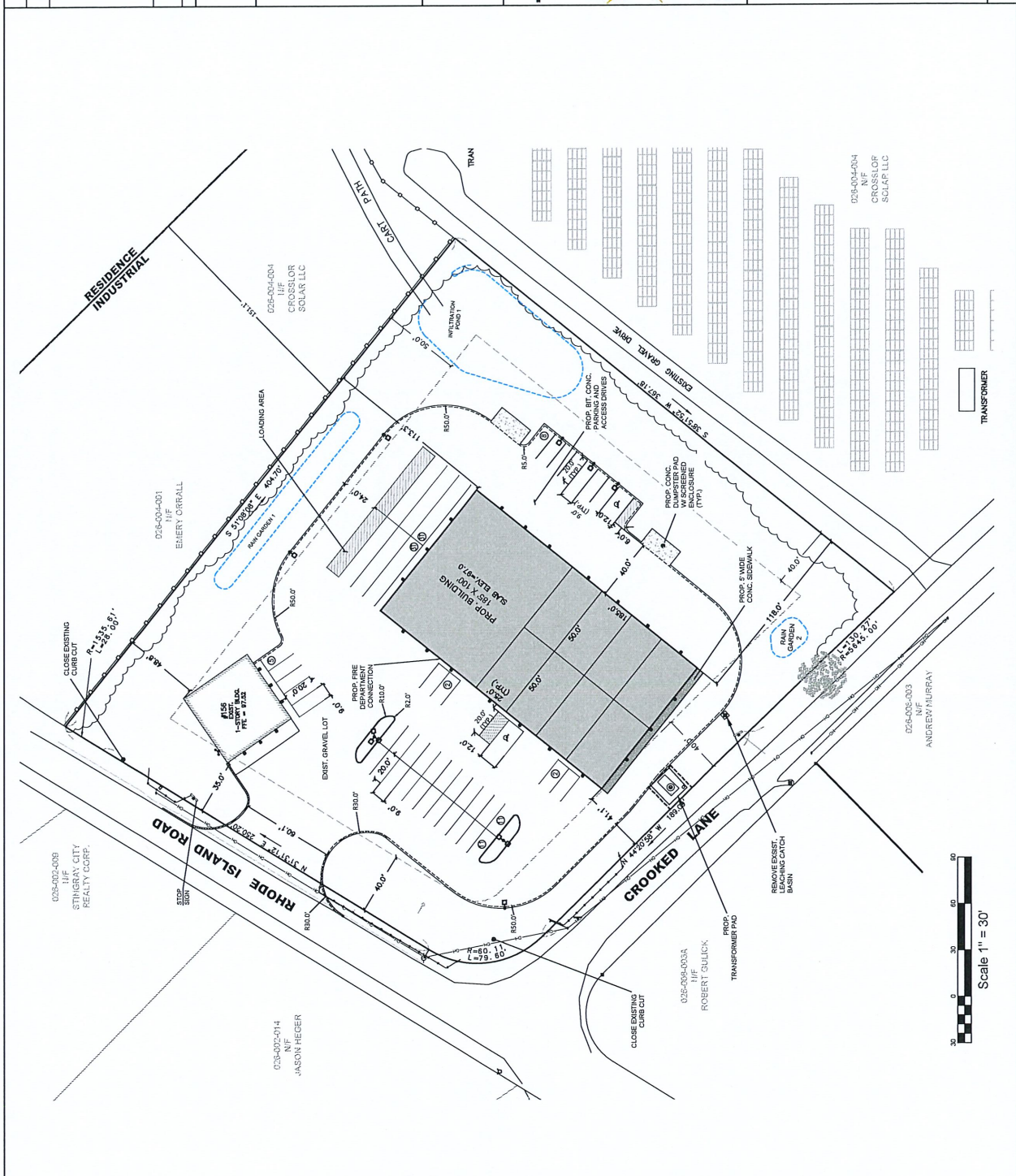
**DATUMS:**  
 HORIZONTAL DATUM:  
 NA83, MA MAINLAND  
 VERTICAL DATUM:  
 NAVD83

**SITE NOTES:**

- EXISTING CONDITIONS PLAN & PROPERTY LINES SHOWN. ALL UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS PROVIDED BY GENETH LAND SURVEYORS, LLC. EXISTING TOPOGRAPHY FROM 2011 LIDAR DATA.
- BENCHMARK IS TOP OF HYDRANT SINGLE AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) OF PLYMOUTH COUNTY, MASSACHUSETTS, NUMBER 20030202K DATED JULY 16, 2015.
- THERE ARE NO KNOWN WETLANDS WITHIN 100 FEET OF THE SUBJECT PROPERTY.
- SHOWING PLAN AT ELEVATION = 86.37 (NOV08B).
- THE LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE ONLY, AND ARE NOT WARRANTED. UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS PROVIDED BY GENETH LAND SURVEYORS, LLC. EXISTING UTILITIES SHALL BE VERIFIED FOR RELOCATION OF SAME. CONTRACTOR MUST LOCATE UTILITIES PRIOR TO ANY CONSTRUCTION. NOTIFY UTILITIES PRIOR TO COMMENCING ANY WORK.

Scale 1" = 30'





**SITE SUMMARY:**  
 PARCEL ID: 025/004/002 (1.02± ACRES)  
 ZONING DISTRICT: INDUSTRIAL

ZONING REQUIREMENTS	REQUIRED	EXISTING	PROPOSED
LOT AREA (SF)	70,000	131,206±	131,206±
FRONTAGE (FT)	175	857.18	857.18
FRONT SETBACK (FT)	40	35.0	35.0 & 41.1
SIDE SETBACK (FT)	40, 30'	48.8	48.8 & 113.3
REAR SETBACK (FT)	40	48.8	48.8 & 118.0
COVERAGE (%)	60%	33.03/130668J	73269/132624J

NOTES:  
 1 - NO BUILDINGS ARE ALLOWED WITHIN 50' OF A RESIDENTIAL ZONE (WITH AN ADJUNCTION WALL) 606 IF SECTION 7.A.3  
 2 - SETBACK STANDARDS ARE MET 606 IF SECTION 7.A.3  
 3 - IN ACCORDANCE WITH SECTION OF THE LAKEVILLE ZONING BY-LAW, AREA USED IN COVERAGE CALC. DOES NOT INCLUDE PERMANENT DRIVEWAYS, SMILES AND DRAINAGE PAVES

**CAR PARKING REQUIREMENTS:**  
 WAREHOUSE/OFFICE: 1 PER EMPLOYEE 24  
 SPACES REQUIRED: 24  
 SPACES PROVIDED: 24  
 ADA SPACES REQUIRED ON-SITE: 2 (1 VAN ACCESSIBLE)  
 ADA SPACES PROVIDED ON-SITE: 2 (1 VAN ACCESSIBLE)  
**INTERNAL CAR PARKING SPACE REQUIREMENTS:**  
 MIN. 9' WIDE X 20' DEEP (STANDARD SPACE)  
 MIN. 12' WIDE X 20' DEEP (HANDICAP ACCESSIBLE SPACE)

**LOADING REQUIREMENTS:**  
 IN ACCORDANCE WITH THE LAKEVILLE ZONING BY-LAW, ADEQUATE LOADING AREAS LOADING SPACES SHALL BE LOCATED IN FRONT OF EACH GARAGE DOOR, AND NORTH OF THE SITE BUILDING

**025-002-009** N/F  
 STINGARS CITY REALTY CORP.

**025-004-001** N/F  
 EMERY CORTELL

**025-004-004** N/F  
 CROSSLOP SOLAR LLC

**025-005-003** N/F  
 ANDREW MURRAY

**025-006-003A** N/F  
 ROBERT GULLICK

**025-007-014** N/F  
 JASON HEGER

**025-008-003A** N/F  
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 ROBERT GULLICK

REV.	DATE	DESCRIPTION	BY
1	4/22/22	TOWN PLANNER COMMENTS	HRB
2	10/20/22	TOWN PLANNER COMMENTS	HRB
3	10/20/22	TOWN PLANNER COMMENTS	HRB
4	10/20/22	TOWN PLANNER COMMENTS	HRB
5	5/23/23	GENERAL COMMENTS	HRB
6	5/23/23	TECHNICAL COMMENTS	HRB



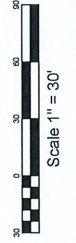
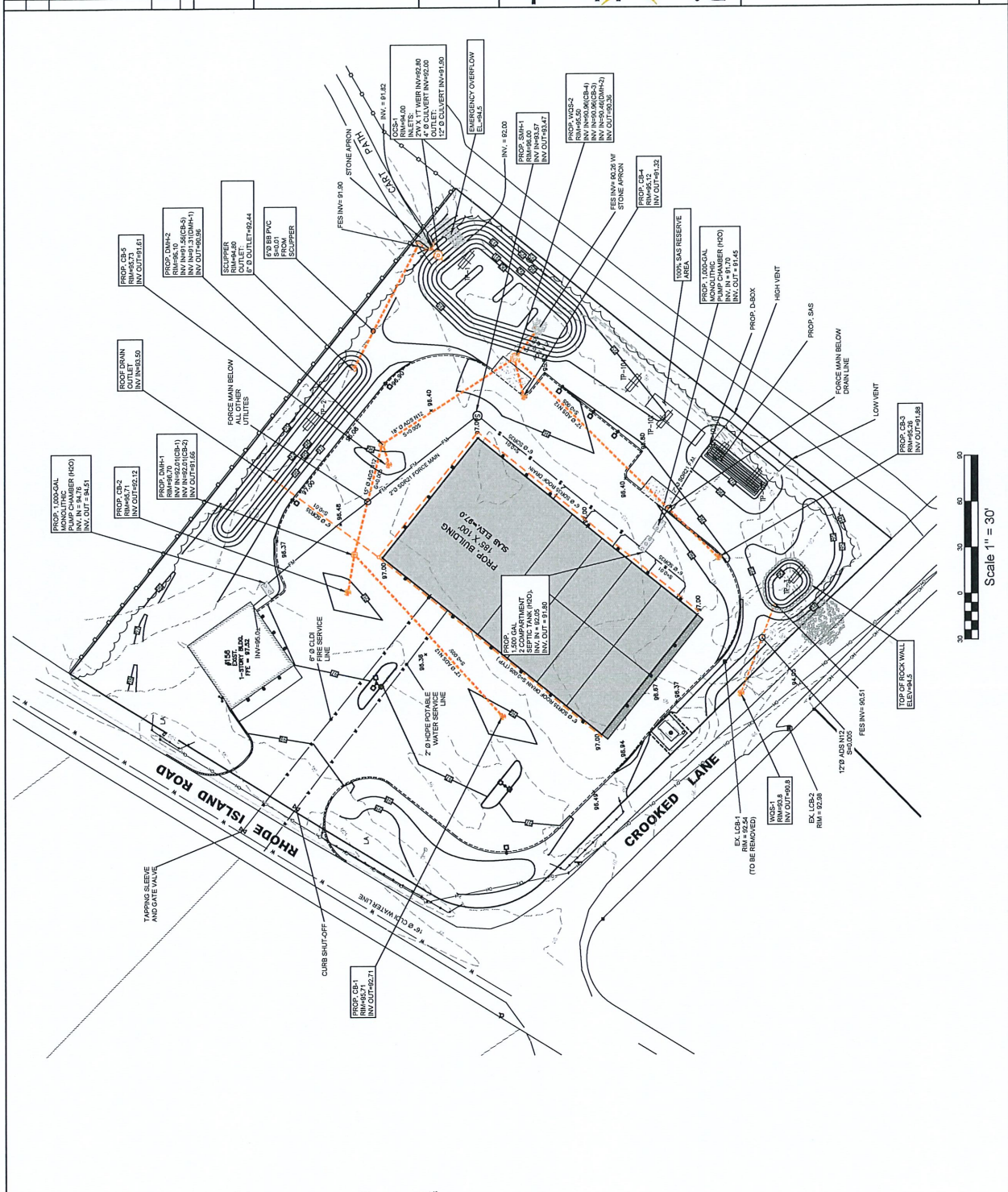
T SKORSKI REALTY, LLC  
 50 TURNER ST.  
 E. TAUNTON, MA, 02718



