



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, June 12, 2023 @ 6:00 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. Discuss and possible vote to approve Select Board Minutes of May 22, 2023 and May 31, 2023
4. 6:15 PM Meet with the Finance Committee to discuss end of the year transfer requests:
 - a. Reserve Fund transfers (MGL Ch. 40, Sec. 6)
 - b. Departmental transfers (MGL Ch. 44, Sec. 33B)
5. Revisit and possible vote on application for Outside Entertainment from Alexander Koroskenyi – 1 Cedar Pond Road – July 22, 2023
6. Discuss and possible vote on application for Outside Entertainment from Joanna Rodrigues – 26 Dunbar Road – August 19, 2023
7. Discuss and possible vote on request from Plymouth County Retirement Association Board to accept Chapter 269 of the Acts of 2022
8. Discuss and possible vote to approve the policy for consideration process of Chapter Land
9. Discuss and possible vote on request from Town Clerk to send State Political Committees a letter regarding appointment of election workers
10. Discuss and possible vote to approve request to connect to Taunton Water – 310 Kenneth Welch Drive
11. Discuss and possible vote to approve request to connect to Taunton Water – 235 Main Street
12. Discuss and possible vote to approve renewal of Junk Dealer and Junk Collector – 330 Bedford Street – Steve Davoli – The Antique Mall
13. Discuss and possible vote on employment agreement for Erika Correia, Treasurer/Collector
14. Update on Historic Library ramp procurement
15. Select Board Policy Review discussion
16. Fire Station Building Committee update

17. New Business
18. 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
JUNE 12, 2023**

SELECT BOARD ANNOUNCEMENTS

We would like to offer our congratulations to the 2023 graduates of Apponequet High School, Old Colony Regional Vocational Technical High School and Bristol County Agricultural High School.

**AGENDA ITEM #2
JUNE 12, 2023**

TOWN ADMINISTRATOR ANNOUNCEMENTS

**AGENDA ITEM #3
JUNE 12, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE SELECT BOARD
MINUTES OF MAY 22, 2023 AND MAY 31, 2023**

**TOWN OF LAKEVILLE
Select Board Meeting Minutes
May 22, 2023 – 5:30 PM**

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

On May 22, 2023, the Select Board held a meeting at 5:30 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 5:30 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present were 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. Member Fabian asked about the State's \$100,000 earmark for the Assawompset School Playground. Mr. Sky said that was through the School. We could use our ARPA funds, but the District has not reached out to us. Member Carboni said we are receiving \$124,000 less for Smart Growth. Mr. Sky said the full funding for Smart Growth is \$1.7 million split between Lakeville and Lunenburg. Lunenburg added additional units, so they received more. Senator Rodrigues was helpful getting the \$750,000 put back in. Chairman Day said you can only dispose of Epi Pens at the Transfer Station; maybe Police or Fire can look at having a disposal bin also.

Meet with Cemetery Commission to discuss and possible vote to appoint Joan Gladu Morton to the Cemetery Commission

Present for the discussion were Kenneth Upham, Sr. and Deveney Boyadjian, members of the Cemetery Commission. Cemetery Commission Chairman Upham opened the Cemetery Commission at 6:38 PM. Chairman Day said this must be a joint appointment as it is an elected Commission. The Cemetery Commission has recommended that Joan Gladu-Morton be appointed to the Cemetery Commission. Cemetery Commission Chairman Upham said that Ms. Gladu-Morton has served on the Cemetery Commission in prior years.

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

VOTED: To appoint Joan Gladu-Morton to the Cemetery Commission for a term to expire April 1, 2024.

Roll call vote: Ms. Boyadjian – aye; Cemetery Commission Chairman Upham – aye; Member Carboni – aye; Member Fabian – aye and Chairman Day – aye.

The Cemetery Commission Meeting was closed at 6:40 PM.

Discuss and possible vote to approve Door to Door Sales Permit Application – Savvy Sales LLC

Chairman Day said Savvy Sales, LLC would like to go door to door leaving door hangers promoting an insurance company. They do not have a State Hawkers/Peddler’s license. Member Fabian said she could not find out much about this company. Member Carboni said they may be acting as a third party to the primary. Chairman Day said he is not a fan of this method with people walking up to resident’s homes unexpectedly.

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

VOTED: To not approve the application from Savvy Sales, LLC for a Door to Door Sales Permit.
Unanimous in favor.

Discuss and possible vote on allocation of donation from Sun Multi Sports

Chairman Day said Sun Multi Sports has offered a donation of \$1,500 for the use of Lakeville roadways for the Patriot Half Triathlon. Member Carboni spoke about some of the options the Board has. Chairman Day reached out to the Farm & Community Collaborative and they guarantee any funds received would go to Lakeville families. Member Fabian suggested splitting the donation five (5) ways.

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

VOTED: To have the donation from Sun Multi Sports be split between the Friends of the Lakeville Library; Farm & Community Collaborative; Friends of the Lakeville Council on Aging; DECA and the Lakeville Historical Commission.
Unanimous in favor.

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

Chairman Day said this is an annual request from The Tuesday Club of Assonet to place a sign on Town property to advertise the Annual Strawberry Festival.

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

VOTED: To allow The Tuesday Club of Assonet to place a sign on Town Property to advertise the Annual Strawberry Festival on June 18, 2023.
Unanimous in favor.

Discuss and possible vote to approve renewal of Common Victualler License – J &J Seafood – 197 County Street

Chairman Day said this is a request to approve the renewal of the Common Victualler License for J & J Seafood at 197 County Street. Member Carboni said she doesn't want this to be a precedent for other licensees. They are operating right now without this license, but the Board of Health did conduct an inspection for their permits. This license expired in December of 2022, and they have been operating since April 18, 2023. Chairman Day asked if this is consistent or a one-time thing. Ms. Craig-McGee noted it is consistent. They are the only licensee that did not renew on time in 2022.

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

VOTED: To approve the Common Victualler License for J & J Seafood at 197 County Street to expire December 31, 2023.
Unanimous in favor.

Discuss and possible vote on application to connect to Taunton Water – 237 Main Street

Chairman Day said the Board received an application for a connection to Taunton Water for 237 Main Street. Mr. Sky said the property was already connected, but they were not using it. Discussion occurred regarding the daily usage. Mr. Sky said 110 gallons per day per bedroom is pretty much the standard.

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

VOTED: To approve the Taunton Water Connection application for the property located at 237 Main Street.
Unanimous in favor.

Review and possible vote to renew Junk Dealer, Junk Collector, and Auctioneer License for Anthony and Dorita Morris - 33 Myricks Street

Lillian Drane, Town Clerk, was present for the discussion. Chairman Day said that in compliance with the new by-law, the Morris' have supplied proof that they are actively doing business. Mr. Sky said this requirement is to show that they have activity. Ms. Drane said she has not been able to obtain the necessary information from the other two (2) licensees. She is sending them a final notice by certified mail. Chairman Day asked what happens if you don't get a response. Mr. Sky said at some point you need to deem them non-responsive.

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

VOTED: To approve the Junk Dealer, Junk Collector and Auctioneer License for Anthony and Dorita Morris at 33 Myricks Street with an expiration date of May 1, 2024.
Unanimous in favor.

Discuss and possible vote to accept resignation of Robert Marshall from Cable Advisory Committee

Chairman Day said the Board received a letter of resignation from Robert Marshall from the Cable Advisory Committee. He served on the Board for the past 39 years. Member Fabian asked if a Select Board Member could serve on this committee. Mr. Sky said it is probably not advisable.

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

VOTED: To accept the resignation letter of Robert Marshall from the Cable Advisory Committee.
Unanimous in favor.

Discuss and possible vote to appoint William Hoeg to the Cable Advisory Committee

Chairman Day said that the Cable Advisory Committee has recommended that William Hoeg be appointed to the Cable Advisory Committee.

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

VOTED: To appoint William Hoeg to the Cable Advisory Committee for a term to expire July 31, 2024.
Unanimous in favor.

Discuss and possible vote to accept resignation of Diane Wood-Faria from Lakeville Arts Council

Chairman Day said the Board received a letter of resignation from Diane Wood-Faria from the Lakeville Arts Council

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

VOTED: To accept the resignation letter of Diane Wood-Faria from the Lakeville Arts Council.
Unanimous in favor.

Discuss and possible vote to approve Select Board Minutes of March 16, 2023; April 21, 2023; April 24, 2023; and May 8, 2023

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

VOTED: To approve the Select Board Minutes of March 16, 2023 as presented.
Two (2) in favor, one (1) abstention (Chairman Day).

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

VOTED: To approve the Select Board Minutes of April 21, 2023 as presented.
Unanimous in favor.

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

VOTED: To approve the Select Board Minutes of April 24, 2023 as presented.
Unanimous in favor.

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

VOTED: To approve the Select Board Minutes of May 8, 2023 as presented.
Unanimous in favor.

Discuss and possible vote on application for Outside Entertainment from Alexander Koroskenyi – 1 Cedar Pond Road – July 22, 2023

Chairman Day said that the Board received an application from Alexander Koroskenyi for an outside entertainment permit on July 22, 2023. Member Fabian said we have a Police report of three (3) lines, but there is more to this. They had four (4) generators and lots of people. We need to get more information on what exactly they will have going on. If this is anything like last year, we need to have a bit more control. Chairman Day said it is unfortunate that the Town did not take the time to revisit the process. The application has not changed. Mr. Sky said this is a State form, but we can supplement the form. Chairman Day asked if this process was discussed during the past year. Mr. Sky said no.

Member Carboni said we want to be good neighbors, but this is a bit out of the norm. Maybe we can entertain a requirement where the neighbors would need to sign off on this as part of the application process. Member Fabian read information provided by the Health Agent regarding noise pollution. It is noted that acoustic instruments are exempt, but not electrical. Last year they had a person whose job it was to keep the generators going. We have a responsibility regarding the amount of people attending in regards to portable restrooms. She thinks there should be additional investigation. Member Carboni asked Member Fabian if she put together anything to try to solve this. Member Fabian said she would rather have guidance from the Police Chief and professional staff. Mr. Sky said he spoke to the Police Chief. The Officer responded, but could not do much as they had a permit. Chairman Day said the Health Agent would have to enforce sound issues. He recommended that this be tabled and Mr. Sky reach out to the Health Agent and have him come in on June 12th. He will also invite Chief Perkins to the meeting.

Discuss possible comments on site plan for 156 Rhode Island Road

Marc Resnick, Town Planner, was present for the discussion. Chairman Day asked if the Board had any comments on the site plan for 156 Rhode Island Road. Member Carboni said the Board had looked at this before, and it looks like some adjustments have been made. Her concern was line of sight, but it looks like this may not be an issue now. Mr. Resnick said based on some major

concerns during the first public hearing, they eliminated the entrance on Crooked Lane so all traffic with enter and exit on Rhode Island Road. They also turned the building for better access. By eliminating the Crooked Lane access, they can alleviate the drainage better. Chairman Day said regarding any building on Rhode Island Road, is the Planning Board taking into consideration the reconstruction project. Mr. Resnick said that intersection will have additional drainage improvements, but not much change to the road. The Board did not have any comments on the site plan.

Update on Fire Station Building Committee

Member Carboni said the Committee has met twice. A Request for Qualifications (RFQ) was sent out for an Owner's Project Manager and we received five (5) responses. The Committee is reviewing the submittals and ranking them based on the RFQ. On May 31st we will be discussing them. The rankings will be submitted to Mr. Sky on Friday. We may be interviewing three (3) candidates. Chairman Day said there is a lot of concern over the site selection. Is that being weighed in the process. Member Fabian said she has received questions on that as well. Member Carboni said the Committee will have that discussion; it has not been solidified. That would require input from the Town. Chairman Day said so it is not locked in place, even though things are moving forward. Member Carboni said the Committee has a page on the Town's webpage for information for the public.

Discuss potential process for Town Administrator review and contract extension

Chairman Day said Mr. Sky receives a review annually on his contract anniversary. Mr. Sky said he already sent the self-assessment based on the prior year's goals. By June 9th we would ask for employee comments. We would then prepare our comments. We can use the review form from last year and one (1) Board Member would compile the responses. If Mr. Sky would like to respond to the summary, we could discuss it at the July 10th meeting, then file it with the Town Clerk where it become a public record. At that point, we could then discuss contract negotiations. Member Carboni said last year we turned our responses into the Human Resources Director and he compiled them. Member Fabian said Town Counsel advised us to use Human Resources.

Chairman Day said he was not sure how we want to handle this with employees. Do you want them to give comments in writing to Mr. Viarella? With his job, every six (6) months employees give their supervisor feedback anonymously. Member Fabian said when she reviewed different review forms, most of them did include some sort of employee contribution. Chairman Day said he will work with Mr. Viarella.

Update from Town Administrator on 6 Barstow Street Chapter 61B removal

Mr. Sky said the Town received the Notice of Intent from the owner of Holloway Brook Farm to convert the Chapter 61B property to residential use. There are structures that are taxed on top of chapter land. The non-chapter land is not considered the valuation. The appraisal has been sent to the owner, but we have not heard back yet. They have three (3) choices: to accept our appraisal, which is unlikely; have their own appraisal done as the one provided is not accurate because it does not count non-chapter land versus chapter land and then the next step would be a joint

appraisal for an independent party. They can withdraw their notice at any time. The deadline on their appraisal is June 19th.

