

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

Lakeville Police Station
323 Bedford Street, Lakeville, MA
June 27, 2022 – 6:00 PM

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

1. Select Board Announcements
2. Town Administrator Announcements
3. 6:15 PM Presentation by Environmental Partners of Town Facilities Water Study and possible vote to advance project using ARPA funding
4. Discuss Lakeville Country Club Right of First Refusal process and potential next steps
5. Discuss FY23 Goals
6. Discuss memo received from the Planning Board regarding amending the Zoning By-laws to remove the Development Opportunities District by-law and possible vote to place the article on the Fall Special Town Meeting Warrant
7. Discuss and possible vote to approve Job Description for Part Time Clerk for Inspectional Services
8. Discuss and possible vote to revise hours for one (1) day special beer and wine licenses-Elliot Farm – July 3, 2022, August 7, 2022 and September 4, 2022
9. Discuss and possible vote to approve request from Elliot Farm – 170 Main Street for a one (1) day beer and wine special license – October 8, 2022
10. Discuss and possible vote to appoint members to the Community Preservation Committee
11. Discuss and possible vote regarding request from Police Chief to appoint John Duggan as Special Police Officer and Lance Reed as Reserve Police Officer
12. Discuss and possible vote regarding request from Matthew T. Pauliks to be reappointed as a Constable
13. Discuss and possible vote regarding request from Ian Daley to be reappointed as a Constable
14. Review and possible vote to approve Select Board Meeting Minutes of June 3, 2022 and June 13, 2022
15. New Business
16. Old Business
17. Any other business that may properly come before the Select Board

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

**AGENDA ITEM #1
JUNE 27, 2022**

SELECT BOARD ANNOUNCEMENTS

The Special Election is scheduled for June 28, 2022 at Ted Williams Camp from 12:00 PM to 8:00 PM.

Clear Pond is now open to Lakeville residents only and their guests 7 days a week from 10:00 AM to 6:00 PM.

If you are interested in serving on a Town Board, Committee or Commission, there are vacancies on the following: Cable Advisory Committee, Capital Expenditures Committee, Master Plan Implementation Committee, Park Commission and Zoning Board of Appeals.

If you would be interested in volunteering on any of these groups, please submit a letter of interest to the Select Board's office by mail or email.

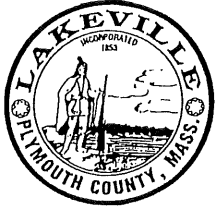
**AGENDA ITEM #2
JUNE 27, 2022**

TOWN ADMINISTRATOR ANNOUNCEMENTS

**AGENDA ITEM #3
JUNE 27, 2022**

**PRESENTATION BY ENVIRONMENTAL PARTNERS OF TOWN
FACILITIES WATER STUDY AND POSSIBLE VOTE TO ADVANCE
PROJECT USING ARPA FUNDING**

Attached is a memo from the Town Administrator; report by Environmental Partners and ARPA Grant application and Grant Agreement.



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

RECEIVED
JUN 22 2022
SELECTMEN'S OFFICE

June 21, 2022

TO: Lakeville Select Board
FROM: Ari J. Sky, Town Administrator
SUBJECT: Town Facilities Water Study

At its December 13, 2021, meeting the Select Board designated \$14,800 in American Rescue Plan Act (ARPA) proceeds to study the provision of water services at Clear Pond Park, John Paun Park, Ted Williams Camp, the Police Station and the Historic Library. The project was subsequently extended to include the Old Town Hall. As one of the Town's Owners Project Managers (OPM), Environmental Partners was designated to conduct the study.

Environmental Partners has identified a number of areas where resources could be utilized to address water delivery issues at these facilities. Environmental Partners estimates that the first phase of recommendations, which would address issues at John Paun Park, Ted Williams Camp, the Police Station, Historic Library, and Old Town Hall, would total between \$239,300 and \$600,300, depending on determinations regarding the feasibility of a restroom facility to serve the Old Town Hall.

A copy of the report is attached, and representatives of the firm will attend the June 27th Select Board meeting to present their findings. As a water infrastructure project, the entire project would be eligible for assignment to the Town's ARPA proceeds; funds awarded through Plymouth County, which total \$544,555 to date, would be a reasonable candidate. I would respectfully request that the Select Board authorize staff to draft a grant agreement with Plymouth County to access the Town's allocation; a copy of Plymouth County's model agreement is attached.

Thank you for your consideration.

Attachments

MEMORANDUM

Date: June 22, 2022

To Ari Sky, Town Administrator

From Paul Millett, PE

CC Nathan Darling, Lakeville Building Commissioner

Franklin Moniz, Lakeville Department of Public Works Director

Ryan Trahan, PE, Environmental Partners

Sabrina Castaneda, Environmental Partners

Subject Water Feasibility Study at Town Facilities

Background

Environmental Partners is under contract with the Town to conduct a water feasibility study at several locations within the Town. The locations under consideration are Clear Pond Park, John Paun Park, Ted Williams Camp, the Police Station, and the Historic Library. Upon further discussion, the Town requested that the Old Town Hall be included in the areas of interest. A map of the project sites is shown below in Figure 1.

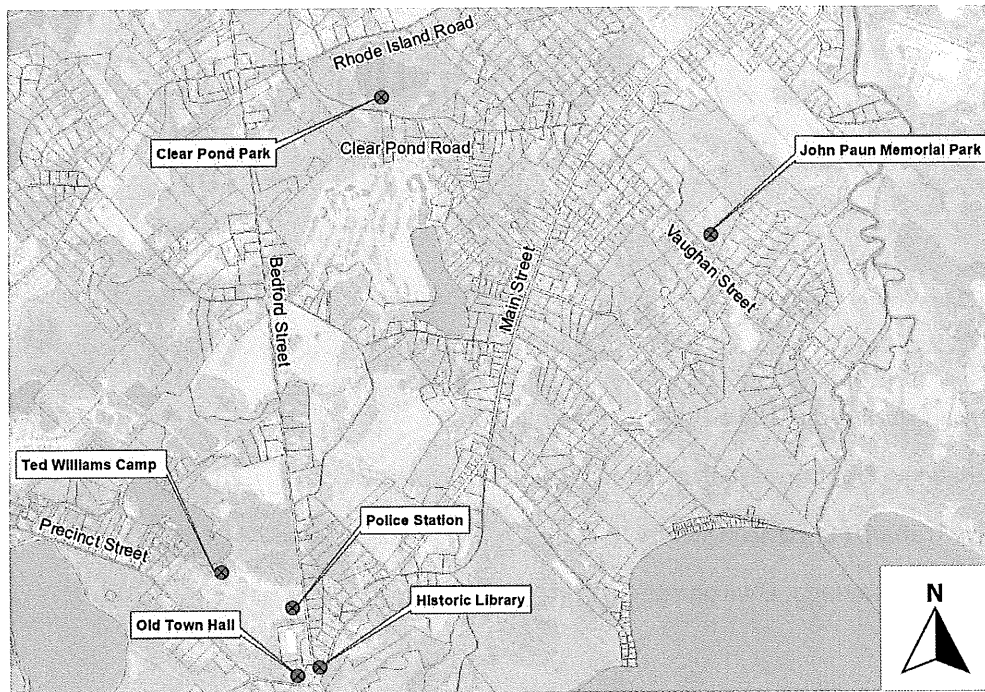


Figure 1 – Project Areas Locus Map

The feasibility study included assessing the current layout of the system at each location, evaluating improvement alternatives, and providing recommendations based on the findings. Environmental Partners evaluated alternatives at each site, and identified site-specific solutions that are discussed in this memorandum.

In January of 2022, Environmental Partners conducted a site visit to verify existing conditions and to supplement information previously provided by the Town. This information was reviewed with the Town in February of 2022 to confirm Environmental Partners' findings and assumptions. Based on these investigations and discussions, Environmental Partners developed figures to illustrate the various alternatives at each site. These figures were then used to develop a preliminary cost estimate for each of the alternatives presented in this study. In March of 2022, Environmental Partners met with the Town to discuss a draft form of our evaluation. Based on that meeting, Environmental Partners refined the alternatives and developed recommendations.

Clear Pond Park

Existing Conditions

Clear Pond Park is located directly southeast of the intersection of Rhode Island Road and Clear Pond Road, with access off Clear Pond Road. The park is seasonal, open to the public only during the summer months. The park contains a small well pump enclosure, a concession stand, and a bathroom/bathing area. All the water in the park is supplied by a groundwater well, and there is a septic system on site. The groundwater well pump is housed within a small wooden enclosure next to the concessions stand. Once Clear Pond Park closes for the season, the pump is removed and the valves are winterized.

Clear Pond Park experiences notable changes in topography and ground cover, both of which were considered when evaluating alternatives. The area of the park frequented by the public is a mix of pond beachfront and grass. The remainder of the parcel is heavily wooded.

Proposed Alternatives

Environmental Partners evaluated two different approaches to supplying water to Clear Pond Park, focusing on providing the park with potable water while also considering any future expansion the Town may want to consider. Both solutions involve connecting to the existing Taunton water system and connecting to the existing distribution piping on site. Site survey and borings will be required for the final design of either option. The following alternatives were evaluated:

- New Water Main Installation – Off Road/Cross Country
- New Water Main Installation – Clear Pond Road Shoulder

New Water Main Installation – Off Road/Cross Country

Environmental Partners evaluated installing a new water main through the wooded area to the west of Clear Pond. This alternative would include installing approximately 1,700 feet of 4-inch DI water main within the woods via open trench excavation. Due to the proposed alignment's topography, significant clearing and grading would be required.

The intersection of Clear Pond Road and Rhode Island Road has an elevation of approximately 98 feet (NAVD88). The hilly, wooded area to the west of the pond rises to an elevation of 108 feet before falling to 78 feet at the beachfront. The pipe would be installed 5 feet below grade. This change in elevation would increase the complexity of the water main construction, with challenging grading along the water main alignment. In addition, this area is mapped as a habitat for rare species and habitat, and the clearing of any previously undisturbed area may not be allowed by Natural Heritage and Endangered Species (NHESP) permitting requirements. The majority of this work would take place off-road, minimizing disruption to the public. Due to the size of the proposed main, there will be limited opportunities for future expansion of the system.

The proposed connection would begin at the intersection of Rhode Island Road and Clear Pond Road, where a tapping sleeve and valve would be used to connect to the existing 16" Taunton water main. From that intersection, the water main would travel through the wooded area and eventually tie-in to the existing water pipes that supply the bathroom and concession stand.

New Water Main Installation – Clear Pond Road Shoulder

Environmental Partners evaluated installing a new water main along Clear Pond Road before connecting to the existing piping at Clear Pond Park. This alternative would include approximately 1,680 feet of 12-inch DI water main and 120 feet of 4-inch DI water main installed along the shoulder of Clear Pond Road via open trench excavation. A 12-inch main would provide sufficient flow for demand at the park, provide some fire flow capacity, and provide flexibility for future expansion.

The intersection of Clear Pond Road and Rhode Island Road has an elevation of approximately 98 feet, and over the course of the 1,800-foot run, the surface elevation drops approximately 20 feet. As construction would take place just outside the paved surface, there are minimal concerns of

sudden change in grade. Installing the main within the unpaved shoulder of Clear Pond Road also minimizes disruption to traffic and limits pavement restoration.

The proposed connection would begin at the intersection of Rhode Island Road and Clear Pond Road, where a tapping sleeve would be used to connect to the existing Taunton water main. From that intersection, the water main would travel along Clear Pond Road until the entrance of Clear Pond Park. In order to serve Clear Pond Park, a 2-inch or 4-inch service would be run from the 12-inch DI main to the existing water lines that feed into the bathroom and concession stand. Both alternatives are shown below in Figure 2.

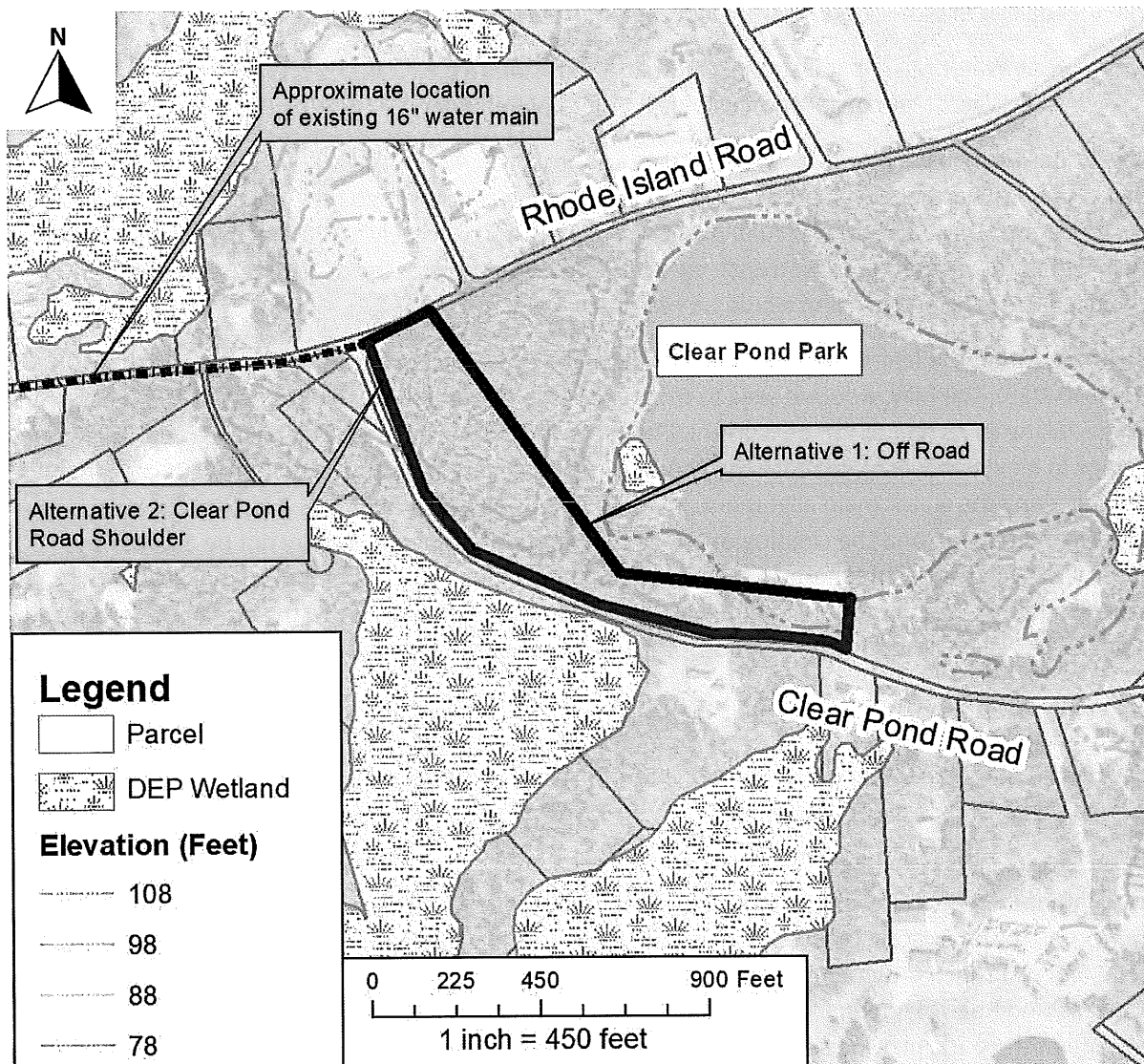


Figure 2 – Clear Pond Park Alternatives

Due to proximity to wetlands, Alternative 2 would require a Notice of Intent filing whereby the design would be presented to the Lakeville Conservation Commission and submitted to MassDEP for review and approval. As is currently shown, Alternative 1 would not require any wetland

permitting. The area surrounding Clear Pond Park is considered a Priority Habitat of Rare Species (#562) and an Estimated Habitat of Rare Wildlife (#457). As a result, a permit filing will also have to be done under the Massachusetts Endangered Species Act (MESA). Environmental protections will have to be installed during construction, and additional precautionary measures may be required as a result of the permitting decisions.

Budgetary Costs

The itemized cost estimate for this site can be found in Attachment 1. The cost includes construction costs, engineering costs of 15%, a resident project representative cost of 5%, and a 20% allowance for contingency.

Table 1 – Clear Pond Park Opinion of Probable Cost

Alternative	Total Cost
Off Road/Cross Country Installation	\$455,000
Clear Pond Road Shoulder Installation	\$540,000

John Paun Memorial Park

Existing Conditions

John Paun Memorial Park is recreational park located off of Vaughn Street that contains several baseball and softball fields. Due to the lack of potable water on site, the Town is currently using a temporary 0.5-inch pipe to supply water to a toilet trailer. This pipe is fed from an existing irrigation well on site. The Town is looking to supply potable water to the site for bathrooms and a concession stand.

John Paun Park abuts a wooded area to the west, with the rest of the site being a mix of grass and asphalt paths for vehicles. The closest known source of potable water is on Wood's Edge Road, a residential road located to the west of the wooded area.

Proposed Alternatives

Environmental Partners evaluated two different approaches to bringing water to John Paun Memorial Park. They are as follows:

- Blueberry Drive Using Directional Drilling
- Installation of Groundwater Well for Potable Water
- Conversion of Existing Well for Potable Well and Installation of Irrigation Well

Blueberry Drive Using Directional Drilling

Environmental Partners evaluated directionally drilling a water main from Blueberry Drive to John Paun Memorial Park. A 4-inch main would be adequate to supply the park with potable water. This alternative would include approximately 300 feet of horizontally directionally drilled HDPE water main and 50 feet of new DI water main installed via open trench methods. Borings and site survey would need to be performed prior to the design for either option. Directional drilling was selected as the preferred installation method for a portion of this water main to avoid having to cut and clear a

path through the wooded area. Directional drilling will allow the construction work to cause minimal disturbance in a residential area. A potential complication for this approach is procuring an access agreement for Blueberry Drive. The road is privately owned, and acquiring an agreement or easement for construction will require negotiation.

The connection would begin at the corner of Blueberry Drive, where a tapping sleeve would be used to tie-in to the existing main. From there, the proposed main would be directionally drilled underneath the wooded area between Blueberry Drive and John Paun Memorial Park. The directionally drilled pipe would transition to new, water main installed via open trenching, eventually terminating at the existing building on site. Once installed, the proposed main could be tapped to provide service connections to the bathrooms and a concession stand.

Installation of Groundwater Well for Potable Water

Environmental Partners evaluated installing a dedicated groundwater well on site to bring potable water to the park. This approach would involve the drilling of a groundwater well and installation of a service to the existing building. The Town would be required to monitor the new well and comply with MassDEP requirements. Site exploration work and a pumping test would have to be completed before a new well could be installed, subject to MassDEP review and approval. The well could be placed anywhere on site where the Town sees fit, and it is displayed below in Figure 3 along with Alternative 1 in one of several potential locations. The long term operation and maintenance costs of supplying potable water needs to be considered since a certified operator would need to maintain and sample the well in accordance with MassDEP requirements. In addition to being more costly, the operation, maintenance, certification and liability of this alternative is more complex than extending Taunton water to the site.

Conversion of Existing Well for Potable Well and Installation of Irrigation Well

Environmental Partners evaluated the conversion of the existing groundwater well on site to a potable water well. To pursue this alternative, the Town would be required to take water quality samples from the existing well. If the water is of suitable quality, the Town could take steps to convert the existing irrigation well to a potable water well. Similar to the second alternative, a pumping test and DEP approval would be required before the well could become active, and the long term operation and maintenance costs of supplying potable water would need to be considered. Using the existing well could potentially save money compared to the cost of new well exploration and construction.

To replace the converted well, Environmental Partners evaluated the installation of a new irrigation well within John Paun Memorial Park. This alternative would provide the Town with a continued source of irrigation water at this location. Prior to drilling a new irrigation well, on site investigations would have to be conducted to determine if the site is a suitable location for a new irrigation well.

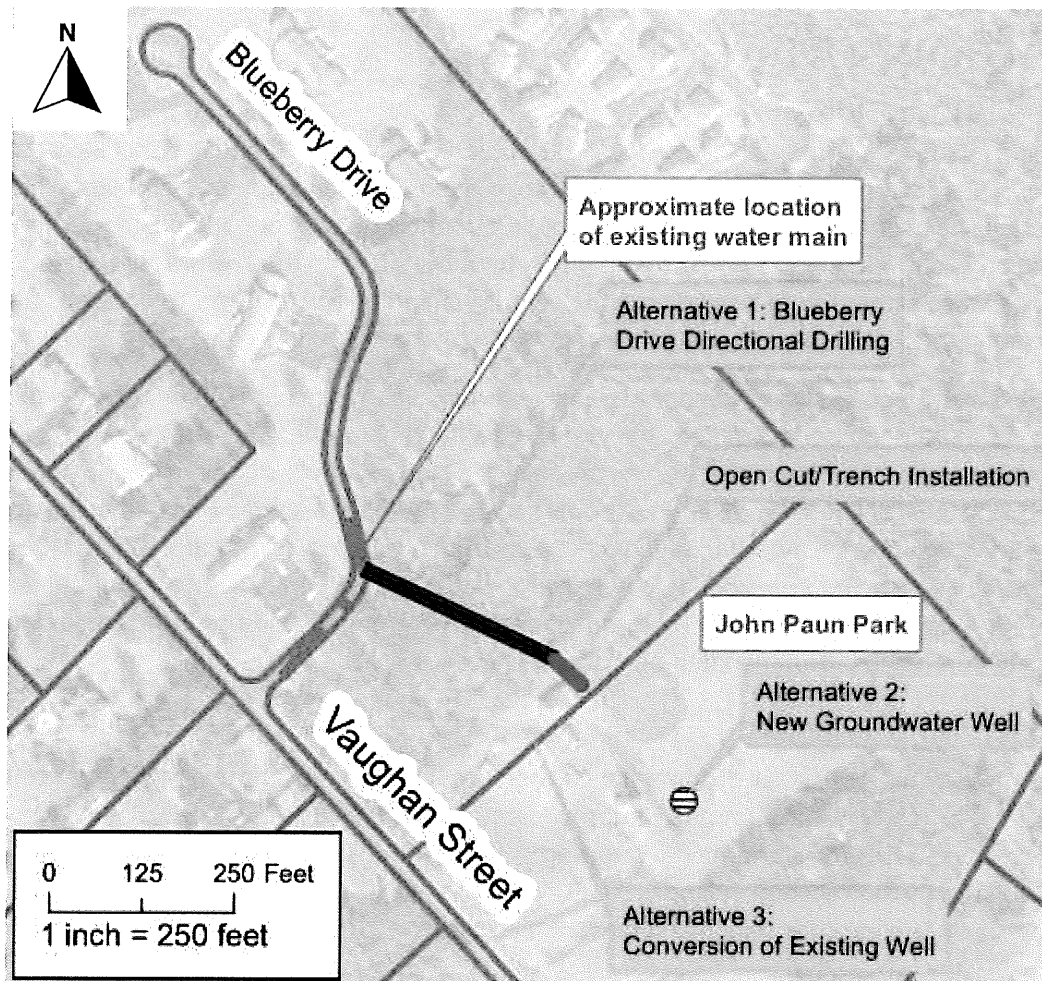


Figure 3 – John Paun Memorial Park Alternatives

Budgetary Costs

The itemized cost estimate for this site can be found in Attachment 1. The cost includes construction costs, engineering costs of 15%, a resident project representative cost of 5%, and a 20% allowance for contingency.