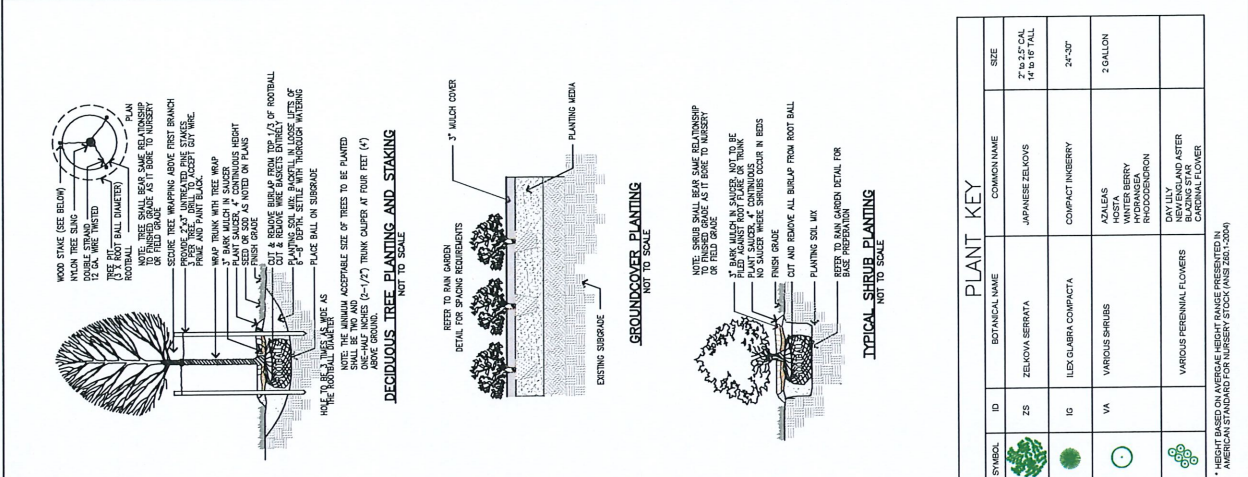
05/09/2023  
 RIVERHAWK ENVIRONMENTAL CONSULTING  
 2183 OCEAN STREET, MARSHFIELD, MA 02050  
 WWW.RIVERHAWK-MA.COM

COMMERCIAL DEVELOPMENT  
 156 RHODE ISLAND ROAD  
 LAKEVILLE, MA  
 GRADING & DRAINAGE PLAN  
 SCALE: AS SHOWN  
 PROJECT NO.: 00489-01-1  
 DATE: MAR. 10, 2022

SP.1.2



- NOTES:**
1. ALL SITE WORK SHALL MEET OR EXCEED THE SITE SPECIFICATIONS PREPARED FOR THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE TOWN OF LAKEVILLE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE TOWN OF LAKEVILLE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE TOWN OF LAKEVILLE.
  2. NO CERTIFICATION IS MADE AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY SUBSURFACE STRUCTURE UTILITY NOT VISIBLE AND EVIDENCED BY SURFACE INDICATIONS.
  3. THE CONTRACTOR SHALL VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO THE START OF ANY WORK.
  4. ALL DRAINAGE PIPES TO BE 12\"/>
- ABBREVIATIONS**
- CB CATCH BASIN
  - FES FLARED END SECTION
  - OC CONTROL STRUCTURE
  - WQS WATER QUALITY STRUCTURE



**PLANT KEY**

SYMBOL	ID	BOTANICAL NAME	COMMON NAME	SIZE
	ZS	ZELKOVA SERRATA	JAPANESE ZELKOVA	7'-8" TALL 4" TO 6" TALL
	IG	ILEX GLABRA COMPACTA	COMPACT HOLLEBERRY	24"-30"
	VA	VARIOUS SHRUBS	AZALEAS WINTER BERRY HYDRANGEA RHODODENDRON	2 GALLON
		VARIOUS PERENNIAL FLOWERS	DAY LILY BLAZING STAR CARDINAL FLOWER	

\* HEIGHT BASED ON AVERAGE HEIGHT RANGE PRESENTED IN AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z603.03-2004)





REV	DATE	DESCRIPTION
1	04/22/22	ISSUE FOR PERMITS
2	05/09/2023	ISSUE FOR PERMITS
3	05/09/2023	ISSUE FOR PERMITS
4	05/09/2023	ISSUE FOR PERMITS
5	05/09/2023	ISSUE FOR PERMITS
6	05/09/2023	ISSUE FOR PERMITS
7	05/09/2023	ISSUE FOR PERMITS
8	05/09/2023	ISSUE FOR PERMITS
9	05/09/2023	ISSUE FOR PERMITS
10	05/09/2023	ISSUE FOR PERMITS



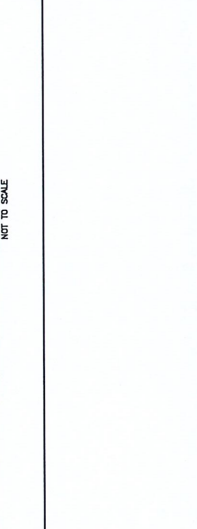
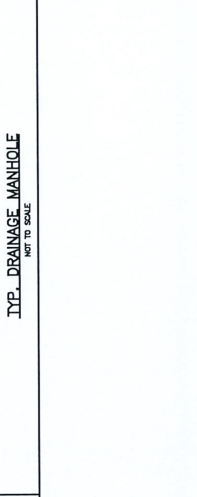
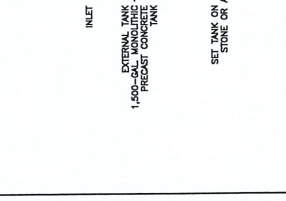
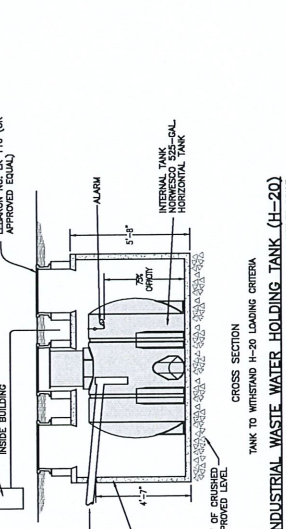
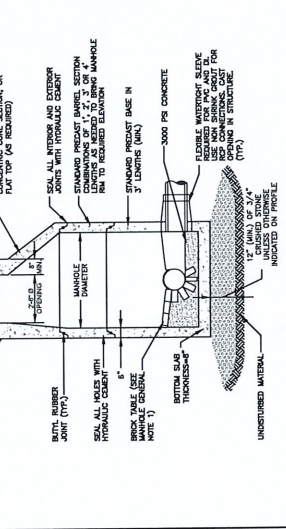
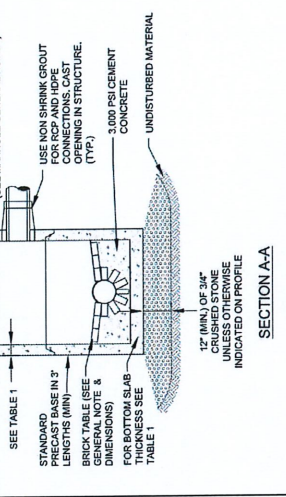
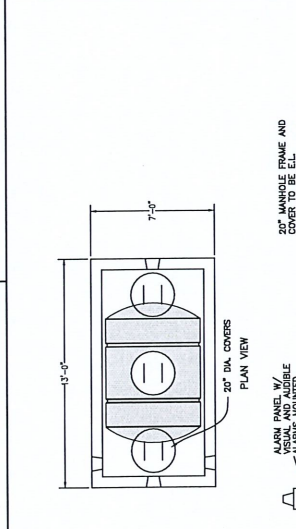
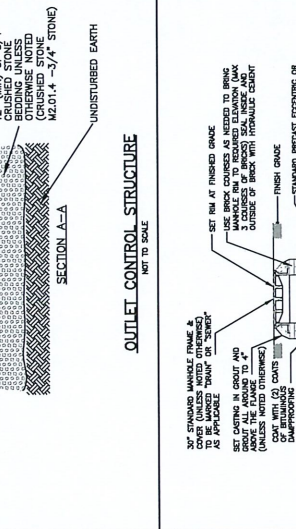
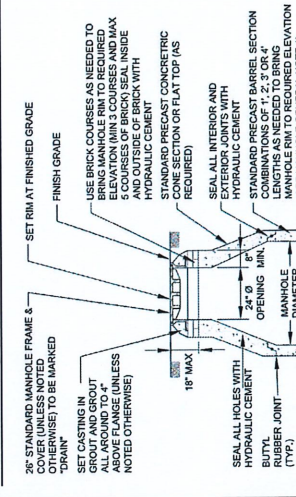
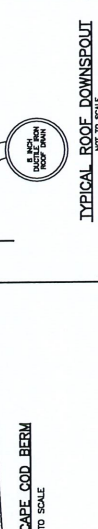
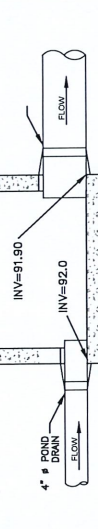
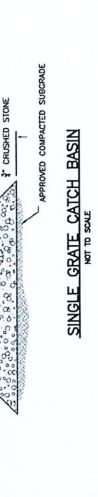
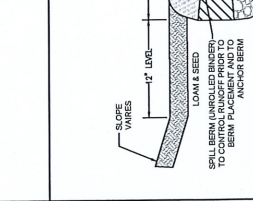
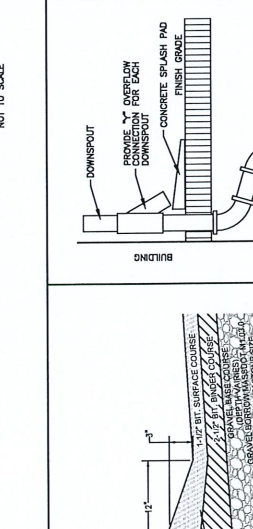
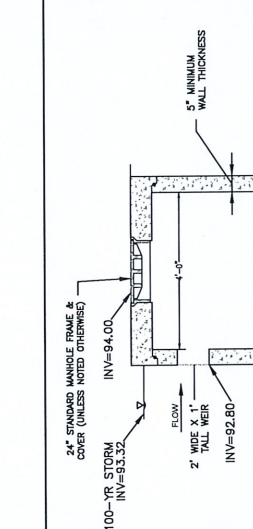
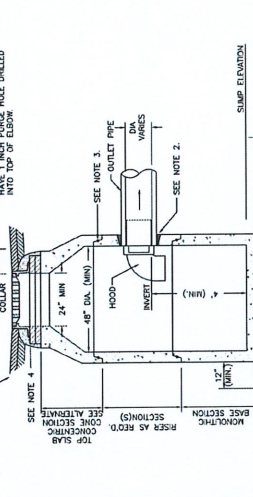
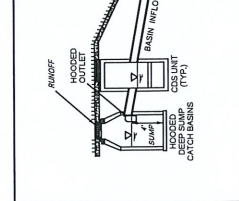
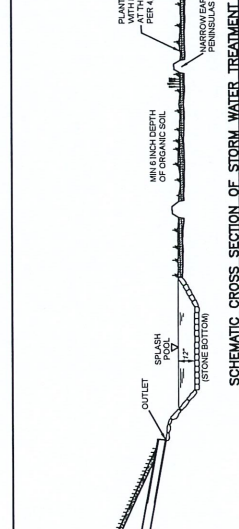
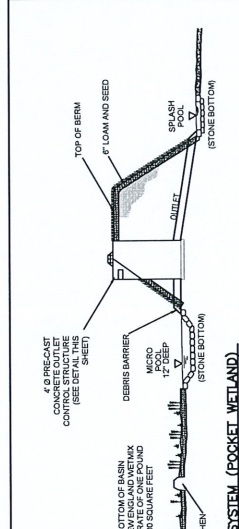
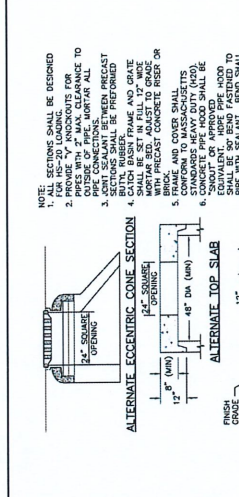
T SIKORSKI REALTY, LLC  
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 F. TAUNTON, MA, 02718



**RiverHawk**  
 ENVIRONMENTAL  
 CIVIL ENGINEERING & ENVIRONMENTAL ASSESSMENT  
 2183 OAKRIDGE STREET, SUITE 100  
 WESTPORT, MA 01891  
 781-526-6239  
 WWW.RIVERHAWK.ENG