Chairman Day said 6 Barstow is a single lot of 36.62 acres; 35.03 acres is chapter land and the rest is residential. There needs to be a process where the Chapter land is and where the residential land with structures is that is fully assessed and taxed. There would also need to be a discussion with the owner regarding the disposition of those structures. The Notice of Intent is meant to have non-adversarial negotiations. Member Fabian said it is not unusual for the residential property to not be separate. Chairman Day asked if Town Counsel has been asked about a precedent for this. Mr. Sky said Town Counsel said it is a collaborative process.

Discuss and possible vote to approve the policy for consideration process of Chapter Land

Marc Resnick, Town Planner, was present for the discussion. Mr. Sky said this is a draft of a policy and checklist for Chapter 61A and 61B land. He met with the Planning Board Chairman, who recommended there be an advisory committee to look at these properties. Mr. Resnick said the first is an explanation of the statute and procedure we will follow for either the notice of intent offer to purchase or for a conversion. The second document is the internal review procedures with additional detail on how to follow the statute. Chairman Day said when you speak about a policy, he thinks there would be guiding principles to consider whether to exercise the right of first refusal. We need to come up with discussion points to consider. Member Fabian said part of policy should be stressing that we should have an executive session on it, if permissible. That is important for the Board to get together with the Town Administrator, Town Planner and Town Counsel to discuss whether this is a bona fide offer. Mr. Sky said Town Counsel said unless there is a negotiation, Executive Session is not allowed. Member Fabian said would like to have this written into the policy that where it is allowable, Executive Session should be held. We should try to get every scenario possible.

Member Carboni said anytime that we are in a situation like this where we have property that we have to think about purchasing, the how to comes later. She thinks about why would we purchase the property. Member Fabian said the Open Space Plan is a guide for us. Who do we ask? Should it just be left up to the Select Board. Member Carboni said we have a Master Plan and there is guidance from that. We have vacant land, but we can't be land heavy. What are the parameters. Chairman Day said what are the principles in the policy; is it the Open Space Plan or Master Plan. Is it a protected property? We can't purchase every property. Member Fabian said you just can't say to buy it so housing can't go there. Mr. Sky said we could add some language that says emphasis will be placed on priority protection or targeted preservation properties and properties mentioned in the Open Space Plan or Master Plan. Mr. Resnick said we could do an evaluation criteria section. Member Fabian asked if there was communication with the Assessors on this. Mr. Resnick said we discussed it, but the way the statute is, it is really based on appraisals, not what the Assessors have it valued at.

Chairman Day said there are a lot of notices that need to be sent. Perhaps this can list the next thing and date that must be done and why. Member Carboni said she would suggest that the checklist be presented in a better way. On page 4, under procedures for review of notices, notifying other Departments, the Departments listed would be able to weigh in to discuss potential impacts

currently or in the future. For informational purposes, it might be good to bring the Community Preservation Committee (CPC) into the process. A discussion occurred regarding the role of the CPC in this process. Mr. Sky said it is fine to share these with the CPC, but they should not express an opinion about the property. If the time comes that the Board want to buy it, we will be applying for funds from them. Chairman Day said CPC would present this at Town Meeting for funding. Mr. Sky said he would add them in for informational purposes only. Member Carboni said we should consider if the property is landlocked or if there are utilities available. Mr. Resnick suggested evaluation of the property for development potential.

Update from the Town Administrator regarding 310 Kenneth Welch Drive

Mr. Sky said on May 15th he met with the ownership of 310 Kenneth Welch Drive, who sent a memo. There are a few public safety things, the biggest being a proper fire rated enclosure. They have ceased parking on Kenneth Welch Drive. The ownership has agreed to install 750' of wooden guardrail to stop parking, which will negate the no parking signs. Northeast Alternatives has secured off-site parking on Rhode Island Road with a shuttle. By the end of the month we will have an application for water connection for 15,000 gallons per day, which is an increase of 10,000 gallons per day. They are pulling water off of four (4) wells. They are in design for a new septic tank. We have another meeting in a few weeks.

Chairman Day said it looks like there is a makeshift parking area on Bedford Street and there were about 12 cars there. Mr. Resnick said they are expected to file for site plan review for a properly designed parking lot. The Building Commissioner is allowing temporary parking until they receive approval from the Planning Board. Member Carboni asked if guard rail will be approved by the Conservation Commission. Mr. Sky said as long as they restore the ground there with seed and loam. Member Fabian asked if this has this been shared with the appropriate Boards/Committees. Mr. Sky said he has updated the Chairmen of the Planning Board and Conservation Commission last week.

Discuss Strategic Planning Process and Priorities

Chairman Day would like to open up a dialogue on what are things that the Board would like to look at and start reviewing them. Member Carboni said this is about sustainability. She spoke about budget forecasting, land acquisition and economic development. There needs to be more discussion on the direction of the Economic Development Committee. Mr. Sky said #2 and 3 are intertwined and we should have a discussion about the vision for land use and the transition to a five (5) member Board. Chairman Day said some of these things are not necessarily our jurisdiction, but we can start the conversation. Mr. Sky spoke of capital planning, security issues, ADA compliance, ARPA priorities and general marijuana policies. Member Fabian said the key to a lot of things is economic development. How do we keep going in this direction with no plan for economic development? A lot of residents don't want to see economic development. The Town needs revenue that doesn't cost us a lot of money. Member Carboni said we have information from previous surveys to know what residents are looking for. How do we get there and what is the best mechanism? We have a planner on staff now and that is a great resource. We need action at a pace that is not too great for those that do not embrace change. Chairman Day said we can't just split the tax rate. Member Fabian said we don't have enough businesses to

support that. Chairman Day said if we don't have a land use policy, how do we decide if a parcel is viable. Member Carboni said we have a zoning map and a lot of input regarding zones. Those are things that we need to look at; maybe there are other zoning opportunities for economic development. Member Fabian said at the last Planning Board Meeting, they approved their goals. One of them was to take a look at zoning. Are our goals going to overlap with another group's goals? Member Fabian said the most important thing is what needs to be done sooner rather than later. Chairman Day said perhaps we should identify that at another meeting.

Discuss concept of scheduling Town Elections to take place after Town Meeting

Lillian Drane, Town Clerk, was present for the discussion. Chairman Day said currently the Town has its annual election and then Town Meeting. You risk losing a number of people in the election that created the articles and budgets. Changing the election seems like a quick fix, but we have a Regional School District and must vote on School Committee Members the same day as Freetown. We would need to coordinate with Freetown to change their election date. Mr. Sky said if you move Town Meeting to June you would give new Board members an extra month to get acclimated. Ms. Drane said Freetown's Town Meeting is the first Monday in June. Member Carboni said it is dangerous to do it too late in June. Member Fabian said it is easier to change Town Meeting than the election. Ms. Drane said there are too many moving parts to move the election, but moving the Town Meeting date is not a challenge. We can have it the first Tuesday in June. Mr. Sky said we can look at an article for Fall Town Meeting to hold it the first Tuesday in June.

Discuss and possible vote to approve job description for Part Time Groundskeeper/Facilities Laborer

John Viarella, Human Resources Director, was present for the discussion. Mr. Viarella said when someone leaves a position, we look at the job description. The only change to this one is the reporting structure. Member Fabian asked about the next to last page under Essential Responsibilities, the last paragraph, is this a supervisory position. Also, is this under the Facilities budget? Mr. Sky said yes. We can strike the language in question.

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

VOTED: To approve the job description for the Part Time Groundskeeper/Facilities Laborer as revised.
Unanimous in favor.

Discuss and possible vote to approve FY24 Wage Scale

John Viarella, Human Resources Director, was present for the discussion. Mr. Viarella said the wage scale reflects the union contracts and amounts budgeted for non-union personnel. Chairman Day asked for a redline version to show changes. Mr. Sky said all numbers have changed. Mr. Viarella noted he needs to delete "intentionally blank" from B. Member Carboni said she would like to make sure that we see this during the budget cycle. Mr. Sky said the salary numbers are in the budget. Chairman Day asked if we anticipate any potential changes. Mr. Sky

said the third contract is outstanding. We do have a placeholder for our final offer. Traditionally the Town has done the wage scale after the budget is settled. Chairman Day asked if there is any type of review of these in the future. Mr. Sky said the non-union positions is what the compensation study is about. Member Fabian asked is this the entire scale? Mr. Viarella said it does not include Police and Fire.

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

VOTED: To approve the FY24 Wage Scale as presented.
Unanimous in favor.

Discuss and possible vote to approve revision of the Town's Social Media Policy

John Viarella, Human Resources Director, was present for the discussion. Mr. Viarella said Mr. Sky asked him to look at the Town's Social Media Policy as staff wants to use social media more. He did not remove any previous content; he just added to it. This has been reviewed by Town Counsel. Member Fabian said on the first page it speaks of social media being a relatively new form of activity. She had an issue with the word "judgement" which is used multiple times. Even in the original policy it was there. Judgement implies it could go one way or the other. Her biggest thing is that if we are doing a table of contents, the parts that were inserted are not in order according to the original document. On page 2, it speaks to personal social media and then the Town and then back to personal use. Personal and Town use should be grouped together. Member Fabian said we should do an outline. Some of the sentences are verbatim from the current policy and there is some redundancy. We should define what the Town is going to use social media for. We can put each Department head is responsible for their content. Discussion occurred whether this policy would apply to Police and Fire as they are strong Chiefs.

Chairman Day said the policy has added more things that should be obvious to people, but it needs to be in writing. Member Fabian said some of the new things were inserted, but the old content still refers to some of the new things inserted. Member Fabian said she would work with Mr. Viarella on this. Member Fabian said according to this policy on employee's personal social media, their personal page can be scrutinized if they list their employer as the Town. Mr. Viarella said the policy is trying to stop is having the person identify themselves as an employee and publicize a blog filled with hatred, etc. . Everyday political views don't matter. Member Fabian said it goes on to say that your personal use of social media can be scrutinized. It doesn't say what we will use it for. Even if you are following the rules, it is intimidating. Chairman Day said first amendment rights don't mean there aren't consequences. Member Fabian said we are telling people to use their best judgement, but you may be punished for using your best judgement. Mr. Sky said on page 3, it says that off duty conduct may be subject to scrutiny. Member Fabian said there is language about comments being deleted, but aren't comments coming through Town Social Media public records.

Member Carboni said she would like to see a standard format for all policies, like we are trying to do with our job descriptions and postings. Member Fabian said what is the most important feature of this new policy? What is our objective? Chairman Day said it tightens up some areas that need to be tightened up. Member Carboni said there is no guarantee of privacy for electronic

communication. The Town reserves the right to review and monitor all electronic records, individual user folders and information stored on the Town's communication system. Who is the Town? Mr. Viarella said when you touch our network, there is no expectation of privacy. He is not sure who would actually do this. Member Carboni said this is a policy that we are working through. Our job is to put together a policy and it is up to our Town Administrator to enforce it. She wants to understand the policy that she is adopting. The only way to do that is to have these conversations. She has some questions on the content on the new information.

Member Fabian said under supporting social media there is language "provided that doing so is judged to be beneficial". Judged by whom? Mr. Sky said it depends on the employee. Member Carboni said social media has become more and more a way to get communication out. Chairman Day said he is happy to table this, but did anyone submit their questions/concerns to Mr. Sky prior to this. Member Fabian said Mr. Viarella had reached out to her, but she wanted everyone to hear her comments at the same time. She can write up an outline and her comments and concerns. Mr. Sky said he can get an opinion from Town Counsel about whether a social media policy applies to strong Chiefs. Member Carboni said it either applies to all or we don't have social media. Mr. Sky said strong Chiefs can set policy for social media in their Department. It is not a law enforcement tool; it is a communication tool. Chairman Day said we could give the policy to the Chiefs and ask them to adopt it. Mr. Sky said we will rework this a bit and bring it back to the Board.

New Business

Chairman Day said we need to meet with Finance Committee to appoint two (2) members to fill the vacancies. May 31st is the only day that they are available to meet. We are down to two (2) applicants for two (2) vacancies. It was decided to hold the meeting at 6:00 PM on May 31st in person if possible.

Old Business

Member Fabian said we need to make a correction on something the School Department is saying. Someone is saying the FY24 budget is the lowest budget that the School Department has had in 10 years. She has received emails from residents about this. Mr. Sky said he has spoken to the Superintendent about that.

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 8:35 PM.
Unanimous in favor.