Table 2 – John Paun Memorial Park Opinion of Probable Cost

Alternative	Total Cost
Blueberry Drive Using Directional Drilling and Open Cut Trench	\$113,000
Installation of Groundwater Well for Potable Water	\$152,000
Conversion of Existing Well for Groundwater Well and Installation of Irrigation Well	\$66,000

Ted Williams Camp

Existing Conditions

Ted Williams Camp is a recreational park located between Bedford Street and Precinct Street and below Loon Pond. The park contains a karate studio, baseball/softball fields, soccer fields, volleyball courts, horseshoe courts, recreation space for Town residents and the Loon Pond Lodge. There are both potable and irrigation water distributed throughout the site, and the Town would prefer that all facilities and taps within Ted Williams Camp are served with potable water. The Town would also prefer to keep the irrigation system separate and clearly marked.

The nearest active potable water main is a branch that runs off Precinct Street and up the Ted Williams Camp access road. This pipe currently serves a hydrant located near the Loon Pond Lodge and branches into a 2-inch main that serves the Lakeville Martial Arts Club. The irrigation line serves several spigots near the horseshoe and volleyball courts, as well as a stand-alone bathroom across from the Loon Pond Lodge. Another 2-inch main runs from the Ted Williams Camp Pump House to a small office building next to the Loon Pond Lodge. The existing pump house is approximately 16'x24' and extends 3 feet below grade. The Town would prefer to reroute the existing 2-inch main around the existing pump house and then demolish the building.

Proposed Improvements

Based on the Town's request, Environmental Partners explored several improvements that could be implemented at Ted Williams Camp. The improvements are as follows:

- Connect to Existing Stand-Alone Bathroom
- Isolate Irrigation System Spigots
- Reroute Existing 2-Inch Main and Demolish Existing Well House

Connect to Existing Stand-Alone Bathroom

There is a bathroom across from the Loon Pond Lodge that is currently supplied by irrigation water. By connecting to the nearby existing Taunton water main, the Town can use potable water for the bathroom, increasing safety and hygiene and allowing for effective seasonal use. Connecting into the existing main would require the installation of a 1-inch tap, 100 feet of 1-inch service tubing, a 1-inch corporation stop, and a meter pit to meter water use and allow for winterizing the bathrooms. The Town may want to consider installing a 2-inch service to reduce pressure drop (headloss), and reduce the service size to a 1-inch pipe closer to the building. Prior to construction, the location of the existing 2-inch main will have to be confirmed via test pits since the existing records of the pipes were not sufficiently detailed.

Isolate Irrigation System Spigots

There are several irrigation spigots near the volleyball courts and horseshoe courts that the Town would like to secure and isolate to avoid potential use by park visitors. Environmental Partners suggests purchasing and installing a box with locking cover for each of the spigots, thereby limiting access to only appropriate parties. In addition, signs explaining that the water is not potable will caution visitors and should be hung or engraved on the cover of each box. DPW or Park staff could assist with the installation of the shallow boxes and covers.

Reroute Existing 2-Inch Main and Demolish Existing Pump House

The pump house near Ted Williams Camp was erected a number of years ago, and it originally served to house equipment and treatment processes for the existing 2-inch main and a well. In more recent years, the Town has erected a new pump house and well in another location, rendering the old pump house redundant.

In order to demolish the existing pump house, the active 2-inch main that runs through it would have to be rerouted. Based on the information Environmental Partners was provided about the location of the existing main, the existing main could be rerouted around the pump house with 150 feet of 2-inch water main. Once the water main is rerouted, the existing building can be demolished.

Additional investigation may be required to ensure no hazardous materials are present prior to demolition.

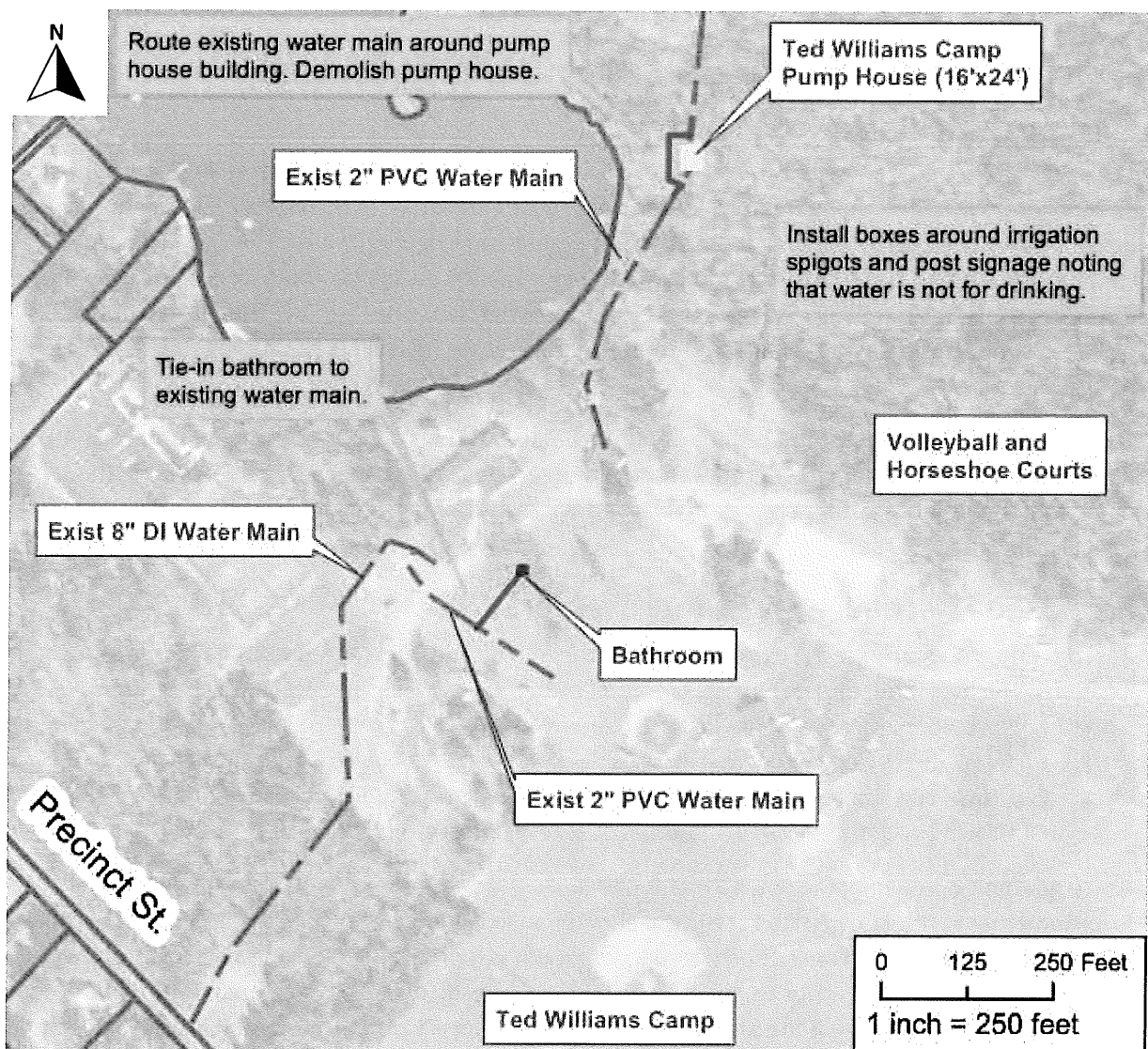


Figure 4 – Ted Williams Camp Improvements

Budgetary Costs

The itemized cost estimate for this site can be found in Attachment 1. The cost includes construction costs, engineering costs of 15%, a resident project representative cost of 5%, and a 20% allowance for contingency.

Table 3 – Ted Williams Camp Opinion of Probable Cost

Alternative	Total Cost
Connect to Existing Stand-Alone Bathroom	\$8,100
Isolate Irrigation System Spigots	\$2,900
Reroute Existing 2-Inch Main and Demolish Existing Pump House	\$47,000

Police Station, Historic Library, and Old Town Hall

Existing Conditions

The Lakeville Police Department, Historic Library, and Old Town Hall are all located in close proximity to each other along Bedford Street and Precinct Street. Both the Historic Library and the police station are serviced by Taunton water for potable and irrigation water. The Old Town Hall is supplied by Taunton water for irrigation only. Due to irrigation costs, the Town would prefer to move the Historic Library and Police Station off the Taunton irrigation water supply. The Town would also prefer to connect Old Town Hall to Taunton drinking water for flexibility with adding future bathrooms.

These locations are adjacent to both the Taunton water and the irrigation well piping from Ted Williams. There is an existing Taunton water main that runs along Bedford Street, providing the potential for a potable water connection. The Ted Williams Camp irrigation system also runs close to the Lakeville Police Station.

Proposed Alternatives and Improvements

Based on the Town's request, Environmental Partners explored improvements at each of these locations. The evaluated improvements are as follows:

- Police Station Improvement– Install Irrigation Well
- Historic Library Improvement – Install Irrigation Well; Investigate Existing Well
- Old Town Hall Improvement – Water Service Connection and Septic Installation
- Old Town Hall Improvement – Internal or External Restroom

Police Station Improvement – Install Irrigation Well

Environmental Partners evaluated the installation of an irrigation well on site to supply the Lakeville Police Station with its own source of irrigation water. This approach would allow the Town to save money on irrigation costs. Prior to drilling a new irrigation well, on site investigations would have to be conducted to determine if the site is a suitable location for a well. Once the well is drilled, it can be connected into the existing irrigation piping on site.

After discussion with the Town, it was determined that the option of connecting to the existing Ted Williams Camp irrigation system would not be explored, as this would likely place excessive stress on the existing irrigation system.

Historic Library Improvement – Install Irrigation Well; Investigate Existing Well

Environmental Partners evaluated the installation of an irrigation well on the Historic Library property. This approach would provide the Town with a less expensive way to supply irrigation to the Historic Library. Prior to drilling a new irrigation well, on site investigations would have to be conducted to determine if the site is a suitable location for a well. While conducting the site investigations, the Town may consider evaluating the existing groundwater well on site to see if it can be used for irrigation.

Old Town Hall Improvement – Water Service Connection and Septic Installation

Environmental Partners evaluated the connection of the Old Town Hall to the active Taunton water main along Bedford Street. A service tap could be installed in the existing main, from which approximately 100 feet of service pipe would be installed to bring potable water to Old Town Hall. In addition, Environmental Partners evaluated the cost of installing a septic system on site. This approach would provide the Town with the option to construct bathrooms within the Old Town Hall and provide public amenities.

Old Town Hall Improvement – Internal or External Restroom

Environmental Partners evaluated the construction of a restroom within the existing Old Town Hall building and the construction of a freestanding structure outside. Both options would make use of the proposed septic system.

The internal restroom would require renovation of the existing building, and this would likely trigger permitting with the Historical Commission for approval. In addition, an assessment of the building codes would have to be conducted in order to determine the scope of internal work that would need to be performed to install this restroom.

The proposed external building would be a pre-cast concrete restroom that would be placed on site. The proposed external building would have a finished veneer to match surrounding buildings and would come fully equipped with appurtenances, insulation, and electrical systems. An ADA compliant ramp and walkway would also be installed. This alternative would be more expensive, but it will not require construction within the existing Old Town Hall and would be easier to install.

Figure 5 below shows the various improvement alternatives.

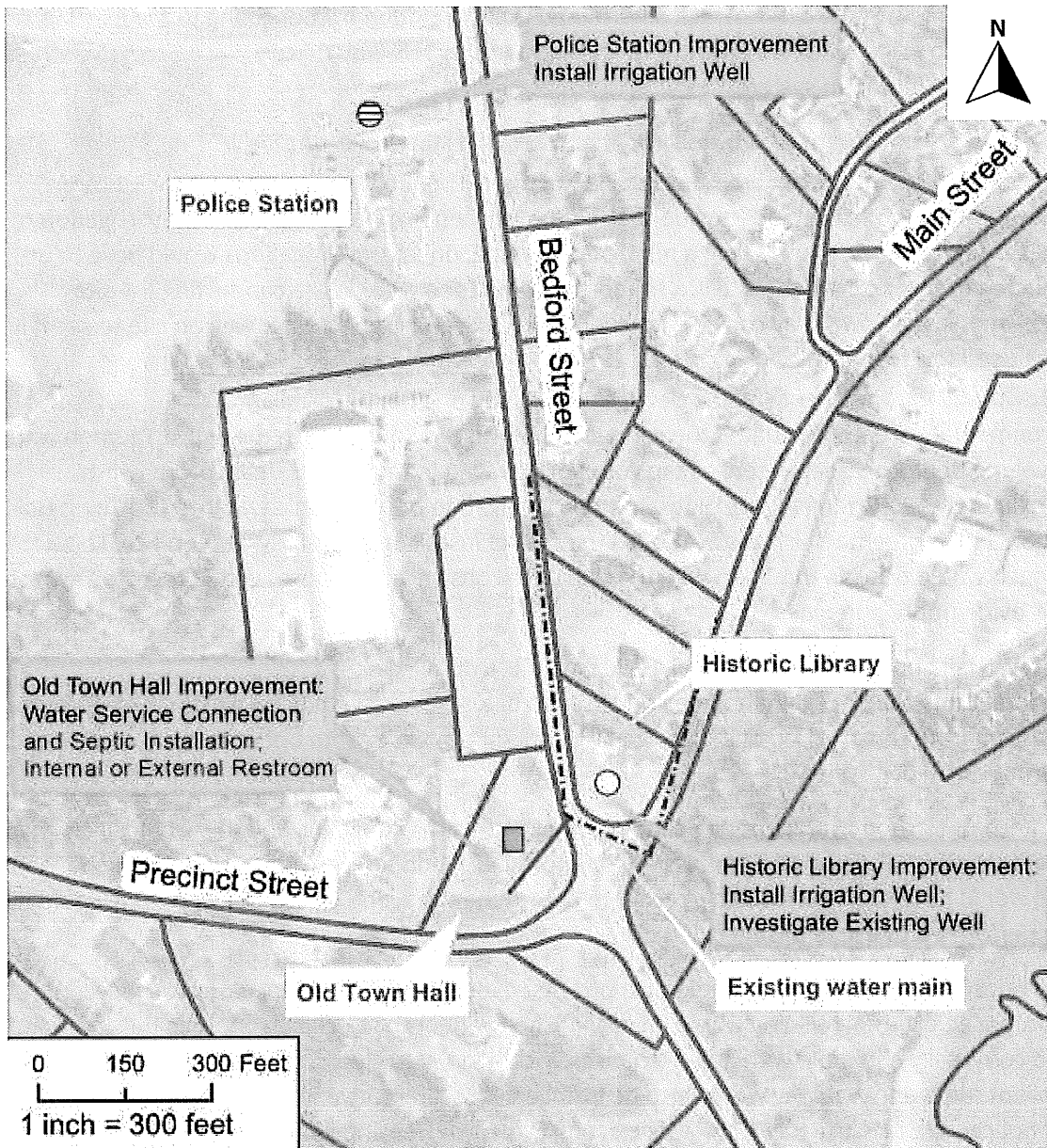


Figure 5 – Police Station, Historic Library, and Old Town Hall Improvements

Budgetary Costs

The itemized cost estimate for this site can be found in Attachment 1. The cost includes construction costs, engineering costs of 15%, a resident project representative cost of 5%, and a 20% allowance for contingency.

Table 4 – Police Station, Historic Library, and Old Town Hall
Opinion of Probable Cost

Alternative	Total Cost
Police Station Improvement – Install Irrigation Well	\$22,050
Historic Library Improvement – Install Irrigation Well; Investigate Existing Well	\$22,050
Old Town Hall Improvement – Water Service Connection and Septic Installation	\$71,100
Old Town Hall Improvement – Internal Restroom	\$70,500
Old Town Hall Improvement – External Restroom	\$361,000

Recommendations

Based on discussion with the Town and the evaluations outlined above, Environmental Partners recommends the following alternatives and improvements:

Clear Pond Park

Environmental Partners recommends that the Town defer moving forward with construction at Clear Pond Park until outstanding policies involving nearby development are resolved and the bidding environment stabilizes. Once the Town is prepared to move forward, Environmental Partners recommends that the Town install a new water main along the soft shoulder of Clear Pond Road, and tie into Clear Pond Park. Installing the water main alongside an existing road will minimize the grading issues the cross country path would have led to. In addition, the required DEP and MESA permits will be simpler to acquire, as the water main would be installed within an already disturbed area.

John Paun Memorial Park

Environmental Partners recommends that the Town investigate the potential to repurpose the existing groundwater well on site. If the Town's water quality samples indicate that the water is suitable, the existing irrigation well could be converted into a potable water well. A new groundwater well could then be drilled for irrigation needs. While this option is being explored, the Town has the option to use pre-packaged food and bottles of water in the concession stand, as well as porta-johns in lieu of traditional bathrooms.

Ted Williams Camp

Environmental Partners recommends that the Town perform the three suggested improvements at Ted Williams Camp. Connecting the existing bathroom to potable water will increase safety and hygiene, as well as allow for seasonal use of the bathroom. Isolating the irrigation valves will prevent public use of irrigation water. Rerouting the existing 2" water main will allow for the demolition and removal of a pump house that is no longer in use.

Police Station, Historic Library, and Old Town Hall

Environmental Partners recommends that the Town perform the suggested improvements at the Police Station, Historic Library, and Old Town Hall. Installing a new irrigation would provide the Town with a way to reduce irrigation costs at the Police Station, and this approach does not put any further strain on the existing irrigation system at the Ted Williams Camp. Similar to the Police Station, installing a new irrigation well on site would provide the Town with a less expensive alternative than using Taunton water for irrigation. There is an existing groundwater well on site that they Town may look into repurposing for irrigation of the Historic Library. Finally, providing the Old Town Hall with water and septic services would increase the amenities on site. The septic system would provide the Town with the infrastructure needed to construct public bathrooms on site.

In light of potential complications and space constraints within the existing Old Town Hall, Environmental Partners recommends that the Town move forward with the external restroom. This will have no construction impact on the Old Town Hall itself and will likely require less permitting.

Budgetary Cost of Recommendations

Table 5 – Budgetary Cost of Recommendations

Recommendation	Phase 1 Cost	Phase 2 Cost
Clear Pond Park		
Clear Pond Park - Clear Pond Road Installation		\$540,000
John Paun Memorial Park		
Conversion of Existing Well for Groundwater Well and Installation of Irrigation Well	\$66,000	
Ted Williams Camp		
Connect to Existing Stand-Alone Bathroom	\$8,100	
Isolate Irrigation System Spigots	\$2,900	
Reroute Existing 2-Inch Main and Demolish Existing Pump House	\$47,000	
Police Station, Historic Library, and Old Town Hall		
Police Station Improvement – Install Irrigation Well	\$22,100	
Historic Library Improvement – Install Irrigation Well; Investigate Existing Well	\$22,100	
Old Town Hall Improvement – Water Service Connection and Septic Installation	\$71,100	
Old Town Hall Improvement – External Restroom*	\$361,000	
Total Budgetary Cost of Recommendations	\$600,300	\$540,000

*The cost to build an internal restroom is approximately \$70,500. This cost may increase if further investigations of existing conditions are conducted and reveal the need for additional work.

Phase 1 projects are those that Environmental Partners recommends the Town pursue within the next year, and the Phase 2 project can be implemented at a later date.

Piping work and paving work should be combined to the extent possible at all sites to obtain favorable bids.

The ability to manufacture typical construction materials has been impacted by many factors ranging from international trade restrictions, the COVID-19 pandemic, and labor/raw material shortages, which have led to significantly increased costs and lead times. The inability to obtain standard construction materials within a reasonable timeframe must be considered when considering future work. All costs provided are based on the most current information and include contingency.