PROJECT NO. 00019-101  
 SCALE 1/8" = 1'-0"  
 SHEET 24 OF 24  
**DETAILS - 1**  
 COMMERCIAL DEVELOPMENT  
 156 RHODE ISLAND ROAD  
 LAKEVILLE, MA

D1.1



REV.	DATE	DESCRIPTION
1	05/09/2023	ISSUED FOR PERMITS
2	05/09/2023	GENERAL COMMENTS
3	05/09/2023	GENERAL COMMENTS
4	05/09/2023	TECHNICAL COMMENTS



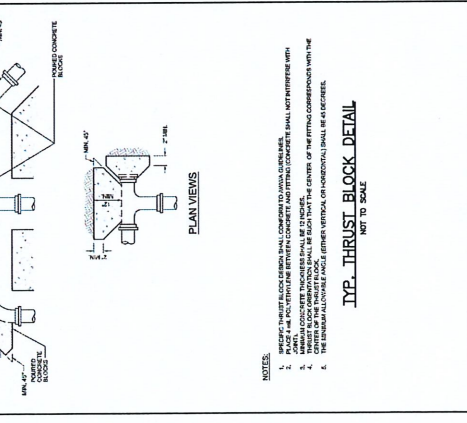
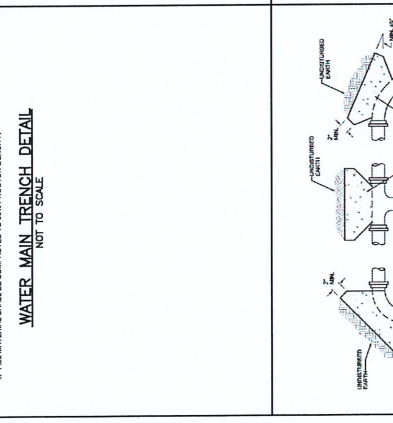
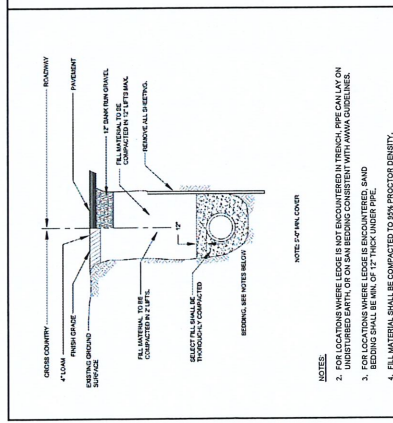
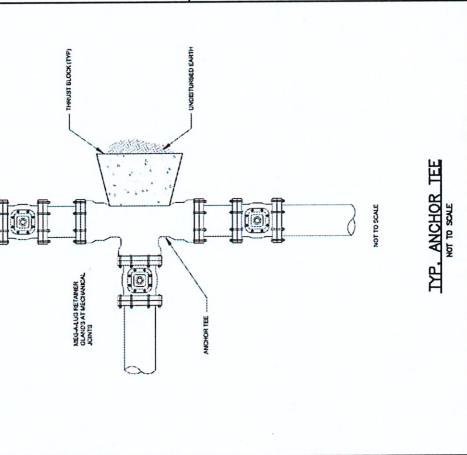
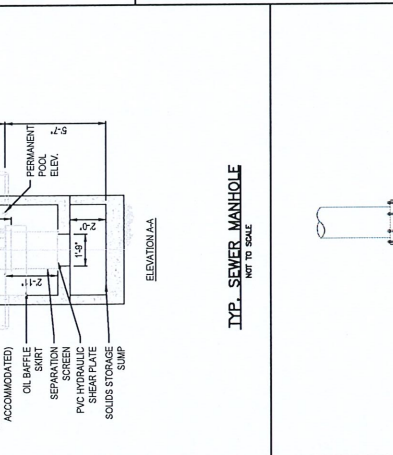
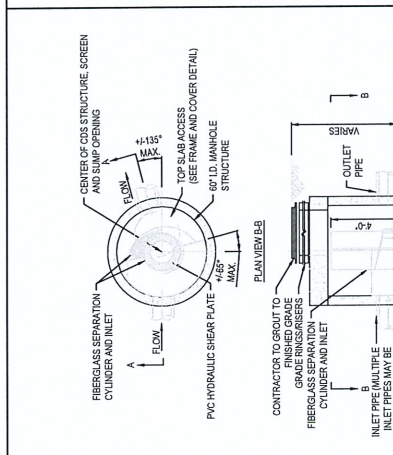
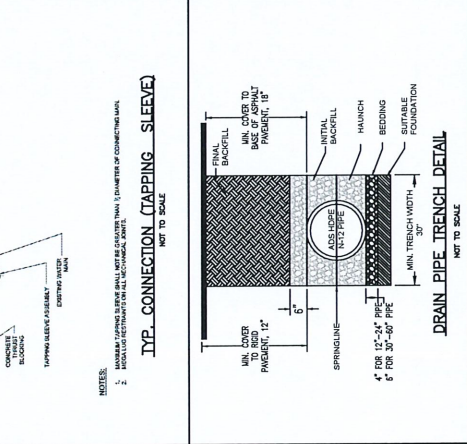
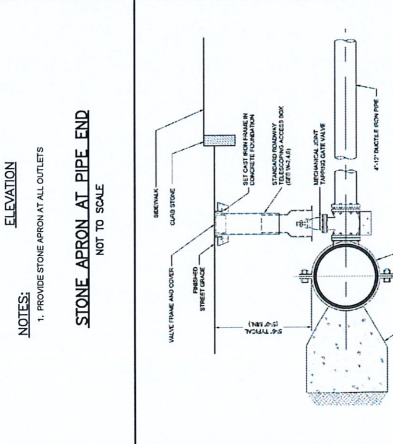
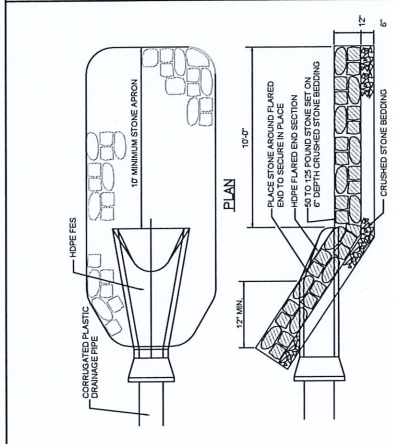
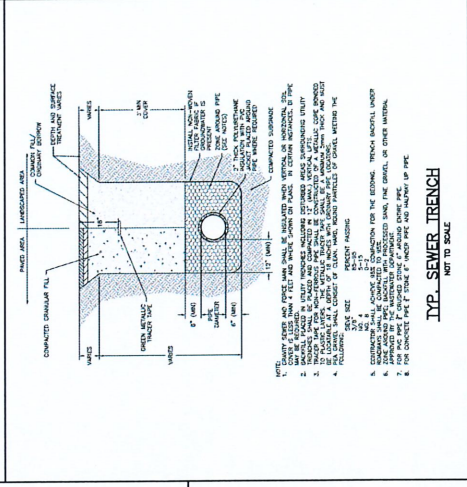
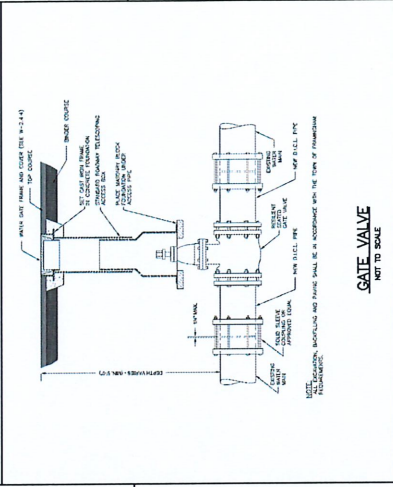
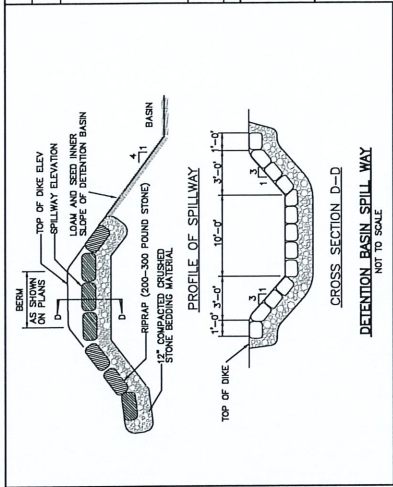
T SIKORSKI REALTY, LLC  
 50 TURNERS ST.  
 E. TAUNTON, MA, 02718



05/09/2023  
 CIVIL ENGINEERING & ENVIRONMENTAL ASSESSMENT  
 ENVIRONMENTAL  
 RiverHawk  
 2183 OCEAN STREET, WASHINGTON, MA 02090  
 781-326-0200  
 W/PC APPROVED BY: [Signature]  
 R/SR CHECKED BY: [Signature]  
 R/SR DESIGNED BY: [Signature]

PROJECT NO: 001849-0101  
 AS SHOWN  
 SCALE: [Blank]  
 DATE: OCT. 24, 2022  
 COMMERCIAL DEVELOPMENT  
 156 RHODE ISLAND ROAD  
 LAKEVILLE, MA  
 DETAILS - 2

D1.2



NOTES:  
 1. FOR LOCATIONS WHERE CURBS ARE NOT INDICATED BY THE DRAWING, CURBS SHALL BE 12" HIGH AND 12" WIDE.  
 2. FOR LOCATIONS WHERE CURBS ARE INDICATED BY THE DRAWING, CURBS SHALL BE 12" HIGH AND 12" WIDE.  
 3. FOR LOCATIONS WHERE CURBS ARE INDICATED BY THE DRAWING, CURBS SHALL BE 12" HIGH AND 12" WIDE.  
 4. ALL MATERIAL SHALL BE COMPACTED TO 95% PROCTOR DENSITY.

REV.	DATE	DESCRIPTION
1	4/27/22	TOWN PLANNER COMMENTS
2	10/26/22	GENERAL COMMENTS
3	1/23/23	TECHNICAL COMMENTS
4	5/9/23	TECHNICAL COMMENTS
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		



T SIKORSKI REALTY, LLC  
50 TURNERS ST.  
E. TAUNTON, MA, 02718



05/09/2023

**RiverHawk**  
CIVIL ENGINEERING & ENVIRONMENTAL ASSESSMENT  
2183 OCEAN STREET, WASHINGTON, D.C. 20540  
781-526-6039  
WWW.RIVERHAWK.ENVIRONMENTAL.COM

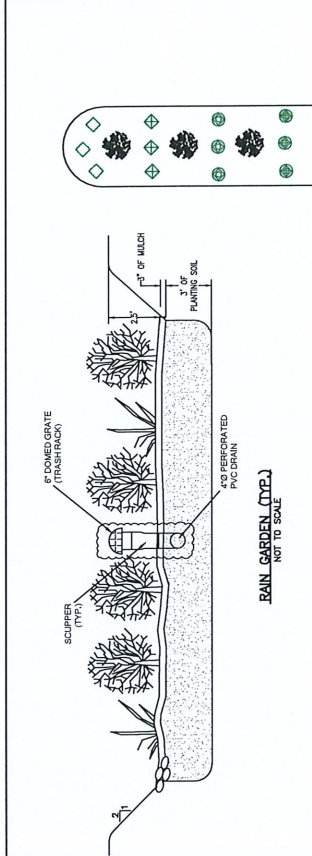
DESIGNED BY: SCOTT TURNER  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]

PROJECT NO: 0048-01-1  
SCALE: AS SHOWN  
DATE: OCT. 24, 2022

**COMMERCIAL DEVELOPMENT**  
156 RHODE ISLAND ROAD  
LAKEVILLE, MA

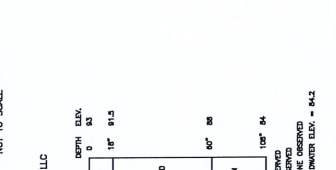
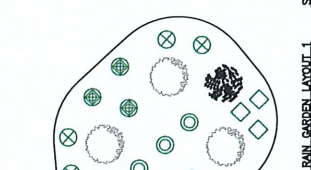
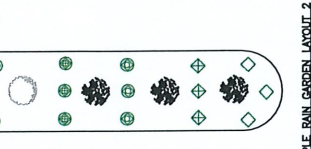
**DETAILS - 3**