List of documents provided at the Select Board Meeting of May 22, 2023

1. Agenda page
2. Agenda page
3. Agenda page; email from Joan Morton
4. Agenda page; application for Door to Door Sales Permit; copy of by-law
5. Agenda page
6. Agenda page; letter from The Tuesday Club of Assonet
7. Agenda page; application for Common Victualler License; worker's compensation affidavit; certificate of insurance
8. Agenda page; application to connect to Taunton Water
9. Agenda page; letter from Town Clerk; memo from Building Commissioner; pages from auction sales book
10. Agenda page; resignation letter
11. Agenda page; email from Robert Marshall; email of interest from William Hoeg
12. Agenda page; resignation letter from Diane Wood-Faria
13. Agenda page; draft Select Board Meeting Minutes of March 16, 2023; April 21, 2023; April 24, 2023 and May 8, 2023
14. Agenda page; application for Outside Entertainment; police log
15. Agenda page; email from Planning Board; comments from Fire Chief; site plan
16. Agenda page
17. Agenda item
18. Agenda item
19. Agenda item; draft policy and procedure for Chapter 61 properties
20. Agenda page; update from TAC Vega
21. Agenda page
22. Agenda page
23. Agenda page; draft job description; memo from Human Resources Director
24. Agenda page; memo from Human Resources Director; draft FY24 Wage Scale
25. Agenda page; draft Social Media Policy
26. Agenda page
27. Agenda page

**TOWN OF LAKEVILLE
Select Board Meeting Minutes
May 31, 2023 – 6:00 PM**

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

On May 31, 2023, the Select Board held a meeting at 6:00 PM at the Lakeville Police Station Meeting Room with the Finance Committee. The Select Board 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.

Finance Committee Chairman Plonka opened the Finance Committee meeting at 6:00 PM. Finance Committee Members present were Lawrence Kostant, Katherine Desrosiers and Christopher Plonka, Chairman.

Finance Committee Chairman Plonka said that the Finance Committee had meeting minutes to approve.

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

VOTED: To approve the Finance Committee Meeting Minutes of March 6, 2023; March 8, 2023; March 16, 2023; April 10, 2023 and April 24, 2023.
Unanimous in favor.

Meet with Finance Committee to discuss and possible vote to fill vacancies on the Finance Committee

Maureen Candito, attending remotely and Darren Beals, were present for the discussion. Chairman Day noted that there are two (2) vacancies on the Finance Committee. As this is an elected Committee, a joint appointment is required. Finance Committee Chairman Plonka said Maureen Candito and Darren Beal had submitted letters of interest. Ms. Candito said she is happy to be considered for the appointment and is looking forward to helping with the Town's finances. She served one (1) term previously on the Finance Committee.

Upon a motion made by Finance Committee Chairman Plonka stepping down and with Chairman Day stepping down to second, it was:

VOTED: To appoint Maureen Candito to the Finance Committee for a term to expire April 1, 2024.
Mr. Kostant – aye; Ms. Desrosiers – aye; Finance Committee Chairman Plonka – aye; Member Carboni – aye; Member Fabian aye and Chairman Day – aye.

Mr. Beals said that he had served a term on the Finance Committee with the last year as Chairman. Finance Committee Chairman Plonka said he reviewed Mr. Beals' resume, and he has the skills and qualifications to serve on the Finance Committee.

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

VOTED: To appoint Darren Beals to the Finance Committee for a term to expire April 1, 2024.

Mr. Kostant – aye; Ms. Desrosiers – aye; Finance Committee Chairman Plonka – aye; Member Carboni – aye; Member Fabian aye and Chairman Day – aye.

Adjournment

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

VOTED: To adjourn the Finance Committee Meeting at 6:06 PM.
Unanimous in favor.

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

VOTED: To adjourn the Select Board Meeting at 6:07 PM.
Unanimous in favor.

List of documents provided at the Select Board Meeting of May 31, 2023

1. Letters of interest from Maureen Candito and Darren Beals

**AGENDA ITEM #4
JUNE 12, 2023**

**MEET WITH THE FINANCE COMMITTEE TO DISCUSS END OF THE
YEAR TRANSFER REQUESTS: A. RESERVE FUND TRANSFERS
(MGL CH. 40 SEC. 6) AND DEPARTMENTAL TRANSFERS (MGL CH.
44, SEC. 33B)**

Attached is the information from the Town Accountant regarding the
reserve fund transfers and Departmental Transfers

LAKEVILLE - FY2023 Operating Budget Transfers

06/08/23
SUMMARY


<u>Available (From):</u>		<u>Projected Shortfalls (To):</u>	
132 Reserve Fund	139,055	151 Legal Services	45,000
		292 Animal Control - Salaries	22,500
		430 Solid Waste - Expenses (Bulky Waste)	20,000
			<hr/> 87,500
 <u>Departmental</u>			
122 Select Board - Expenses	610	122 Select Board - Salaries	610
192 Town Offices - Expenses	14,500	141 Assessors - Exp (Reval/GIS)	14,500
193 Facilities - Salaries	15,000	193 Facilities - Expenses	15,000
210 Police - Salaries	25,000	220 Fire - Overtime	25,000
320 Freetown-Lakeville RSD	45,000	360 Agricultural High School	54,584
340 Old Colony Voc-Tec HS	9,584		
914 Group Ins - Wellness	2,500	945 General Ins - Deductible	2,500

TOWN OF LAKEVILLE
Transfer of Appropriations
 Fiscal Year 2023

Transfer From		Transfer To	
Account#	DEPARTMENT/Description	Account#	DEPARTMENT/Description
01914200-518800	GROUP INSURANC - WELLNESS PROGRAM	01945200-574000	PROPERTY & LIABILITY INSURANCE
	Amount		Amount
	\$ 2,500.00		\$ 2,500.00
	\$ 2,500.00		\$ 2,500.00

Explanation:

1) Insurance deductible for pending litigation.


 Ari Sky, Town Administrator

Select Board

Finance Committee

Chair, Select Board

Chair, Finance Committee

Date

Massachusetts General Laws, Chapter 44, section 33B:

(b) A town may, by majority vote at any meeting duly held, transfer any amount previously appropriated to any other use authorized by law. Alternatively, the selectmen, with the concurrence of the finance committee or other entity established under section 16 of chapter 39, may transfer within the last 2 months of any fiscal year, or during the first 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated, other than for the use of a municipal light department or a school department, to any other appropriation.

TOWN OF LAKEVILLE
Reserve Fund Transfer Request
 Fiscal Year 2023

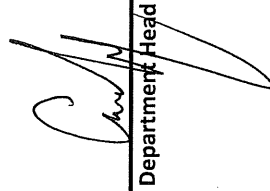
Transfer From		Transfer To	
Account#	Department/Description	Account#	Department/Description
01132200-579000	FINANCE COMMITTEE - Reserve Fund	01151200-53	LEGAL SERVICES
	Approved		Requested
	\$ 45,000.00		\$ 45,000.00
	\$ 45,000.00		\$ 45,000.00

Explanation:

Excess costs due to litigation and litigation-related activity

Department

Finance Committee


 Department Head

6/8/23
 Date

Chair, Finance Committee
 Date

Massachusetts General Laws, Chapter 40:

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

TOWN OF LAKEVILLE
Reserve Fund Transfer Request
 Fiscal Year 2023

<u>Account#</u>	<u>Transfer From</u> <u>Department/Description</u>	<u>Approved</u>
01132200-579000	FINANCE COMMITTEE - Reserve Fund	\$ 22,500.00
		\$ 22,500.00

<u>Account#</u>	<u>Transfer To</u> <u>Department/Description</u>	<u>Requested</u>
01292100-511100	ANIMAL CONTROL - SALARIES (CALLBACK)	\$ 22,500.00
		\$ 22,500.00

Explanation:

ACO coverage expenditures incurred during absence due to illness.

Department

Finance Committee


 Department Head

Date

6/9/23

Date

Chair, Finance Committee

Massachusetts General Laws, Chapter 40:

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

TOWN OF LAKEVILLE

Reserve Fund Transfer Request

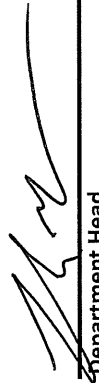
Fiscal Year 2023

Transfer From		Transfer To	
Account#	Department/Description	Account#	Department/Description
01132200-579000	FINANCE COMMITTEE - Reserve Fund	65430200-529500	SOLID WASTE - EXPENSES (BULKY WASTE)
	\$ 20,000.00		\$ 20,000.00
	\$ 20,000.00		\$ 20,000.00

Explanation:

Disposal costs due to increased construction-related materials and recycling.

Department


 Department Head

6/1/23
 Date

Finance Committee

Chair, Finance Committee

Date

Massachusetts General Laws, Chapter 40:

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

TOWN OF LAKEVILLE
Transfer of Appropriations
 Fiscal Year 2023

Transfer From		Transfer To	
Account#	DEPARTMENT/Description	Account#	DEPARTMENT/Description
01122200-531000	SELECT BOARD - EXPENSES (SERVICES)	01122100-511000	SELECT BOARD - SALARIES (TOWN ADMIN)
	\$ 610.00		\$ 610.00
	\$ 610.00		\$ 610.00

Explanation:

1) Contractual step increase not included in budget


 Ari J. Sky, Town Administrator

Select Board

Finance Committee

Chair, Select Board

Chair, Finance Committee

Date

Date

Massachusetts General Laws, Chapter 44, section 33B:

(b) A town may, by majority vote at any meeting duly held, transfer any amount previously appropriated to any other use authorized by law. Alternatively, the selectmen, with the concurrence of the finance committee or other entity established under section 16 of chapter 39, may transfer within the last 2 months of any fiscal year, or during the first 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated, other than for the use of a municipal light department or a school department, to any other appropriation.

TOWN OF LAKEVILLE


Transfer of Appropriations

Fiscal Year 2023

Transfer From		Transfer To	
Account#	DEPARTMENT/Description	Account#	DEPARTMENT/Description
0115200-530700	TECHNOLOGY - EXPENSES (MAINT)	01141200-530000	ASSESSORS - EXPENSES (REVAL SERVICES)
		01141200-530700	ASSESSORS - EXPENSES (TECH/GIS SERVICES)
	Amount		Amount
	\$ 14,500.00		\$ 12,500.00
			2,000.00
	\$ 14,500.00		\$ 14,500.00

Explanation:

- 1) Personal Property listing and valuation services, necessary for completion of FY2023 assessed values.
- 2) Vision CAMA, GIS and Cloud Hosting services. FY2024 budget has been increased.


 John Olivieri, Chair, Board of Assessors

Select Board

Finance Committee

Chair, Select Board

Date

Chair, Finance Committee

Date

Massachusetts General Laws, Chapter 44, section 33B:

(b) A town may, by majority vote at any meeting duly held, transfer any amount previously appropriated to any other use authorized by law. Alternatively, the selectmen, with the concurrence of the finance committee or other entity established under section 16 of chapter 39, may transfer within the last 2 months of any fiscal year, or during the first 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated, other than for the use of a municipal light department or a school department, to any other appropriation.

TOWN OF LAKEVILLE

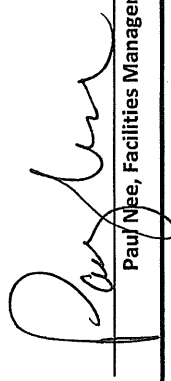
Transfer of Appropriations

Fiscal Year 2023

Transfer From		Transfer To	
Account#	DEPARTMENT/Description	Account#	DEPARTMENT/Description
01.193100-512000	FACILITIES - SALARIES (PT CUSTODIANS)	01.193200-524000	FACILITIES - EXPENSES (BLDG MAINT)
	\$ 15,000.00		\$ 15,000.00
	\$ 15,000.00		\$ 15,000.00

Explanation:

1) Unanticipated rehabilitation costs at the Animal Shelter, addressing a variety of disrepair concerns (@\$22k)


 Paul Nee, Facilities Manager

Select Board

Finance Committee

Chair, Select Board

Chair, Finance Committee

Date

Date

Massachusetts General Laws, Chapter 44, section 33B:

(b) A town may, by majority vote at any meeting duly held, transfer any amount previously appropriated to any other use authorized by law. Alternatively, the selectmen, with the concurrence of the finance committee or other entity established under section 16 of chapter 39, may transfer within the last 2 months of any fiscal year, or during the first 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated, other than for the use of a municipal light department or a school department, to any other appropriation.

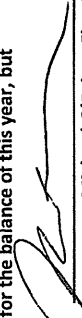
TOWN OF LAKEVILLE
Transfer of Appropriations
 Fiscal Year 2023

Transfer From		Transfer To	
Account#	DEPARTMENT/Description	Account#	DEPARTMENT/Description
01210100-511700	POLICE - SALARIES (DISPATCH)	01220100-513000	FIRE - SALARIES (CALL BACK OVERTIME)
	Amount		Amount
	\$ 25,000.00		\$ 25,000.00
	\$ 25,000.00		\$ 25,000.00

Explanation:
 A call back occurs when full-time on-duty staff are overwhelmed by the pending call demand or the severity of the pending call requires additional staffing. By contract, all full-timers have the right to respond to a call back; meaning there is no opportunity to call back smaller groups of full-time firefighters. On call firefighters are divided into 2 groups, providing more control over the numbers.