Clear Pond Park

Description	Units	Quantities	Unit Price	Extended Amount
Off Road/Cross Country Installation				
Mobilization & Demobilization (5%)	ls	1	\$14,617	\$14,617
4-inch DI, CL 52 Pipe	lf	1,700	\$125	\$212,500
4-inch Gate Valve and Boxes	ea	3	\$1,500	\$4,500
16"x4" Tapping Sleeve	ea	1	\$10,000	\$10,000
Ductile Iron Fittings	lb	1,000	\$2	\$2,000
Hydrant	ea	3	\$5,000	\$15,000
Clearing	sf	1,667	\$25	\$41,667
Restoration	sf	1,667	\$4	\$6,667
Filter Sock	lf	1,800	\$10	\$18,000
Subtotal				\$324,950
Contingency (20%)				\$64,990
Resident Project Representative (5%)				\$16,248
Engineering (15%)				\$48,743
Total				\$454,930
Clear Pond Road Shoulder Installation				
Mobilization & Demobilization (5%)				\$14,400
12-inch DI, CL52 Pipe	lf	1,680	\$150	\$252,000
4-inch DI, CL 52 Pipe	lf	120	\$125	\$15,000
12" Gate Valve and Boxes	ea.	3	\$3,000	\$9,000
16"x12" Tapping Sleeve	ea.	1	\$10,000	\$10,000
Ductile Iron Fittings	lb	1,000	\$2	\$2,000
Hydrant	ea	5	\$5,000	\$25,000
Filter Sock	lf	1,900	\$10	\$19,000
Soft Shoulder Restoration	sy	560	\$15	\$8,400
Pavement Restoration Work	ls	1	\$30,000	\$30,000
Subtotal				\$384,800
Contingency (20%)				\$76,960
Resident Project Representative (5%)				\$19,240
Engineering (15%)				\$57,720
Total				\$538,720

John Paun Memorial Park

Description	Units	Quantities	Unit Price	Extended Amount
New Water Main Installation – Blueberry Drive Using Directional Drilling				
Mobilization & Demobilization (5%)	ls	1	\$3,838	\$3,838
4-inch, Fused HDPE Pipe	lf	300	\$200	\$60,000
4-inch, DI Pipe	lf	50	\$125	\$6,250
4-inch Gate Valve and Boxes	ea	3	\$1,500	\$4,500
DI Fittings	lb	300	\$2	\$600
12"x4" Tapping Sleeve	ea	1	\$5,000	\$5,000
Landscape Restoration	sy	100	\$4	\$400
Subtotal				\$80,588
Contingency (20%)				\$16,118
Resident Project Representative (5%)				\$4,029
Engineering (15%)				\$12,088
Total				\$112,823
Installation of Groundwater Well for Potable Water				
Mobilization & Demobilization (5%)	ls	1	\$3,000	\$3,000
4" Groundwater Well Exploration	ea	1	\$15,000	\$15,000
DEP Testing and Approval	ls	1	\$30,000	\$30,000
4" Groundwater Well Installation	ea	1	\$40,000	\$60,000
Subtotal				\$108,000
Contingency (20%)				\$21,600
Resident Project Representative (5%)				\$5,400
Engineering (15%)				\$16,200
Total				\$151,200
Conversion of Existing Well for Groundwater Well and Installation of Irrigation Well				
Mobilization & Demobilization (5%)	ls	1	\$1,500	\$1,500
Conversion of Irrigation Well	Allow	1	\$30,000	\$30,000
2" Irrigation Well	ea	1	\$15,000	\$15,000
Subtotal				\$46,500
Contingency (20%)				\$9,300
Resident Project Representative (5%)				\$2,325
Engineering (15%)				\$6,975
Total				\$65,100

Ted Williams Camp

Description	Units	Quantities	Unit Price	Extended Amount
Connect to Existing Stand-Alone Bathroom				
Mobilization & Demobilization (5%)	ls	1	\$150	\$150
1-inch PE Water Service Tubing	lf	100	\$30	\$3,000
1-inch Corporation	ea	1	\$1,300	\$1,300
1-inch Curb Stop	ea	1	\$1,300	\$1,300
Subtotal				\$5,750
Contingency (20%)				\$1,150
Resident Project Representative (5%)				\$288
Engineering (15%)				\$863
Total				\$8,050
Isolate Irrigation System Spigots				
Mobilization & Demobilization (5%)	ls	1	\$50	\$50
Irrigation Spigot Cover Boxes	ea.	5	\$200	\$1,000
Signage	ls	1	\$1,300	\$1,300
Subtotal				\$2,350
Contingency (20%)				\$470
Total				\$2,820
Reroute Existing 2-Inch Main and Demolish Existing Pump House				
Mobilization & Demobilization (5%)	ls	1	\$300	\$300
2-inch PE Water Service Tubing	lf	150	\$40	\$6,000
Landscape Restoration	sy	50	\$4	\$200
Demolish Pump House	sf	384	\$70	\$26,880
Subtotal				\$33,380
Contingency (20%)				\$6,676
Resident Project Representative (5%)				\$1,669
Engineering (15%)				\$5,007
Total				\$46,732

Police Station, Historic Library, and Old Town Hall

Description	Units	Quantities	Unit Price	Extended Amount
Police Station Improvement- Install Irrigation Well				
Mobilization & Demobilization (5%)	ls	1	\$750	\$750
2" Irrigation Well	ea	1	\$15,000	\$15,000
Subtotal				\$15,750
Contingency (20%)				\$3,150
Resident Project Representative (5%)				\$788
Engineering (15%)				\$2,363
Total				\$22,050
Historic Library Improvement - Install Irrigation Well				
Mobilization & Demobilization (5%)	ls	1	\$750	\$750
2" Irrigation Well	ea	1	\$15,000	\$15,000
Subtotal				\$15,750
Contingency (20%)				\$3,150
Resident Project Representative (5%)				\$788
Engineering (15%)				\$2,363
Total				\$22,050
Old Town Hall Improvement – Service off Bedford Street				
Mobilization & Demobilization (5%)	ls	1	\$150	\$150
1-inch PE Water Service Tubing	lf	100	\$30	\$3,000
1-inch Corporation	ea	1	\$1,300	\$1,300
1-inch Curb Stop	ea	1	\$1,300	\$1,300
Septic System and Piping	ls	1	\$45,000	\$45,000
Subtotal				\$50,750
Contingency (20%)				\$10,150
Resident Project Representative (5%)				\$2,538
Engineering (15%)				\$7,613
Total				\$71,050
Old Town Hall Improvement – Internal Restroom				
Mobilization & Demobilization (5%)	ls	1	\$2,500	\$2,500
Restroom Construction	ls	1	\$50,000	\$50,000
Subtotal				\$52,500
Contingency (20%)				\$10,500
Engineering (15%)				\$7,500
Total				\$70,500
Old Town Hall Improvement – External Restroom				
Mobilization & Demobilization (5%)	ls	1	\$10,500	\$10,500
Pre-Cast Restroom	ls	1	\$210,000	\$210,000
Installation by General Contractor	ls	1	\$50,000	\$50,000
ADA Ramp/Walkway	ls	1	\$30,000	\$30,000
Subtotal				\$300,500
Contingency (20%)				\$60,100
Total				\$360,600

APPLICATION (TERMS AND CONDITIONS)

For sub-award of ARPA Grant

This application is being submitted by [MUNICIPALITY], Massachusetts (the "Municipality") for a grant in the amount of \$[GRANT AMOUNT] (the "Grant Amount") from [Plymouth] County, Massachusetts (the "County"). If awarded, the Municipality will be required to enter into a Grant Agreement, to which this application will be attached as an Exhibit (the "Grant Agreement").

The grant, if awarded, will be funded as a sub-award of the County's federal State & Local Fiscal Recovery Funds (CFDA No. 21.027), as authorized under the American Rescue Plan Act (ARPA), in the total amount of \$[] identified as federal award identification number [SLFRP4299] (the "ARPA Grant") with a federal award date of [July 9, 2021] provided by the United States Treasury ("Treasury") to the County. The Municipality, as sub-recipient (the "Sub-recipient") of the ARPA Grant, agrees to comply with the terms and conditions of such federal award applicable to sub-awards and sub-recipients, including the following terms and conditions:

1. Use of Funds.
 - (a) Sub-recipient understands and agrees that the funds disbursed under this sub-award may only be used in compliance with section 603(c) of the Social Security Act (the "Act"), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - (b) Sub-recipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, auditing, and completion of such project.
2. Period of Performance. The period of performance for this sub-award begins on the date the Grant Agreement is executed and ends on June 30, 2024 (subject to extension in the sole discretion of the County, but not later than December 31, 2024), provided that eligible uses for Grant funds may extend from March 3, 2021 to such end date.
3. Reporting. Sub-recipient agrees to cooperate fully and promptly with the County with any and all reporting obligations established by Treasury and/or the County as they relate to this award, including without limitation the reporting described in Schedule A to the Grant Agreement.
4. Maintenance of and Access to Records.
 - (a) Sub-recipient shall maintain records and financial documents sufficient to support the County's production of evidence of compliance with section 603(c) of the Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - (b) The County, the Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of the sub-recipient, in order to conduct audits or other investigations.
 - (c) Records shall be maintained by sub-recipient for a period of seven (7) years after all funds have been expended or returned to the County, whichever is later.
5. Pre-award Costs. Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
6. No R&D Award. The sub-award shall not constitute an R&D award within the meaning of 2 CFR §200.332.
7. No Administrative Costs. Sub-recipient may use funds provided under this award to cover direct costs only. Indirect costs shall not be paid or reimbursed with the sub-award

8. Cost Sharing. Cost sharing or matching funds are not required to be provided by sub-recipient.
9. Conflicts of Interest. Sub-recipient understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Sub-recipient and its sub-recipients (if any) must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.
10. Compliance with Applicable Law and Regulations.
 - (a) Sub-recipient agrees to comply with, and to fully cooperate with the County with respect to its compliance with, the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Sub-recipient agrees to comply with all applicable federal statutes, regulations, and executive orders. Sub-recipient also agrees to comply with, and to fully cooperate with the County with respect to its compliance with, all other applicable federal statutes, regulations, and executive orders, and sub-recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this sub-award.
 - (b) Federal regulations applicable to this sub-award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this sub-award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this sub-award.
 - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the sub-award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the sub-award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the sub-award is subject to 2 C.F.R. Part 180 and Treasury’s implementing regulation at 31 C.F.R. Part 19.
 - v. Recipient Integrity and Performance Matters, pursuant to which the sub-award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
 - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
 - ix. Generally applicable federal environmental laws and regulations.
 - (c) Statutes and regulations prohibiting discrimination applicable to this sub-award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury’s implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis

of race, color, or national origin under programs or activities receiving federal financial assistance;

- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
11. Remedial Actions. In the event of the County's noncompliance (including without limitation as a result of the sub-recipient's non-cooperation with the County or other sub-recipient noncompliance) with section 603 of the Act, other applicable laws, Treasury's implementing regulations, guidance, or any reporting or other program requirements, Treasury may impose additional conditions on the County (and, thereby, the sub-recipient) of a subsequent tranche of future award funds, if any, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 603(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 603(e) of the Act.
 12. Hatch Act. Sub-recipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
 13. False Statements. Sub-recipient understands that making false statements or claims in connection with this sub-award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
 14. Publications. Any publications produced with funds from this sub-award must display the following language: "*This project [is being] [was] supported, in whole or in part, by federal award number [SLFRP4299] awarded to [Plymouth] County, Massachusetts by the U.S. Department of the Treasury.*"
 15. Debts Owed the Federal Government.
 - (a) Any funds paid to sub-recipient (1) in excess of the amount to which sub-recipient is finally determined to be authorized to retain under the terms of this sub-award; (2) that are determined by the County or the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to section 603(e) of the Act and have not been repaid by sub-recipient shall constitute a debt to the County and the federal government.
 - (b) Any debts determined to be owed the County and the federal government must be paid promptly by the sub-recipient. A debt is delinquent if it has not been paid by the date specified in the initial written demand for payment, unless other satisfactory arrangements have been made or if the sub-

recipient knowingly or improperly retains funds that are a debt as defined in paragraph 15(a). The County and Treasury will take any actions available to it to collect such a debt.

16. Disclaimer.

- (a) The County expressly disclaims (and the sub-recipient understands that the United States also disclaims) any and all responsibility or liability to sub-recipient or third persons for the actions of sub-recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this sub-award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this sub-award.
- (b) The acceptance of this award by sub-recipient does not in any way establish an agency relationship between the County (or the United States) and sub-recipient.

17. Protections for Whistleblowers.

- (a) In accordance with 41 U.S.C. § 4712, sub-recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- (b) The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of sub-recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- (c) Sub-recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

18. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), sub-recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

19. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), sub-recipient should encourage its employees, its sub-recipients (if any), and its contractors to adopt and enforce policies that ban text messaging while driving, and sub-recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

Certifications

The representative of the Municipality submitting this Application certifies, represents and warrants as follows:

1. I am duly authorized by the Municipality to submit this Application on its behalf.
2. I have read and understand this Application and the Grant Agreement that will be required if this Application is accepted (including, without limitation, the provisions of the Grant Agreement related to reporting, recoupment, and indemnification).
3. I understand that award of the grant is and will remain subject to the availability of funds to make the grant. The County is not and will not be obligated to fund the grant from any funds other than proceeds of the ARPA Grant that are actually received by the County.
4. No funds received from the Grant, if awarded, will be used to pay or reimburse any costs that have been (or will be) paid or reimbursed through another COVID-19 relief program (whether federal, state, county, local or non-governmental).
5. As part of this Application, I have provided the reports associated with the Municipality's most recently completed independent audit (e.g. financial statements, management letter, "Yellow Book" report, and Single Audit (if applicable)) and that if the grant is awarded, the Municipality will provide such reports each year through the closeout (as defined in 2 C.F.R. Section 200.344) of the grant
6. Notices to the Municipality shall be in writing and addressed to [MUNICIPALITY CONTACT INFORMATION] and notices to the County shall in writing and delivered to [Plymouth County, 44 Obery Street, Plymouth, Massachusetts 02360, Attention: Thomas J. O'Brien, Treasurer], or to such other address as either party shall provide to the other in writing. The Applicant is responsible for notifying Plymouth County for any changes to the contact information.
7. To the best of my knowledge, no person or entity involved in submitting this Application or that is expected to be involved in the grant or the project funded thereby (i) has been debarred, suspended or otherwise excluded from participation in federal or state assistance programs or activities or (ii) has violated or is currently the subject of any actual or threatened investigation or audit involving allegations of fraud, bribery, dishonesty, or any other action that bears upon the trustworthiness or responsibility of such person.
8. The Municipality is registered with the System for Award Management ("SAM") and I confirm that the name of the Municipality and the Data Universal Numbering System (DUNS) number provided with this Application are correct and consistent with the name and number appearing in the SAM. Furthermore, the Applicant will maintain an active SAM registration at all times it has an active federal award or application for federal award in process.
9. All information provided to the County in connection with this Application (including without limitation the information entered into the County's online portal) is true, accurate and complete in all material respects as of and on the date hereof.

**GRANT AGREEMENT
(ARPA)**

This Grant Agreement (this "Agreement") is entered into by and between Plymouth County, Massachusetts (the "County") and the Municipality listed in the application(s) attached hereto as Exhibit A (the "Grantee"), a political subdivision of The Commonwealth of Massachusetts (the "Commonwealth") located within the territorial boundaries of the County (the "Grantee").

WHEREAS, the County is the recipient of a grant (as more fully described in Exhibit A, the "ARPA Grant") made available under the American Rescue Plan Act ("ARPA") from the United States Treasury;

WHEREAS, the Grantee has submitted (and may in the future submit) to the County one or more applications for grants to be funded from the ARPA Grant (each application approved by the County and attached hereto from time to time in Exhibit A, an "Application"), and in reliance on the representations, certifications and warranties made by the Grantee herein and in the Applications, the County is (or will be) willing to provide one or more restricted grants in the Grant Amount identified in the applicable Application (each, a "Grant") to the Grantee on the terms and conditions stated herein;

WHEREAS, the Grantee is willing to accept the Grant evidenced by each Application, and to thereby become a sub-recipient of the ARPA Grant, on the terms and conditions stated herein.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the parties agree and bind themselves as follows:

ARTICLE I - REPRESENTATIONS OF THE GRANTEE

Recognizing that the County is relying hereon, the Grantee represents, as of the date of this Agreement, as follows:

- (a) *Organization; Power, Etc.* The Grantee is a political subdivision of the Commonwealth located entirely within the geographic boundaries of the County with full legal right and power to authorize, execute, and deliver this Agreement, to receive each Grant, to undertake and implement the use of Grant funds described in each Application and to carry out and consummate all transactions contemplated by the foregoing (including without limitation the recordkeeping and reporting described herein);
- (b) *Authority.* The Grantee has duly and validly authorized the execution and delivery of this Agreement and has or will have so authorized the execution of each Application, and all approvals, consents, and other governmental or corporate proceedings necessary for the execution and delivery of the foregoing or required to make this Agreement the legally binding obligation of the Grantee that it purports to be, in accordance with its terms, have been obtained or made. The representatives of the Grantee executing this Agreement have all necessary power and authority to execute this Agreement and to bind the Grantee to the terms and conditions herein.
- (c) *No Litigation.* No action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, other than as disclosed to the County in writing, is pending or, to the knowledge of the authorized representatives of the Grantee executing this Agreement, threatened (1) seeking to restrain or enjoin the execution and

delivery of this Agreement, or the undertaking of any Project (defined below) or (2) contesting or affecting the validity of this Agreement; and neither the corporate existence of the Grantee nor the title to office of any authorized representatives of the Grantee executing this Agreement, is being contested.

- (d) *No Conflicts.* The authorization, execution and delivery of this Agreement, and performance by the Grantee of each Project and of its obligations under this Agreement, will not constitute a breach of, or a default under, any law, ordinance, resolution, agreement, indenture or other instrument to which the Grantee is a party or by which it or any of its properties is bound.
- (e) *SAM Registration.* Grantee is registered with the System for Award Management (SAM) and confirms that the Data Universal Numbering System (DUNS) number listed in Exhibit A is the correct such number for the Grantee as of the date hereof.
- (f) *Binding Agreement.* This Agreement is, or when executed and delivered will be, the legal, valid, and binding obligation of the Grantee, enforceable in accordance with its terms, subject only to limitations on enforceability imposed in equity or by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally.
- (g) *Information Submitted.* All information, reports, and other documents and data submitted to the County in connection with this Agreement (including without limitation, the Application(s) attached hereto as of the date of execution and each other Application, if any, to be later attached and made a part hereof pursuant to the terms hereof) were, at the time the same were (or will be) furnished, and are, as of the date hereof (or will be as of the date the same are furnished), true, correct and complete in all material respects.
- (h) *Ratification.* By executing this Agreement, the Grantee (i) affirms and ratifies all statements, representations and warranties contained in all written documents that it has submitted to the County in connection with this Agreement (including, without limitation, the this Agreement and the Application(s) attached hereto as Exhibit A as of the date hereof) and (ii) agrees that on each date, if any, that an additional Application is attached hereto and made a part hereof, it will be deemed to have affirmed and ratified all such statements, representations and warranties (including, without limitation, those contained or provided in connection with such additional Application).

ARTICLE II - THE GRANT

2.1 Grant Amount The County agrees to make and the Grantee agrees to accept, on the terms and conditions stated in this Agreement, one or more Grants, in the Grant Amount(s) specified on the Application(s) attached as Exhibit A hereto. From and after the date hereof, the County may agree to make and the Grantee may agree to accept, on the terms and conditions stated herein, additional Grants pursuant to additional Applications in the Grant Amount stated in each such Application; in such event, such additional Applications will be attached hereto on Exhibit A and shall become a part of this Agreement.

2.2 Project and Schedule

- (a) *Grant Purpose.* Each Grant is being made solely to finance the project described in the applicable Application (each, a “Project”).
- (b) *Grant Expenditure Schedule.* The Grant will not pay any costs other than those incurred during the period from March 3, 2021 to June 30, 2024 (subject to extension in the sole discretion of the County, but not later than December 31, 2024). All Grant proceeds that remain unexpended as of June 30, 2024 (or such later date to which the County shall extend such deadline, in its sole discretion) shall be returned to the County promptly (and in any event within ten (10) business days thereafter).

2.3 Grant Award Package

In connection with the execution and delivery of this Agreement, each of the following conditions shall be satisfied (all documents, certificates and other evidence of such conditions are to be satisfactory to the County in its sole and absolute discretion).

- (a) *Executed Grant Agreement.* The County shall receive a duly executed original of this Agreement.
- (b) *Expiration of Offer.* Each Grant, and the obligation of the County to disburse such Grant, or any portion thereof, shall expire ninety (90) days from the date the Grantee was notified that the County had approved the applicable Application. The County, in its sole and absolute discretion, may approve one or more extensions to the expiration of the offer of any Grant.

ARTICLE III - AFFIRMATIVE COVENANTS

3.1 Use of Disbursements

The Grantee shall expend the Grant funds only for eligible costs of the Project as described in the applicable Application, subject to Article II hereof. The Grantee shall be responsible for compliance with, and shall comply in all material respects with, all applicable law and regulations, whether or not such law or regulations are expressly referenced herein.

3.2 Reporting and Compliance with Laws

The Grantee shall comply with all reporting requirements set forth in Schedule A hereto. In addition, the Grantee agrees that each Project shall be constructed or undertaken and each Grant shall be expended in full compliance with all applicable provisions of federal, state and local law and all

regulations thereunder. Without limiting the generality of the foregoing, the Grantee covenants to comply in all respects with all applicable law, regulation and rule regarding bidding, procurement, employment and anti-discrimination.

3.3 Additional Project Funding

The Grantee shall ensure that adequate funding is in place to complete each Project. In the event that any Grant, alone, is for any reason insufficient to complete the applicable Project, the Grantee will obtain or make available and apply other funds (including without limitation, by incurring loans or obtaining other grants) in an aggregate amount necessary to ensure completion of each such Project.

3.4 Recoupment and Costs

The Grantee acknowledges that it is responsible for compliance with this Agreement and all state and federal law and regulation applicable to the Grant(s) funding source and the Project. Breach of this Agreement and/or failure to comply with such law or regulation may result in all or a portion of the Grant(s) becoming subject to recoupment (including, without limitation, as described in each Application). If one or more Grant is subject to recoupment, the County will notify the Grantee in writing and the Grantee shall promptly, and in any event within 10 days of receiving such notice, return such Grant proceeds (including both any unexpended portion and funds equal to the portion expended) and any interest earnings thereon. In addition, Grantee shall be responsible for, and hereby agrees to prompt pay or reimburse the County for all costs incurred by the County, its employees, officers and agents (including without limitation, attorneys' fees) related to or arising out of such recoupment, including without limitation costs of any related investigation, audit and/or collection efforts.