D1.3



**PLANTING REQUIREMENTS FOR EACH RAIN GARDEN**

SYM	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
◇	SMYTHIOSYRIS MONA-ANGUE	NEW ENGLAND ASTER	3" POT	3
◇	ADALEIA CANADENSIS	RED COLUMBINE	3" POT	3
◇	EUTROCHIA PURPUREA	ICE-PEE WEEB	3" POT	3
◇	PERISTICHIA DIGITALIS	FOXGLOVE BEARD TONGUE	3" POT	3
◇	PANDORA VIRGATA	SWITCHGRASS	3" POT	3
◇	LOBELIA CARDINALIS	CARDINAL FLOWER	3" POT	4
◇	ILEX GLABRA	HONEYSUCKLE	3-GAL	2
◇	ILEX VERTICILLATA	WINTERBERRY	3-GAL	4

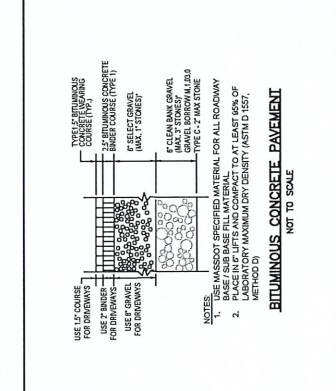
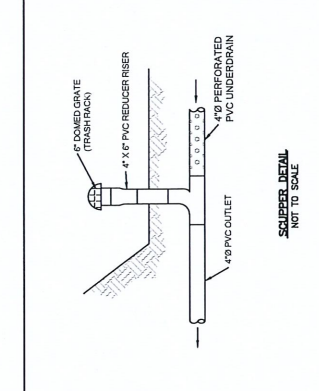
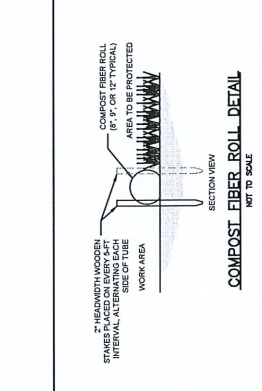
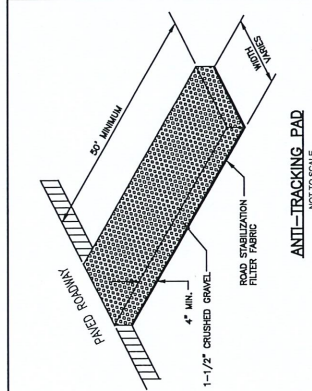
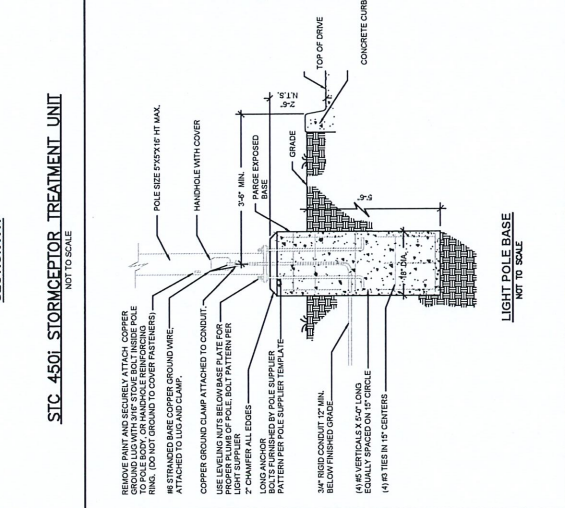
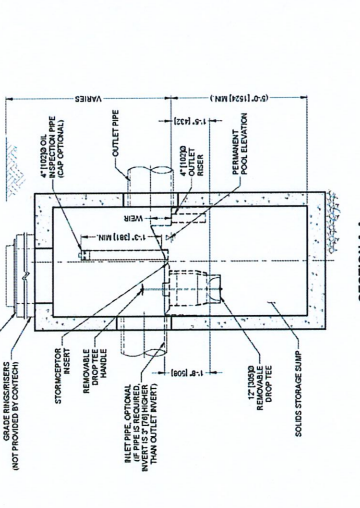
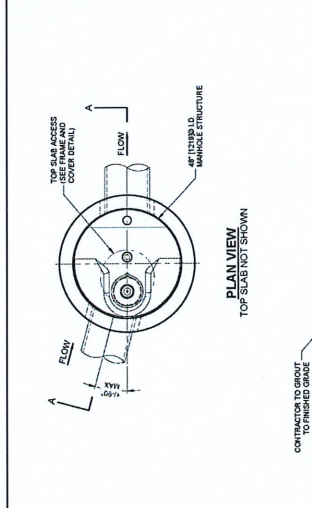


**SOIL DATA:**

DATE PERFORMED: APRIL 25, 2022  
DATE REPORTED: APRIL 25, 2022  
PERFORMED BY: BOB BECO P.E., RIVER HAWK ENVIRONMENTAL, LLC  
CHECKED BY: SCOTT TURNER P.E., LAKEVILLE BOARD OF HEALTH  
WITNESSED BY: SCOTT TURNER P.E., LAKEVILLE BOARD OF HEALTH

PROF.	DEPTH	DEPTH	DEPTH	DEPTH	
NO.	FT.	FT.	FT.	FT.	
TP-1	0	TP-2	0	TP-3	0
1	18"	1	8"	1	18"
2	36"	2	16"	2	36"
3	54"	3	24"	3	54"
4	72"	4	32"	4	72"
5	90"	5	40"	5	90"
6	108"	6	48"	6	108"
7	126"	7	56"	7	126"
8	144"	8	64"	8	144"
9	162"	9	72"	9	162"
10	180"	10	80"	10	180"
11	198"	11	88"	11	198"
12	216"	12	96"	12	216"
13	234"	13	104"	13	234"
14	252"	14	112"	14	252"
15	270"	15	120"	15	270"
16	288"	16	128"	16	288"
17	306"	17	136"	17	306"
18	324"	18	144"	18	324"
19	342"	19	152"	19	342"
20	360"	20	160"	20	360"

WETTING - NONE OBSERVED  
MOTTLING - NONE OBSERVED  
ROOTS - NONE OBSERVED  
SEASONAL HIGH GROUNDWATER ELEV. = 84.3



NOT TO SCALE





REV	DATE	DESCRIPTION
1	4/27/22	TOWN PLANNER COMMENTS
2	10/28/22	GENERAL COMMENTS
3	2/23/23	GENERAL COMMENTS
4	5/19/23	TECHNICAL COMMENTS
BY		
APP.		



T SIKORSKI REALTY, LLC  
 50 TURNERS ST.  
 E. TAUNTON, MA. 02718



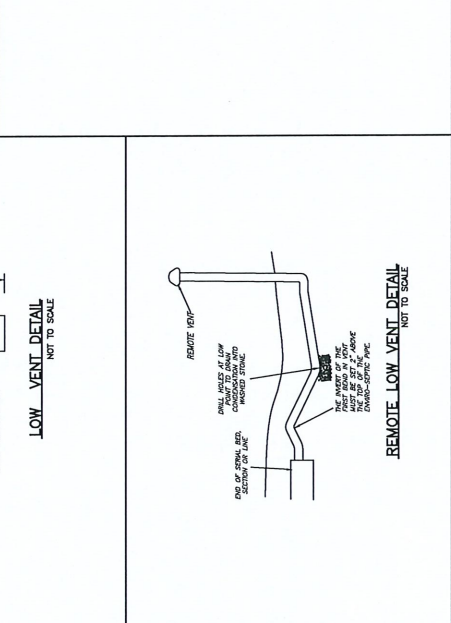
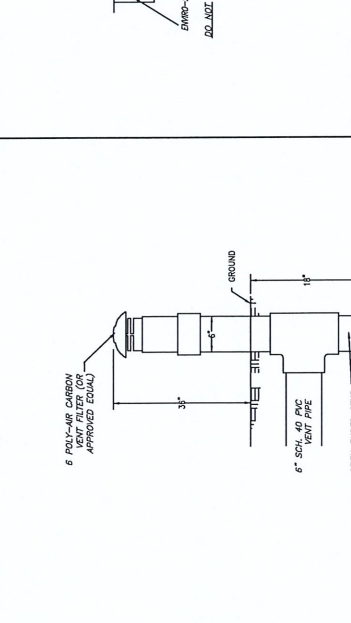
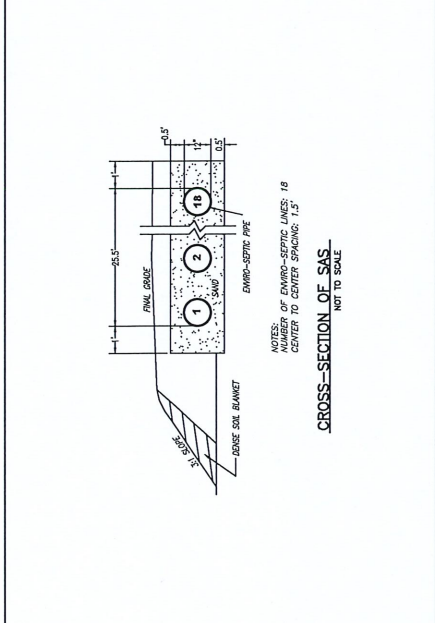
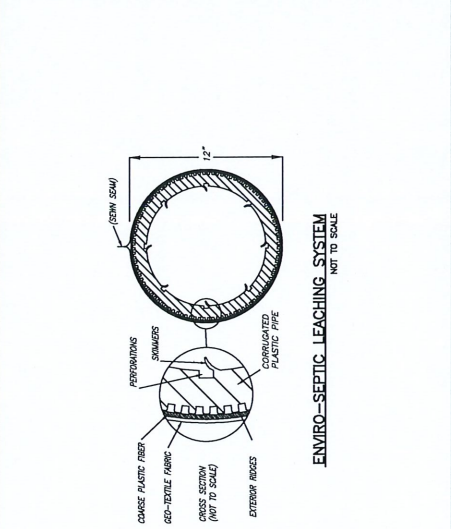
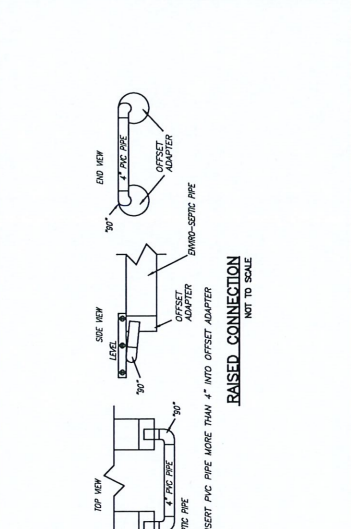
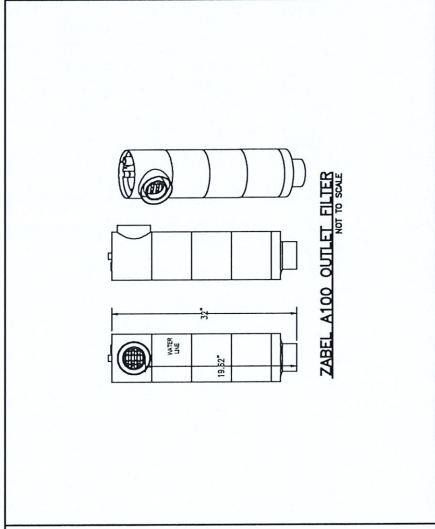
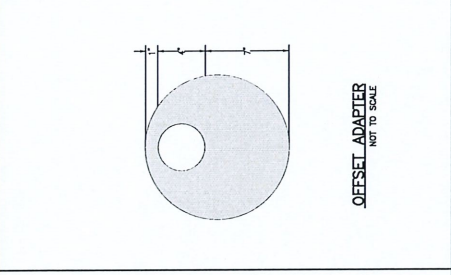
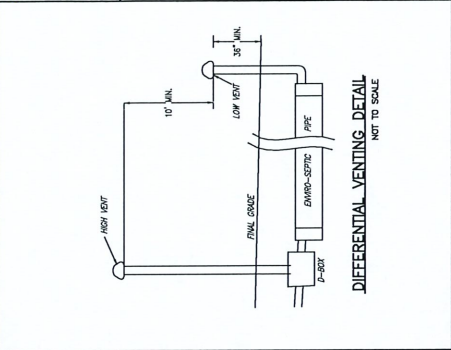
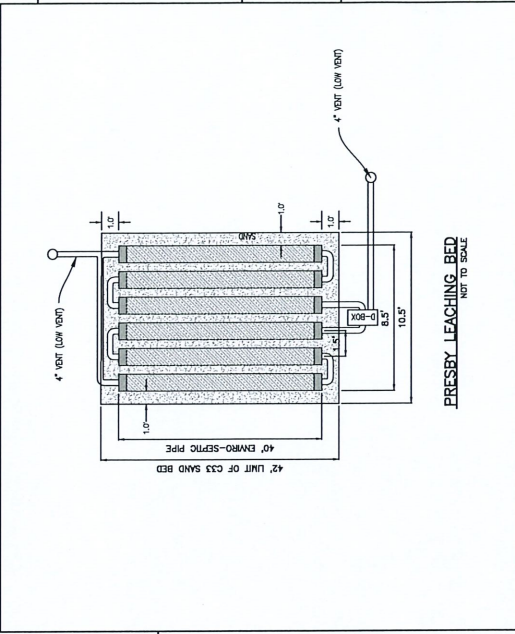
**RiverHawk ENVIRONMENTAL**  
 CIVIL ENGINEERING & ENVIRONMENTAL ASSESSMENT  
 2183 OCEAN STREET, MARSHFIELD, MA 02050  
 781-326-4039 www.riverhawkllc.com