Contributing factors include:
 17.8% increase in call volume over last 2 years
 12% increase in simultaneous calls over last 2 years
 12.3% increase in total callbacks from this year to last year
 3% increase in overtime rate of pay

This shortfall was recognized in December 2022. The callback policy was changed at that time away from best practice to a more conservative approach, lessening the deficit. We cannot know the exact call load or severity of calls for the balance of this year, but we will continue to monitor closely.


 Michael O'Brien, Fire Chief

Select Board

Finance Committee

Chair, Select Board

Date

Chair, Finance Committee

Date

Massachusetts General Laws, Chapter 44, section 33B:

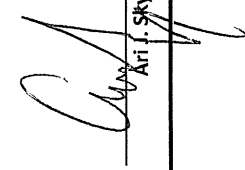
(b) A town may, by majority vote at any meeting duly held, transfer any amount previously appropriated to any other use authorized by law. Alternatively, the selectmen, with the concurrence of the finance committee or other entity established under section 16 of chapter 39, may transfer within the last 2 months of any fiscal year, or during the first 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated, other than for the use of a municipal light department or a school department, to any other appropriation.

TOWN OF LAKEVILLE
Transfer of Appropriations
 Fiscal Year 2023

Transfer From		Transfer To	
Account#	DEPARTMENT/Description	Account#	DEPARTMENT/Description
01320200-532000	FREETOWN-LAKEVILLE RSD ASSESSMENT	01360200-532100	AGRICULTURAL HS - TUITION/TRANSP
01350200-532000	OLD COLONY VOC-TEC ASSESSMENT	1	
	Amount		Amount
	\$ 45,000.00		\$ 54,584.00
	9,584.00		
	\$ 54,584.00		\$ 54,584.00

Explanation:

1) Unanticipated student enrolled at Norfolk Agricultural High School, tuition and related transportation costs. This has been included in the FY2024 Agricultural High School budget.


 Ari J. Sky, Town Administrator

Select Board

Finance Committee

 Chair, Select Board

 Chair, Finance Committee

 Date

Massachusetts General Laws, Chapter 44, section 33B:

(b) A town may, by majority vote at any meeting duly held, transfer any amount previously appropriated to any other use authorized by law. Alternatively, the selectmen, with the concurrence of the finance committee or other entity established under section 16 of chapter 39, may transfer within the last 2 months of any fiscal year, or during the first 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated, other than for the use of a municipal light department or a school department, to any other appropriation.

**AGENDA ITEM #5
JUNE 12, 2023**

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

Attached is the application for a permit for Outside Entertainment from Alexander Koroskenyi of 1 Cedar Pond Road that was discussed at the last meeting.

Attached is the information from the previous meeting. Also attached is an email from Town Counsel for your review.

**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
SELECTMEN'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 of Individual
or Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

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

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

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

Received _____ 20 _____

Hour A.M. _____

P.M. _____

Approved _____ 20 _____

Signature of Applicant

Address

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

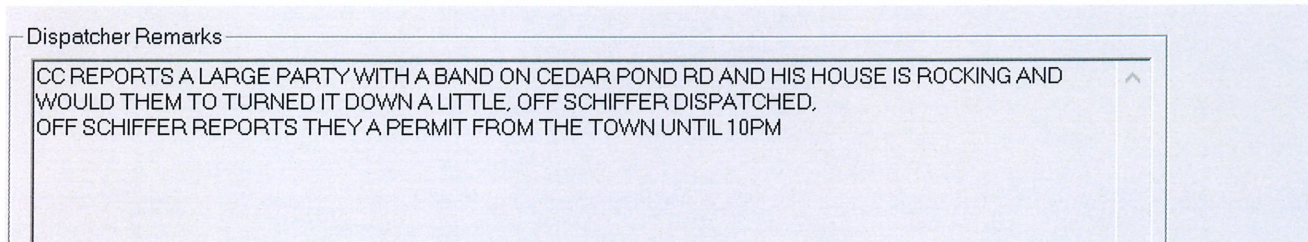
From: Alex Koroskenyi <alex@coastalevent.com>
Sent: Wednesday, May 10, 2023 3:31 PM
To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Subject: RE: FW: Application for outdoor entertainment

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

From: Tracie Craig-McGee <tcrraig-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*

Ari Sky

From: Gregg J. Corbo <GCorbo@k-plaw.com>
Sent: Wednesday, June 7, 2023 10:41 AM
To: Ari Sky
Subject: Entertainment Licensing

Dear Ari:

You have requested an opinion as to the authority of the Select Board to issue licenses for entertainment events on private property. Specifically, it is my understanding that the Board has received two applications for outdoor entertainment on private property. Both applications are for live bands to perform on residential properties. One of the applications was submitted by the owner of the property, the other was submitted by a third-party.

Pursuant to G.L. c. 140, §181, the Select Board may issue licenses for “theatrical exhibitions, public shows, public amusements and exhibitions of every description, to be held upon weekdays only, to which admission is obtained upon payment of money or upon the delivery of any valuable thing, or in which, after free admission, amusement is furnished upon a deposit of money in a coin controlled apparatus.”

In my opinion, the requirement for a license depends upon whether or not money is paid as a result of being able to attend the event. In my further opinion, a license is required when individual attendees have to pay to enter the property and/or when entertainment is being provided on the property of another and where the host of the entertainment is paying a fee for the use of the property.

A license is not required for “public entertainments by religious societies in their usual places of worship for a religious or charitable purpose, or to entertainments given in school buildings by or for the benefit of the pupils thereof and under the supervision of the principal or teacher in charge of the school classes therein, or to entertainments given in a private dwelling, except in apartments thereof having a seating capacity of four hundred or more” G.L. c. 140, §182. This statute does not apply to establishments with on-premises liquor licenses issued pursuant to G.L. c. 138, §12, which are subject to G.L. c. 140, §183A.

In this matter, the two applications are for entertainment on private residential property. Therefore, unless a fee is being charged for admission to or for use of the properties, it is my opinion that the Select Board does not have the authority to require entertainment licenses for these events. That being said, if there are complaints that these or any other similar events are creating a disturbance through excessive noise or otherwise, the police may be called and may issue orders to preserve peace and order in the community.

Please feel free to contact me if there are any further questions in this regard.

-Gregg

Gregg J. Corbo, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 654-1764
F: (617) 654 1735
gcorbo@k-plaw.com
www.k-plaw.com

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**AGENDA ITEM #6
JUNE 12, 2023**

**DISCUSS AND POSSIBLE VOTE ON APPLICATION FOR
OUTSIDE ENTERTAINMENT FROM JOANNA RODRIGUES -26
DUNBAR ROAD – AUGUST 19, 2023**

Attached is the application for an outside entertainment permit on August 19, 2023 for 26 Dunbar Road.

This is a recreational party. The hours requested are from 7 to 10 PM. Entertainment is a band, including electric guitar, drums and vocals. The band will provide their own sound system and speakers.

They are expecting 50 to 75 people and will be using the house bathrooms.

Also attached is an email from Town Counsel.

RECEIVED
MAY 18 2023
SELECTMEN'S OFFICE

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

X 05/18 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 Joanna Rodrigues
address + phone 26 Gerard Ave E. Freetown, MA (508) 439-3413
(Full name of person, firm or corporation making application)

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE
IS REQUESTED

To outside entertainment / band - 5 members
X date + time + type 08-19-2023 7-10pm

band will provide their own sound / speakers, instruments
include guitars & drums as well as vocals.

GIVE LOCATION
BY STREET
AND NUMBER

X At 26 Dunbar Rd.

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 Joanna Rodrigues
*Signature of Individual
or Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

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

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

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

Received _____ 20 _____

Hour A.M. _____

P.M. _____

Approved _____ 20 _____

License Granted _____ 20 _____

Tracie Craig-McGee

From: Joanna Lyn <jrodrigues1487@gmail.com>
Sent: Thursday, May 25, 2023 11:57 AM
To: Tracie Craig-McGee
Subject: Re: Permit Request for Outdoor Entertainment

Hi!

Electric guitar. No stage. Approximate number of people is 50-75, house bathroom. Reason for party is recreational.

Best,

Joanna

On Thu, May 25, 2023 at 11:52 AM Tracie Craig-McGee <tcraig-mcgee@lakevillema.org> wrote:

Hi Joanna,

Can you tell me how many guitars in the band and are they electric or acoustical? Will there be stage lighting? Do you have an approximate number of people attending? Will you be having a port a potty or using your house bathroom. Also, what is the reason for the party.

Sorry for all the questions, but the Select Board is requesting more information on these types of licenses.

Tracie Craig-McGee

Executive Assistant - Select Board

& Town Administrator

Town of Lakeville

346 Bedford Street

Lakeville, MA 02347

508 946-8803

From: Joanna Lyn <jrodrigues1487@gmail.com>
Sent: Thursday, May 18, 2023 12:32 PM

Ari Sky

From: Gregg J. Corbo <GCorbo@k-plaw.com>
Sent: Wednesday, June 7, 2023 10:41 AM
To: Ari Sky
Subject: Entertainment Licensing

Dear Ari:

You have requested an opinion as to the authority of the Select Board to issue licenses for entertainment events on private property. Specifically, it is my understanding that the Board has received two applications for outdoor entertainment on private property. Both applications are for live bands to perform on residential properties. One of the applications was submitted by the owner of the property, the other was submitted by a third-party.

Pursuant to G.L. c. 140, §181, the Select Board may issue licenses for “theatrical exhibitions, public shows, public amusements and exhibitions of every description, to be held upon weekdays only, to which admission is obtained upon payment of money or upon the delivery of any valuable thing, or in which, after free admission, amusement is furnished upon a deposit of money in a coin controlled apparatus.”

In my opinion, the requirement for a license depends upon whether or not money is paid as a result of being able to attend the event. In my further opinion, a license is required when individual attendees have to pay to enter the property and/or when entertainment is being provided on the property of another and where the host of the entertainment is paying a fee for the use of the property.

A license is not required for “public entertainments by religious societies in their usual places of worship for a religious or charitable purpose, or to entertainments given in school buildings by or for the benefit of the pupils thereof and under the supervision of the principal or teacher in charge of the school classes therein, or to entertainments given in a private dwelling, except in apartments thereof having a seating capacity of four hundred or more” G.L. c. 140, §182. This statute does not apply to establishments with on-premises liquor licenses issued pursuant to G.L. c. 138, §12, which are subject to G.L. c. 140, §183A.

In this matter, the two applications are for entertainment on private residential property. Therefore, unless a fee is being charged for admission to or for use of the properties, it is my opinion that the Select Board does not have the authority to require entertainment licenses for these events. That being said, if there are complaints that these or any other similar events are creating a disturbance through excessive noise or otherwise, the police may be called and may issue orders to preserve peace and order in the community.

Please feel free to contact me if there are any further questions in this regard.

-Gregg

Gregg J. Corbo, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 654-1764
F: (617) 654 1735
gcorbo@k-plaw.com
www.k-plaw.com

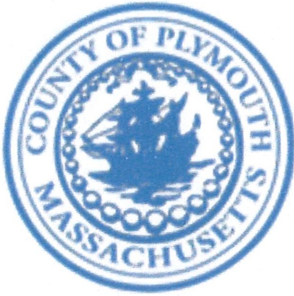
This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

**AGENDA ITEM #7
JUNE 12, 2023**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM PLYMOUTH
COUNTY RETIREMENT ASSOCIATION BOARD TO ACCEPT
CHAPTER 269 OF THE ACTS OF 2022**

Attached is a letter from the Plymouth County Retirement Board requesting that the Board vote to accept Chapter 269 of the Acts of 2022 (copy attached).

Also attached is a memorandum from PERAC and information from the Town Accountant.



**PLYMOUTH COUNTY
RETIREMENT ASSOCIATION**

60 Industrial Park Road, Plymouth, MA 02360
P: 508-830-1803 | F: 508-830-1875
www.pcr-ma.org

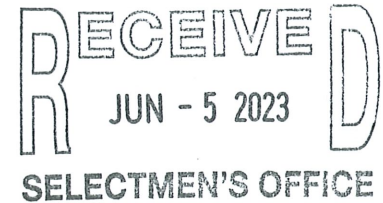
Retirement Board

Thomas J. O'Brien, *Chairman*
Joseph F. McDonough, *Elected Member*
John F. Sciarra, *Elected Member*
James E. Harrington, *Appointed Member*
Pamela J. Avitabile, *Appointed Member*

Padraic P. Lydon, *Executive Director*

May 31, 2023

Town of Lakeville Selectboard
Chairman Brian Day
346 Bedford Street
Lakeville, MA 02347



RE: 5% Local COLA Option

Dear Chairman Day:

The Plymouth County Retirement Association Board is respectfully requesting the Select Boards of towns within the Plymouth County Retirement System to accept Chapter 269 of the Acts of 2022 ("the Act"), a local option which allows a one-time increase to the Cost-of-Living Adjustment (COLA) granted to retirees in FY 2023, from 3% to 5% of the System's \$16,000 COLA base.