3.5 Indemnification

To the fullest extent permitted by law, the Grantee agrees to indemnify and hold harmless the County and all of its employees, officers, and agents (collectively, "Indemnified Persons") from and against any and all losses, costs, damages, expenses, judgments, and liabilities of whatever nature (including, but not limited to, attorneys', accountants' and other professionals' fees and expenses, litigation and court costs and expenses, amounts paid in settlement and amounts paid to discharge judgments and amounts payable by an Indemnified Person relating to or arising out of (i) the actual or alleged failure of the Grantee to comply with the terms of this Agreement or with any other requirement or condition applicable to the federal grant with which any Grant is funded or (ii) the operation or undertaking of each Project; provided that no indemnification shall be required of an Indemnified Person to the extent such losses are determined by the final judgment of a court of competent jurisdiction to be the result of the gross negligence or willful misconduct of such Indemnified Person. Such indemnification includes, but is not limited to, costs arising from third-party claims.

The provisions of this Section shall survive the termination of this Agreement, and the obligations of the Grantee hereunder shall apply to losses or claims whether asserted prior to or after the termination of this Agreement. In the event of failure by the Grantee to observe the covenants, conditions and agreements contained in this Section, any Indemnified Person may take any action at law or in equity to collect amounts then due and thereafter to become due, or to enforce performance and observance of any obligation, agreement or covenant of the Grantee under this Section. The obligations of the Grantee under this Section shall not be affected by any assignment or other transfer by the County of its rights or interests under this Agreement and will continue to inure to the benefit of the Indemnified Persons after any such transfer. The provisions of this Section shall be cumulative with and in addition to any other agreement by the Grantee to indemnify any Indemnified Person.

3.6 SAM

The Grantee shall maintain an active SAM registration at all times while this Grant Agreement is in effect.

3.7 Recordkeeping.

The Grantee shall maintain accounts and records with respect to each Project and each Grant in accordance with generally accepted accounting principles as issued from time to time by the Governmental Accounting Standards Board (GASB). Grantee shall keep and maintain all financial records and supporting documentation related to the Project and each Grant for a period of seven years after all Grant proceeds have been expended or returned to the County. Wherever practicable, Grantee shall collect, transmit, and store such records in open and machine readable formats. Grantee agrees to make such records available to the County or the United States Treasury upon request, and to any other authorized oversight body, including but not limited to the Government Accountability Office (GAO), the Treasury's Office of Inspector General (OIG) and the Pandemic Relief Accountability Committee (PRAC). Grantee agrees to make such accounts and records available for on-site inspection during regular business hours of the Grantee and permit the County, the United States Treasury or any other such authorized oversight body to audit, examine, and reproduce such accounts and records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, data, and other information relating to all matters covered by this agreement.

The Grantee shall permit the County or any party designated by it upon reasonable prior notice to the Grantee to examine, visit and inspect each Project and to inspect and, without limiting the generality of the previous paragraph, to make copies of any accounts, books and records of the Grantee pertaining to each Project and/or each Grant.

3.8 Single-Audit

The Grantee acknowledges that by accepting the Grant(s) it is a sub-recipient of federal financial assistance under the federal Single Audit Act of 1984, as amended (the "SAA"). The Grantee further acknowledges that to the extent it expends an aggregate of \$750,000 in federal awards (including, but not limited to the Grant(s)) in a fiscal year, it will be subject to an audit under the SAA and its implementing regulations at 2 CFR Part 200, Subpart F.

ARTICLE IV - TERMINATION AND REMEDIES

4.1 Termination

- (a) *Termination by the County.* The County, in its sole and absolute discretion, may terminate this Agreement or any one or more Grant hereunder:
 - (i) if the Grantee has breached any provision of this Agreement (including without limitation reporting requirements in Schedule A hereto) or has failed to comply with any applicable state or federal law or regulation applicable to any Project and/or any Grant; or
 - (ii) if any representation or warranty made by the Grantee in any Application, this Agreement, or any certification or other supporting documentation thereunder or

hereunder shall prove to have been incorrect in any material respect at the time made.

- (b) *Notice of Termination.* The County shall provide the Grantee with written notice of termination of the this Agreement or any one or more Grants, setting forth the reason(s) for termination. The termination of this Agreement or any one or more Grants shall be effective as of the date such notice of termination is sent by the County.
- (c) *Effect of Termination.* Upon termination of this Agreement or any Grant, the Grantee shall reimburse the County for all costs and disbursements of the Grant(s) terminated on a schedule to be negotiated in good faith between the County and the Grantee, but in no event more than 60 days from the date of such termination.

4.2 Term

This Agreement shall remain in effect until one of the following events has occurred:

- (a) The Grantee and the County replace this Agreement with another written agreement;
- (b) All of the Grantee's obligations under this Agreement have been discharged, including, without limitation, any obligation to reimburse the County for disbursements of the Grant(s); or
- (c) This Agreement has been terminated pursuant to the provisions of Section 4.1 hereof.

ARTICLE V - MISCELLANEOUS

5.1 Notices

All notices, requests and other communications provided for herein including, without limitation, any modifications of, or waivers, requests or consents under, this Agreement shall be given or made in writing and delivered, (i) in the case of the County, to Plymouth County, 44 Obery Street, Plymouth, Massachusetts 02360, Attention: Thomas J. O'Brien, Treasurer, and (ii) in the case of the Grantee, to the address specified in the most recent Application; or, as to either party, at such other address as shall be designated by such party in a notice to each other party. Unless otherwise provided herein, receipt of all such communications shall be deemed to have occurred when personally delivered or, in the case of a mailed notice, upon receipt, in each case given or addressed as provided for herein.

5.2 No Waiver

No failure or forbearance on the part of the County to exercise, and no delay in exercising, any right hereunder shall operate as a waiver thereof nor shall any single or partial exercise by the County of any right hereunder preclude any other or further exercise thereof or the exercise of any other right. Conditions, covenants, duties and obligations contained in this Agreement may be waived only by written agreement between the parties.

5.3 Governing Law

This Agreement shall be construed under, and governed by, the laws of the Commonwealth. The Grantee agrees to bring any federal or state legal proceedings arising under this Agreement in which the

County is a party in a court of competent jurisdiction within the Commonwealth. This section shall not be construed to limit any other legal rights of the parties.

5.4 Successors and Assigns

This Agreement shall be binding upon and inure to the benefit of the Grantee and the County and their respective successors and assigns, except that the Grantee may not assign or transfer its rights or obligations hereunder without the prior written consent of the County.

5.5 Complete Agreement; Waivers and Amendments

All conditions, covenants, duties and obligations contained in the Agreement may be amended only through a written amendment signed by the Grantee and the County unless otherwise specified in this Agreement. At the date of execution hereof, one or more Applications are attached hereto as Exhibit A and made a part hereof. From time to time after the date hereof, the Grantee may apply for, and the Grantee may agree to make, additional Grants pursuant to additional Applications. In such event, such additional Applications shall be attached to and become a part of this Agreement. The parties understand and agree that this Agreement and all Applications attached hereto from time to time, which are expressly incorporated herein by reference, supersedes all other verbal and written agreements and negotiations by the parties regarding the matters contained herein.

5.6 Headings

The headings and sub-headings contained in the titling of this Agreement are intended to be used for convenience only and do not constitute part of this Agreement.

5.7 Severability

If any term, provision or condition, or any part thereof, of this Agreement shall for any reason be found or held invalid or unenforceable by any governmental agency or court of competent jurisdiction, such invalidity or unenforceability shall not affect the remainder of such term, provision or condition nor any other term, provision or condition, and this Agreement shall survive and be construed as if such invalid or unenforceable term, provision or condition had not been contained therein.

5.8 Schedules, Exhibits and Attachments; Counterparts; Electronic Signature

Each schedule, exhibit or other attachment hereto (including without limitation each Application attached (or to be attached as referenced in Section 5.5 hereof) as Exhibit A and referred to herein is an integral part of this Agreement. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original. Counterparts may be delivered via facsimile, electronic mail (including pdf or any electronic signature complying with the U.S. federal ESIGN Act of 2000 and related state law) or other transmission method and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes.

5.9 Further Assurances

Grantee agrees that it will, from time to time, execute, acknowledge, and deliver, or cause to be executed, acknowledged, and delivered, such further instruments as may reasonably be required for carrying out the intention or facilitating the performance of this Agreement.

5.10 Third-Party Beneficiaries

This Agreement is exclusively between the County and the Grantee, and does not nor is intended to create any privity of contract with any other party not a party hereto other than the Indemnified Persons, nor to imply a contract in law or fact. The County is not obligated to disburse grant funds on any contract, or otherwise, between the Grantee and any other party, nor intends to assume, at any time, direct obligations for payment for work, goods, or other performance under such contracts. The obligation to pay any amounts due under such contracts is solely the responsibility of the Grantee. Nothing herein, express or implied, is intended to, or shall confer upon, any other person any right, benefit, or remedy of any nature whatsoever under or by reason of this Agreement between the County, the Grantee and the Indemnified Persons.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the parties hereto have caused this Grant Agreement to be duly executed as of the latest date set forth below.

PLYMOUTH COUNTY, MASSACHUSETTS

By: _____
Name: Thomas J. O'Brien
Title: Treasurer

Date: _____

GRANTEE (as applicable)

TOWN OF _____,
as Grantee

CITY OF _____,
as Grantee

By a majority of its Board of Selectmen:

By its

Mayor/City Manager

and a majority of its City Council:

Date: _____

Date: _____

SCHEDULE A

Reporting Requirements

Event Reporting

The following events shall be reported promptly upon the occurrence thereof (and in any event with five business days of the occurrence thereof) to the County:

- (a) The inclusion of the Grantee, or any contractor or sub-recipient related to any Grant or any Project, or any employee, officer or other official of any of the foregoing, on any state or federal listing of debarred or suspended persons, or if any of such persons are proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any state or Federal department or agency.
- (b) Any criminal or civil litigation, or credible threat of such litigation, or investigation by any governmental entity of any of the persons listed in (a) for violations of state or Federal law involving fraud, bribery, misappropriation of funds, breaches of fiduciary duty or other actions bearing on the trustworthiness, credibility or responsibility of such person.

On Demand Reporting

The Grantee shall provide such other reporting relating to each Grant and each Project as the County shall reasonably request from time to time.

Scheduled Reporting

- (a) Quarterly Reporting. The Grantee shall provide quarterly reports as of the end of each fiscal quarter. Such reports shall be delivered to the County not later than the fifteenth (15) day following the end of the each fiscal quarter (i.e. January 15, April 15, July 15 and October 15) and shall contain:
 - a. The status of each Project (not started, in process, completed)
 - b. The amount of each Grant spent on the applicable Project during the quarter;
 - c. The cumulative total amount of each Grant funds spent on the applicable Project since inception;
 - d. The amount, if any, of each Grant that has been obligated for spending on the applicable Project that have not yet been expended;
 - e. A certification that, as of such reporting date and at all times since the previous reporting date (or if none, since the date of the Grant Agreement), the Grantee is and has been in full compliance with all terms of the Grant Agreement, including, without limitation, compliance with Title VI of the Civil Rights Act and all other applicable anti-discrimination laws (or a has delivered to the County in writing a full accounting of all instances on noncompliance); and
 - f. Such other items as the County shall reasonably request related to the Grant(s) and/or the Project(s)
- (b) Close Out Reporting. The Grantee shall provide a final close-out report after the final expenditure (or return to the County) of each Grant. Such report shall be delivered to the County not later than 60 days following the quarter in which such final expenditure (or return) occurred and shall contain all such items as are reasonably requested by the County or its agents.

EXHIBIT A

[copies of each final, approved
Application (Terms and Conditions)
to be attached]

**AGENDA ITEM #4
JUNE 27, 2022**

**DISCUSS LAKEVILLE COUNTRY CLUB RIGHT OF FIRST
REFUSAL PROCESS AND POTENTIAL NEXT STEPS**

Rich asked to put this on the agenda.

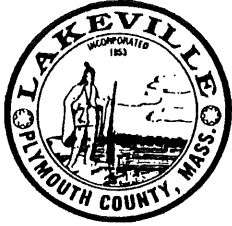
**AGENDA ITEM #5
JUNE 27, 2022**

DISCUSS FY23 GOALS

**AGENDA ITEM #6
JUNE 27, 2022**

**DISCUSS MEMO RECEIVED FROM THE PLANNING BOARD
REGARDING AMENDING THE ZONING BY-LAWS TO REMOVE
THE DEVELOPMENT OPPORTUNITIES DISTRICT BY-LAW AND
POSSIBLE VOTE TO PLACE THE ARTICLE ON THE FALL
SPECIAL TOWN MEETING WARRANT**

Attached is a memo from the Town Planner and the proposed article for the Fall Town Meeting



Town of Lakeville

Planning Department
346 Bedford Street
Lakeville, MA 02347
774-776-4350

RECEIVED
APR 22 2022
SELECTMEN'S OFFICE

Date: April 22, 2022

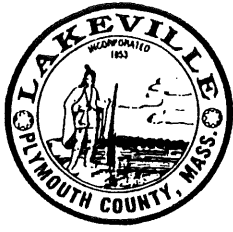
Memo To: Lakeville Select Board

Memo From: Marc Resnick, Town Planner

Re: Fall Town Meeting Article

Attached is an Article to amend the Town of Lakeville Zoning By-Laws that the Planning Board is submitting for the Fall Town Meeting. The Board voted to submit this Article after reviewing it at their meeting held on April 21, 2022. The Article is to remove in its entirety Section 7.9 Development Opportunities (DO) District from the Town of Lakeville Zoning By-Laws. The Article is attached.

Please let me know if you have any questions



Town of Lakeville
PLANNING DEPARTMENT
346 Bedford Street
Lakeville, MA 02347
774-776-4350

Article _____

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

**PETITION FOR INSERTION OF THE
 FOLLOWING ARTICLE IN THE WARRANT
 FOR THE TOWN MEETING OF
 Lakeville, MA**

RECEIVED
 LAKEVILLE TOWN CLERK
 2021 FEB 26 AM 9:47

DATE and TIME received 10:50 AM
RECEIVED
 FEB 26 2021
SELECTMEN'S OFFICE
 TOWN: Lakeville

We, the undersigned Registered Voters of the Town, hereby petition your honorable board to insert the following Article in the Warrant for the Town Meeting of Lakeville, MA

Will the Town of Lakeville consider removing the Development Opportunities District Bylaw from the Town of Lakeville Zoning Bylaws. Section 9.1 – 7.9.6 Adopted June 4, 2012 at ATM; approved by Attorney General July 18, 2012. Excerpts here:

9.1 Purpose The purpose of the Development Opportunities (DO) District is to authorize the innovative use of certain portions of a defined overlay district for activities appropriate to large land areas by the issuance of a special permit with safeguards and conditions to prevent detrimental effects and impact upon neighboring properties, natural resources and upon the Town of Lakeville as a whole. The intent of the DO District is to provide opportunities for economic development expansion in a planned multi-use district while protecting the natural resources of the Town. The Development Opportunities District is an overlay district superimposed over those underlying districts as shown on the zoning map of the Town of Lakeville.

9.2.1 The following uses shall be permitted by special permit in the DO District: a) Manufacturing and industrial uses including processing, fabrication and assembly; b) High technology activities; c) Warehouses, wholesale distribution centers; d) Municipal and public service facilities; e) Transportation terminal; f) Hotel or motel; g) Research and development; h) Office building; i) Medical center; j) Trade or professional school; k) Country Club; 90 l) Retail sales facilities; m) Service businesses; n) Theaters; o) Restaurants; p) Other places of public assembly, as may be exempt from zoning by M.G.L. Uses accessory to special permit uses: Uses deemed by the SPGA to be accessory to uses allowed by special permit may be authorized under the special permit for the primary use. Accessory uses may include retail sales facilities, which are directly related but subordinate to one of the above listed uses, allowed by special permit. The accessory uses must be subordinate in use and importance to the primary use. Any retail sales facility may only sell the same product line that is authorized by the special permit for the primary use.

9.3.2 No special permit shall be granted unless the total land area, including streets, of the subject property consists of twenty-five or more acres.

The below signed registered voters of Lakeville believe the Development Opportunities District is in sharp contrast to the interests of the Town's peoples' desire to preserve the Natural beauty and rural charm of the Town of Lakeville for the following reasons:

- 1) Projects of such magnitude should not be decided by only a few elected officials of the Town Planning Board
- 2) Projects of this magnitude should not be permitted by Special Permit despite the underlying Zoning Districts
- 3) Projects of this magnitude may pose a threat to the rural nature of the Town of Lakeville

The below signed registered voters of Lakeville ask that the Board of Selectmen remove Development Overlay District from the Town Zoning Bylaws or act on anything related thereto.

INSTRUCTIONS TO SIGNERS

SIGNER'S STATEMENT

SIGNER INFORMATION

For your signature to be valid, you must be a registered voter in the town named above and your signature should be written substantially as registered.
 If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence.

We, the undersigned, are qualified voters of the Town of Lakeville, an in accordance with the provisions of law request the above article be inserted in the warrant for the Town Meeting of Lakeville.

CHECK	SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
1	✓ Susan J. Spiceler	10 Valley Rd	
2	✓ Kathleen D. Cahoon	8 Valley Rd	
3	✓ Robert M. Stoughton	10 Valley Rd	
4	✓ Donna L. Gleason	17 W. Vaughan St	
5	✓ B. Kennison Gleason	17 W. Vaughan St	

ATTENTION VOTERS: Before signing, read signer information on other side.

ATTENTION REGISTRARS: Before certifying signatures, see instructions to registrars below

Lakeville

TOWN

CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
6	✓ Paul Mann	3 Crest Dr.	
7	✓ Janet Leath	9 Bush Pond Road	
8	✓ Richard Scott	9 Bush Pond Road	
9	✓ Mary Goodell	13 Bush Pond Road	
10	✓ Heather Bodwell	13 Bush Pond Road	
11	✓ Susan McCulloch	19 W Vaughan St.	
12	✓ Deborah Lake	5 Jes Way	
13	✓ Lisa Elliott	21 West Vaughan St	
14	✓ Rex Cotton	21 West Vaughan St	
15	✓ [Signature]	21 West Vaughan St	
16	✓ [Signature]	20 W Vaughan St	
17	✓ Julie Zup	16 W. Vaughan St	
18	✓ [Signature]	16 W Vaughan St.	
19	✓ BOB SUMMERS	3 Valley Rd	
20	✓ [Signature]	3 Valley Rd	
21	✓ William J. Craig	11 Blueberry Dr #1	
22			
23			
24			
25			
26			
27			
28			

WARNING - criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to 1 year.

REGISTRAR INFORMATION

INSTRUCTIONS TO REGISTRARS

- You must time stamp or write in date and time these papers are received
- Check this ✓ against the name of each qualified voter to be certified. For names not certified use the code at the right.
- Draw a line through any blank spaces not containing signatures.
- Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.
- For names not certified use the code to the right.
- N - No such registered voter at that address
- S - unable to identify signature or address as that of voter because form of signature or address
- T - already signed this petition

CERTIFICATION OF NAMES

Lakeville
town

February 26, 2021
month and day

At least three registrars names must be signed or stamped below.

[Signatures of Registrars]

We certify that (21) twenty one
number of names use numbers and words

above signatures checked thus ✓ are the names of qualified voters from this town.

Registrars of voters or
Election commissioners of Lakeville
town

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, April 14, 2022**

On April 14, 2022, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:00 p.m. LakeCam was making a video recording of the meeting.

Members present:

Mark Knox, Chair; Michele MacEachern, Jack Lynch, Nora Cline

Others attending:

Marc Resnick, Town Planner; Jamie Bissonnette, Zenith Consulting Engineers, Bo McMahon, 13 Main Street; Susan Spieler, Paul McAllister; residents

Introduce new Board member and reorganization of the Board

Mr. Knox introduced Ms. Nora Cline as their newest Board member. Mr. Knox said they would now reorganize the Planning Board as was their practice after the Town election. Ms. MacEachern made a motion, seconded by Ms. Cline to nominate Mr. Knox as Chairman. The vote was **unanimous for**. Mr. Knox made a motion, seconded by Ms. MacEachern to nominate Mr. Conroy as Vice-Chairman. The vote was **unanimous for**.

Site Plan Review - 2 Bedford Street– Thomas J. Parenteau of PBT Real Estate - applicant

Mr. Knox said they had an email request from the applicant's attorney to continue. He stated at the applicant's request he would make a motion to continue the Site Plan Review for 2 Bedford Street until their April 28, 2022, meeting at 7:00 p.m. The motion was seconded by Ms. MacEachern. The vote was **unanimous for**.

Master Plan Implementation – Fee Review Project final revisions

Mr. Resnick advised the revisions that he had made were primarily to the Special Permit Districts except for the 43D which allowed for mixed use. He also changed the wording for what would be considered a minor change under Site Plan Review. The changes were as follows:

	<u>Current Fee</u>	<u>Proposed</u>
Site Plan Review	Minor - \$250 (No traffic, drainage, or signage issues)	Minor – \$500 (Change of use or other minor site plan changes)

Site Plan Review	Major - \$1,000 (in public view)	Major - \$1,000 first acre plus \$500 per additional developed acre.
Special Permit DO District		\$1,000 first acre plus \$500 per additional developed acre.
Special Permit Water Development District		\$1,000 first acre plus \$500 per additional developed acre.
Chapter 43D-expedited local permitting		\$1,000 + \$200 per residential unit or \$500 per developed acre
Smart Growth Overlay District (SGOD)		\$1,000 + \$200 per unit
Surety	\$15 per lineal foot of road	Surety shall be based on the actual cost of construction. *See Rules and Regulations for complete explanation.

Mr. Resnick advised the surety should be the cost of construction instead of a number amount per foot. There should be a cost estimate. Mr. Knox agreed that the cost per foot had been a bit antiquated. He then made a motion, seconded by Ms. MacEachern, to approve the fee review schedule as drafted and have Mr. Resnick proceed with any other items that need to be done in order to have a public hearing posted. The **vote was unanimous for.**

13 Main Street – discuss possible site plan

Mr. Jamie Bissonnette of Zenith Consulting Engineers and Mr. Bo McMahon owner of the property were present. Mr. Bissonnette then displayed a proposed plan. He advised this would be in between the self-storage building being constructed and the CVS. They are looking for direction from the Board as Mr. McMahon is trying to determine the best use for this property. This plan shows 19 residential units for senior housing. There would be some type of a larger building in front to help keep with the frontage on Main Street, the aesthetic business look. He noted the regulations were rather vague and they were unsure if they could have a business with the senior housing behind it or whether it all has to be residential in this Overlay District. They also need to know what setback and lot coverages apply. Tonight they wanted to try to get a feel from the Board and some answers to those questions.