COMMERCIAL DEVELOPMENT  
 156 RHODE ISLAND ROAD  
 LAKEVILLE, MA  
**SEPTIC SYSTEM DETAILS - 2**

SSD1.2

**TOWN OF LAKEVILLE PLANNING BOARD:**  
 SITE PLAN APPROVAL

DATE APPROVED: \_\_\_\_\_  
 DATE ENCLOSURED: \_\_\_\_\_



**AGENDA ITEM #16  
MAY 22, 2023**

**UPDATE ON FIRE STATION BUILDING COMMITTEE**

**AGENDA ITEM #17  
MAY 22, 2023**

**DISCUSS POTENTIAL PROCESS FOR TOWN ADMINISTRATOR  
REVIEW AND CONTRACT EXTENSION**

**AGENDA ITEM #18  
MAY 22, 2023**

**UPDATE FROM TOWN ADMINISTRATOR ON 6 BARSTOW STREET  
CHAPTER 61B REMOVAL**

**AGENDA ITEM #19  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE THE POLICY FOR  
CONSIDERATION PROCESS OF CHAPTER LAND**

Attached is a draft policy and procedure document regarding the disposition of Chapter 61 Land for the Board's consideration.



## TOWN OF LAKEVILLE SELECT BOARD

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

#### **Adopted:**

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.

A landowner may revoke a Notice of Intent to Convert at any time during the appraisal process.



## **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 at all times take such 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  
Parks 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.

The Town Administrator will determine whether prior funds were authorized or appropriated for the purchase of the parcel and inform the Select Board of his or her findings.

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 Board's meeting agenda. Any such Board, Department, or Commission will notify the Board of Selectmen, 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 any time 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 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 at all 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 must choose one of four courses of action:

#### 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 landowners' 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 P&S, 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.**

## Town of Lakeville: Chapter 61/A/B Conversion Checklist

Received From: \_\_\_\_\_ Date Notice Received: \_\_\_\_\_

- \_\_\_\_ Statement of Intent to Convert
- \_\_\_\_ Statement of Proposed use of Land
- \_\_\_\_ Map of Location and Acreage of Land (Assessor Scale)
- \_\_\_\_ Name, Address, & Telephone # of Landowner and Attorney, if any.
- \_\_\_\_ Notice Sent Certified Mail or Hand-Delivered, to:
  - Select Board
  - Board of Assessors
  - Planning Board
  - Conservation Commission
  - State Forester (Dept. of Conservation and Recreation)

\_\_\_\_ Town Administrator sends the Notice of Intent to Town Counsel to review and ensure that the Notice is complete.

\_\_\_\_ Complete Submittal                      \_\_\_\_ Incomplete Submittal

**If the submittal is incomplete**, the Town Administrator sends notice of such to landowner and/or specified attorney within 30 days after receipt.

**Notice Sent:** \_\_\_\_\_

**Once the Notice of Intent to Convert is determined to be proper and complete:**

\_\_\_\_ Town Appraisal Ordered: \_\_\_\_\_  
Certified Appraiser: \_\_\_\_\_

### Appraisal Deadlines

Town Appraisal: \_\_\_\_\_  
Landowner Appraisal: \_\_\_\_\_  
Joint Appraisal: \_\_\_\_\_

**Once the Appraisal is deemed complete** the Town Administrator:

\_\_\_\_ Sends notice to the Landowner and/or Attorney within 30 days.

**Notice Sent:** \_\_\_\_\_

\_\_\_\_ Sends notice to relevant Town Departments, Boards, Commissions, and Committees

\_\_\_\_ Select Board Meeting Scheduled for Discussion: \_\_\_\_\_

\_\_\_\_ If considering exercising or assigning first refusal option, Select Board schedules a Public Hearing.

Abutters Notices Sent: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

\_\_\_\_ Select Board schedules a Special Town Meeting to authorize and/or appropriate funding for purchase or consider a debt exclusion if needed.

Date of Town Meeting: \_\_\_\_\_

\_\_\_\_ Select Board Schedules a Special Election for a debt exclusion vote.

Date of Election: \_\_\_\_\_

**Option to Purchase Deadline (120 days from completed appraisal):** \_\_\_\_\_

\_\_\_\_ Town sends landowner notice of the Town's decision regarding exercising its option to purchase.

**Date Sent:** \_\_\_\_\_

DRAFT

## Town of Lakeville: Chapter 61/A/B Sale Checklist

**Received From:** \_\_\_\_\_ **Date Notice Received:** \_\_\_\_\_

- \_\_\_ Statement of Intent to Sell
- \_\_\_ Statement of Proposed use of Land
- \_\_\_ Map of Location and Acreage of Land (Assessor Scale)
- \_\_\_ Name, Address, & Telephone # of Landowner and Attorney, if any.
- \_\_\_ Certified Copy of Executed P&S Agreement, Specifying:
  - \_\_\_ Purchase price
  - \_\_\_ All terms and conditions, which shall be a BONA FIDE OFFER
- \_\_\_ Any additional agreements or statement of any additional considerations for contiguous land under the same ownership, and not classified under this chapter, but sold or to be sold contemporaneously with the proposed sale.
- \_\_\_ Notice Sent Certified Mail or Hand-Delivered, to:
  - Select Board
  - Board of Assessors
  - Planning Board
  - Conservation Commission
  - State Forester (Dept. of Conservation and Recreation)
- \_\_\_ Town Administrator sends the Notice of Intent to Town Counsel to review and ensure that the Notice is complete.
  - \_\_\_ Complete Submittal
  - \_\_\_ Incomplete Submittal

**If the submittal is incomplete,** the Town Administrator sends notice of such to landowner and/or specified attorney within 30 days after receipt.

**Notice Sent:** \_\_\_\_\_

**Once the submittal is deemed complete** the Town Administrator shall:

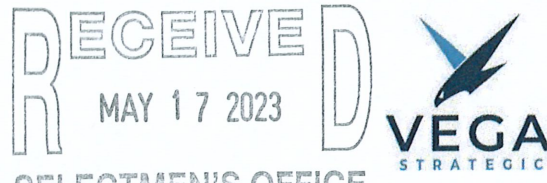
- \_\_\_ Send notice to the Landowner and/or Attorney within 30 days. **Notice Sent:** \_\_\_\_\_
- \_\_\_ Notice sent to relevant Town Departments, Boards, Commissions, and Committees
- \_\_\_ Board of Selectmen Meeting Scheduled for Discussion: \_\_\_\_\_
- \_\_\_ If considering exercising or assigning first refusal option, Select Board schedules a Public Hearing
  - Date of Public Hearing: \_\_\_\_\_
  - Notice Sent to Abutters: \_\_\_\_\_
- \_\_\_ Select Board Schedules a Special Town Meeting to authorize and/or appropriate funding for purchase and consider a debt exclusion if needed.
  - Date of Town Meeting: \_\_\_\_\_
- \_\_\_ Select Board Schedules a Special Election for a debt exclusion vote.
  - Date of Election: \_\_\_\_\_
- \_\_\_ Town sends landowner notice by certified mail of the Town's decision regarding exercising the right of first refusal.
  - Date Sent:** \_\_\_\_\_



**AGENDA ITEM #20  
MAY 22, 2023**

**UPDATE FROM THE TOWN ADMINISTRATOR REGARDING 310  
KENNETH WELCH DRIVE**

Attached is a progress update from TAC Vega.



**Progress Update**  
*May 17, 2023*

To: Lakeville Select Board  
CC: Ari Sky, Michael O'Brien, Ed Cullen, Nathan Darling, Marc Resnick

From: TAC Vega MA Owner, LLC  
Address: 310 Kenneth Welch Dr, Lakeville MA

**TAC Vega MA Owner, LLC ("Owner")** representatives attended a meeting on 3/20/2023 with members of the Town of Lakeville to discuss open concerns at 310 Kenneth Welch Drive. In close coordination with representatives of the Town of Lakeville, Owner has made the following progress toward rectifying concerns raised by the Town:

1. Public Safety

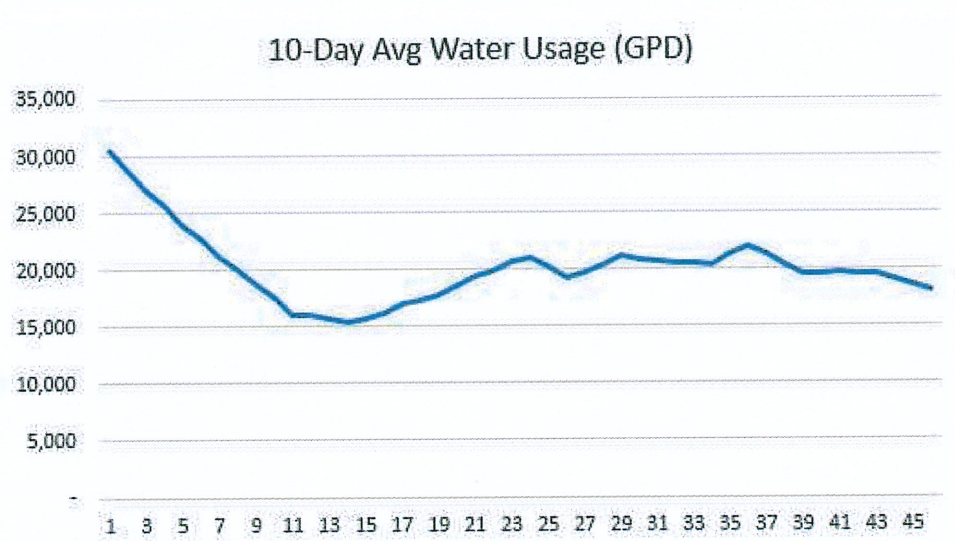
- Fire Chief issued an updated notice of violation on 3/15/2022 following a walkthrough with onsite management indicating significant progress to date. The remaining items identified in the updated notice of violation have been addressed as follows:
  - Ammonia wind socks and vent pipes were removed by management.
  - A proper fire-rated enclosure was installed in the secondary egress area from the Jushi administrative section. Doors, which were found to be propped open or non-functioning during the inspection, have been repaired.
  - Rustic Fire has been engaged to install a bi-directional amplifier at the request of Chief O'Brien. Installation is expected to occur by early-June 2023 which will alleviate LFD's concerns around radio reception inside the Jushi space.
  - Building management is in close coordination with the Fire Chief and Rustic Fire to review the programming of the existing fire alarm panel as well as identify and correct any deficiencies.

2. Parking

- Notice of Intent was filed in March 2023 with the Conservation Commission by Goddard Consulting. Goddard continues to work through the Conservation Commission review process with respect to the proposed wetland impacts / mitigation on the western side of the site. Ownership has since issued a check for \$11,900 to the Town of Lakeville to initiate stormwater and wetland peer review. Owner's engineers and consultants will continue to work through any concerns raised by the peer reviewer with the goal of receiving site-plan approval in the coming months.
- To assist the Town in addressing the parking concerns along Kenneth Welch Drive, Owner identified several local building owners willing to work with Tenants to provide offsite parking spaces. Ownership understands that Tenant has identified a site suitable for offsite parking to accommodate the +/- 40-50 cars currently utilizing street parking. Tenant has been made aware of the Select Board meeting on 5/22 during which further action will be discussed with respect to parking enforcement. Tenant has conveyed to the Owner that they expect all on-street parking to cease by 5/22 EOD.
- To ensure the on-street parking ceases, building management has procured a quote to install +/- 750 LF of guardrail along Kenneth Welch Drive. Building management is working closely with Nathan Darling and Lakeville DPW to ensure the guardrail meets the Town's specs. Further, at the request of the Town, the contractor will re-seed the area to mitigate any erosion impacts caused by the prior parking arrangement.