Acceptance of the Act is conditioned upon approval by the Plymouth County Retirement Board, the Plymouth County Commissioners **and** by two-thirds of the System's Select Boards prior to June 30, 2023. The Plymouth County Retirement Board unanimously voted to accept the Act on April 13, 2023, and the Plymouth County Commissioners subsequently unanimously approved as well.

To assist in the Select Boards' review, enclosed please find the Act and a memorandum from the Public Employee Retirement Administration Commission. Please note that the Social Security Administration has granted COLAs of 5.9% in 2022 and 8.7% for 2023, on retirees'

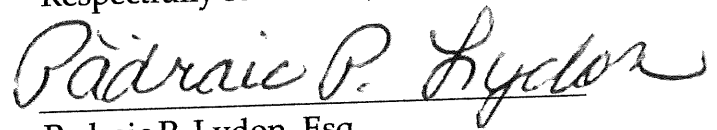
entire social security amount. A substantial majority of Plymouth County Retirement members receive little or no social security benefits.

Pursuant to the statute, Select Boards must vote on or before June 30, 2023, to accept Chapter 269 of the Acts of 2022, and timely notify the Plymouth County Retirement System of any action taken on this request.

If you need further information, please let me know.

Thank you for your consideration and attention to this important matter.

Respectfully submitted,



Padraic P. Lydon, Esq.

Executive Director

Enc.

Chapter 269 of the Acts of 2022
PERAC Memorandum #29/2022

Chapter 269

AN ACT RELATIVE TO COST-OF-LIVING ADJUSTMENTS FOR RETIREES

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for increased cost-of-living adjustments for retirees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. (a) (1) Notwithstanding section 103 of chapter 32 of the General Laws or any other general or special law to the contrary, the retirement board of any system that has accepted said section 103 may elect to establish a cost-of-living adjustment increase of not less than 3 per cent and not greater than 5 per cent on the base amount provided for in said section 103 for fiscal year 2023.

(2) The sum of the dollar amount of the cost-of-living increase on the base amount, together with the amount of retirement allowance, pension or annuity to which the cost-of-living increase is applied, shall become the fixed retirement allowance, pension or annuity for all future purposes, including the application of subsequent cost-of-living adjustments in future years.

(b) A retirement board may grant a cost-of-living increase of not less than 3 per cent and not greater than 5 per cent on the base amount for fiscal year 2023 at any time during the fiscal year.

(c) This section shall take effect for the members of a retirement system by a majority vote of the board of such system and upon local acceptance: (i) of the city council upon recommendation of the mayor in a city, (ii) of the city council upon recommendation of the city manager in a city having a Plan D or Plan E charter, (iii) of the chief executive officer, as defined in section 7 of chapter 4 of the General Laws, in a town, (iv) of the county commissioners in a county and (v) by vote of the governing board, commission or committee in a district or other political subdivision of the commonwealth. For any retirement system comprising more than 1 political subdivision of the commonwealth, this section shall be effective by a majority vote of the board of such system and upon the acceptance of two-thirds of cities and towns within the system by approval of: (i) the city council upon recommendation of the mayor in a city, (ii) the city council upon recommendation of the city manager in a city having a Plan D or Plan E charter, and (iii) the chief executive officer, as defined in section 7 of chapter 4 of the General Laws, in a town.

SECTION 2. This act shall take effect on July 1, 2022.

Approved, November 16, 2022.

PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION


PHILIP Y. BROWN, ESQ., *Chair*

JOHN W. PARSONS, ESQ., *Executive Director*

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES J. GUIDO | RICHARD MACKINNON, JR. | JENNIFER F. SULLIVAN, ESQ.

MEMORANDUM

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director 

RE: 5% Local COLA option

DATE: November 18, 2022

On November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022 into law. This act provides the local retirement systems with a local option to increase the Cost of Living Adjustment ("COLA") for Fiscal Year 2023 to up to 5 percent on the base amount specified pursuant to G.L. c. 32, § 103. The approval of the increase can occur at any time during the fiscal year and will take effect as of July 1, 2022.

The local approval mechanism is different than traditional COLA increases and COLA base increases. In order for a system to adopt a COLA increase pursuant to this act, **the retirement board must vote for the increased amount and then it must also receive local approval.**

For purposes of this act, local approval means:

- In a city, the mayor must recommend the increase to the city council and the council must vote in favor.
- In a city having a Plan D or Plan E charter, the city manager must recommend the increase to the city council and the council must vote in favor.
- In a town, the chief executive officer¹ - the select board in nearly all cases - must vote in favor to accept the increase rather than the town meeting as is the case for COLA base increases.
- In a district, or other political subdivision, the governing board, commission or committee must vote in favor to accept the COLA increase.

¹ As defined in G.L. c. 4, § 7, "chief executive officer", when used in connection with the operation of municipal governments shall include the mayor in a city and the select board in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.



MEMORANDUM - Page Two

TO: All Retirement Boards
FROM: John W. Parsons, Esq., Executive Director
RE: 5% Local COLA option
DATE: November 18, 2022

- In a regional system, two-thirds of the cities and towns within the system must approve the increase. This is done in the same fashion as stated above for municipalities: in a city, by the city council upon recommendation by the mayor or, in a city with a Plan D or Plan E charter, the city manager; or, in a town, by approval of the chief executive officer (likely the select board) as defined by G.L. c. 4, § 7.
- In a county, the county commissioners, who normally do not have a role in COLAs nor COLA base increases, must vote to accept **and** two-thirds of the cities and towns within the system must approve the increase in the same manner as stated above for regional systems.

Though many local systems are comprised of multiple units such as housing authorities and districts, the two-thirds language only applies to regional and county systems as the approval specified in the statute only refers to cities and towns as voting political subdivisions.

Section 2 of the act provides that a COLA increase pursuant to this act is retroactive to July 1, 2022. Any COLA increase, in addition to any COLA previously adopted for FY 23, will become part of the fixed amount of a retirees' retirement allowance in the same manner as all COLAs granted pursuant to section 103.

PERAC has already received questions about estimating the cost of the enhanced COLA. PERAC Actuary John Boorack has provided the following formula for a conservative full-cost estimate, not a one-year estimate, to assist boards in their planning:

$$(0.2) \times (\text{COLA base}) \times (\# \text{ of retirees/beneficiaries})$$

If you have any questions about this memo, please contact PERAC's General Counsel, Judith Corrigan, at (617) 591-8904 or at judith.a.corrigan@mass.gov.

Lakeville

Actuarial Valuation as of January 1, 2022

Participant Information

Participants	
Actives	76
Inactives	16
Retirees and Disableds	75
Total	<u>167</u>
Payroll	5,021,021
Average	66,066

Valuation Results

Normal Cost	
Employee	460,028
Employer	96,041
Administrative Expense	29,570
Total	<u>585,639</u>
Actuarial Accrued Liability	
Actives	8,703,295
Inactives	225,830
Retirees and Disableds	17,923,494
Total	<u>26,852,619</u>
Assets	\$18,278,646
Unfunded Actuarial Accrued Liability	\$8,573,973
FY24 Contribution - semiannual payments	\$1,539,379
FY24 Contribution - July payment	\$1,510,753
FY25 Contribution - semiannual payments	\$1,672,750
FY25 Contribution - July payment	\$1,641,643



Tracie Craig-McGee

From: Todd Hassett, Lakeville Town Accountant
Sent: Thursday, June 8, 2023 1:02 PM
To: Ari Sky; Brian Day; Tracie Craig-McGee; Lia Fabian; Lorraine Carboni
Subject: RE: Agenda item 6-12-23
Attachments: Plymouth County CRS actuarial valuation - Lakeville.pdf

Good afternoon,

Based on the suggested formula from PERAC, the additional 2% COLA (on the first \$16,000 of pension benefits) would equate to @ \$24,000 increased cost (to the retirement system) per year.

The Plymouth County Contributory Retirement System has an independent actuarial valuation performed every two years. The next valuation will be dated January 1, 2024 and will determine our FY2026 and FY2027 pension assessments. Attached please find the current version (January 1, 2022), already approved, that fixes our FY2024 and FY2025 pension assessment amounts.

Happy to discuss further, if you wish.

Regards,
Todd

From: Ari Sky <asky@lakevillema.org>
Sent: Tuesday, June 6, 2023 11:53 AM
To: Brian Day <bday@lakevillema.org>; Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>; Lia Fabian <lfabian@lakevillema.org>; Lorraine Carboni <lcarboni2@lakevillema.org>; Todd Hassett, Lakeville Town Accountant <thassett@lakevillema.org>
Subject: RE: Agenda item 6-12-23

It may be possible to infer the number from the actuarial study, but the level of accuracy would be very uncertain. Todd can weigh in on this, as well.

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



From: Brian Day <bday@lakevillema.org>
Sent: Tuesday, June 6, 2023 11:49 AM

To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>; Lia Fabian <lfabian@lakevillema.org>; Lorraine Carboni <lcarboni2@lakevillema.org>; Ari Sky <asky@lakevillema.org>; Todd Hassett, Lakeville Town Accountant <thassett@lakevillema.org>
Subject: Re: Agenda item 6-12-23

Thank you, Tracie.

[@Ari](#) and [@Todd](#), does the guidance on the last page provide any means to estimate what our assessment change would be should this go through? Thank you.

Section 2 of the act provides that a COLA increase pursuant to this act is retroactive to July 1, 2022. Any COLA increase, in addition to any COLA previously adopted for FY 23, will become part of the fixed amount of a retirees' retirement allowance in the same manner as all COLAs granted pursuant to section 103.

PERAC has already received questions about estimating the cost of the enhanced COLA. PERAC Actuary John Boorack has provided the following formula for a conservative full-cost estimate, not a one-year estimate, to assist boards in their planning:

$$(0.2) \times (\text{COLA base}) \times (\# \text{ of retirees/beneficiaries})$$

If you have any questions about this memo, please contact PERAC's General Counsel, Judith Corrigan, at (617) 591-8904 or at judith.a.corrigan@mass.gov.

Brian Day
Select Board, Town of Lakeville
Email: bday@lakevillema.org

Disclaimer:

Views and opinions expressed are those of my own and do not represent the position of the Lakeville Select Board unless an official vote of the board has been taken on the subject. Please do not share my views or opinions with additional board members outside of a posted meeting. Care should be taken not to email, text, SMS, etc., a quorum of the Select Board (2 or more members) unless discussing the scheduling of a meeting, distribute a meeting agenda, or to distribute reports or documents to be discussed at a meeting, provided that no opinion of a member is expressed. (MA G.L. c. 30A, § 18)

From: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Sent: Tuesday, June 6, 2023 9:57 AM
To: Brian Day <bday@lakevillema.org>; Lia Fabian <lfabian@lakevillema.org>; Lorraine Carboni <lcarboni2@lakevillema.org>
Cc: Ari Sky <asky@lakevillema.org>
Subject: Agenda item 6-12-23

Hi all,

During agenda review today, it was requested that this item be forwarded to the Board early for review as it will be on the agenda for 6/12/23.

If you have any questions, please reach out to Ari.

**AGENDA ITEM #8
JUNE 12, 2023**

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

Attached is the revised draft of the Chapter 61 Right of First Refusal Policy and Procedures for your review.



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

Factors for Consideration

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

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

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

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

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

Town Counsel

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

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

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

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

Town Administrator

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

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

- Select Board
- Planning Board
- Board of Assessors

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

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

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

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

Boards, Committees and/or Commissions

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

Select Board

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

1. On properties for which a purchase and sale agreement has been submitted, the Board shall promptly schedule a meeting to discuss the Notice of Intent and any comments from the appropriate Boards, Committees and Commissions on the purchase option. The Select Board may vote at 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 of the property must be completed, and the value of the land determined before the Board may hold a Public Hearing to consider the purchase of the property.
5. The Select Board may vote at the public hearing or at any later meeting, within the 120-day timeframe, to either: a) exercise the option to purchase, b) assign the Town's purchase rights to a qualified nonprofit conservation organization or agency or to the Commonwealth or any of its political subdivisions, or c) decline to exercise the first refusal option or option to purchase.
6. Authorization to purchase Chapter Land must be obtained from Town Meeting, and if possible, should be obtained within the 120-day period. If grant funds have not previously been secured or the Town has not appropriated funds for the purchase, Town Meeting must appropriate the necessary funds. If the funds have not previously been appropriated at an Annual Town Meeting, the Select Board must hold a Special Town Meeting within the 120-day period. Funding procedures in circumstances requiring a debt exclusion, such as a special election, must also be addressed within the 120-day period.

Exercise of the Town's Purchase Rights

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

Exercise of First Refusal Option:

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

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

Assignment of First Refusal Option:

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

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

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

Non-Exercise of First Refusal Option:

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

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

Failure to Act:

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

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

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: _____
- _____ Owner Sends Notice by Certified Mail or Hand-Delivery to:
 - Select Board
 - Planning Board
 - Board of Assessors
 - Conservation Commission
 - State Forester (DCR)

Town Counsel Review:
 _____ Complete Submittal _____ Incomplete

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: _____

<u>Appraisals</u>	<u>Deadline</u>	<u>Received</u>
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 per policy.

_____ 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:** _____

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.