Mr. Bissonnette continued that this plan is something that Mr. McMahon would consider doing. It is in the Master Plan and this area is referenced as being a place that they need senior housing and dense housing. Mr. Knox wanted to clarify that this use is by right in that zone. Mr. Bissonnette said that is correct. In the Overlay District, it is a by right use. He stated that they wanted to move forward in harmony with the Board with something that works. He said there has been some indication they should go denser and have a smaller number of buildings but a larger

density in them with perhaps a condo or apartment style building. Mr. Knox asked if there was a challenge with age restricted having to be on one floor.

Mr. McMahon said this concept was designed with the Lakeville Master Plan 2030 in mind, which calls out high density village style cluster senior housing. This is what they are trying to adopt. Main Street has a variety of looks, and they have a commercial type building in the front that provides screening. It could potentially be designed to the Board's liking but with so many styles on Main Street, it is difficult to pick one that would be harmonious with the rest of the street. Mr. Bissonnette noted because of the elevation change where there is a crest, they would be able to plant along the top of it offering a nice break. They would focus in on a landscaping plan that emphasizes over there and towards the front to help screen things and also toward the back a little bit from Route 79. When asked, he stated that the property does not have an exit onto Route 79.

Mr. Knox said that he would like to see some type of a plan with two or three bigger buildings that maybe emulated the look of the CVS and funeral home with multiple units in them; if that is an option and works for them from a financial standpoint. Mr. McMahon said this idea came straight from the Housing Plan that the Town put out. He has no problem going to a fewer amount of buildings with a higher density. Economically, if he was putting them all in two buildings that ends up instead of 19 units; the equivalent of that once the elevators are factored in turns into between 40 to 50 units. Mr. Resnick asked if that density would comply with the MBTA guidelines. Mr. McMahon replied his understanding is they would need at least 45 units on this site to be able to comply.

Mr. Resnick asked if they could do a site plan with a couple of buildings, and still have a small commercial footprint in the front. Mr. Bissonnette said that would be based on zoning. They would like to sit down with the Building Commissioner and Mr. Resnick and get some definitive answers on that. Mr. McMahon explained the Overlay District description on senior housing omits any other information. Mr. Bissonnette said they have made assumptions for a concept, but it would be cost foolish to try to do that on a definitive design and might waste the Board's time.

Mr. Knox replied they have asked about buildings where the appearance would be similar to CVS and the funeral home. He could find that appealing from a visual standpoint. If they were going to stick with the smaller homes, he would like to see the lay out not as linear. Ms. Cline suggested townhouses. Mr. Bissonnette responded when you go with three units or more, that triggers sprinklers, which changes the cost. The density needs then change because of the expense parameters to make the financial numbers work, but it is something that they can look at.

Ms. MacEachern asked what the purpose of the building on Main Street would be. Mr. Bissonnette replied that they need to find out what they can do so they can come up with a business model that makes sense. For example, if they know 19 units with a rental business out front can make sense financially and work as a model, then maybe that is something they can go with. If it's 19 with a community center that has to be maintained, that might not. Mr. Knox asked members what they thought of the idea. Ms. Cline said that conceptually she liked the idea. Ms. MacEachern agreed and said they needed senior housing, and this was the best place for it to go. Mr. Lynch agreed.

Mr. Resnick added this should be able to help them with the MBTA requirements. However, he would have to look at that because those regulations are still draft, but having that kind of density within half a mile of the district and having something that allows for it helps with compliance. As far as doing an office business in the front, it does allow for multiple principal structures being located on a single lot. If it was designed as a mixed-use building, he thought that was the intent to allow an office building as a principal structure with housing also as a principal structure. They would have to sit down with the Building Commissioner for a final interpretation.

Ms. MacEachern asked if there would be a second egress. Mr. Bissonnette replied to do that appropriately they would have to work with the Town as the Town owns the parcel next to them. Mr. Knox said that he would defer to the Fire Chief in regards to some secondary access lane. He asked if in the big building scenario would there be condos that could be sold or would they be rentals? Mr. McMahon said he would have to look further into that but his intention would be to hold them as rentals but if it works condoizing them, he would be open to that as well.

Mr. Knox then asked if there was any public comment. Ms. Susan Spieler of 10 Valley Road asked how many units would be affordable. Mr. McMahon replied because this would be a by-right use, they would all be at market rate. He added that generally speaking senior housing rentals rent between 15 and 18% less than traditional non-restricted housing. Mr. Knox thanked them for coming and looked forward to seeing what they would come back with.

Discussion concerning recommendation and acquisition of Chapter 61A and 61B land at Lakeville Country Club located at 44 Clear Pond Road

Ms. MacEachern advised when property comes out of Chapter 61A or 61B the Town has the right of first refusal. They could also allow another entity to come in place of the Town and make the purchase as well. She has reached out to State Senator Rodrigues, Mass Audubon, Heidi Rieke, Samuel Anderson, Nick Rossi, Robert Wilbur; Save Buzzards Bay Mark Rasmussen, the CPA Coalition, Stuart Saginor, Chase Mack; SRPEDD, Bill Napolitano; Natural Heritage, Jason Zimmer, Aaron Best, Deborah Chamberlain, Mary Cavalier; Joanne Pierce from Mass Department of Fish and Game. She has also contacted the office of Congressman Jake Auchincloss. Kevin O'Neil is who suggested trying grants through land and water and fish and wildlife grants. Other people contacted include Kurt Gaertner from the Mass Executive Office of Energy and Environmental Affairs; Melanie Cheeseman, Natural Heritage; The Trustees, Olivia Lucca; Mass Wildlife, DCR, Stephen Galinsky. Ms. MacEachern said Wildlands Trust's Scott McFadden was helpful with suggesting PARC which is active now with a \$400,000 max. The LWCF has a \$750,000 max but it closed in January. Both of those programs require a current Open Space and Recreation Plan which the Town does not have right now. She said that she reached out to a lot of places and people but was told that was a large price tag and they would advise her if something comes up.

Ms. MacEachern said she looked into the Community One Stop which is an application portal for all different grants. The submission of applications is now open but determination would not happen until the fall which is past the 120 days right of first refusal. She wanted to note that this location is listed on the Natural Heritage maps as a priority habitat of rare species. Ms.

MacEachern said she also looked into the CPA possibility. You are able to borrow against future funds through bonding which would be a 30-year term, but they don't even have the Community Preservation Committee appointed yet.

Ms. MacEachern noted that one of the things they had discussed in the past was possibly reigning in or doing away with the Development Opportunities District, which is the tool being used to put forth a mega warehouse for this location. She was hopeful the Planning Board would discuss holding a public hearing for that because it had been talked about in the past. She stated there are only a few areas in Town where it should be applied. Mr. Knox asked Mr. Resnick if he had any comments towards the Development Opportunities District and making any alterations to it.

Mr. Resnick replied he thought at this point with Town Meeting coming up, the Planning Board's ability to place an Article on the Warrant has passed. He was unsure if the Selectmen had the ability to place a new Warrant Article on during their meeting next week, as he was not familiar with their authority. From the Planning Board perspective, he did not think there was an opportunity to submit an Article at this point to do away with the Development Opportunities District or to modify it. If they wanted to re-write it, that could be a project they could do over the summer and submit it for the fall town meeting. They could rework on how it is applied and possibly set specific areas rather than having a floating district over the entire Town and adjust some of the rules within it.

Ms. Cline said that it is her understanding that even if it were to be changed this would be governed by what the zoning is today. Mr. Resnick replied only upon making an actual application would they freeze the zoning. Mr. Knox said if the Planning Board moved to hold a public hearing to eliminate the Development Opportunities District once the hearing is held, that would freeze the zoning. Mr. Resnick clarified it would be once the publication of the hearing is published in the newspaper. He would have to look at the statute as there might be some limitations on how long prior to Town Meeting you can do that. Mr. Knox replied it was six months. They had encountered the same thing when they held the hearing for the Marijuana Overlay District. They did not have a fall town meeting and had to hold another public hearing.

Mr. Resnick then went through what the process would be to write the article and submit it for legal publication. Mr. Knox asked what the risk to the Town would be as this parcel is still zoned business. Mr. Resnick replied they don't know what the future use could be. It could be broken up into multiple parcels for 40Bs, multiple office parks, etc. They just didn't know.

Ms. MacEachern then made a motion, seconded by Ms. Cline, to hold a public hearing in regards to doing away with the Development Opportunities District.

Ms. MacEachern, Mr. Lynch, Ms. Cline-Aye; Mr. Knox-**Abstain**

Mr. Knox asked Mr. Resnick to draft an Article and post a public hearing. He asked if anyone present would like to speak. Ms. Susan Spieler asked if the Town's right of first refusal would be impacted in any way. Mr. Knox said that zoning would have no impact on that. Mr. Resnick said what is in front of the Select Board is the right of first refusal, and that is an active process that must be followed through. Mr. Paul McAllister of 30 Reservoir Avenue said he had just purchased

a home down the street from the Lakeville Country Club. He asked if there were any plans in regards to egress or access. Mr. Knox said that he had not seen a plan yet or a conceptual. Mr. Resnick added that he has met with the applicants. They have indicated they are acquiring another property to get direct access onto Bedford Street, but this is a concept plan.

Review the following Zoning Board of Appeals petition:

- a. Steinberg/Collins – 7 Carrie Street

Mr. Knox made a motion, seconded by Ms. MacEachern, to make no comment on the petition for Steinberg/Collins at 7 Carrie Street. The vote was **unanimous for**.

Approve Meeting Minutes

Mr. Knox made a motion, seconded by Mr. Lynch, to approve the Minutes from the February 24, 2022, meeting. Mr. Knox, Mr. Lynch-Aye; Ms. MacEachern, Ms. Cline-Abstain

Discussion on recodification project

Mr. Resnick said that he has read through the comments about recodification. It is a project that the Town Clerk is headlining in re-numbering and the reorganization of the entire by-law. There were some recommendations made by the company, and he has skimmed through the draft. He noted that he had not seen anything there that he felt had to be done immediately. He thought over the summer he would send the list around. They would see there were not any significant changes, but they would be correcting a lot of inconsistencies.

Appoint new SRPEDD representative

Mr. Knox stated whereas Ms. Mancovsky had been their SRPEDD representative, they need to appoint a new representative. Ms. Cline said that she would be happy to do it, but she would not be available until June.

Mr. Knox made a motion, seconded by Ms. MacEachern, to appoint Ms. Cline as their SRPEDD representative effective in June. He would be the interim representative until that time. The vote was **unanimous for**. Mr. Resnick said that he would also be willing to attend for the next two months. Mr. Knox said that if Mr. Resnick ever felt it would be a benefit for him to go to let the Board know.

Review correspondence

Mr. Resnick advised most of the correspondence he has is from other communities. There was nothing of significance that would impact the Town.

Old Business

There was no old business.

New Business

Mr. Knox said that an engineer had talked to him about small business development. He said that some of the biggest challenges were setbacks, lot coverage, and density. He asked if that was something that they could give relief for or could they be changed. Mr. Resnick said that he could write or modify a bylaw. They had discussed earlier when they were working on adopting Site Plan Review that once they had a better ability to modify Site Plans, look at building designs, and everything that is under Site Plan Review, they could reduce that 50% lot coverage requirement. With the architectural standards, they can modify those sections with density bonuses. They can also look at incorporating and modifying the setback requirements. They could now require screening and buffering if they needed to.

Mr. Resnick noted that they have several large Industrial Districts, and they may want to write something different for these than for their smaller Business Districts which have a limited amount of space. They may want to have different standards for each of them. There is something in the bylaw if it abuts residential, but they can make it a little more specific to that district to protect the residents. Mr. Knox said that was something they could look at in the future months.

Next meeting

The next regularly scheduled meeting is April 28, 2022, at 7:00 p.m. There will be a joint meeting on April 20, 2022, at 6:30 p.m. at the Lakeville Public Library.

Adjourn

Mr. Knox made a motion, seconded by Ms. MacEachern, to adjourn the meeting. The vote was unanimous for.

Meeting adjourned at 8:10.

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
April 21, 2022
Remote meeting**

On April 21, 2022, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 5:30 p.m. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

Mark Knox, Chair; Peter Conroy, Vice-Chair; Michele MacEachern, Jack Lynch, Nora Cline

Others present:

Attorney Amy Kwesell, Town Counsel; Marc Resnick, Town Planner; John Jenkins, Ann Marie Sherrick, Heather Bodwell, Brian Fedy, Martin Schwalm, Susan Spieler, Kolleen Carchio, Hilary Wood, and Susan Aukstikalnis; residents

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of how the provisions of Chapter 20 of the Acts of 2021 allowed the Board to continue to meet remotely.

Discussion concerning the removal of Section 7.9 Development Opportunity (DO) District from the Lakeville Zoning By-law, the Board's vote of April 14, 2022, and any other action relating to this section

Mr. Knox said the first item on the agenda is the discussion concerning the removal of Section 7.9, the DO District, the Board's vote of April 14, 2022, and any other action related to it. He believed this item had not been properly put on the agenda and voted on at their April 14, 2022, meeting. This has been placed on the agenda to ratify that vote. To summarize, on April 14, 2022, Ms. MacEachern made a motion to eliminate the DO District; it was seconded by Ms. Cline; and there was a majority vote to post for a public hearing to continue that action. He then asked Atty. Kwesell to weigh in on this action tonight and if anything else was required to make this action correct.

Atty. Kwesell replied because the subject was not on the agenda for April 14th, it was put on tonight's agenda. The Board will discuss a zoning amendment to remove the DO District. In her opinion, any defect that happened on April 14th by taking a vote that was not on the agenda is being corrected tonight. Anything that happened that night will become null and void because of the properly noticed meeting of tonight. Mr. Knox then asked for a brief summary of what the Planning Board's actions should be to carry this out.

Atty. Kwesell responded they have Town Meeting on May 16, 2022. That Warrant has opened and closed so no action that is voted on tonight will be taken up at that meeting. A public hearing would have to be held to get onto the fall Town Meeting. It appears that the fall special Town Meeting is in November, usually the second or third week. The Board will vote to make this an Article for the fall Town Meeting and submit it to the Select Board pursuant to the General By-law, Section 2, which requires that any Article that goes on the Warrant has to be put on by the Select Board.

Atty. Kwesell continued Mass General Laws, Chapter 40A, Section 5, requires the Select Board to then send the Article to the Planning Board. The Board then has 65 days to hold a public hearing. It must be advertised for two weeks, and then the hearing can be held. Once the hearing is closed, the Planning Board has to make its report in 21 days. If a report is not made in 21 days, Town Meeting can still act on the Article. However, any Planning Board recommendation is only good for six months. She thought it would be alright, but they needed to take that time frame into consideration.

Atty. Kwesell then explained the impact of this proposed zoning amendment. She advised it becomes effective when it is voted by Town Meeting, but it also has to be reviewed and approved by the Attorney General, so there is a disconnect between the two statutes. The way that has been interpreted is that the zoning amendment becomes effective upon the Town Meeting vote and anything that is done between that vote and the Attorney General approving that amendment is done at the person's own risk. They also have vested rights which are called freezes. Vested rights are anyone that has a Special Permit or a Building Permit prior to the first public hearing notice of the Chapter 40A, Section 5, Planning Board public hearing; the zoning amendment will not affect them. The freeze protection refers to anyone that files a preliminary subdivision plan for a parcel of land. If they file that prior to the vote of Town Meeting, and then within seven months file a definitive subdivision plan, they are then protected for eight years. That freeze applies to use, dimensions, etc. Atty. Kwesell said that if someone files an ANR plan under Chapter 41, Section 81P, prior to Town Meeting, the use only is protected for three years.

Mr. Knox said that Ms. MacEachern had made a motion at the April 14th meeting. He asked her if she would like to make that motion again. Ms. MacEachern then made a motion to ratify the vote taken from April 14, 2022, for the Planning Board to hold a public hearing in regards to the removal of the Development Opportunities District. Ms. Cline seconded the motion. Atty. Kwesell noted that the motion was satisfactory and the next step would be to send that Article to the Select Board to be put on the fall Town Meeting Warrant. Mr. Resnick then read the proposed Article into the record as follows: "to see if the Town will vote to remove in its entirety Section 7.9, Development Opportunities, the DO District from the Town of Lakeville Zoning by-law or take any other action thereto." Atty. Kwesell said that sounded fine. The Board of Selectmen would then send it back to the Planning Board where they will have to make a recommendation on it. She noted that sometimes during that process, there are some adjustments.

Roll Call Vote: Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Ms. Cline-Aye, Mr. Knox-Aye

Discussion concerning possible changes the Lakeville Planning Board Rules and Regulations relating to the Development Opportunities District

Mr. Knox said he would like to discuss amending the dimensional requirements on the DO District. He noted this was actually in the DO District language under 7.9.6E, which he then read into the record. He asked Atty. Kwesell if they had the same right to amend those with the same 48-hour notice for a public meeting. Atty. Kwesell said that would be yes, so whatever process they were enacted under, would be the same process to amend them. Mr. Knox said they had adopted the dimensional requirements for industrial zoning.

He would move the Planning Board lower the lot coverage to 25% to mirror the residential lot coverage; to remove the ability for density bonuses which are part of their by-laws; to increase the setbacks to 200 feet; to increase the noise and visual buffering to 200 feet. Members then discussed if the 25% amount for lot coverage was appropriate. Mr. Knox advised that they could not change these rules and regulations to make a lot unbuildable. Atty. Kwesell then stated that nothing they were doing tonight would impact the hospital project, but they could not make rules and regulations to stop a project. In Court, that would not be considered reasonable.

Atty. Kwesell said the DO District allows a minimum of 25 acres so they have to consider any property that has 25 acres, but they could not base their regulations on a project that might be coming in front of them. Ms. Cline asked if changing it to 25% would be acceptable as that was also the coverage for residential. Atty. Kwesell replied that she thought that was a reasonable relation and if going lower than that, they would need to have some type of support.

Mr. Conroy asked for clarification regarding the noise and visual buffering. Would that begin at 200 feet? Mr. Knox said his understanding would be it is from the outer perimeter lot line where it would abut an adjacent property; and they would be required to have 200 feet of buffering into their own property from the lot line in. Mr. Resnick said they had talked about maybe in the summer spending some time looking at the DO District zoning and the rules and regulations and then identifying locations where it would be deemed more acceptable to have industrial development. Even though they were proposing some changes tonight, he felt it would be wise to continue to look this over during the summer to see if they could refine the DO District. With the limited amount of land, long term, they probably didn't want to have such a small use of land in appropriate areas as it was overly strict. In inappropriate areas, it would be fine.

Mr. Knox asked Atty. Kwesell if on some of these regulations the Planning Board would have the ability to waive or re-amend them to favor a project that was thought to be appropriate. Atty. Kwesell replied, in her opinion, they had the ability to waive and/or amend them. Mr. Knox said to Mr. Resnick's point, this could be revisited and improved upon, and he would be open to listening to that. For tonight, unless the Board had a different intention, he would continue upon this path and not eliminate what they were doing just to hold off until summer to make a different change. Mr. Conroy said that he did agree.

Mr. Knox then made a motion, seconded by Mr. Conroy, to amend the dimensional requirements of the DO District in which they would lower the lot coverage to 25%; remove the ability to have density bonuses; increase setbacks to 200 feet; and increase buffering to 200 feet.

Roll Call Vote: Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Ms. Cline-Aye, Mr. Knox-Aye

Mr. Knox noted that they had a lot of the public here so he would welcome any comments at this time. No one spoke.

Ms. Cline felt this was an important step to take. She believed that they needed to be as transparent as possible with updates in the meetings to let the public know how it is progressing. Mr. Knox said that he would also hope that they have a lot of attendance.

Next meeting

Mr. Knox then announced the next meeting is scheduled for April 28, 2022, at 7:00 p.m.

Ms. MacEachern asked when the public hearing would be posted. Mr. Resnick said that it will probably be by the end of next week. Atty. Kwesell noted that it would first have to go to the Select Board under their by-law and the statute. The Select Board will then send it back to the Planning Board.

Mr. Resnick added that their next meeting would be at the Library. The public hearings have been re-noticed and re-scheduled for Thursday, May 12th at the Police Station.

Mr. John Jenkins then asked if the changes to the DO District that they were proposing to implement now or shortly would become effective for the purchase and sale and the requested DO District of the Lakeville Country Club? Atty. Kwesell said that is not as clear as the Zoning. If a preliminary subdivision plan has been filed, whatever property is shown on that plan is entitled to an eight-year freeze with regard to the zoning by-law's use and dimensional requirements. Their by-law allows them to enact rules and regulations that affect dimensional requirements so it would be most likely that the dimensional changes made tonight would not affect them because it all ties back to the bylaw that allows them to make those changes. That bylaw was frozen as of the day that they filed that preliminary subdivision plan with the Town Clerk.

Ms. MacEachern asked if the Site Plan was filed by the current owner and not the potential buyer does it freeze the zone for the seller and the buyer. Atty. Kwesell replied it is the property that is subject to the freeze, not who files it. It is the zoning and whatever is in the zoning bylaw as of the day that they filed the plan with the Town Clerk. Ms. MacEachern asked if the Town has to recognize that Preliminary Plan, could they also recognize that the current owner is changing the use of the property from Chapter 61 protection and move forward with a fair market assessment. Atty. Kwesell replied Chapter 61A and any kind of value of the land has nothing to do with the zoning. If a preliminary plan has been filed, the zoning is frozen the date they filed it with the Town Clerk. The statute says that within seven months they have to file a definitive sub division plan. As to ownership, the right of first refusal, and the 61A tax, none of that impacts Chapter 40A, Section 6 which allows for this freeze, in her opinion.

Ms. MacEachern asked if there was any case law in regards to this. Atty. Kwesell replied the only case she could reference was where the Planning Board alleged that a preliminary plan that was filed was not adequate. The Court held that the preliminary plan is exactly that. It's preliminary and so it can be pretty bare bones. She did not know of any reason why 61A or right of first refusal would come in because ownership does not have any impact on zoning.