### 3. Water

- Upon receipt of notice from Taunton Water on 2/2/23 of the upcoming removal of the temporary fire hydrant connection the following activities have been undertaken at Owner’s cost (+/- \$230,000):
  - Failing gate valves were changed on both sides of primary building water meter.
  - Pump down and recovery rate testing of 4 onsite wells was performed to determine capacity, condition, and ability to provide reliable water sources to the building.
  - Replacement of failed pump inside Well #1.
  - Proper tie-in, integration, programming, piping, switches & controls on all onsite wells to regulate water flow to Tenant cooling towers to remediate overflow issues and reduce reliance on the municipal water source.
  - Condensate collection / recycling has been designed, priced, and is to be executed in the coming weeks to further offset municipal water requirements.
  - Jushi has contracted with Globalcycle, a local waste-to-energy operator, to recycle its fertigation wastewater. Globalcycle transports the industrial wastewater from the site to its facility in Wareham, MA where it is re-used for air emission controls and cooling.
- Owner has worked extensively with Tenants to understand and reduce the building’s process water requirements from municipal sources. Accordingly, 10-Day Avg meter readings have been reduced from 35,000 – 45,000 GPD to +/- 20,000 GPD as shown below.
- Following the final commissioning of the last onsite well, which has a rated capacity of 18 – 20 GPM, Owner expects municipal water usage to stabilize at or near 15,000 GPD. Under these assumptions, Owner plans to submit a water application for a revised allocation by the end of May 2023.



### 4. Septic

- Owner engaged a local contractor and engineering firm to review the existing conditions and design any required modifications. The design work for these modifications is currently underway with schematic design expected to be complete by 5/24. Pricing of the work and submission to the Town for review and comment will follow.

**AGENDA ITEM #21**  
**MAY 22, 2023**

**DISCUSS STRATEGIC PLANNING PROCESS AND PRIORITIES**

**AGENDA ITEM #22  
MAY 22, 2023**

**DISCUSS CONCEPT OF SCHEDULING TOWN ELECTIONS TO  
TAKE PLACE AFTER TOWN MEETING**

**AGENDA ITEM #23  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE JOB DESCRIPTION  
FOR PART TIME GROUNDSKEEPER/FACILITIES LABORER**

Attached is a memo from the Human Resources Director and draft job description for part time Groundskeeper/Facilities Laborer.



RECEIVED  
MAY - 8 2023  
SELECTMEN'S OFFICE

**MEMO**

To: Lakeville Select Board  
From: John Viarella

Date: May 5, 2023  
CC: Ari Sky, Town Administrator  
Lori Fahey

Subject: Part Time Groundskeeper/Facilities  
Laborer

Members of the Board,

One of our part time employees has resigned and we need to open a position for a Part Time Groundskeeper, General Custodial, Maintenance and Facilities Laborer.

Human Resources seek authorization to update the job description so that it now reports to the Facilities Manager.



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

OFFICE OF HUMAN RESOURCES  
TELEPHONE 508-946-8828  
FAX 508-946-0112

**JOB POSTING  
TOWN OF LAKEVILLE**

**PART-TIME GROUNDSKEEPER, GENERAL CUSTODIAL, MAINTENANCE,  
AND FACILITIES LABORER**

**POSTING DATE:** TBD

**POSITION:**

Provide groundskeeping, general custodial and maintenance services for municipal facilities and associated grounds. Assist the Facilities **Manager**, in the coordination of all functions related to the maintenance and/or projects on or to municipal facilities and associated grounds.

**Deleted:** Assistant

Full job description and application are available at <https://www.lakevillema.org/human-resources/pages/job-openings>. All interested parties should apply in writing with application attached to: John Viarella, Human Resources Director, 346 Bedford Street, Lakeville, MA 02347. Email: [jviarella@lakevillema.org](mailto:jviarella@lakevillema.org)

**HOURS:**

Approximately 18-hour work week to be determined by the **Facilities Manager**, and depending on various circumstances/needs, start and finish times could vary and may occasionally include weekends, holidays and evenings.

**Deleted:** Director of Inspectional Services

**Deleted:** and Permitting/Facilities Manager and/or the Groundskeeper/General Custodial/ Maintenance/Facilities Assistant

**WAGES:**

\$ 17.72 – \$ 20.74 per hour. Level 8, Non-Union, Part Time.

**QUALIFICATIONS:**

High School Diploma. Must have a valid Massachusetts driver's license. Prior experience in groundskeeping, general trades, custodial and maintenance work preferred. Ability to follow written and oral instructions. Must be able to keep accurate records of all related duties.

**POSTING CLOSING:** Open until filled.



Level 8 Non-Union

**JOB DESCRIPTION  
TOWN OF LAKEVILLE**

**PART-TIME GROUNDSKEEPER, GENERAL CUSTODIAL, MAINTENANCE,  
AND FACILITIES LABORER**

**GENERAL STATEMENT OF DUTIES:**

Provide groundskeeping, general custodial and maintenance services for municipal facilities and associated grounds. Assist the Facilities Manager in the coordination of all functions related to the maintenance and/or projects on or to municipal facilities and associated grounds.

**Deleted:** Assistant

**SUPERVISION RECEIVED:**

Direct supervision from the Facilities Manager.

**Deleted:** General supervision received from the Director of Inspectional Services and Permitting/Facilities Manager and

**Deleted:** d

**ESSENTIAL RESPONSIBILITIES:**

*The essential functions of duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.*

**Deleted:** Groundskeeper/ General Custodial/ Maintenance/ Facilities Assistant.

Maintain Town Facilities and associated grounds in an orderly and clean condition including but not limited to disposal of trash, changing of light bulbs, cleaning of bathrooms, vacuuming, dusting, washing windows, replacing screens, power washing, clearing of leaves and debris, removal of snow, sanding/salting, mowing, weeding, trimming, and all other associated tasks requested by the Facilities Manager.

**Deleted:** Director of Inspectional Services and Permitting/Facilities Permitting/Facilities Manager and/or the Groundskeeper/General Custodial/ Maintenance/Facilities Assistant.

Perform general repair, painting, and maintenance duties. This may include any/all duties not typically requiring electrical, plumbing, gas, mechanical, or building permits.

Move furniture and equipment as is reasonable and/or assist others if not. Arrange rooms for meetings and other functions as requested, including removing, adding, and adjusting chairs, tables, and other furniture at all town facilities.

Keep an inventory of supplies such as trash bags, paper towels, soap, etc. and purchase and/or request purchasing of additional supplies to ensure that each facility has sufficient quantities, and that all associated dispensers are kept full. Maintain organization of all stock in supply rooms.

Assist the Facilities Manager in the coordination and direction of all personnel hired to maintain and/or otherwise work on municipal facilities and associated grounds. This includes coordination, direction, granting access, assisting, scheduling, evaluating, and approval of any work as is directed and/or deemed necessary.

**Deleted:** Director of Inspectional Services and Permitting/Facilities Permitting/Facilities Manager and/or the Groundskeeper/General Custodial/Maintenance/Facilities Assistant

Performs other related duties as required.

**PHYSICAL REQUIREMENTS**

*The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the functions.*

Physical ability needed include: standing, walking on uneven surfaces, climbing, bending, balancing, stooping, crawling, squatting, talking, hearing, moving/lifting items weighing in excess of 75 pounds, and the ability to maintain municipal facilities and associated grounds in a variety of weather conditions and times of day.

Level 8 Non-Union

**QUALIFICATIONS AND SKILLS:**

High School Diploma

Must have a valid Massachusetts driver's license.

Prior experience in groundskeeping, general trades, custodial and maintenance work preferred.

Ability to follow written and oral instructions.

Must be able to keep accurate records of all related duties.

**WORKING CONDITIONS**

Approximately 18 Hour work week to be determined by the Facilities Manager and depending on various circumstances/needs, start and finish times could vary and may occasionally include weekends, holidays and evenings.

**Deleted:** Director of Inspectional Services and Permitting/Facilities Permitting/Facilities Manager and/or the Groundskeeper/General Custodial/ Maintenance/Facilities Assistant,

***This position is a non-exempt position as regarding federal and state minimum wage and overtime requirement and, therefore, is eligible to be paid at the rate of time and one half (i.e., one and one-half times) the regular rate of pay for all hours worked beyond forty hours in a workweek.***

*The Town of Lakeville provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, ancestry, disability status, genetics, pregnancy or pregnancy-related conditions, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal and state laws. Applicants with disabilities needing reasonable accommodation to participate in the job application or interview process, to perform essential job functions, and/or to receive other benefits and privileges of employment, please contact John Viarella, Human Resources Director, [jviarella@lakevillema.org](mailto:jviarella@lakevillema.org) 508-946-8808.*

**AGENDA ITEM #24  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE FY24 WAGE SCALE**

Attached is a memo from the Human Resources Director and the draft FY24 Wage Scale for the Board's review.



**MEMO**

To: Lakeville Select Board  
From: John Viarella

Date: May 15, 2023  
CC: Ari Sky, Town Administrator

Subject: Salary Schedule

Attached please find the updated Salary Schedule for FY24 for the boards' review and approval.

Non-union employees are slated to receive an increase of 3%.

Union employee salaries are in accordance with the agreed upon union contracts.



**APPENDIX "A"**  
**TOWN OF LAKEVILLE**  
 FY24  
**CLASSIFICATION AND COMPENSATION PLAN**  
**FOR BENEFIT ELIGIBLE EXEMPT AND NON EXEMPT UNION EMPLOYEES**  
**EFFECTIVE JULY 1, 2023**

Date Adopted by Selectboard:

HRLY NON EXEMPT STEPS	LEVELS				
	1	2	3	4	5
1ST	\$23.49	\$21.99	\$20.51	\$19.67	\$17.84
2ND	\$24.11	\$22.62	\$21.13	\$20.30	\$18.45
3RD	\$24.78	\$23.25	\$21.72	\$20.87	\$18.97
4TH	\$25.49	\$23.94	\$22.34	\$21.43	\$19.48
5TH	\$27.17	\$25.51	\$23.80	\$22.82	\$20.76
6TH	\$28.25	\$26.52	\$24.77	\$23.74	\$21.59
LEVELS	CLASSIFICATIONS				
1	DPW Director (\$3.50 in combined differentials.) Highway Foreman, Landfill/Transfer Station Supervisor (Master Mechanic \$1.00 Differential), Highway Mechanic/Laborer (Master Mechanic \$1.00 Differential and \$2.00 Differential for Certification in Air Brake Training), Youth Services Librarian, Assessment Specialist (\$1.00 Differential for Active Real Estate License), Accounting Specialist, Facilities Assistant, Park Supervisor, Administrative Assistant to the DPW Department, Heavy Equipment Operator/Laborer/Forestry Specialist.				
2	Highway Heavy Equipment Operator/Truck Driver/Laborer(\$1.00 differential for MA Welding Cert.), Landfill/Transfer Station Lead Operator (\$.50 Differential), Landfill/Transfer Station Equipment Operator, Assessors Field Clerk, Administrative Assistant COA Director.				
3	Library Assistant-Technical Services, Park Laborer, DPW Laborer				
4	Dept. of Inspectional Services Clerk, COA Clerk, Treasurer/Collector Clerk				
5	Assessors Clerk, Board of Health Clerk, Library Technical Assistant Clerk				

SALARIED EXEMPT STEPS	GRADES				
	A	B	C	D	E
1ST	\$61,399	\$58,469	\$55,539	\$48,787	\$47,887
2ND	\$63,153	\$60,133	\$57,114	\$50,157	\$49,044
3RD	\$64,501	\$61,621	\$58,737	\$51,574	\$50,622
4TH	\$67,747	\$64,080	\$60,413	\$53,030	\$52,048
5TH	\$73,295	\$68,875	\$64,452	\$56,566	\$55,519
6TH	\$76,227	\$71,631	\$67,030	\$58,828	\$57,740
GRADES	CLASSIFICATIONS				
A	Assistant Facilities Manager				
B	Executive Assistant to the Building Commissioner				
C	Assistant Town Clerk, Assistant Treasurer/Collector				
D	Intentionally Blank				
E	Intentionally Blank				