____ Owner Sends Notice (if complete) to:

- Select Board
- Planning Board
- Board of Assessors
- Conservation Commission
- State Forester (DCR)

Town Counsel Review:

____ Complete Submittal _____ Incomplete

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 (per policy).
- ____ Select Board 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 #9
JUNE 12, 2023**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM TOWN
CLERK TO SEND STATE POLITICAL COMMITTEES A LETTER
REGARDING APPOINTMENT OF ELECTION WORKERS**

The Town Clerk has requested that the Select Board vote to send letters to the State Political Committees regarding the appointment of Election Workers (a copy of the letters is attached).

Tracie Craig-McGee

From: Lillian Drane, Town Clerk & Chief Elections Officer, CMC, Commissioner to Qualify & Burial Agent
Sent: Wednesday, May 24, 2023 12:45 PM
To: Tracie Craig-McGee
Subject: RE: 2nd round-Poll Workers-State Democratic & Republican Committee Letters democrat and republican state committee. letter for Poll Workers.2023.doc
Attachments:
Importance: High

Hi Tracie,

Would you please put this matter on your next SB meeting in June, so that the SB can forward these letters to the **State Committees** in order to be able to appoint the poll workers in **August**.

I believe I have the correct names and addresses for these committees.

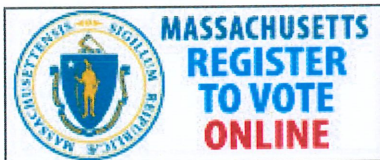
I included the letters for you...

Thanks again,
~Lil

Respectfully,
Lillian

Lillian M. Drane, MMC/CMMC
Town Clerk/Chief Elections Officer,
Board of Registrar, Justice of the Peace,
Notary Public, Commissioner to Qualify,
Census Liason, Burial Agent & SRAO
TriCounty City & Town Clerks Association, President

Town of Lakeville
346 Bedford Street
Lakeville, MA 02347
Office: 508-946-8800
Fax: 508-946-3970
Email: ldrane@lakevillema.org
Web: www.lakevillema.org



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

June 13, 2023

Steve Kerrigan, Chairman
Democratic State Committee
11 Beacon Street, Suite 410
Boston, MA 02108

RE: Election Workers for the Town of Lakeville Town

Dear Mr. Kerrigan:

Pursuant to G. L. c. 54, §12, notice would have been hereby given to the **Lakeville Democratic Town Committee** if they have been in existence in Lakeville. A list would have to be filed of enrolled members of the Party who desire appointment as election officers. If you desire to file a list from your party, please be advised that you must do so within 15 days of the notice. Failure to file such a list will result in the appointment of those registered voters recommended by the Town Clerk.

For your information, in recent years, neither Town Committee has submitted such lists and all election officers that have been appointed have been recommended by the Town Clerk.

Thank you for your attention to this matter.

June 13, 2023

Amy Carnevale, Chairman
Republican State Committee
400 West Cummings Park, Suite 5650
Woburn MA 01801

RE: Election Workers for the Town of Lakeville Town

Dear Ms. Carnevale:

Pursuant to G. L. c. 54, §12, notice would have been hereby given to the **Lakeville Republican Town Committee** if they have been in existence in Lakeville. A list would have to be filed of enrolled members of the Party who desire appointment as election officers. If you desire to file a list from your party, please be advised that you must do so within 15 days of the notice. Failure to file such a list will result in the appointment of those registered voters recommended by the Town Clerk.

For your information, in recent years, neither Town Committee has submitted such lists and all election officers that have been appointed have been recommended by the Town Clerk.

Thank you for your attention to this matter.

**AGENDA ITEM #10
JUNE 12, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE REQUEST TO
CONNECT TO TAUNTON WATER - 310 KENNETH WELCH DRIVE**

Attached is an application to connect to Taunton Water for the property at 310 Kenneth Welch Drive.

They are requesting an allocation of 15,000 gallons per day.

City of Taunton Water Connection Application



RECEIVED
JUN - 5 2023
SELECTMEN'S OFFICE

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:

Water Consumption

Fertigation	NEA	Jushi	Seatrade	Cold Space	Total
Canopy SF	48,512	28,000	-	-	76,512
Gal / SF	209	209	209	209	209
GPD	27,778	16,033	-	-	43,811
Plants	37,000	17,000	-	-	54,000
Gal / Plant / Day	0.75	0.94	-	-	0.81
Cooling Tower Makeup	NEA	Jushi	Seatrade	Cold Space	Total
Tonnage of primary chillers	1,200	950			
Flow to Towers (GPM)	2,880	2,280			
Avg % of Peak	90%	90%			
Evaporation Rate (% of Flow)	1.5%	1.5%			
GPD	55,987	44,323			100,310
Occupancy	NEA	Jushi	Seatrade	Cold Space	Total
Occupant Load (Daily)	105	90	25	10	230
GPD / Occupant	15	15	15	15	15
GPD	1,575	1,350	375	150	3,450
Uses					
Fertigation	27,778	16,033	-	-	43,811
Cooling Tower Makeup	55,987	44,323	-	-	100,310
Occupancy	1,575	1,350	375	150	3,450
Total Uses	85,340	61,706	375	150	147,571

Reclamation

Condensate Recycling					Total
Watering (GPD)	27,778	16,033	-	-	43,811
Transpiration	70.0%	70.0%	70.0%	70.0%	70.0%
GPD	19,445	11,223	-	-	30,668
Well Water	GPM	% of Peak			Total
Well #1	20	85%			24,480
Well #2	30	85%			36,720
Well #3	20	85%			24,480
Well #4	13	85%			15,912
Total	83	85%			101,592

Sources

Condensate Recycling	30,668
Well Water	101,592
Taunton / Lakeville	15,312
Total Sources	147,571

**AGENDA ITEM #11
JUNE 12, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE REQUEST TO
CONNECT TO TAUNTON WATER – 235 MAIN STREET**

Attached is an application to connect to Taunton Water for the property at 235 Main Street. This is a residential dwelling.

They are requesting an allocation of 260 gallons per day.

City of Taunton Water Connection Application



RECEIVED
MAY 22 2023
SELECTMEN'S OFFICE

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:

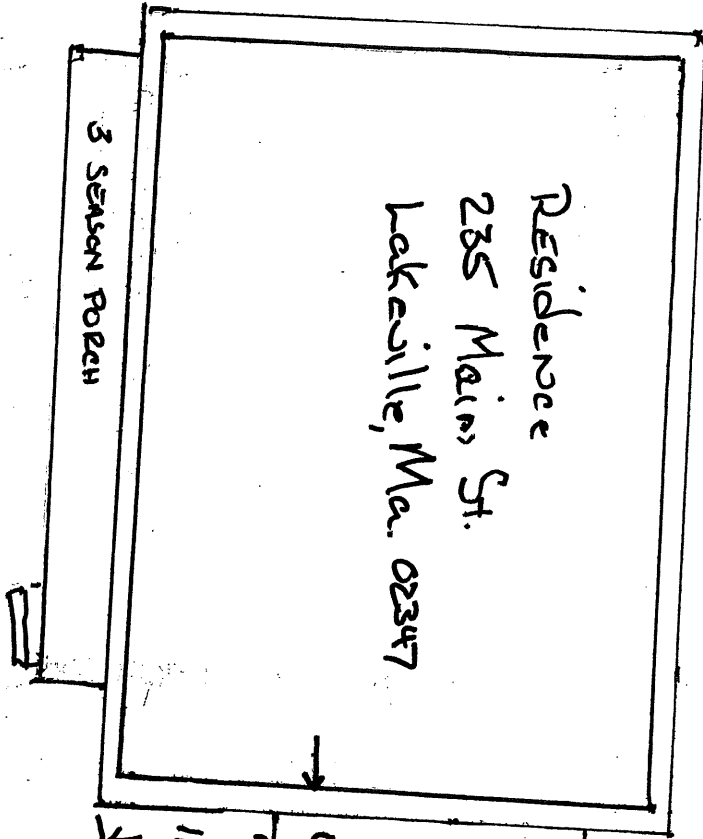
Taunton Water Department Supervisor: Mike Arruda

Signature:

Lakeville Board of Selectman (If Applicable)

Signature:

Drive Way



Residence
235 Main St.
Lakesville, Ma. 02347

3 SEASON PORCH

WATER SERVICE

curb box

Waste
Water

- X 1 = 11'
- X 2 = 6'
- X 3 = 49'
- X 4 = 60'
- S 1 = 60'
- S 2 = 6'

side wall

**AGENDA ITEM #12
JUNE 12, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE RENEWAL OF
JUNK DEALER AND JUNK COLLECTOR – 330 BEDFORD STREET
– STEVE DAVOLI – THE ANTIQUE MALL**

At a previous meeting, the Town Clerk had requested approval of the Town's Junk Dealer and Junk Collector Licenses. However, due to the new by-law, proof of an active business is required prior to approval by the Board.

Mr. Davoli has supplied the attached information from his accountant regarding proof of active sales.

THE ANTIQUE MALL
Daily Sales and Sales Tax
For the Month March 2023

Day	Date	Gross Sales	Retail Sales	Wholesale Sales	State Sales Tax	Tax 2	Tax 3	Tax 4	Shipping Etc
Wednesday	03-01-2023	432.55	367.85	64.70	23.01				
Thursday	03-02-2023	535.55	519.55	16.00	32.51				
Friday	03-03-2023	1,264.60	1,234.60	30.00	77.19				
Saturday	03-04-2023	1,295.15	1,295.15		81.00				
Sunday	03-05-2023	723.35	723.35		45.24				
Monday	03-06-2023								
Tuesday	03-07-2023	522.20	522.20		32.65				
Wednesday	03-08-2023	168.00	128.00	40.00	8.00				
Thursday	03-09-2023	353.11	353.11		22.07				
Friday	03-10-2023	892.55	892.55		55.80				
Saturday	03-11-2023	949.76	949.76		59.40				
Sunday	03-12-2023	599.10	595.35	3.75	37.23				
Monday	03-13-2023								
Tuesday	03-14-2023	189.70	189.70		11.86				
Wednesday	03-15-2023	554.00	354.00	200.00	22.13				
Thursday	03-16-2023	812.95	252.45	560.50	15.78				
Friday	03-17-2023	216.10	216.10		13.51				
Saturday	03-18-2023	1,320.51	970.51	350.00	60.70				
Sunday	03-19-2023	1,089.65	1,089.65		68.11				
Monday	03-20-2023								
Tuesday	03-21-2023	1,051.75	956.75	95.00	59.81				
Wednesday	03-22-2023	180.40	180.40		11.27				
Thursday	03-23-2023	430.00	430.00		26.88				
Friday	03-24-2023	376.55	376.55		23.53				
Saturday	03-25-2023	622.82	622.82		38.93				
Sunday	03-26-2023	615.91	532.91	83.00	33.34				
Monday	03-27-2023								
Tuesday	03-28-2023	107.95	107.95		6.76				
Wednesday	03-29-2023	223.55	223.55		13.98				
Thursday	03-30-2023	709.15	709.15		44.33				
Friday	03-31-2023	619.95	619.95		38.76				
Totals		16,856.86	15,413.91	1,442.95	963.78				

Notes: Sales tax rate(s) differed on some days during the period of this report, so SOS does not report a "Calculated Tax" for this period.

The far right column figures come from items sold (WITHOUT sales tax) for the tag ID 'SSS', generally only for shipping, delivery fees, etc. in states where such items are NON-taxable.

**AGENDA ITEM #13
JUNE 12, 2023**

**DISCUSS AND POSSIBLE VOTE ON EMPLOYMENT AGREEMENT
FOR ERIKA CORREIA, TREASURER/COLLECTOR**

Attached please find the Employment Agreement for Erika Correia, Treasurer/Collector for the Board's review and possible vote.

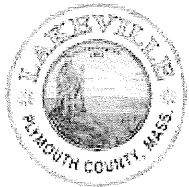
Ari Sky

From: Ari Sky
Sent: Monday, June 5, 2023 9:01 AM
To: Brian Day; Lorraine Carboni; Lia Fabian
Cc: John Viarella
Subject: Erika Correia - Contract Renewal
Attachments: Treasurer-Collector Erika C 2021.pdf; E Correia Employment Agreement 070123.doc

All –

The Special Act establishing the appointed Treasurer position allows the Town the option of establishing an employment agreement. The Select Board opted to go that route when Erika Correia was hired in 2021 (copy attached). The existing agreement expires on June 30th, so I have taken the liberty of working with Counsel to draft a renewal which essentially continues the existing agreement, updating for dates, completion of probation and current salary (also attached). My intention is to submit the document for consideration and possible approval at next week's Board meeting. Thanks, and please let me know if you have any questions or concerns.

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



EMPLOYMENT AGREEMENT BETWEEN
THE TOWN OF LAKEVILLE AND
TREASURER-COLLECTOR ERIKA CORREIA

This EMPLOYMENT AGREEMENT (“Agreement”), made pursuant to Chapter 368 of the Acts of 2020, is entered into as of _____, 2023, by the Town of Lakeville (“Town”), a municipal corporation in the State of Massachusetts with its principal place of business at 346 Bedford Street, Lakeville, Massachusetts 02347 acting by and through its Select Board, and Erika L. Correia (“Employee”), an individual whose principal residence is 805 Russells Mills Road, Dartmouth, Massachusetts 02748.