Ms. Kolleen Carchio asked if they could give them the date the preliminary plan was filed. Mr. Resnick replied it was filed two days ago. Atty. Kwesell responded a definitive subdivision plan would have to be filed within seven months of the date it was filed. Ms. Carchio said that would be November 19th. She asked if the preliminary plan was available for public access. Mr. Resnick said it was in the Planning office at Town Hall.

Adjourn

Mr. Knox made a motion, seconded by Ms. Cline, to adjourn the meeting.

Roll Call Vote: Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Ms. Cline-Aye,
Mr. Knox-Aye

Meeting adjourned at 6:16.

**AGENDA ITEM #7
JUNE 27, 2022**

**DISCUSS AND POSSIBLE VOTE TO APPROVE JOB
DESCRIPTION FOR PART TIME CLERK FOR INSPECTIONAL
SERVICES**

Attached is a memo from the HR Director and a proposed job description for a part time clerk for Inspectional Services



MEMO

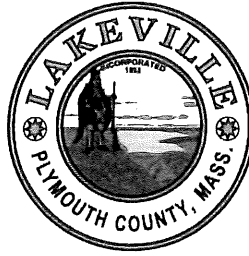
To: Lakeville Select Board
From: John Viarella, HR Director

Date: June 10, 2022
CC: Ari Sky, Town Administrator

Subject: New Job Description Part Time Clerk Inspectional Services

Summary:

Attached for your review is the draft job description for the position of Part Time Clerk Inspectional Services. This job description serves as a replacement for the work that was being done by Cathy Murphy prior to her transfer to the Planning Department. It has been created through a collaborative effort between management and human resources. The salary is in line with what has been presented as part of the budget for the upcoming fiscal year.



Job Title: Part Time Clerk
Department: Department of Inspectional Services and Permitting
Location: 241 Main Street Lakeville, MA 02347
Hours: Variable up to 19 hours per week
Salary: \$19.97 - \$23.32 per hour. This is a Non-Union position.
FLSA Status: Non-Exempt

Description:

Provide clerical support to the Building Commissioner/Director of Inspectional Services and Permitting/Facilities Director, and various boards and commissions as needed. Provide a wide and diverse variety of clerical duties to assist the Building Commissioner/Director of Inspectional Services and Permitting/Facilities Manager and various boards and commissions on an as-needed basis as determined by the supervisors, depending upon departmental needs. Fully cross-trained to support and provide coverage for all other clerical positions in the Department.

Essential Functions:

The essential functions or duties listed below are intended as illustrations of the various type of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or logically assigned to the position.

- Assist the Building Commissioner with the records management of the Green Communities Grants.
- Assist with processing Work Requests for repairs and projects for Town facilities, including scheduling, processing invoices and maintaining spreadsheets for expenses.
- Assist with record keeping for annual inspections of all Town facilities.
- Perform a wide range of operational support activities for the Department, including answering the telephone, taking messages, waiting on the public, distributing mail, typing, filing and maintaining files and records in a complete and orderly manner.
- Assist the general public/contractors/engineers, etc. with the completion of various permit and license applications for the Building Department, Board of Health, Conservation Commission and any other Department as required by the Building Commissioner.
- Prepare and type correspondence, permits, licenses or reports for the Department and any other related departments as determined by the Building Commissioner.
- Assist with Special Projects for the Building Commissioner, and any other Department as determined by the Building Commissioner, which falls under the same jurisdiction.

- Provide information to town officials, employees, residents, and other parties as directed.
- Act as liaison between other Town Departments and various Boards and Commissions.
- Performs other related duties as required.

Supervision Received:

Works under the direction of the Building Commissioner/Director of Inspectional Services.

Qualifications:

- At least two (2) years of general office experience preferably in a municipal environment or an equivalent combination of education, training and work experience that provides the requisite knowledge, skills and abilities for this position.
- Must have a high school diploma or equivalent.
- Must have a valid Massachusetts driver's license.
- Must be able to pass a drug screen test, background check and CORI check.

Knowledge, Skills and Abilities:

Knowledge:

- Working knowledge of office procedures, practices and equipment.
- Working knowledge of and a high level of proficiency with the Microsoft Office suite of products required.
- Working knowledge of Adobe Pro software and Microsoft Outlook email platform preferred.
- Knowledge of the process of local government preferred.

Skills:

- Excellent organizational and communication skills.
- Strong problem solving and interpersonal skills.
- Must be organized and detail-oriented and be able to work both independently and as part of a team.

Abilities:

- Ability to work both collaboratively and independently.
- Ability to exercise independent judgment.
- Ability to maintain confidentiality.
- Ability to handle complex tasks, as well as, follow complex written or oral instructions.
- Ability to work under pressure.
- Ability to provide excellent clerical skills, customer relations, both verbal and written, organizational skills and the ability to prioritize multiple responsibilities.
- Ability to create and maintain accurate records.

Work Environment:

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

This is primarily an office-based job in a dynamic municipal setting. Minimal physical effort is required to perform clerical duties. Position requires the ability to operate a keyboard and standard office equipment at an efficient speed.

The employee is required to stand, walk, sit, speak, hear/listen, and use hands to operate equipment and lift furniture, equipment and supplies. Employee must be able to lift objects weighing up to 30 pounds. Vision requirements include the ability to read and analyze routine and complex documents and use a computer.

Disclaimer

The above statements are intended to describe the general nature and level of work being performed by people assigned to this classification. They are not to be construed as an exhaustive list of all responsibilities, duties, and skills required of the person so classified. All personnel may be required to perform duties outside of their normal responsibilities from time to time as needed.

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

Interested candidates should apply online at www.lakevillema.org/human-resources/pages/job-openings

**AGENDA ITEM #8
JUNE 27, 2022**

**DISCUSS AND POSSIBLE VOTE TO REVISE HOURS FOR ONE
(1) DAY SPECIAL BEER AND WINE LICENSES – ELLIOT FARM –
JULY 3, 2022; AUGUST 7, 2022 AND SEPTEMBER 4, 2022**

Elliot Farm has requested a change in the permit hours for the above 1 day beer and wine licenses.

The revised hours would be 3:00 PM to 7:00 PM.

Tracie Craig-McGee

From: Deanna Elliot <elliottfarmcsa@gmail.com>
Sent: Friday, June 17, 2022 1:28 PM
To: Tracie Craig-McGee
Subject: Adjust times on Elliot Farm's day liqueur license

RECEIVED
JUN 21 2022
SELECTMEN'S OFFICE

Hi Tracie,

I hope this email finds you well. I'm happy to report that our June 5th Walk for Hunger and Beer Garden raised just shy of \$3K for charity to feed local families in need. :)

Most of our guests left 1-2 hours earlier than the event's end time of 8pm. For that reason, we'd like to request an edit to our day liquor license times for our Beer Gardens on 7/3, 8/7, 9/4 and our Harvest Festival on 10/8 (rain day 10/9).

For 7/3, 8/7, 9/4, we're hoping to adjust the license time to 3pm to 7pm. And for the Harvest Festival on 10/8, we'd like the time to be 12:00pm to 7:00pm.

Please let me know if this is possible, or if there is anything else I need to do to put in a formal request. Appreciate your help!

Thanks,
Dee

--
Warm regards,

Dee Elliot
Owner

Elliot Farm
202 Main Street
Lakeville, MA 02347
P: 508-692-8912
www.elliottfarm.org
www.facebook.com/elliottfarm

**AGENDA ITEM #9
JUNE 27, 2022**

**DISCUSS AND POSSIBLE VOTE TO APPROVE REQUEST FROM
ELLIOT FARM – 170 MAIN STREET FOR A ONE (1) DAY BEER
AND WINE SPECIAL LICENSE – OCTOBER 8, 2022**

Elliot Farm at 202 Main Street has requested a one (1) day beer and wine special license for their Harvest Festival on October 8th with a rain date of October 9th. The hours would be from 12 PM to 7:00 PM.

RECEIVED
JUN 22 2022

No. SELECTMEN'S OFFICE

THE COMMONWEALTH OF MASSACHUSETTS

_____ of _____
APPLICATION FOR LICENSE
(GENERAL)

June 21 _____ 2022

TO THE LICENSING AUTHORITIES:

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

Deanna Elliot, owner

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

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE
IS REQUESTED

To serve Harper Lane Brewery alcoholic beverages at Elliot Farm's second annual Harvest Festival on Saturday, October 8th from 12pm to 7pm - with a rain date of Sunday, October 9th. Event proceeds will go to charity to feed local families in need.

GIVE LOCATION
BY STREET
AND NUMBER

At 202 Main St.

in said City of Lakeville, MA 02347
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.

Elliot Farm LLC

*Signature of Individual
or Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

83-2664350

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

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

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

Received _____ 20 _____
Hour A.M. _____
P.M. _____

Signature of Applicant

Address

Approved _____ 20 _____

License Granted _____ 20 _____

**AGENDA ITEM #10
JUNE 27, 2022**

**DISCUSS AND POSSIBLE VOTE TO APPOINT MEMBERS TO
THE COMMUNITY PRESERVATION COMMITTEE**

The Board has received letters of interest for the 3 positions appointed by the Select Board from: Barbara Standish; Susan Spieler; Kathleen Barrack; Loura Costello Coons and Robert Stephanian. Copies of their letters and information are attached.

The Select Board appointments will have staggered terms: 1 member for an initial term of 1 year (3-year term after initial term) and 2 members will have 2-year terms (3 year terms after initial term).

As we have no Housing Authority, the Select Board would make the appointment. The initial term is for 2 years (3-year term after initial 2-year term).

Conservation Commission has designated Nancy Yeatts to serve as their member for a 3-year term;

Historical Commission has designated Nancy LaFave to serve as their member for a 3-year term; (Geri Taylor will serve as an alternate);

Open Space Committee has designated Amy Knox to serve as their member for a 1-year term (3-year term after initial 1-year term);

Planning Board has designated Michele MacEachern to serve as their member for a 3-year term;

The Park Commission discussed this at their last meeting and tabled it.

Attached is a memo from the Town Administrator; the CPC bylaw and the CPA Matrix which was previously provided at a Select Board meeting.

Barbara Standish
33 Bridge Street
Lakeville MA 02347
508-380-6522

RECEIVED
JUN 21 2022
SELECTMEN'S OFFICE

June 17, 2022

Dear Select Board,

I am writing to declare my interest in serving on the Community Preservation Commission. I have lived in Lakeville for 36 years, on a fourth generation family farm. I care deeply about what happens in Lakeville and would like to be a part of this Commission. I think that it is important that people with roots in the community serve the town that they live in.

I can be reached at the number above should you have any questions.

Sincerely,



Barbara Standish



Town of Lakeville

Town Office Building

346 Bedford Street

Lakeville, Massachusetts 02347

OFFICE OF
SELECTMEN
TELEPHONE 508-946-8803
FAX 508-946-0112

Board/Commission/Committee (B/C/C) Application

Full Name: Barbara Standish Date: 6/17/22

Home Address: 33 Bridge Street, Lakeville

Mailing Address (if different from above): _____

Email Address: Barbara@standishenterprise.com

Home Phone: _____ Cell Phone: 508-380-6522

Please indicate how you would prefer to be reached by circling: Email – Phone(h) – Phone(c)

B/C/C Applying To:

- Agricultural Commission
- Zoning Board of Appeals
- Cable TV Advisory
- Conservation
- Energy Advisory
- Historical Commission
- Lakeville Arts Council
- Open Space Committee
- Master Plan Implementation
- Rent Control Board
- Zoning By-law Review Advisory
- Project Review for 43D
- Community Preservation Commission

In addition to this application, please provide a detailed cover letter discussing your experience and skills relevant to the B/C/C to which you are applying and a resume with your current and prior work/volunteer experience. Please make sure to include any other special abilities or attributes that may benefit the town.

Please be advised that applicants being considered for appointment to a B/C/C in the Town of Lakeville, MA may be subject to background investigation and financial disclosure.

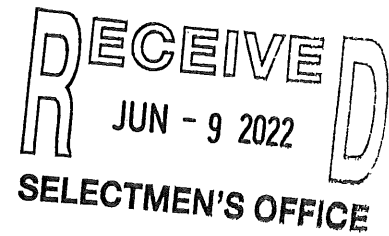
I understand that participation in a board or committee is strictly voluntary and is not subject to compensation. I further understand that the Town of Lakeville does not discriminate its selection process for committee members based on race, color, religion, national origin, disability, gender, age, military status, sexual orientation, or genetic history.

Signing below indicates my understanding of the above disclosures and certifies that the information provided above by me is true and accurate to the best of my ability.

Barbara Standish _____ Date: 6/17/22
of Applicant

Please return the completed application to Tracie Craig-McGee, Executive Assistant to the Board of Selectmen at 346 Bedford Street, Lakeville, MA 02347 or email: tcraig-mcgee@lakevillema.org

June 9, 2022



Town of Lakeville
Select-Board Members
346 Bedford St.
Lakeville, MA. 02347

To Board members,

This letter is my expression of formal interest in joining the Community Preservation Act (CPA) Committee in Lakeville.

I value the work that our town leaders demonstrate with balancing the growth of our town and the preservation of our resources; this is always a challenging process when living in a resourceful town such as Lakeville. The work to study and preserve the town's natural resources, open space and historic assets deserves thorough research and representation that such a Committee as the CPA Committee can diligently perform. The CPA Committee, with a dedicated and diverse group of people, can act in the best interest of our town's resources and focus on preservation and/or growth in recreation, open space, historic preservation or housing.

I served on the town's Historical Committee for many years and will currently be serving on the 175th Anniversary Committee. I understand the importance and value of working collaboratively with people in the community. Gathering input to help determine the best decision with situations is a process I do every day in my professional role in healthcare. I know I can bring my skills to this community work.

I am available for any questions that you may have. I look forward to working with people in town.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Barrack".

Kathleen Barrack
1 Wyndham Road
Lakeville, MA 02347
774-259-1320

Kathleen Barrack
1 Wyndham road
Lakeville, MA 02347
774-259-1320
owenlacy@yahoo.com

Professional Work in the Human Resource Field:

9/15/97 – current: Manager, Human Resources, part-time 32 hours/week
Signature Healthcare, Brockton MA.

I have held various roles during my employment at Signature. I started 25 years ago as Director of Human Resources, with 300 employees in the outpatient Ambulatory healthcare services. During the many mergers and acquisitions, I have worked collaboratively with my peers and leaders to achieve my current part-time of Manager working directly with the physicians and medical leaders within an organization of 2,500 employees.

1988-1997: Executive Dir of Human Resources. Joslin Diabetes Center, Boston, MA.
1986- 1988: Director of Human Resources, Boston Park Plaza, Boston MA
1983 – 1986: Manager, Human Resource, Hyatt Regency Grand Cypress, Orlando FL.

Education:

Bentley College

 Masters of Business Administration, Graduated 1995

University of Massachusetts, Amherst

 Bachelor of Science and Bachelor of Arts, Graduated 1983

Civic Involvement:

Lakeville Historical Commission, 2002 – 2020

Lakeville 175th Anniversary Committee, 2021 – current

Lakeville United Church of Christ, member and active of various Church Committees



Town of Lakeville

Town Office Building

346 Bedford Street

Lakeville, Massachusetts 02347

OFFICE OF
SELECTMEN
TELEPHONE 508-946-8803
FAX 508-946-0112

Board/Commission/Committee (B/C/C) Application

Full Name: Kathleen Barrack Date: 6/9/22
 Home Address: 1 Wyndham Rd, Lakeville MA, 02347
 Mailing Address (if different from above): same
 Email Address: OwenLacy@yahoo.com
 Home Phone: / Cell Phone: 774-259-1320

Please indicate how you would prefer to be reached by circling: Email – Phone(h) – Phone(c)

B/C/C Applying To:

- Agricultural Commission
- Zoning Board of Appeals
- Cable TV Advisory
- Conservation
- Energy Advisory
- Historical Commission
- Lakeville Arts Council
- Open Space Committee
- Master Plan Implementation
- Rent Control Board
- Zoning By-law Review Advisory
- Project Review for 43D
- O.C.P.A. Committee (New)

In addition to this application, please provide a detailed cover letter discussing your experience and skills relevant to the B/C/C to which you are applying and a resume with your current and prior work/volunteer experience. Please make sure to include any other special abilities or attributes that may benefit the town.

Please be advised that applicants being considered for appointment to a B/C/C in the Town of Lakeville, MA may be subject to background investigation and financial disclosure.

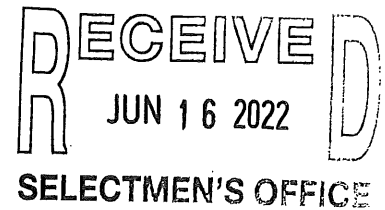
I understand that participation in a board or committee is strictly voluntary and is not subject to compensation. I further understand that the Town of Lakeville does not discriminate its selection process for committee members based on race, color, religion, national origin, disability, gender, age, military status, sexual orientation, or genetic history.

Signing below indicates my understanding of the above disclosures and certifies that the information provided above by me is true and accurate to the best of my ability.

Kathleen Barrack 6/9/22
 Signature of Applicant Date

Please return the completed application to Tracie Craig-McGee, Executive Assistant to the Board of Selectmen at 346 Bedford Street, Lakeville, MA 02347 or email: tcraig-mcgee@lakevillema.org

June 16th 2022



Board of Selectmen
346 Bedford Street,
Lakeville, MA 02347

Dear Select Board,

I am writing to inform you of my interest in serving the town of Lakeville on the recently formed Community Preservation Act Committee. My skills and commitment would add value both to the committee and the town of Lakeville.

My attention to detail, project management skills, and logical thinking are paramount in my current position as a senior software engineer. The nature of my work requires me to both focus on the larger goal of a project and all the details needed to realize it. I would help break down any project proposals for Community Preservation Act (CPA) funding into small actionable steps. Then follow up with delegating those tasks as needed. I also have experience as one of the Trustees of the Green Pine Condominiums in Taunton Massachusetts. My responsibilities included financial duties, collecting and setting fees, and enforcing by-laws. My current position which I've held for six years is at a non-profit serving the Juvenile Justice sector. Which demonstrates my commitment to working for the community.

One of the things that drew me to settle in Lakeville and raise my family here was its unique setting and rural charm. In my opinion, it is one of the loveliest places in Massachusetts and it is important to me to work with the town in a way that seeks to preserve it.

If chosen to sit on this committee I will attend meetings, help establish a community preservation plan, review and recommend CPA projects, and help with record keeping and budget reporting.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Laura Costello Coons".

Laura Costello Coons
108 Pierce Ave.
Lakeville, MA 02347
(508) 488-0217
loura@hey.com

May 23, 2022

Lakeville Select Board
346 Bedford Street
Lakeville, MA 02347

Dear Select Board:

I would like to express my interest in being appointed to the Community Preservation Committee as a member at large where I can use my skills to help the town reach its objectives.

I have served on various boards, committees and volunteered in the school system for over 18 years. My recent involvement in the Community Preservation Ballot Committee, I've done extensive research which has given me a broad working knowledge of the CPA program and all its policies and regulations. I feel this knowledge can benefit our town and all that is involved to serve on the committee. Throughout the process of running the CPA campaign, I've made many friendships, contacts within our town, other CPA towns and the Community Preservation Coalition.

Working on the CPA initiative for the last year has given me an advantage to be well educated in CPA where others may not know much about the program. With this background and knowledge, I believe I would be an asset to the Community Preservation Committee and it would be an honor to serve the Town of Lakeville.

Sincerely,

A handwritten signature in black ink that reads "Susan Spieler". The signature is written in a cursive style with a large, prominent "S" at the beginning.

Susan Spieler

SUSAN SPIELER

10 Valley Road, Lakeville, MA 02347
sspieler@comcast.net
508-317-5241

BACKGROUND

Born and raised in Middleboro, MA
Moved to Lakeville in 1988

PROFESSIONAL EXPERIENCE

Mentor South Bay, Brockton, MA 2013-present

Administrative Operations Coordinator/Credentialing Specialist

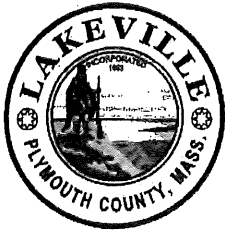
- Provide administrative support to Executive Director, Administrative Director and Operations Team, act as liaison with all levels of staff, clinical directors/supervisors, accounting team and office staff.

EDUCATION

Massasoit Community College, Brockton, MA, HR Management, Certificate
Burdett School, Boston, MA, Secretarial Program with Medical Specialization, Certificate

COMMUNITY/ VOLUNTEER ACTIVITIES

- Volunteer, Christmas Wishes Program, Middleboro, MA, 2007-2013
- Volunteer, Pan-Mass Challenge, 2011-2018
- Board Member, Stacey Ann LeRoy Foundation, Middleboro, MA, 2008-2014
- Chair, Committee for Stacey Ann LeRoy Foundation Annual Golf Tournament, 2009-2012
 - Successfully completed four events, raising over \$20,000
 - Plan and led meetings with committee members
 - Communicate with sponsors, teams and hosting location
 - Manage day-of activities keeping to set schedule
- Co-chair, Gifts for Moms and Dads Program, in conjunction with Christmas Wishes, Middleboro gift giving program for needy families, 2010
- Member, School Advisory Committee, Apponequet Regional High School, 2002-2003
- Secretary, Apponequet Athletic Boosters, Lakeville, MA, 2004-2007
- Volunteer, The Learning Center, Middleboro; Freetown-Lakeville Schools and member of Lakeville PTO
- Daisy and Brownie Leader, Assawompsett Elementary 1995-1998
- Past-President, Poquoy Brook Ladies Golf League, Co-Chair, River Bend Ladies Golf League
- Treasurer, Lakeville Community Preservation Ballot Question Committee, 2021-2022



Town of Lakeville

Town Office Building

346 Bedford Street

Lakeville, Massachusetts 02347

RECEIVED
MAY 31 2022
SELECTMEN'S OFFICE

OFFICE OF
SELECTMEN
TELEPHONE 508-946-8803
FAX 508-946-0112

Board/Commission/Committee (B/C/C) Application

Full Name: Susan Spieler Date: 5/23/22

Home Address: 10 Valley Rd. Lakeville

Mailing Address (if different from above): _____

Email Address: sspieler@comcast.net

Home Phone: _____ Cell Phone: 508-317-5241

Please indicate how you would prefer to be reached by circling: Email – Phone(h) – Phone(c)

B/C/C Applying To:

- Agricultural Commission
- Zoning Board of Appeals
- Cable TV Advisory
- Conservation
- Energy Advisory
- Historical Commission
- Lakeville Arts Council
- Open Space Committee
- Master Plan Implementation
- Rent Control Board
- Zoning By-law Review Advisory
- Project Review for 43D
- Community Preservation Committee

In addition to this application, please provide a detailed cover letter discussing your experience and skills relevant to the B/C/C to which you are applying and a resume with your current and prior work/volunteer experience. Please make sure to include any other special abilities or attributes that may benefit the town.