# TOWN OF LAKEVILLE

FY24

## CLASSIFICATION AND COMPENSATION PLAN

### FOR NON EXEMPT AND NON-BENEFIT ELIGIBLE NON-UNION EMPLOYEES

EFFECTIVE July 1, 2023

Date Adopted by Selectboard:

NON EXEMPT STEPS	LEVELS												
	6	7	8	9	10	11	12						
1ST	\$22.05	\$20.57	\$18.25	\$16.38	\$15.09	\$13.81	\$12.68						
2ND	\$22.68	\$21.19	\$18.84	\$17.00	\$15.78	\$14.50	\$13.33						
3RD	\$23.36	\$21.83	\$19.43	\$17.52	\$16.38	\$14.89	\$13.74						
4TH	\$24.06	\$22.47	\$19.99	\$18.05	\$17.00	\$15.32	\$14.15						
5TH	\$25.69	\$24.02	\$21.36	\$19.28	\$18.18	\$16.37	\$15.09						
<b>LEVELS</b>	<b>CLASSIFICATIONS</b>												
6	Veterans' Agent, Seasonal Repair & Maintenance Laborer- Highway, Emergency Highway Operator Part-Time Conservation Agent, Part-Time Assistant Health Inspector, Part-Time Assistant Building Inspector												
7	Clear Pond Director (Seasonal), Part-Time Conservation Commission Clerk, Part-Time Board of Health Clerk, Part-Time Council on Aging Clerk, Part-Time Board of Assessors Clerk, Part-Time Landfill/Transfer Station Equipment Operator, Temporary Seasonal General Maintenance Worker - Town Facilities, Part Time Clerk Floater												
8	Matron, Part-Time Landfill/Transfer Station Laborer, Part Time Custodian Town Facilities, Part-Time Dispatcher												
9	Part-Time Library Clerk, Outreach Worker												
10	Part-Time Council on Aging Van Driver, Park Head Life Guard (Includes \$.50 for WSI), Head Park Maintenance, Part-Time Seasonal Highway/Park Laborer, Part-Time TW Park Laborer, Part-Time Supervisor Clear Pond Park (Seasonal), Part-Time Custodian Library												
11	Park Guard (WSI + \$.50 Seasonal)												
12	Park Gate and Part-time Seasonal Clear Pond Park Auxiliary/Maintenance												
Other	PT Conservation Agent												

**Rates for Call Fire Personnel**  
**NON-UNION POSITIONS**  
**Effective 7/1/2023**

Date Adopted by Selectboard:

Junior Call Firefighters	\$13.95
Call Firefighters Starting pay 1 yr Probationary period	\$13.95
Call Firefighter	\$15.31
Call Firefighter/EMT	\$16.40
Call Firefighter/Paramedic	\$17.49
Upon successful completion of a Department approved training program resulting in in Firefighter I/II certification.	
Call Firefighter	\$16.94
Call Firefighter/EMT	\$18.31
Call Firefighter/Paramedic	\$19.13
Call Lieutenants must be certified I/II.	
Lieutenant	\$19.67
Lieutenant/EMT	\$20.22
Lieutenant/Paramedic	\$20.76
Call Captains must be certified I/II	
Captains	\$21.32
Captains/EMT	\$21.32
Captain/Paramedic	\$22.41

**Rates for Reserve Police Officers**  
**Effective 7/1/2023**

75% of Step 1 of a Patrol Officer per union contract. Rate of pay will only change when there is an increase for full-time Patrol Officers.



**AGENDA ITEM #25  
MAY 22, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE REVISION OF THE  
TOWN'S SOCIAL MEDIA POLICY**

Attached is a draft revision of the Town's Social Media Policy for the Board's review.

# TOWN OF LAKEVILLE

## SOCIAL MEDIA POLICY

---

The Town of Lakeville ("Town") recognizes the importance of online social media networks as a communication tool. The use of social media presents certain risks, and carries with it certain responsibilities. Social Media, while a relatively new form of activity, does not change the law or expectations around public service. The Town recognizes that employees and officials have the right to participate as citizens in public forums and discussions (including social media platforms) on matters of public concern. However, that right is balanced against the legitimate interests of the Town in promoting accountability, responsible and mature judgment, and the efficiency of the public services it performs through its employees and officials. The goal is to ensure that use of social media advances, rather than impedes, the operation of government.

To that end, this policy establishes guidelines for employees' personal use of social media, as well as for the official use of social media by Town employees and officials for government-related purposes.

The Policy applies to all employees, officers, and officials (elected and appointed) of the Town of Lakeville. Employees whose employment is governed by law or a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

This Policy is to be read in conjunction with all other applicable policies and rules of the Town, including but not limited to the Town's Personnel Policies and Procedures. It may be amended from time to time, and may be supplemented with additional administrative procedures and rules as may be issued.

Nothing in this Policy is designed to interfere with, restrain or prevent employee communications that are otherwise protected under law (i.e., First Amendment, Whistleblower, union Activities).

### DEFINITIONS

The following definitions apply for the purposes of the Policy.

1. "Social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Town, as well as any other form of electronic communication.
2. "Social media sites" and "social networking sites" refer to websites that facilitate user participation, networking, and collaboration through the submission of user generated content, including but not limited to tools such as: blogs; wikis; microblogging sites, such as Twitter; social networking sites, such as Facebook and LinkedIn; video sharing sites, such as YouTube; messaging applications such as Snapchat and Instagram; and bookmarking sites such as Pinterest.
3. A "social media identity" is a specific user identity or account that has been registered on a third party social media site.
4. A "blog" (an abridgement of the term web log) is a website with regular entries of commentary, descriptions of events, or other material such as graphics or video.
5. A "moderator" is an authorized Town of Lakeville official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by Town officials, employees and public commentators to be posted to a Town of Lakeville social media site or sites.

6. "Town Systems" are any electronic communication and information equipment and systems. Such Systems include, but are not limited to, computer workstations, hardware and software, electronic mail (e-mail), telephones, cellular phones, "smartphone"/PDA-style devices, tablets, pagers, facsimile machines, and the Internet.
7. "Town social media site" is any official social media site established by or for a Town department, with the authorization of the Town Administrator.

#### NO EXPECTATION OF PRIVACY

There is no guarantee of privacy for electronic communications. The Town reserves the right to review and/or monitor all electronic records and communications, at any time, with or without notice, including individual user folders and other information stored on the Town's electronic communications systems. In accessing the Internet, including social media sites, users should assume that all connections and sites visited will be monitored and recorded. This examination helps to ensure compliance with Town policies (including policy for compliance with public records requests), assists when internal investigations must be conducted and supports the management of the Town's information systems. Use of the Town's electronic communication devices, including but not limited to Town-issued email accounts, Internet services, cell phone services, smart phones (e.g. iPhones, Droids, etc.), pagers, tablets, Town-owned lap tops and computers provided for home use, and computer software, constitutes acceptance of such monitoring.

#### SUPPORTED SOCIAL MEDIA

The Town will support the use of social media sites by Town Departments provided that doing so is judged to be beneficial to the constituents of the Town and/or an instrument to more effectively interact with the people we serve. The Town Administrator and/or Select Board reserve the right to discontinue the approved use of social media at any time. All Department sponsored social media sites or pages shall be approved by the respective Department Head or his/her designee, and shall be maintained in coordination with the Town's IT Department. All Town- sponsored social media sites and pages must clearly indicate they are maintained by the respective Department, and shall prominently display Department contact information. The Town's logo, a Department logo, or some other distinguishing graphic symbol should be displayed on all Town-sponsored social media sites.

All content posted on Town-sponsored social media sites shall adhere to applicable laws, regulations, and policies, including the Town's information technology and records management policies. All content posted on Town-sponsored social media sites is also subject to the Commonwealth of Massachusetts' Public Records Law and must be managed, stored, and retrieved in a manner that complies with the Commonwealth's Public Records Law and electronic discovery laws and policies. Relevant records-retention schedules apply to social media content. Each respective Department shall be responsible for ensuring proper records retention, in coordination with the IT as necessary.

Employees representing any Town Department via Town-sponsored social media sites or pages shall at all times conduct themselves as representatives of the Department and, accordingly, shall adhere to all Town and Department standards of conduct. In this context, employees shall identify themselves as a member of their respective Department and shall not disseminate confidential information of any nature through social media sites or pages.

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## GUIDELINES FOR PERSONAL USE OF SOCIAL MEDIA

All employees and officials are responsible for what they post online. Through this Policy, the Town is not intending to act as “thought police” or otherwise unnecessarily intrude upon the personal associations and relationships of employees and officials. However, the impact of social media participation by employees and officials upon the ability of Town government to function efficiently and effectively cannot be ignored. Any conduct that exposes the Town to legal liability may result in disciplinary action up to and including termination.

Where employees maintain and use personal websites, blogs, social networking platforms and other forms of social media while off-duty, that off-duty conduct may nonetheless be subject to scrutiny by the Town, given their status as employees of the Town. The Town’s image as a professional organization is critical to maintaining the trust and respect of our constituents.

Town personnel may only express their personal opinions and shall be prohibited from implying that they are speaking on behalf of the Town.

Town personnel shall not post, transmit, or otherwise disseminate any confidential information to which they have access solely as a result of their employment.

Employees are expressly prohibited from using and/or posting on their personal social media sites during working hours.

Nothing contained in this Policy shall be interpreted to interfere with an employee’s rights under Massachusetts General Laws Chapter 150E.

### A. Required Conduct

1. Whenever the topic is one related to the functioning or operations of Town government, including any matter pending or reasonably anticipated to be pending before any Town board, committee, commission, or Town Meeting, all personal posts on any social media site shall contain an express statement that “The postings on this site are my own and do not represent the views, positions or opinions of the Town” or similar disclaimer. Employees and officials should not, except as authorized by their supervisor or board, represent themselves as a spokesperson for the Town.
2. Employee shall exercise their judgment when using any form of social media and must ensure that their use does not violate this or any other applicable Town policy.
3. Only authorized personnel may post on Town-maintained social media sites. Personnel posting on a Town site shall exercise care to only post information that is accurate and intended to advance the interests of the Town.
4. The standards of the Social Media Policy still apply to employees using their personal account to comment on posts on Town departmental websites and social media sites.
5. Employees shall take all reasonable steps to ensure the information posted on social media sites is accurate. To the extent permitted by law, incorrect information shall be promptly removed upon notification.
- 2.6. Employees and officials should be mindful that social media activity that violates any of the Town’s policies may result in disciplinary action, up to and including termination. Such policies include, but are

not limited to, the Town's Information Technology Resources Use Policy, Anti-Harassment and Discrimination Policy as well as the Personnel Policies and Procedures.

3.7. Department heads and other employees or officials with policy-making authority must be mindful that there is greater risk that their comments or conduct while participating in social media may have a direct and negative impact upon the integrity of their board/committee or department and the public's perception of Town government as a whole. Furthermore, there is a greater likelihood that the public will view their conduct/comments as representative of an official position or policy of the Town, even when personal disclaimers are made.

#### **B. Prohibited Conduct**

1. No Town Systems are to be used to make personal posts on any social media site or platform.
2. Town e-mail addresses may not be used to register on social networks, blogs, or other online tools utilized for personal use, and may not be used when setting up or establishing social media sites for personal use.
3. Per G.L. c. 268, §35, no employee or official shall post the Town Seal on any Internet site [i.e., social media network, website, blog site] or in any other Internet and/or social media communication or posting, with intent to give to such site or posting an official character which it does not possess, or unless authorized in writing in advance by the Town Clerk.
4. Inappropriate postings that include, for example, discriminatory comments/remarks, harassment, bullying, and/or threats of violence or similar inappropriate or unlawful conduct, will not be tolerated.
5. Do not post internal reports, draft policies, procedures, or other internal confidential communications or documents. Employees shall maintain the confidentiality of the Town's procedures for the development of policy and other such data exempt from the Public Records Law. The state's Conflict of Interest Law [G.L. c. 268A, §23(c)(2)] expressly prohibits an employee or official from improperly disclosing materials or data obtained in the course of official duties, that is otherwise exempt from disclosure under the Public Records Law, and further prohibits the use of such information to further "personal interest." If an employee or official has a question about whether information is appropriately considered public or not, s/he should contact the Lakeville Town Administrator.
6. Do not post information about others that is protected from public disclosure by law, such as: Criminal Offender Record Information, HIPAA-protected information and any other personal medical information, information concerning allegations of domestic violence and abuse, information protected under student privacy statutes, and the like.
7. Employees and officials operating personal social media sites are subject to the same guidelines as above for the operation and administration of sites under their control, when focusing on topics relating to the functioning or operations of Town government. In order to avoid the appearance of being an official Town social media site, the site must clearly indicate their participation and carry a disclaimer that "The operation and administration of this site are my own and do not represent the views, positions or opinions of the Town".
8. Members of multi-member boards, committees and commissions must be mindful of the requirements of the Open Meeting Law, when participating in social media, in both personal and (where authorized) official capacities. A quorum of a board/committee/ commission should avoid posting on social media sites discussing topics relating to the functioning or operations of Town government, or on topics relating to matters under that board/committee/commission's jurisdiction, as doing so may violate the Open Meeting Law. Additionally, a series of individual postings on a social media site by members of a public body cumulatively may convey the position of a quorum regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board or committee.