In consideration of the promises and the respective covenants and agreements set forth herein, and intending to be legally bound hereby, the parties hereto agree as follows:

1. **Employment Period.**

This agreement shall be effective July 1, 2023, and shall remain in effect until June 30, 2026 (the “Employment Period”), unless sooner terminated. As provided for in Chapter 368 of the Acts of 2020, this agreement is subject to appropriation.

In the event that both parties agree to renew this Agreement beyond its initial term, or any successive terms, discussion about the Employee’s salary and fringe benefits shall begin by March 1 for any renewal on July 1.

2. **Employment Duties.**

(a) The Town will employ the Employee as its Treasurer-Collector. Unless this Agreement is terminated sooner, the Employee will continue in such employment for the duration of the Employment Period and will perform in good faith and to the best of her abilities all services which may be required of her in such capacity, and such services and assignments as may be made by the Town’s Select Board, consistent with the title and responsibilities of her position and her expertise.

(b) During the Employment Period, the Employee will devote her full working time and efforts to the business and affairs of the Town within the customary scope of her position. Generally, the Employee’s workweek shall consist of no fewer than forty (40) hours. The parties acknowledge and agree that the Employee is an exempt employee for the purposes of the Federal Fair Labor Standards Act, 29 U.S.C. §201, *et seq.*, and as such, is not eligible for overtime pay.

(c) The Employee agrees to perform all services necessary and incidental to the responsibilities of Treasurer-Collector for the Town. The specific responsibilities of the Employee, as the Town Administrator, are set forth in Exhibit A (Job Description, Town of Lakeville, Treasurer-Collector) which is attached hereto and made a part of this Agreement.

(d) As a non-union employee of the Town, the Employee will be subject to the provisions of the Town's Employee Personnel Handbook, except as described below.

3. **Compensation.**

(a) For all services rendered in the Employment Period, the Employee's salary will be at the rate of:

- 1) Eighty-Five Thousand Dollars (\$90,177.00) during the first year of service.
- 2) In each succeeding year of this contract, the Employee's base salary shall be increased in an amount equal to the percentage increase received by Department Heads.

(b) The Employee's salary will be paid at periodic intervals in accordance with the Town's payroll practices for other Town employees. The Employee's predetermined, periodic salary payment will be paid to the Employee as full compensation for all weeks worked by the Employee under this Agreement.

(c) The Town will deduct and withhold from any payments to the Employee hereunder, any and all federal, state and local income and employment withholding taxes and any other amounts required to be deducted or withheld by the Town under applicable law.

4. **Fringe Benefits.**

(a) Insurance. The Employee shall also be eligible for all health and other life insurance benefits for which other non-bargaining unit employees are entitled to under the Town's Personnel By-Law. The Town agrees to contribute toward the cost of such insurance the same percentage rate of cost accorded to non-bargaining unit employees under the different subscriber plans. If the Employee declines participating in employer-sponsored health insurance by showing proof of coverage and completing the necessary forms, Employee will receive the amount afforded to employees opting out of the Town's health insurance program pursuant to the Town's existing Opt-Out Policy (currently \$2,500 for waiving individual health insurance plan coverage or \$5,000 for waiving a family health insurance plan coverage).

(b) Vacation. The Employee will receive three (3) weeks of vacation per year. Upon termination of employment (for whatever reason), accumulated vacation days shall be paid on the basis of the final salary of the Employee.

Vacation unused but accrued is generally forfeited. With the approval of the Select Board, the Employee may carry over up to five (5) days of vacation from one fiscal year to the next subject to the procedures established in Employee Personnel Handbook.

(c) Sick Leave. The Employee will have credited to her account, sick days with full pay of fifteen (15) working days during each fiscal year. Sick leave accrual, usage, and buy-back (if eligible) shall be in accordance with the Town's Employee Personnel Handbook, as may be amended from time to time.

(d) Pension. Subject to the provisions of G.L. c. 32 and any related rules and regulations, the Employee will be eligible to participate in the retirement plan established by the Plymouth County Retirement Association. The Employee acknowledges that determinations as to her eligibility are solely made by the Plymouth County Retirement Association.

(e) Holidays. The Employee will receive paid holidays in accordance with those listed in the Town's Employee Personnel Handbook, as may be amended from time to time.

(f) Bereavement Leave. Special leave of three (3) days without loss of pay shall be granted to the Employee in the event of the death in the immediate family. Immediate family for purposes of this section is defined as spouse; mother; father; children; sister; brother; mother-in-law; father-in-law, grandparents, and grandchildren.

(g) Personal Days. Employee shall be eligible for three (3) personal days per fiscal year. Personal days will not be carried over from year to year.

5. **Death.**

If the Employee dies during the Employment Period, the employment relationship created by this Agreement will terminate, and the Employee's salary shall continue to be paid to her designated beneficiary or, if none, to her estate representative through the end of the month in which her death occurs. In addition, the Employee, or her designated beneficiary or estate representative, will be entitled to such death benefits as maybe payable under Section 4.

6. **Disability.**

If the Employee becomes disabled during the Employment Period, the Town may terminate the employment relationship. The term "disabled" as used herein means the inability of the Employee to perform the essential functions of her position for four (4) consecutive months, or a total of four (4) months over any period of twelve (12) consecutive months, due to the Employee's illness, injury or the physical or mental incapacity.

7. **Severance Pay.**

After successful completion of the probationary period, in the event of termination, other than for the conviction of criminal misconduct, moral turpitude, non-renewal of contract by the Board of Selectmen within the designated period set forth in Section 9 below, or voluntary termination by the Employee, the Employee shall receive four (4) weeks'

severance pay plus one (1) additional month for every completed two (2) years of service with the Town up to a maximum of three (3) months. The Employee shall be compensated for all accrued but unused vacation leave at the rate of compensation that she is receiving at the time of separation.

8. **Voluntary Termination.**

The Employee may voluntarily terminate her employment by providing sixty (60) days written notice to the Board of Selectmen delivered by receipt requested certified mail. Notwithstanding this provision, from July 1, 2023, through June 30, 2026, the Employee commits to remain in the service of the Town of Lakeville as Treasurer-Collector.

9. **Renewal of Agreement.**

Subject to the approval of both parties, the Town and Employee have the right to renegotiate an extension of this agreement. If the Town wishes not to renew this agreement upon expiration, it must notify the Employee ninety (90) days prior to the expiration of the agreement. Notification shall be receipt requested certified mail. If notice is not given, this agreement shall automatically renew for one (1) year from the date of expiration. In such event, no additional notification shall be required, and the Agreement and the Treasurer-Collector's employment shall cease as of June 30, 2027, unless the parties agree in writing to continued employment and the terms of such continued employment.

Except as otherwise provided above, nothing in this Agreement shall be construed as requiring that the Town continue Employee's employment as Treasurer/Collector past the natural expiration of the Agreement.

10. **Binding Agreement.**

This Agreement shall be binding upon, and inure to the benefit of, the Employee and the Town and their respective successors and permitted assigns.

11. **Nonassignability.**

Neither this Agreement nor any right or interest hereunder shall be assignable by the Employee, her beneficiaries, or legal representatives without the Town's prior written consent; provided, however, that nothing in this Section 15 shall preclude (i) the Employee from designating a beneficiary to receive any benefit payable hereunder upon her death, or (ii) the executors, administrators, or other legal representatives of the Employee or her estate from assigning any rights hereunder to any person entitled thereto.

12. **Governing Law.**

This Agreement will be governed by and construed and interpreted in accordance with the laws of the Commonwealth of Massachusetts.

13. **Entire Agreement; Amendment.**

This Agreement sets forth the entire agreement between the parties relating to the terms of the Employee's employment with the Town and it supersedes all prior agreements and understandings with respect to such subject matter. The Select Board may, however, increase the various benefits available to the Employee, a record of which shall be attached to this agreement. No changes or modifications of this agreement shall be valid unless it shall be in writing and signed by the Select Board and the Employee.

14. **Waiver.**

No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel against the enforcement of any provision of this Agreement, except by written instrument of the party charged with such waiver or estoppel. No such written waiver shall be deemed a continuing waiver unless specifically stated therein, and each such waiver shall operate only as to the specific term or conditions waived and shall not constitute a waiver of such term or condition for the future or as to any act other than that specifically waived.

15. **Severability.**

If any provision of this Agreement is held to be invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any other provision of this Agreement not held so invalid or unenforceable, and each such other provision shall to the full extent consistent with law continue in full force and effect. If any provision of this Agreement shall be held invalid or unenforceable in part, such invalidity or unenforceability shall in no way affect the rest of such provision, and the rest of such provision, together with all other provisions of this Agreement, shall to the full extent consistent with law continue in full force and effect.

IN WITNESS WHEREOF the parties have signed this Agreement as of the date first set forth above.

TOWN OF LAKEVILLE

TREASURER-COLLECTOR

Brian Day

Erika L. Correia

Lorraine Carboni

Evagelia Fabian

EMPLOYMENT AGREEMENT BETWEEN
THE TOWN OF LAKEVILLE AND
TREASURER-COLLECTOR ERIKA CORREIA

This EMPLOYMENT AGREEMENT (“Agreement”), made pursuant to Chapter 368 of the Acts of 2020, is entered into as of 10/18, 2021, by the Town of Lakeville (“Town”), a municipal corporation in the State of Massachusetts with its principal place of business at 346 Bedford Street, Lakeville, Massachusetts 02347 and Erika L. Correia (“Employee”), an individual whose principal residence is 805 Russells Mills Road, Dartmouth, Massachusetts 02748.

In consideration of the promises and the respective covenants and agreements set forth herein, and intending to be legally bound hereby, the parties hereto agree as follows:

1. **Employment Period.**

This agreement shall be effective 10/18, 2021 and shall remain in effect until June 30, 2023, subject to the successful completion of a six month probationary period (the “Employment Period”), and unless sooner terminated. As provided for in Chapter 368 of the Acts of 2020, this agreement is subject to appropriation.

For purposes of calculating the probationary period, “six months” shall mean six months of actual time worked, not counting leaves of absence, workers’ compensation leave, or other absences from work of more than five (5) consecutive business days in duration.

In the event that both parties agree to renew this Agreement beyond its initial term, or any successive terms, discussion about the Employee’s salary and fringe benefits shall begin by March 1 for any renewal on July 1.

2. **Employment Duties.**

(a) The Town will employ the Employee as its Treasurer-Collector. Unless this Agreement is terminated sooner, the Employee will continue in such employment for the duration of the Employment Period and will perform in good faith and to the best of her abilities all services which may be required of her in such capacity, and such services and assignments as may be made by the Town’s Board of Selectmen, consistent with the title and responsibilities of her position and her expertise.

(b) During the Employment Period, the Employee will devote her full working time and efforts to the business and affairs of the Town within the customary scope of her position. Generally, the Employee’s workweek shall consist of no fewer than forty (40) hours. The parties acknowledge and agree that the Employee is an exempt employee for the purposes of the Federal Fair Labor Standards Act, 29 U.S.C. §201, *et seq.*, and as such, is not eligible for overtime pay.

(c) The Employee agrees to perform all services necessary and incidental to the responsibilities of Treasurer-Collector for the Town. The specific responsibilities of the

Employee, as the Town Administrator, are set forth in Exhibit A (Job Description, Town of Lakeville, Treasurer-Collector) which is attached hereto and made a part of this Agreement.

(d) As a non-union employee of the Town, the Employee will be subject to the provisions of the Town's Classification and Compensation Plan, except as described below.

3. **Compensation.**

(a) For all services rendered in the Employment Period, the Employee's salary will be at the rate of:

- 1) Eighty-Five Thousand Dollars (\$85,000.00) during the first year of service.
- 2) In each succeeding year of this contract, the Employee's base salary shall be increased in an amount equal to the percentage increase received by Department Heads.

(b) The Employee's salary will be paid at periodic intervals in accordance with the Town's payroll practices for other Town employees. The Employee's predetermined, periodic salary payment will be paid to the Employee as full compensation for all weeks worked by the Employee under this Agreement.

(c) The Town will deduct and withhold from any payments to the Employee hereunder, any and all federal, state and local income and employment withholding taxes and any other amounts required to be deducted or withheld by the Town under applicable law.

4. **Fringe Benefits.**

(a) Insurance. The Employee shall also be eligible for all health and other life insurance benefits for which other non-bargaining unit employees are entitled to under the Town's Personnel By-Law. The Town agrees to contribute toward the cost of such insurance the same percentage rate of cost accorded to non-bargaining unit employees under the different subscriber plans. If the Employee declines participating in employer-sponsored health insurance by showing proof of coverage and completing the necessary forms, Employee will receive the amount afforded to employees opting out of the Town's health insurance program pursuant to the Town's existing Opt-Out Policy (currently \$2,500 for waiving individual health insurance plan coverage or \$5,000 for waiving a family health insurance plan coverage).