Please be advised that applicants being considered for appointment to a B/C/C in the Town of Lakeville, MA may be subject to background investigation and financial disclosure.

I understand that participation in a board or committee is strictly voluntary and is not subject to compensation. I further understand that the Town of Lakeville does not discriminate its selection process for committee members based on race, color, religion, national origin, disability, gender, age, military status, sexual orientation, or genetic history.

Signing below indicates my understanding of the above disclosures and certifies that the information provided above by me is true and accurate to the best of my ability.

Susan Spieler
Signature of Applicant

5/23/22
Date

Please return the completed application to Tracie Craig-McGee, Executive Assistant to the Board of Selectmen at 346 Bedford Street, Lakeville, MA 02347 or email: tcraig-mcgee@lakevillema.org

Tracie Craig-McGee

From: Robert Stephanian <robert.stephanian@gmail.com>
Sent: Monday, April 11, 2022 11:59 AM
To: Tracie Craig-McGee
Subject: Re: CPA / CPC

Thank you very much for the quick reply,

Please accept this email as my notification of interest and request to be appointed to the new Community Preservation Committee once it comes to fruition. I am a relatively new resident of the Town and this would be my first time participating in a Town Committee. Having moved to Lakeville for the various open spaces and outdoor recreation that it offers I would be enthused to participate in a Committee whose purpose is to enhance just that.

Thank you,

Robert Stephanian
1 Court Circle
Lakeville, MA 02347
(508) 287-4019
robert.stephanian@gmail.com

On Mon, Apr 11, 2022 at 10:51 AM Tracie Craig-McGee <tcraig-mcgee@lakevillema.org> wrote:
Hi Robert,

The Selectmen will be forming the new Committee, but I do not have a date for them to discuss this yet. If you are interested in possible appointment, please send an email detailing your interest and any experience, along with your address, phone number and email address.

Thank you!

Tracie Craig-McGee
Executive Assistant - Select Board
& Town Administrator
Town of Lakeville
346 Bedford Street
Lakeville, MA 02347
508 946-8803

-----Original Message-----

From: Robert Stephanian <robert.stephanian@gmail.com>
Sent: Sunday, April 10, 2022 10:39 AM
To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Subject: CPA / CPC

Good Morning Tracie,

Could you please point me in the right direction to who I could express my interest in joining the Community Preservation Committee resulting from the newly passed CPA whenever that may be formed?

Tracie Craig-McGee

From: Lori Canedy
Sent: Wednesday, June 15, 2022 9:24 AM
To: Tracie Craig-McGee
Subject: CPC Rep

Good morning, Tracie. Nancy Yeatts is going to be the CPC representative for Conservation.

Thanks!

Lori Canedy
Department of Inspectional Services
346 Bedford St. (office location 241 Main St.)
Lakeville, MA 02347

PH: 508-946-3473
FAX: 508-946-3971



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.*

Tracie Craig-McGee

From: Bruce LaFave <bnlafave@gmail.com>
Sent: Monday, June 13, 2022 3:49 PM
To: Tracie Craig-McGee
Cc: Robert Bouchard; scott@bridgwoodbenoit.com; fredjfroodyma@gmail.com; Lori Canedy
Subject: Re: Designation of a representative to serve on the Community Preservation Committee

Hi,
At our April meeting we voted to have me as the member and Geri Taylor as the alternate (no vote unless I am unable to attend) to the CPC. Because it came up under new business, but was not on the agenda, the LHC reaffirmed the vote at the May meeting.
Nancy LaFave

On Thu, Jun 9, 2022 at 11:02 AM Tracie Craig-McGee <tcraig-mcgee@lakevillema.org> wrote:

Hi all,

At their meeting on May 23rd, the Select Board voted to form the Community Preservation Committee. Per the Town's by-law, the make-up of the Committee includes members from the Conservation Commission; Historical Commission; Planning Board (already designated); Park Commission and Open Space Committee.

Terms lengths stagger and are as follows:

Conservation; Historical and Planning – 3 years

Park Commission; Open Space – initial term of 1 year, then 3 year terms after

Could you please place this on your next upcoming agenda for discussion and notify me of who your representative will be.

Thank you!

Tracie Craig-McGee

Executive Assistant - Select Board

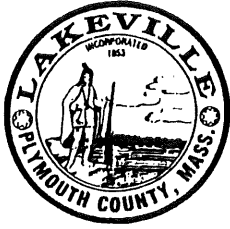
Tracie Craig-McGee

From: Fred Frodyma <fredjfrodyma@gmail.com>
Sent: Tuesday, June 14, 2022 3:49 PM
To: Tracie Craig-McGee
Subject: Re: CPC Member

Yes, can you believe Amy Knox has agreed to be our rep

Fred

> On Jun 14, 2022, at 3:07 PM, Tracie Craig-McGee <tcraig-mcgee@lakevillema.org> wrote:
>
> Hi Fred,
>
> Has Open Space designated someone to serve on the CPC yet?
>
> Tracie Craig-McGee
> Executive Assistant – Select Board
> & Town Administrator
> Town of Lakeville
> 346 Bedford Street
> Lakeville, MA 02347
> 508 946-8803



Mark Knox, Chairman
Peter Conroy, Vice-Chair
Nora Cline
Jack Lynch
Michele MaEachern

Town of Lakeville

PLANNING BOARD
346 Bedford Street
Lakeville, MA 02347
508-946-8803

RECEIVED
JUN - 7 2022
SELECTMEN'S OFFICE

MEMORANDUM

TO: Select Board
FROM: Planning Board
DATE: June 7, 2022
SUBJECT: Community Preservation Committee

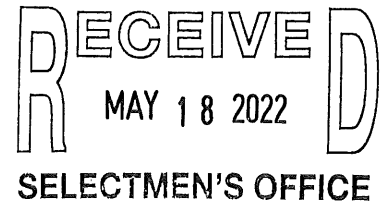
Please be advised that on April 28, 2022, the Planning Board voted unanimously to recommend that Michele MacEachern be appointed to the Community Preservation Committee as the Planning Board representative.



TOWN OF LAKEVILLE


Town Administrator's Office

346 Bedford Street
Lakeville, MA 02347
(508) 946-8803



May 18, 2022

TO: Select Board

FROM: Ari J. Sky, Town Administrator 

SUBJECT: Community Preservation Committee

The period leading up to the July 1st effective date for the Town's acceptance of the Community Preservation Act (CPA) is an appropriate time to begin formation of the Community Preservation Committee (CPC). The CPC is a requirement for implementation of the CPA. Per the Town's By-Law (attached), the CPC will consist of nine members, whose appointment authority and terms of office are as follows:

- One member each of the Conservation Commission, Historical Commission and Planning Board, designated by their respective boards for a three year term;
- One member each of the Park Commission and the Open Space Committee, designated by their boards for an initial term of one year and a term of three years thereafter, and;
- Three members to be appointed by the Select Board, one member to be appointed for an initial term of one year and two members to be appointed for initial terms of two years.

In addition, the By-Law names a ninth member to be appointed by the "Housing Authority" for an initial term of two years, and three years thereafter. However, given that the Town does not have a housing authority, a subsequent clause in the By-Law would apply:

"...Should any of the Commissions, Boards, Authorities, or Committees who have appointment authority under this Chapter be no longer in existence for whatever reason, the appointment authority...shall become the responsibility of the Select Board..."

The Select Board will therefore be required to appoint four members to the CPC, one member for an initial term of one year and three members for initial terms of two years. I would respectfully suggest that the Select Board direct staff to request designees from the Conservation Commission, Historical Commission, Planning Board, Park Commission and Open Space Committee, and solicit applications for the four Select Board-appointed positions, with the objective of having the CPC in place by July 1, 2022.

Thank you for your consideration.

Attachment

accepted and approved into the trust. General revenues appropriated into the trust become trust property and to be expended these funds need not be further appropriated. All monies remaining in the trust at the end of any fiscal year, whether or not expended by the Board within one (1) year of the date they were appropriated into the trust, remain trust property.

(Adopted June 13, 2005; approved by Attorney General September 30, 2005)

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

COMMUNITY PRESERVATION COMMITTEE

Section 1-Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

One member of the Conservation Commission as designated by the Commission for a term of three (3) years.

One member of the Historical Commission as designated by the Commission for a term of three (3) years.

One member of the Planning Board as designated by the Board for a term of three (3) years.

One member of the Park Commission as designated by the Commission for an initial term of one (1) year and thereafter for a term of three (3) years.

One member of the Housing Authority as designated by the Authority for an initial term of two (2) years and thereafter for a term of three (3) years.

One member of the Open Space Committee as designated by the Committee for an initial term of one (1) year and thereafter for a term of three (3) years.

Three members to be appointed by the Select Board, one member to be appointed for a term of one (1) year and thereafter for a term of three years and two members to be appointed for a term of two (2) years and thereafter for a term of three (3) years.

Each member of the Committee shall serve for the term specified above, or until the person no longer serves on the board, committee, commission or authority as set forth above, whichever is earlier.

Should any of the Commissions, Boards, Authorities, or Committees who have appointment authority under this Chapter be no longer in existence for whatever reason, the appointment authority for that Commission, Board, Authority or Committee shall become the responsibility of the Select Board.

Any member of the Committee may be removed for cause by their respective appointing authority after a hearing.

Section-2 Duties

(1). The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Park Commission and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the Town.

(2). The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition, preservation, restoration and rehabilitation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, land for recreation use and community housing that is acquired or created as provided in this section. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

(3). The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

(4). In every fiscal year, the Community Preservation Committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space (not

including land for recreational use); not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than 10% of the annual revenues in the Community Preservation Fund for community housing.

Section-3 Requirement for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

Section-4 Amendments

This Chapter may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL Chapter 44B.

Section-5 Severability

In case any section, paragraph or part of this chapter be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Section-6 *Effective Date

This Bylaw shall take effect upon the Town's acceptance of the Community Preservation Act in accordance with the procedures set forth in Chapter 44B of the General Laws and after all requirements of MGL Chapter 40 Section 32 have been met. (**Adopted Nov. 8, 2021; approved by Attorney General February 24, 2022.*)

(Adopted June 13, 2005; approved by Attorney General September 30, 2005)

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

MOVING CPA FORWARD IN THE TOWN OF LAKEVILLE

MAJOR TASKS	ACTIVITIES	RESPONSIBLE PARTY	PROPOSED TIMEFRAME
<p>Enact internal mechanisms for Community Preservation Act [CPA] acceptance and administration</p>	<p>Notify the DOR of the Town's acceptance of the CPA on the April 2022 ballot.</p> <p>Clarify/confirm expectations and requirements internally between Town Administrator, Accounting, Assessors, Treasurer and Town Clerk to ensure July 1, 2022 tax surcharge begins on time.</p> <p>Develop anticipated revenue figure. The CPC must allocate annually 10% for open space preservation, 10% for historic resource preservation, 10% for affordable housing, and may allocate up to 5% for administrative support.</p>	<p>Town Clerk Town Admin. Treasurer/ Accounting</p>	<p>April 2022 April 2022 Fall 2022</p>
<p>Appoint a CPC</p>	<p>Select Board requests applications for CPC positions and designations from committees named in the by-law.</p> <ul style="list-style-type: none"> The CPC by-law outlines the CPC's composition, length of member terms, the appointment of at-large positions by the Select Board, and the responsibilities of the new committee. The by-law states that the CPC may have up to eight members, five required members (one from each of the following: Conservation Commission, Planning Board, Historical Commission, Housing Authority and Park Board) and three at-large members. In addition, the by-law as adopted in 2021 includes a member from the housing authority, a body which does not currently exist. <p>Select Board appoints five required CPC members from the respective town boards and three at-large members of the general public.</p>	<p>Select Board/ Appointing Committees</p>	<p>May – June 2022</p>
<p>Develop and adopt a Community Preservation Plan [CPP]</p>	<p>CPC meets and develops CPP with the support of staff.</p> <ul style="list-style-type: none"> The CPC will develop and adopt an outline for the first Community Preservation Plan [CPP], that should include a study of the needs, possibilities and resources of the community with regards to community preservation and should include meeting with other municipal boards and committees (e.g. Conservation Commission, Historic Commission, Open Space Committee and Park Commission) to get their input. Subsequent meetings, public hearing/s provide opportunities for the CPC and general public to deliberate and prioritize community needs to be articulated in the CPP draft. Once its research is complete, the CPC is responsible for developing a local CPA plan that will guide its decision-making on CPA project proposals. CPC support staff or Town staff develop "final" draft CPP for CPC and public review/comment. CPC adopts plan. 	<p>CPC/Planning</p>	<p>July-October 2022</p>

MAJOR TASKS	ACTIVITIES	RESPONSIBLE PARTY	PROPOSED TIMEFRAME
<p>Creating framework for receiving proposals</p>	<p>Administrative protocols are created with staff support.</p> <ul style="list-style-type: none"> The CPC develops applications and reviews procedures and deadlines for submission, review and recommendations. Process should be transparent and open to all eligible applicants. 	<p>CPC/Planning</p>	<p>October- November 2022</p>
<p>Selecting and executing proposals</p>	<p>Funding proposals requested, returned and recommended.</p> <ul style="list-style-type: none"> Funding solicitations made. Proposals reviewed and evaluated with recommendations for the most compelling projects prepared for Town Meeting. <p>CPC develops recommended funding package for Annual Town Meeting.</p> <p>Town Meeting considers and votes on funding package.</p>	<p>CPC/Planning Town Meeting</p>	<p>December 2022 -May 2023</p>
<p>Monitoring and evaluating selected proposals</p>	<p>CPC oversees funded activities.</p> <ul style="list-style-type: none"> CPC and/or staff monitors ongoing funded activities and provides interim and final reports as to progress, activities and budgeting. Preparations are made for next round of funding and programming. 	<p>CPC/Planning/ Town Accountant</p>	<p>June 2023</p>

**AGENDA ITEM #11
JUNE 27, 2022**

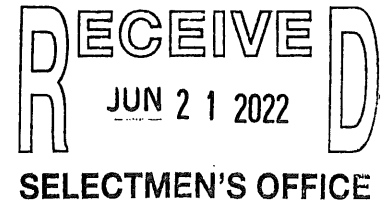
**DISCUSS AND POSSIBLE VOTE REGARDING REQUEST FROM
POLICE CHIEF TO APPOINT JOHN DUGGAN AS SPECIAL
POLICE OFFICER AND LANCE REED AS RESERVE POLICE
OFFICER**

Attached is a memo from the Police Chief regarding the request to appoint John Duggan as a Special Police Officer and Lance Reed as a Reserve Police Officer.

If appointed, their terms would expire July 31, 2023.

Tracie Craig-McGee

From: Matthew Perkins, Lakeville Chief of Police
Sent: Tuesday, June 21, 2022 12:52 PM
To: Tracie Craig-McGee
Cc: Ari Sky; Richard LaCamera; Lorraine Carboni; Lia Fabian
Subject: Appointment Request
Attachments: Duggan - Special.pdf; Reed - Reserve.pdf



Tracie,

I attached 2 requests for appointments. Both positions (Special and Reserve) are part-time positions. They are not new positions and are funded. Both types of appointments allow for the working of traffic details, paid by outside vendors. The only difference between the two (Special and Reserve) is the Reserve position can be used to work part-time in supplemental patrol and boat patrol. Both candidates are certified and have been fully trained by the Massachusetts State Police. Let me know if you have any questions.

Thanks,
Matt

Respectfully,

Matthew J. Perkins
Chief of Police
Lakeville Police Department
323 Bedford Street
Lakeville, MA 02347
508-947-4422
508-946-4422 fax





Matthew J. Perkins
Chief of Police

LAKEVILLE POLICE DEPARTMENT

323 Bedford St.
Lakeville, MA 02347



Phone: 508-947-4422
Fax: 508-946-4422

To: Select Board

From: Matthew J. Perkins
Chief of Police

Subject: Special Police Officer Appointment

Date: June 21, 2022

Honorable Board,

I respectfully request the appointment of John Duggan to the position of Special Police Officer for the Town of Lakeville. The appointment will allow the department to fulfill public safety staffing obligations at construction sites.

John Duggan is a retired Massachusetts State Police Trooper. His training and experience satisfy the new requirements set by the Massachusetts Peace Officer Standards and Training Commission (POST-C). His appointment will authorize the Lakeville Police Department to utilize Mr. Duggan in a part-time capacity. Mr. Duggan will work traffic and special event details.

I am requesting the appointment of John Duggan to the position of Special Police Officer/Constable, to be effective immediately for a 1-year period.

Respectfully,

A handwritten signature in black ink, appearing to read "Matthew J. Perkins".

Matthew J. Perkins
Chief of Police
Lakeville Police Department



Matthew J. Perkins
Chief of Police

LAKEVILLE POLICE DEPARTMENT
323 Bedford St.
Lakeville, MA 02347



Phone: 508-947-4422
Fax: 508-946-4422

To: Select Board

From: Matthew J. Perkins
Chief of Police

Subject: Reserve Police Officer Appointment

Date: June 21, 2022

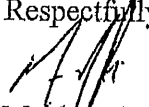
Honorable Board,

I respectfully request the appointment of Lance Reed to the position of Reserve Police Officer for the Town of Lakeville. The appointment will fill a vacancy that has been open for several years.

Lance Reed is a certified police officer who graduated the Massachusetts State Police Academy in 2019. His training and experience satisfy the new requirements set by the Massachusetts Peace Officer Standards and Training Commission (POST-C). This will allow the Lakeville Police Department to utilize Mr. Reed in a part-time capacity. Mr. Reed will work traffic details and fill in on a part-time basis in certain emergency situations.

I am requesting the appointment of Lance Reed to the position of Reserve Police Officer/Constable, to be effective immediately for a 1-year period.

Respectfully,


Matthew J. Perkins
Chief of Police
Lakeville Police Department

**AGENDA ITEM #12
JUNE 27, 2022**

**DISCUSS AND POSSIBLE VOTE REGARDING REQUEST FROM
MATTHEW T. PAULIKS TO BE REAPPOINTED AS A
CONSTABLE**

Attached is a request from Matthew T. Pauliks to be reappointed as a Constable.

If appointed, his term would expire June 25, 2023.

June 9, 2022

Dear Board of Selectmen of Lakeville,

RECEIVED
JUN 13 2022
SELECTMEN'S OFFICE

"APPLICATION FOR RE-APPOINTMENT AS CONSTABLE"

I, Matthew Pauliks, residing at 83 Pickens Street, Lakeville MA, hereby request a Re-appointment as a constable for the Town of Lakeville in accordance with MGL Chapter 41, section 91B.

My reasons for desiring Re-appointment are to continue to run and operate my own constable's office (Mass Constable Service, Inc) for the purpose of serving court documents, eviction notices and all other duties of a constable. I have been a sworn Constable for the town of Lakeville for 10 year and have successfully built a modest business in doing so. I have performed my duties as a constable in a professional manner and have the highest respect for the position.

I have included the following information to aid you in your decision:

Date of Birth: July 19, 1974

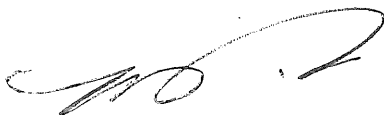
Place of Birth: Stoughton, MA

I have never been convicted of any offense in any Court.

In addition to being a Constable for the Town of Lakeville I have also been sworn in as a Constable in the City of Taunton, City of Fall River, Town of Raynham, Town of Dighton, Town of Easton, Town of Mansfield and the Town of Foxboro in order to continue to broaden my area of service.

I look forward to this re-appointment and hope that I have fulfilled your requirements sufficiently. If you require any further information, please contact me.

Regards,



Matthew T. Pauliks
83 Pickens St, Lakeville, MA. 02347
Cell : 508-386-6369
Email : mtpauliks@msn.com

RECEIVED
JUN 10 2022 KD
LAKEVILLE TOWN CLERK

**AGENDA ITEM #13
JUNE 27, 2022**

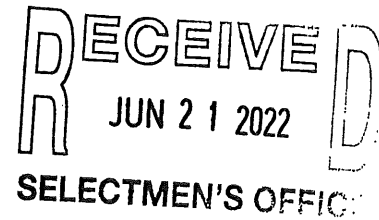
**DISCUSS AND POSSIBLE VOTE REGARDING REQUEST FROM
IAN DALEY TO BE REAPPOINTED AS A CONSTABLE**

Attached is a request from Ian Daley to be reappointed as a Constable.

If appointed, his term would expire July 25, 2023.

Tracie Craig-McGee

From: izzymack@yahoo.com
Sent: Monday, June 20, 2022 11:54 AM
To: Tracie Craig-McGee
Subject: Re: constable reappointment 2022-2023



To the Honorable Selectman/Selectwoman,

I (Ian Daley) would like to be be reappointed to the Lakeville Constable position for the year 2022-2023. My bond is still in effect for this year.

Thank You ,
Ian Daley

My mailing address is below.
Ian Daley
59 Linden st # 302
Taunton, Ma 02780

On Thursday, June 24, 2021, 12:40:41 PM EDT, <izzymack@yahoo.com> wrote:

To the Honorable Selectman/Selectwoman,

I (Ian Daley) would like to be be reappointed to the lakeville Constable position for the year 2021-2022. My bond is still in effect for this year.