### C. Permitted Conduct

Employees and officials may include, in their social media personal profiles, their job titles, as well as information about their personal participation in Town sponsored-events, including volunteer activities. Employees shall not include the official titles when posting personal statements as per the Guidelines for Personal Use of Social Media.

#### COMMENTS POLICY

As a public entity, the Town must abide by certain standards to serve all its constituents in a civil and unbiased manner. The intended purpose behind establishing Town social media sites is to disseminate information from the Town, about the Town, to its citizens. The Town's social media sites are exercises of governmental speech, and accordingly, the Town may limit commentary from third parties that it deems inconsistent with its exercise of governmental speech. For example, comments containing any of the following inappropriate forms of content shall not be permitted on any Town social media sites and are subject to removal and/or restriction by the department's coordinator or his/her designees, or Town's IT staff:

1. Comments not related to the original topic, including random or unintelligible comments.
2. Profane, obscene, violent, or pornographic content and/or language.
3. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, sexual orientation, disability, ancestry or national origin.
4. Defamatory or personal attacks.
5. Threats to any person or organization.
6. Comments in support of, or in opposition to, any political campaigns or ballot measures.
7. Solicitation of commerce, including but not limited to advertising of any business or product for sale.
8. Conduct in violation of any federal, state or local law.
9. Encouragement of illegal activity.
10. Information that may tend to compromise the safety or security of the public or public systems.
11. Content that violates a legal ownership interest, such as a copyright, of any party.

The Town reserves the right to deny access to Town social media sites for any individual, who violates the Town's Social Media Policy, at any time and without prior notice.

Departments shall monitor their social media sites for comments requesting responses from the Town and for comments in violation of this policy.

When a Town employee responds to a comment, in his/her capacity as a Town employee, the employee's response should include his or her name and title, but the employee shall not share personal information about himself or herself, or other Town employees.

#### *USE OF SOCIAL MEDIA SITES FOR OFFICIAL PURPOSES*

The Town of Lakeville permits departments to utilize social media sites and social networking sites (collectively "social media sites") to further enhance communications with its residents and various stakeholders in support of the department's goals and objectives. Town of Lakeville officials and departments have the ability to publish articles, facilitate discussions and communicate information through such media to conduct official Town of Lakeville business. Social media sites facilitate further discussion of Town of Lakeville government business, operations and services by providing members of the public the opportunity to participate in many ways using

the Internet. The Town has the ability to place limitations and restrictions upon the content of its website and social media sites. This section of the policy sets forth requirements that must be adhered to with respect to utilization of social media sites for official Town of Lakeville purposes, as well as explanatory guidance.

**A. General Requirements for Establishment and Maintenance of Official Town Social Media Sites**

1. All Town social media sites shall be:
  - a. approved by the Town Administrator with a documented letter of approval; and
  - b. published using a social media platform and tools approved by the Information Technology ("IT") Department.
2. Posting for the Town on such sites shall only be performed by the Town Administrator or his/her designee(s).
3. Subject to prior approval of the Town Administrator, departments have the option of allowing employees to participate in existing social media sites as part of their job duties, or allowing employees to create social media sites as part of their job duties. Department Heads may allow or prohibit employee participation in any social media activities in their departments.
4. Employees shall be prohibited from revealing any confidential or privileged information on social media sites. The the private information of constituents such as names, addresses, telephone numbers, private health information, tax payments status, voting record and other forms of confidential information should not be divulged.
5. Employees who are given authority to edit Town social media sites are prohibited from expressing their personal views on the matters contained therein.
6. Employees are expressly prohibited from using social media to engage in any activity or conduct that violates federal or state law (e.g., software or data piracy, pornography, etc.).
7. Comments in any forum that contain racial slurs, express bigotry toward a group based on their race, religion, national origin, sexual orientation, gender, gender identity or any other legally protected classification are expressly prohibited.
8. All Town social media sites shall adhere to applicable state and federal laws, regulations and policies, including, but not limited to, the Open Meeting Law, Public Records Law, Conflict of Interest Law, Copyright Law, Campaign and Political Finance laws and rules, and other applicable Town policies.
9. Because the Public Records Law applies to social media content, all posts, once made, may not be deleted or amended, except to correct typographical errors, and a record shall be kept of any such modifications.
10. Each Town social media site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social media/network site. Where possible, social media sites should link back to the official Town of Lakeville Internet site for forms, documents and other information.
11. All Town social media sites shall clearly indicate that they are maintained by the Town of Lakeville and shall have the Town of Lakeville contact information prominently displayed, and, if possible, the Town Seal.
12. Town social media content shall not contain the following:
  - a. Profane, obscene, or vulgar language or content;
  - b. Comments or content that are denigrating, threatening, insulting, bullying or harassing;
  - c. Content that promotes, fosters or perpetuates discrimination on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, gender

- identity, disability, pregnancy or pregnancy-related conditions, genetic information, active military status, or any other status protected by state or federal law;
- d. Sexual content or links to sexual content;
- e. Conduct or encouragement of illegal activity;
- f. Information that may tend to compromise the safety or security of the public or public systems;
- g. Content that violates a legal ownership interest of any other party;
- h. Protected health information;
- i. Personnel data;
- j. Other information that is not public record or is otherwise privileged from public disclosure.

~~9.14.~~ All Town social media moderators shall be trained regarding the terms of this Policy, including their responsibilities to review content submitted for posting to ensure compliance with the Policy.

~~10.15.~~ To the extent applicable, the Town's IT security policies shall apply to all social media sites and articles.

~~11.16.~~ Officials (elected or appointed) and employees representing the Town via social media sites must conduct themselves at all times as a representative of the Town and in accordance with all applicable rules, regulations, and policies (including the Personnel Policies and Procedures) of the Town of Lakeville. Town employees, officials, board members and committee members shall not use a title unless they are posting in an official capacity or on an official Town social media site, with authority to do so.

~~12.17.~~ No Town or department social media site may endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, citizens, co-workers or other stakeholders. Employees may not engage in political activity during working hours. This includes, but is not limited to, engaging in political activity, including the endorsement of any candidate for elective office, via a Town social media site.

~~13.18.~~ Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

#### **B. Employee Use of Official Town Social Media Sites**

The following provides further explanation of the requirements for Town media social media site, set forth in Section A, above.

1. Information Technology Resources Use Policy. All employees are responsible for understanding and complying with the Town's IT Usage Policy.
2. First-Amendment Protected Speech. Although the Town can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, or harassing, the Town cannot use the moderation function to restrict speech with which the Town merely disagrees (i.e. subject matter restrictions). Users have First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those removed for specific legitimate reasons, as referenced above.
3. Copyright Law. Employees and officials must abide by laws governing copyright and fair use of copyrighted material owned by others, including written material, photography, videography and digital media. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote more than a short excerpt of someone else's work without acknowledging the source and, if possible, provide a link to the original.
4. Conflict of Interest. Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest in violation of the provisions of G.L. c. 268A.



5. Protected Confidential Information. Employees are prohibited from posting legally protected personal information that has been obtained during the course of performing official duties (e.g., information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Conversations that occur amongst Town officials/employees outside public forums should not be published or reported on, unless authorized by the Town Administrator. Information about policies, rules, or plans that have not been finalized or officially adopted by the Town should not be posted unless explicitly approved in advance by the Town Administrator or relevant Department Head, for instance, where public comment or input is being solicited.
6. Carefully Consider Content. Town social media sites are not an appropriate forum for commentary about rumors, political disputes, and such comments are not permitted. As informal as social media sites are meant to be, if they are on a government domain or a government identity, they still constitute official government communications. Social media sites will be sought out by mainstream media, and therefore, consideration needs be exercised to use social media in a way that benefits both the Town and the public.
7. Handling Negative Comments. Town Employees and Officials shall only post factual information as it relates to a Town related matter. Because the purpose of many social media sites, particularly department blogs and wikis, is to get feedback from the public, it is anticipated that some of the feedback received will be negative. Some effective ways to respond to negative comments include:
  - a. Provide accurate information in the spirit of being helpful;
  - b. Remain respectful; and
  - c. Notify the moderator to address the matter prior to any escalation.
8. Respect the Audience and Town Employees and Officials. Ethnic slurs, personal insults, obscenity, or any conduct that would not be acceptable in the workplace, are similarly prohibited on the Town's social media sites. This includes not only the obvious (no ethnic slurs, personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory—such as party politics and religion. The Town's social media presence shall not be used to communicate among Town employees for work purposes.
9. Use Social Media Sites or Identities Only to Contribute to the Town or Department's Mission. All postings should provide useful information and perspective that contributes to the Town's and/or Department's mission of serving the public. What is published on Town social media sites reflects on the Town and town government. Social media sites and identities should be used in a way that contributes to the Town's mission by:
  - a. Helping Town employees and officials perform their jobs better;
  - b. Informing citizens about government services and how to access them;
  - c. Making government operations transparent and accessible to the public;
  - d. Creating a forum for the receipt of candid comments from residents about how government can be improved; and
  - e. Encouraging civic engagement.
10. Mistakes. The Town's policy is that once something is posted on a Town social media site, it should remain posted. Only spelling or grammar errors may be made without making the change evident to users. If the decision is made to modify an earlier post, make it clear that this has been done - do not remove or delete the incorrect content; provide the correct information and where appropriate, apologize for the error. Ways to accomplish this include:
  - a. Strike through the error and correct; or

- b. Create a new post with the correct information, and link to it from the post that is being corrected or clarified.

Either method is acceptable. In order for the social media identity or site to achieve transparency, the Town cannot change content that has already been published without making the changes clearly evident to users.

11. Defamation. Under Massachusetts law, defamation is established by showing that an individual published a false statement about another party that either caused the individual economic loss or was of the type that is actionable without proof of economic loss. Some statements, like imputation of a crime, are defamatory per se. Employees must avoid statements that may be interpreted as defamatory.
12. Records Retention. Social media sites will contain communications sent to or received by Town officials and employees, and therefore constitute Public Records. Officials must ensure that the Town or department retains a copy of the social media content in accordance with applicable Public Records Retention Schedules and in accordance with the Public Records Law.

#### *MEDIA CONTACTS*

Oftentimes, presence on social media can lead to inquiries from the press or media. Employees may not speak to the media on the Town's behalf, unless specifically authorized by the Town Administrator. All media inquiries shall be directed to the Town Administrator's Office.

#### *RETALIATION PROHIBITED*

The Town expressly prohibits the taking of any action against any employee for reporting a possible deviation from, or violation of, this Policy, or for cooperating in an investigation of same.

#### *ADDITIONAL INFORMATION*

If you have questions or need further guidance regarding the Town's Social Media Policy, please contact the Town Administrator's Office.

#### **VIOLATIONS OF POLICY**

Violation(s) of this Policy may result in disciplinary action up to and including termination from employment. Violations of this policy may also result in referral of a case to the appropriate authorities for civil or criminal prosecution. Employees shall report violations of this Policy to their supervisor, or in the case of department heads, directly to the Director of Human Resources. Retaliation against another user for reporting a violation or violations of this Policy is strictly prohibited by the Town.

# TOWN OF LAKEVILLE SOCIAL MEDIA POLICY

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## *SIGNATURE PAGE*

Employee Acknowledgement of Receipt of Policy

I, \_\_\_\_\_, hereby acknowledge receipt of the Town of Lakeville Social  
(Print Name)  
Media Policy on the date set forth below...

Employee Signature:

Date:

\_\_\_\_\_

DRAFT

**AGENDA ITEM #26**  
**MAY 22, 2023**

**NEW BUSINESS**

**AGENDA ITEM #27**  
**MAY 22, 2023**

**OLD BUSINESS**