(b) Vacation. The Employee will receive three (3) weeks of vacation per year. Upon termination of employment (for whatever reason), accumulated vacation days shall be paid on the basis of the final salary of the Employee.

In the first year of employment, the Employee shall not accrue vacation until after the completion of the probationary period. Upon successful completion of the probationary period, Employee shall be credited with the full amount of annual vacation leave. If the employment is terminated prior to the successful completion of the probationary period, the employee shall not be eligible for credit (or payment) for accrued vacation.

Vacation unused but accrued is generally forfeited. With the approval of the Board of Selectmen, the Employee may carry over up to five (5) days of vacation from one fiscal year to the next subject to the procedures established in the Classification and Compensation Plan.

(c) Sick Leave. The Employee will have credited to her account, sick days with full pay of fifteen (15) working days during each fiscal year. Sick leave accrual, usage, and buy-back (if eligible) shall be in accordance with the Town's Employee Personnel Handbook, as may be amended from time to time.

(d) Pension. Subject to the provisions of G.L. c. 32 and any related rules and regulations, the Employee will be eligible to participate in the retirement plan established by the Plymouth County Retirement Association. The Employee acknowledges that determinations as to his eligibility are solely made by the Plymouth County Retirement Association.

(e) Holidays. The Employee will receive paid holidays in accordance with those listed in the Town's Employee Personnel Handbook, as may be amended from time to time.

(f) Bereavement Leave. Special leave of three (3) days without loss of pay shall be granted to the Employee in the event of the death in the immediate family. Immediate family for purposes of this section is defined as spouse; mother; father; children; sister; brother; mother-in-law; father-in-law, grandparents, and grandchildren.

(g) Personal Days. Employee shall be eligible for three (3) personal days per fiscal year. Personal days will not be carried over from year to year.

5. **Death.**

If the Employee dies during the Employment Period, the employment relationship created by this Agreement will terminate, and the Employee's salary shall continue to be paid to her designated beneficiary or, if none, to her estate representative through the end of the month in which her death occurs. In addition, the Employee, or her designated beneficiary or estate representative, will be entitled to such death benefits as maybe payable under Section 4.

6. **Disability.**

If the Employee becomes disabled during the Employment Period, the Town may terminate the employment relationship. The term "disabled" as used herein means the

inability of the Employee to perform the essential functions of her position for four (4) consecutive months, or a total of four (4) months over any period of twelve (12) consecutive months, due to the Employee's illness, injury or the physical or mental incapacity.

7. **Severance Pay.**

After successful completion of the probationary period, in the event of termination, other than for the conviction of criminal misconduct, moral turpitude, non-renewal of contract by the Board of Selectmen within the designated period set forth in Section 9 below, or voluntary termination by the Employee, the Employee shall receive four (4) weeks' severance pay plus one (1) additional month for every completed two (2) years of service with the Town up to a maximum of three (3) months. The Employee shall be compensated for all accrued but unused vacation leave at the rate of compensation that she is receiving at the time of separation.

8. **Voluntary Termination.**

The Employee may voluntarily terminate her employment by providing sixty (60) days written notice to the Board of Selectmen delivered by receipt requested certified mail. Notwithstanding this provision, from ~~10/18/21~~ through ~~10/16/24~~ the Employee commits to remain in the service of the Town of Lakeville as Treasurer-Collector.

9. **Renewal of Agreement.**

Subject to the approval of both parties, the Town and Employee have the right to re-negotiate annually an extension of this agreement. If the Town wishes not to renew this agreement upon expiration, it must notify the Employee ninety (90) days prior to the expiration of the agreement. Notification shall be receipt requested certified mail. If notice is not given, this agreement shall automatically renew for one (1) year from the date of expiration. In such event, no additional notification shall be required and the Agreement and the Treasurer-Collector's employment shall cease as of June 30, 2024, unless the parties agree in writing to continued employment and the terms of such continued employment.

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12. **Governing Law.**

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14. **Waiver.**


No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel against the enforcement of any provision of this Agreement, except by written instrument of the party charged with such waiver or estoppel. No such written waiver shall be deemed a continuing waiver unless specifically stated therein, and each such waiver shall operate only as to the specific term or conditions waived and shall not constitute a waiver of such term or condition for the future or as to any act other than that specifically waived.


15. **Severability.**

If any provision of this Agreement is held to be invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any other provision of this Agreement not held so invalid or unenforceable, and each such other provision shall to the full extent consistent with law continue in full force and effect. If any provision of this Agreement shall be held invalid or unenforceable in part, such invalidity or unenforceability shall in no way affect the rest of such provision, and the rest of such provision, together with all other provisions of this Agreement, shall to the full extent consistent with law continue in full force and effect.

IN WITNESS WHEREOF the parties have signed this Agreement as of the date first set forth above.

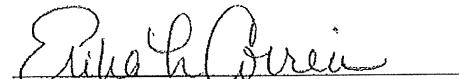
TOWN OF LAKEVILLE


Evagelia Fabian


Richard LaCamera


Lorraine Carboni

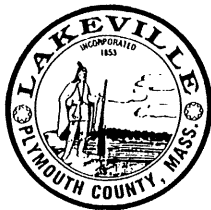
TREASURER-COLLECTOR


Erika L. Correia

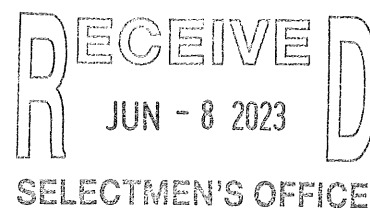
**AGENDA ITEM #14
JUNE 12, 2023**

UPDATE ON HISTORIC LIBRARY RAMP PROCUREMENT

Attached is a memo from the Town Administrator regarding the handicapped ramp project at the Historic Library.



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



June 8, 2023

TO: Select Board

FROM: Ari J. Sky, Town Administrator *A*

SUBJECT: Historic Library Ramp Procurement Update

Town Meeting appropriated \$105,000 for renovations to the Historic Library on May 10, 2021. Of that amount, the initial concept estimated \$50,000 for the procurement and installation of a handicapped access ramp for the front entrance of the building. Several requirements encountered during the renovation resulted in expenditures that were not anticipated in the initial project budget, specifically:

- The original concept envisioned the financing of HVAC improvements with CARES Act proceeds, an approach that Plymouth County indicated would not be eligible for funding.
- The renovation required IT improvements, principally the extension of fiber, to an extent that was not initially anticipated.
- Additional workstations and storage cabinets were required to fit out the space.

As a result of these expenditures, there remains about \$30,000 available for the ramp project, or about \$29,000 less than the lowest bid. However, there are several potential options that the Select Board could pursue to advance this project:

1. Request additional funding at the Fall Town Meeting, presumably utilizing Free Cash.
2. Fund the project with Town ARPA proceeds, an approach that would provide the necessary funding immediately.
3. Submit the project for funding through the State's Municipal American with Disabilities Act (ADA) Improvement Grant. The ADA grant normally opens for applications in August.

Thank you for your consideration.

**AGENDA ITEM #15
JUNE 12, 2023**

SELECT BOARD POLICY REVIEW DISCUSSION

Attached is a summary page of the current Select Board policies and the dates they were adopted or revised.

SELECT BOARD POLICY	ADOPTION DATE/ LAST REVISION
AMBULANCE SERVICE BILLING AND COLLECTION *	MAY 2011/JAN 2014
APPOINTMENTS TO TOWN BOARDS, COMMITTEES, AND COMMISSIONS *	JUNE 2011/AUG 2020
CORI *	MAR 2014/MAR 2017
DOMESTIC VIOLENCE LEAVE *	DEC 2014/JAN 2015
ESTABLISHING SEARCH COMMITTEES	
FINANCIAL MANAGEMENT	SEPT 2016/N/A
FUEL EFFICIENT VEHICLE *	JUNE 2011/JUNE 2021
HIPAA PRIVACY POLICY *	N/A/MAR 2016
LAKEVILLE FUEL EFFICIENT VEHICLE REPLACEMENT PLAN	MAY 2012/N/A
LIMIT ON APPOINTED CONSTABLES	JAN 2013/N/A
INFORMATION TECHNOLOGY ACCEPTABLE USE	
POLITICAL SIGNS	MAR 2014/N/A
PROCUREMENT	JUNE 2021/N/A
PROPERTY USE	OCT 2009
RECYCLED PRODUCT PROCUREMENT	1997/N/A
RESIDENTIAL AND BUSINESS DRIVEWAYS AND CURB CUTS *	N/A/JULY 2015
RULES OF ORDER OF THE LAKEVILLE SELECT BOARD	MAR 2014/N/A
SOCIAL MEDIA POLICY	DEC 2014/N/A
VEHICLE USE	DEC 2010/N/A
WEATHER AND EMERGENCY NOTIFICATIONS	DEC 2009/N/A
WRITTEN PROCEDURES FOR THE DISPOSITION OF SURPLUS SUPPLIES	AUG 2016/N/A

* Indicates policies that have been revised.

AGENDA ITEM #16
JUNE 12, 2023

FIRE STATION BUILDING COMMITTEE UPDATE

Attached is a copy of the charge for the Fire Station Building Committee.

TOWN OF LAKEVILLE

FIRE STATION BUILDING COMMITTEE

Approved December 19, 2022

MEMBERSHIP

The Select Board shall appoint a Fire Station Building Committee (hereinafter referred to as Committee) which shall consist of nine (9) Members to be appointed for a one (1) year term. The Committee will consist of a Member of the Select Board or their designee, the Fire Chief, Town Administrator, Building Commissioner, a designee from the Finance Committee and three (3) Members-at-large. The Select Board shall endeavor to appoint individuals with technical expertise in design, construction, engineering, and/or project management, or have other skills and knowledge to assist the Board in the construction of a new facility.

The Committee Members shall meet at designated dates, times and locations that are convenient to its Members, as well as, promoting public participation. All meetings are to properly posted and open to the public, in accordance with the Massachusetts Open Meeting Law. Minutes of each meeting shall be prepared and approved by the Committee within 30 days of any meeting and distributed to the Select Board.

CHARGE

The Committee shall be responsible for the administrative oversight of the construction of a new Fire Station in the Town of Lakeville. Duties of the Committee shall include, but not be limited to, the following:

1. Supervise the work of the Project Manager and Project Architect and administer their services agreements respectively;
2. Work with the Project Manager and Project Architect to insure that the general contractor selected for the project constructs the new building in accordance with the plans, specifications and contract requirements developed by the Project Architect or other such parties;
3. Provide periodic reports, no less frequent than quarterly, to the Select Board to provide project status as it relates to construction progress, funding status and other such issues as deemed necessary;
4. Conduct site meetings periodically as suggested by the Project Manager. Said meetings shall include the Project Architect, Project Manager and representative (s) of the general contractor, to discuss project status, construction progress and time schedule, site/building issues, questions regarding specification or plan details, and other such matters that need to be addressed/coordinated;

5. Work with the Project Architect and Project Manager to coordinate the delivery of furniture, furnishings and equipment in anticipation of building occupation;
6. Review with the Project Architect and Project Manager requests for payment from the general contractor or various independent vendors and submit requests for payment (full or partial) to the Town Accountant in accordance with Contract requirements and/or Massachusetts General Laws;
7. With the advice of the Project Architect and Project Manager, make decisions on matters necessary to allow continued construction progress by the general contractor or his subcontractors. Decisions having a financial impact on the project shall be codified by a formal Change Order. Change Orders in an amount of \$20,000 or less may be requested by the Building Committee and approved by the Town Administrator. Change Orders exceeding this amount shall be presented to the Town Administrator and will require approval of the Select Board to proceed. Such work associated with any Change Order shall not be undertaken until the Change Order has been approved, unless an emergency exists or circumstances arise that require the work to be effectuated before the opportunity exists to submit the Change Order to obtain approval from the Select Board. In such instance, the Change Order must be presented to the appropriate parties as soon as practicable;
8. Work with the Project Architect and Project Manager to develop at or near project closeout a punch list of work remaining to be done to insure that either the work gets completed or the Town receives a credit for such incomplete work;
9. Work with the Project Architect, Project Manager, Fire Chief and other Department personnel to develop a coordinated, sequential move of staff and functions from the existing Fire Station to the new facility. Given that emergency services are provided on a 24/7 basis, it is imperative the move be seamless, particularly as it relates to the operability of communications, dispatch and computer equipment;
10. Work with the Project Architect and Project Manager to insure that any and all documents, communications, as-built plans and specifications, manufacturer's product information and warranties be archived in an orderly and coordinated fashion;
11. Work with the Project Architect and Project Manager to coordinate testing of systems to insure code, warranty and specification compliance, and to submit any paperwork necessary to maintain warranty coverages; and
12. Any other responsibilities necessary to successfully accomplish the construction of the new Fire Station in accordance with the terms and conditions of the project's plans and specifications and the funding allocated for the project.

AGENDA ITEM #17
JUNE 12, 2023

NEW BUSINESS

AGENDA ITEM #18
JUNE 12, 2023

OLD BUSINESS