Thank You ,
Ian Daley

My mailing address is below.
Ian Daley
59 Linden st # 302
Taunton, Ma 02780

Thank you

On Thursday, July 30, 2020, 10:16:09 PM EDT, <izzymack@yahoo.com> wrote:

Thank you ! I have not recieved it yet bit will let you know'
Thanks,
ID

On Saturday, July 25, 2020, 03:26:20 PM EDT, Tracie Craig-McGee <tcraig-mcgee@lakevillema.org> wrote:

It went in the mail yesterday.

**AGENDA ITEM #14
JUNE 27, 2022**

**REVIEW AND VOTE TO APPROVE SELECT BOARD MEETING
MINUTES OF JUNE 3, 2022 AND JUNE 13, 2022**

TOWN OF LAKEVILLE
Select Board Meeting Minutes
June 3, 2022 – 11:00 AM

On June 3, 2022, the Select Board held a meeting at 11:00 AM remotely from various locations. The meeting was called to order at 11:00 AM by Chairman LaCamera. Select Board Members present were: Member Fabian, Member Carboni and Chairman LaCamera. Also present was Ari Sky, Town Administrator. LakeCAM was recording the meeting for broadcast.

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the June 3, 2022 public meeting of the Lakeville Select Board will be held remotely. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>.**

New Business

Discuss extending outdoor entertainment permit hours for June 10, 2022 for Back Nine Club to 10:00 PM

Chairman LaCamera asked if their Outdoor Entertainment Permit for June 10, 2022 could be extended until 10:00 PM for a wedding.

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

VOTED: To approve the extension of the Outdoor Entertainment Permit for June 10, 2022 until 10:00 PM.

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

Old Business

There was no Old Business discussed.

At 11:03 AM, upon a motion made by Member Fabian and seconded by Member Carboni it was:

VOTED: To enter Executive Session pursuant to M.G.L. c.30A, §21a (3) to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chairman so declares and pursuant to M.G.L. c.30A, §21a (7) to comply with the Open Meeting Law, MGL Chapter 30A, §22(f): approval of Executive Session Minutes for February 14, 2022 and April 19, 2022 and will return to Open Session.

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

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 12:47 PM.

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

List of documents provided at the Select Board Meeting of June 3, 2022

1. Agenda sheet
2. Agenda sheet
3. Agenda sheet

TOWN OF LAKEVILLE
Select Board Meeting Minutes
June 13, 2022 – 5:30 PM

Lakeville Council on Aging
1 Dear Crossing, Lakeville, MA

On June 13, 2022, the Select Board held a meeting at 5:30 PM at the Lakeville Council on Aging at 1 Dear Crossing, Lakeville, MA. The meeting was called to order at 5:30 PM by Chairman LaCamera. Members present were Chairman LaCamera, Member Fabian and Member Carboni. Also present was Ari Sky, Town Administrator and Tracie Craig-McGee, Executive Assistant to the Select Board and Town Administrator. LakeCAM was recording the meeting for broadcast.

Possible Executive Session pursuant to M.G.L. c.30A, §21a (3)) to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chairman so declares.

Brian Day, Chairman, Larry Kostant and Christopher Plonka, members of the Finance Committee were present for the discussion.

Chairman LaCamera said the Board would be going into Executive Session, but would be returning to Open Session.

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

VOTED: At 5:31 PM, to enter into Executive Session pursuant to M.G.L. c.30A, §21a (3)) to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chairman so declares and to return to Open Session.
Member Carboni – aye; Member Fabian – aye and Chairman LaCamera – aye.

The Finance Committee opened their meeting at 5:31 PM. Chairman Day said the Finance Committee would be going into Executive Session, but would be returning to Open Session.

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

VOTED: At 5:32 PM, to enter into Executive Session pursuant to M.G.L. c.30A, §21a (3)) to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chairman so declares and to return to Open Session.
Mr. Kostant – aye; Mr. Plonka – aye and Chairman Day – aye.

Meet with Finance Committee to discuss year end transfers

Brian Day, Chairman, Larry Kostant and Christopher Plonka, members of the Finance Committee were present for the discussion.

Chairman LaCamera said there are some year-end transfers to be done. Chairman Day read the transfers.

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

VOTED: To transfer \$123,959.04 from the Finance Committee Reserve Fund to the Fire Department for back wages.
Unanimous in favor.

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

VOTED: To transfer \$25,000 from Unemployment Compensation and \$25,000 from Veterans Benefits to Fire Department Back Wages.
Unanimous in favor.

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

VOTED: To transfer \$26,500 from Technology Expenses-Maintenance to \$20,000 for Fire Expenses for gasoline and diesel and \$6,500 for Fire Expenses Equipment Maintenance
Unanimous in favor.

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

VOTED: To transfer \$8,000 from Technology Expenses (Maintenance) to Assessors Expenses (Tech/GIS Services).
Unanimous in favor.

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

VOTED: To transfer \$12,500 from Veterans Benefits; \$8,000 from Town Offices/Fire Station Expenses; \$15,000 from Facilities Salaries (Part Time); \$7,500 from Inspection Salaries (Assistant Inspector) and \$600 from Inspection Salaries (Assistant Inspector) for a total of \$43,600 to Part time Inspector Wages (Gas/Electric) - \$12,500; Historic Library Utilities - \$8,000; Facilities Expenses - \$15,000; Health Part Time Assistant - \$7,500 and Public Health Nurse - \$600.
Unanimous in favor.

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

VOTED: To adjourn the Finance Committee Meeting at 5:52 PM.
Unanimous in favor.

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

VOTED: To approve the transfers as presented by the Finance Chairman.
Unanimous in favor.

Select Board Announcements

Chairman LaCamera read the Select Board announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator announcements.

Review and possible vote to approve financing for ladder truck

Todd Hassett, Town Accountant and Michael O'Brien, Fire Chief were present for the discussion. Mr. Hassett said the bid for the ladder truck is \$1.4 million, just under Town Meeting vote. It takes close to 24 months for construction of the truck. We have sought out pricing for a lease purchase and we would not make our first payment until delivery. Chief O'Brien said this apparatus upgrades our ability to deliver fire protection to the Town.

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

VOTED: To award the contract for the purchase of a new ladder truck to New England Fire Equipment & Apparatus Corporation and to authorize the Town Administrator to execute any related documents on behalf of the Town.
Unanimous in favor.

Discuss and possible approval of recommendations in Environmental Partners Elliot Farm Parking Evaluation

Chairman LaCamera said MassDOT requested that Elliot Farms hire an engineer to put together a parking evaluation for Elliot Farm. The recommendation is to make the existing No Parking Signs which are temporary, permanent. MassDOT would also want to put up temporary signs for 30-minute parking further down Route 105. This will allow the Police to enforce the parking measures. We do have a letter from the Police Chief approving the plan.

A motion was made by Member Carboni and seconded by Member Fabian to approve the Parking Evaluation Report for Elliot Farm.

Discussion: Member Fabian said she would like to remind the Planning Board that we need to keep an eye on parking. It has been said that Elliot Farms did not expect be as successful as it has been. When the Select Board reviewed the Elliot Farm plan, she did stress that the parking was not sufficient. Chairman LaCamera said he is going to ask MassDOT to make the section between Crooked Lane and Nelson Shore Road on Route 105 to no passing.

The vote on the prior motion was unanimous in favor.

Discuss and possible vote to approve Election Warrant for Special Election on June 28, 2022

Chairman LaCamera said the Town Clerk has requested that the Board vote to approve the warrant for the Special Election on June 28, 2022. Member Carboni read the election warrant into the record. Richard Scott of 9 Rush Pond Road asked in the first sentence what does "eminent domain" mean? Chairman LaCamera said the Town could take the property by eminent domain, but that is not our

intent. Mr. Scott asked if the Town took it by eminent domain, how would the price be established. Mr. LaCamera said the same price in the Purchase and Sale Agreement.

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

VOTED: To approve the Warrant for the Special Election on June 28, 2022 as presented.
Unanimous in favor.

Discuss cover structure for outdoor stage at Historic Town House – 2 Precinct Street

Joanne Corrieri-Upham from the Lakeville Arts Council and Nancy LaFave from the Historical Commission were present for the discussion. Ms. Corrieri-Upham said the stage at the Historic Town House has been there since 2013 with our first concerts held in 2014. We have saved money so we can put a structure over the stage. Ms. LaFave said the Library has used the stage a lot during COVID and the Historical Commission is looking forward to using the stage a lot in 2028 for the Town's next anniversary. Ms. Corrieri-Upham said sides, electricity and a sound system will be coming in the future. Ms. LaFave said the Historical Commission has approved the design. Ms. Carboni read the memo from the Town Administrator. Ms. LaFave said there will be \$10,000 coming from the Library Capital Campaign Fund. Mr. Sky noted that \$20,000 will be coming from ARPA funds and \$20,000 from the Arts Council.

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

VOTED: To designate \$50,000 for the outdoor stage cover project and have the Town Administrator sign the contract.
Unanimous in favor.

Discuss and possible vote to approve requests from Lakeville Arts Council to hold outdoor concerts at stage at Historic Town House – 2 Precinct Street on July 12, 2022; July 19, 2022 and July 26, 2022

Chairman LaCamera said the Lakeville Arts Council has requested to hold outdoor concerts on the stage at the Historic Town House.

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

VOTED: To approve the request from the Lakeville Arts Council to hold outdoor concerts at the stage at the Historic Town House at 2 Precinct Street on July 12, 2022; July 19, 2022 and July 26, 2022.
Unanimous in favor.

Discuss and possible vote to approve request for change of owner – Junk Dealer and Junk Collector License – 330 Bedford Street

Chairman LaCamera said the Board has received a request for a change of owner for the Junk Dealer and Junk Collector License at the property located at 330 Bedford Street.

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

VOTED: To transfer the Junk Dealer and Junk Collector Licenses for 330 Bedford Street to Stephen Davoli with an expiration date of May 1, 2023.
Unanimous in favor.

Discuss and possible vote to appoint Select Board Member to Plymouth County Advisory Board

This item was tabled as it was previously done at the Select Board reorganization meeting in April, 2022.

Discuss and possible vote on request from Council on Aging Board to appoint Nancy Richmond as an Alternate Member

Chairman LaCamera said the Select Board has received a memo from the Council on Aging Board requesting the appointment of Nancy Richmond as an Alternate Member.

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

VOTED: To appoint Nancy Richmond as an Alternate Member Council on Aging Board of Directors with an expiration date of July 31, 2022.
Unanimous in favor.

Discuss and possible vote on request from Board of Health to appoint Edward Cullen as Inspector of Milk

Chairman LaCamera said the Board has received a request from the Board of Health to appoint Edward Cullen as Inspector of Milk. He would recommend that we change the expiration date to July 31, 2023 to keep it in line with our other appointments.

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

VOTED: To appoint Edward Cullen as Inspector of Milk for a term to expire July 31, 2023.
Unanimous in favor.

Discuss and possible vote on request from Zoning Board of Appeals to appoint Christopher Campeau as a Full Member of the Zoning Board of Appeals

Chairman LaCamera said we have a memo from the Zoning Board of Appeals recommending that Christopher Campeau be appointed as a Full Member of the Zoning Board of Appeals.

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

VOTED: To appoint Christopher Campeau as a Full Member on the Zoning Board of Appeals for a term to expire July 31, 2023.
Unanimous in favor.

Discuss and possible vote on request to appoint James Rogers to Economic Development Committee

Chairman LaCamera stated that there is a vacancy on the Economic Development Committee. James F. Rogers, II has expressed his interest in being appointed to the Economic Development Committee.

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

VOTED: To appoint James F. Rogers, II to the Economic Development Committee for a term to expire July 31, 2022.
Unanimous in favor.

Member Fabian asked if there is a full committee with this appointment. Member Carboni said yes. A meeting will be called soon.

Discuss and possible vote on request from Town Clerk to send letters to State Political Committees regarding appointment of Election Officers

Chairman LaCamera said the Town Clerk has requested that the Board send letters to the State Political Committees regarding Election Officers.

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

VOTED: To send the State Political Committees the letters as requested by the Town Clerk.
Unanimous in favor.

Discuss and possible vote to approve request for Outdoor Entertainment Permit – 1 Cedar Pond Road – July 30, 2022

Chairman LaCamera said the Board has received a request from Alexander Koroskenyi for an Outdoor Entertainment Permit for 1 Cedar Pond Road on July 30, 2022.

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

VOTED: To approve the request for an Outdoor Entertainment Permit for 1 Cedar Pond Road for July 30, 2022.
Unanimous in favor.

Discuss and possible vote on request from Lakeville Lions for an Outdoor Entertainment Permit for Fall Family Festival on September 17, 2022 at 170 Main Street

Chairman LaCamera said the Board has received a request from the Lakeville Lions for an Outdoor Entertainment Permit for September 17, 2022 from 12:00 PM to 4:00 PM for the Fall Family Festival.

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

VOTED: To approve the request for an Outdoor Entertainment Permit for the Lakeville Lions Club on September 17, 2022 at 170 Main Street.
Two (2) in favor; one (1) abstention (Chairman LaCamera).

Discuss and possible vote on request from Lakeville Lions for a One Day Beer and Wine Special License for Fall Family Festival on September 17, 2022 at 170 Main Street

Chairman LaCamera said the Board has received a request from the Lakeville Lions for a one (1) day beer and wine special license on September 17, 2022 from 12:00 PM to 4:00 PM for the Fall Family Festival.

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

VOTED: To approve the request for a one (1) day Beer and Wine Special License for the Lakeville Lions Club on September 17, 2022 at 170 Main Street.
Two (2) in favor; one (1) abstention (Chairman LaCamera).

Discuss ratifying vote from June 3, 2022 regarding extension of Outdoor Entertainment Permit for Back Nine Club – June 10, 2022

Chairman LaCamera said at the Board's meeting on June 3, 2022 under New Business, the Board voted to extend the Outdoor Entertainment Permit for the Back Nine Club on June 10, 2022. The vote needs to be ratified.

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

VOTED: To ratify the vote take on June 3, 2022 regarding extension of Outdoor Entertainment Permit for the Back Nine Club for June 10, 2022.
Unanimous in favor.

Review and possible vote to approve Select Board Meeting Minutes of May 23, 2022

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

VOTED: To approve the Select Board Meeting Minutes of May 23, 2022.
Unanimous in favor.

7:00 PM Lakeville Country Club Right of First Refusal Public Hearing

Present for the discussion were Marc Resnick, Town Planner and Shirin Everett, Esquire from KP Law. The Board recessed their meeting at 6:37 PM. At 7:00 PM, the Board came back to order. Chairman LaCamera read the public hearing notice into the record. He invited the current owners to the meeting, but they are not in attendance. At our meeting on May 23rd, we discussed some issues with the property, so we wanted to give residents one (1) more chance to ask questions. Chairman LaCamera said Brynna Donahue will give a presentation on her concept of the use of the property. Ms. Donahue reviewed her presentation for a community park. Chairman LaCamera then presented

an updated version of the presentation that was shown at Town Meeting regarding the purchase of the Lakeville Country Club. Mr. Resnick spoke to the map.

Chairman LaCamera spoke of some of the additional considerations: the P&S excludes all improvements on the land, including the buildings and paving not assessed under 61B. This would require a separate contract to buy it. The golf course would need to be reconfigured due to the issues with the 17th and 18th hole issues. We have sent letters to clarify the 138 acres, but we have not received a response. Mr. Resnick mentioned the access to Clear Pond Road and that is not clear. We would need to negotiate to see if the Maksys would sell any part of that property to the Town. We are not entitled to any equipment, such as golf carts and mowers. Chairman LaCamera spoke to Ed Beech regarding the \$1,000,000 covenant. He said his father gave a \$1,000,000 reduction in price to the previous owners and if the property was not going to be used as a golf course, the \$1,000,000 was due. It has to remain 100% as an 18-hole golf course. However, it cannot be maintained that way due to the issues with the 18th hole. Looking at the 61B area, 58 of the acres are wetlands and cannot be used. Taking that away, there are 80 acres, but only 40 acres of the land can be developed. Chairman LaCamera reviewed a spreadsheet that was prepared by the Town Administrator in regards to the excluded debt that we currently have and he spoke to future excluded debt anticipated.

Resident comments:

Donald Sena – 103 Staples Shore Road: Mr. Sena asked if this is an all or nothing? We either have to buy it or a warehouse is going in. He is against a warehouse going in there. According to the zoning map, the property is zoned Business. Under Business use, there is nothing about a warehouse; only under Industrial or Industrial B. The Development Opportunities District (DOD) is an overlay district, which will prevent detrimental effects to neighboring properties. This property is not in the overlay district. This is not a multi-use district. How did this change into Industrial so a warehouse can go in there? Chairman LaCamera said the Town has 120 days to decide whether to purchase it. If we don't, then it goes to the Planning Board and they would decide if this is a viable project. Mr. Resnick said the DOD is an overlay district across the entire Town. It requires 25 acres of land. Mr. Sena said so anyone could apply for this. Mr. Resnick said, yes, they could apply.

Susan Spieler - 10 Valley Road: the DOD has put us in this position and will continue until we remove this from our zoning. Mr. Resnick said he has submitted a request to remove the DOD. Ms. Spieler said if we do decide to purchase this property, we should get a committee together regarding developing this property. Is this vote on June 28th a binding vote or can the Select Board overturn it on the 29th? Chairman LaCamera said the election is only for the funding source; the Select Board has the final decision on whether to purchase the property. Ms. Spieler said so you can revoke the Town's vote. Why are we doing this tonight? Chairman LaCamera said at the April 20th meeting the Board said they wanted to bring it to Town Meeting for a vote and if approved, then to election. That is the law. Ms. Spieler said we know that it will be overturned because you and Member Fabian are against this. Why did you bring it to Town Meeting? Chairman LaCamera said because Members Fabian and Carboni wanted to bring it to Town Meeting. He made is clear that he was against buying the property from the start.

Richard Scott of 9 Rush Pond Road said that the cost was 40% of the operating budget. What would be the annual cost as a percentage of the operating budget. Chairman LaCamera said we can give an estimate but don't have final numbers at this point. Mr. Scott said is it estimated at \$600,000 to \$1,000,000 a year depending on final numbers. Chairman LaCamera said the only thing that is approved for appropriation is the purchase of the property at \$19,200,000. The \$1,000,000

contingency and additional money to run the facility, we will be asking to go to Town Meeting for an override. Mr. Scott said the cash flow is lower as a percentage in the operating budget. There would be different numbers on the different use. When we purchased Ted Williams Camp, we had no idea exactly how the use would unfold. A property this large has multiple benefits to the Town. We have not really explored what a mixed-use project would look like with open space, residential, both 40B and senior housing and commercial development. The townspeople be allowed to make that choice and he encouraged the Select Board to honor the vote we are about to take. If it is a warehouse there are detrimental impacts. Chairman LaCamera said he was here when we bought the Ted Williams Camp. It had all kinds of fields and buildings. It was a mature piece of property; it was not vacant or a golf course. We paid \$1.6 million for Ted Williams Camp. The Town has 130 acres at Ted Williams Camp and 300 acres at Betty's Neck and 68 acres at Clear Pond and 48 acres at Tamarack and Jon Paun Park. We have a significant amount of land that we own.

Darryl Bernier of Main Street said he was on the Park Commission for eight (8) terms. We bought Ted Williams Camp for \$2.65 million. The property was financed by the sale of industrial land so the Camp did not cost us anything. We had a business plan on how to pay off the Camp. What is the business plan to pay the golf course off? Chairman LaCamera said we also owned the tennis club and we sold the tennis club off to help pay for Ted Williams Camp.

Mr. Scott said this piece of land will be there when we are gone. We will have to face the fact that we missed the chance to do something better than a loud polluting warehouse. Our current zoning does not provide sufficient buffers between residents and a use this intense.

John Jenkins of Pickens Street asked what is the difference between assessed and appraised values on the other golf courses. Aren't appraised values higher? Chairman LaCamera said yes. Mr. Jenkins said this is a very bad situation for the Town. It is an opportunity that will be extremely expensive to lose it. Doesn't the seller have to make the financials available? Attorney Everett said no; they are not required to give us any financial information, only on the property and terms of the purchase. Mr. Jenkins said the final authority belongs to the Select Board. What will influence the Select Board to change their mind if the election comes forward with 70 or 80% of the voters saying buy it. Chairman LaCamera said he has been a Town Official for 37 years serving on the Finance Committee, Library Board and the Select Board. He always does what's right for the Town. This is a bad financial decision for the Town. This is a ridiculous deal for the taxpayers of Lakeville. Ms. Fabian said she was on the Board of Assessors for four (4) years before becoming a Select Board Member. Assessments follow the market trend a year back. Valuations on your actual assessments are going up as well. Prices are \$100,000 more this year than last year. It is just one more concern that is making this decision difficult. Mr. Jenkins said taxes will go up as we spend money. There is no influencing the Select board to say yes, which is discouraging. Maybe you are the most educated and experienced people here, but there are people that still want a park. Who determines about the access road. Chairman LaCamera said we have to negotiate with an agreement with Mr. Maksy, but he refuses to speak to us regarding the access road. Mr. Jenkins asked about the 21E survey. Chairman LaCamera said this is not natural land. There was gravel removal and there was a battery fire there. DEP was brought in, so there was hazardous waste spilled on the property, so it needs to be checked. Mr. Jenkins asked who owns the hazardous waste. Chairman Maksy said before we purchase it, Mr. Maksy.

Mindy Amaral of Kenneth Street said as a mom with three (3) kids, if she wants a park, she goes to the Schools or Ted Williams Camp. There is a splash pad in Freetown, and her dog goes to doggie day care. We are going to stress the Town even more for Police, Fire and Town workers with

maintenance of the property. Jeff Bernier of 135 Main Street asked can the owner landlock the property because the right of way is separate. Chairman LaCamera said there is access on Crooked Lane. Mr. Resnick said it goes to the house and golf course. Mr. Bernier asked regarding the 61B, doesn't it have to be rezoned to come out of 61B. Chairman LaCamera said no. Mr. Bernier said now we are in a bind with the overlay zoning. It is disheartening that people don't listen to our elected officials, who we vote for. The Finance Committee voted not to buy this property. We are going to pay almost \$20,000,000 for a property valued at \$2.7 million. This is not a good deal. Gary Simmons of 28 Lebaron Boulevard asked if Crooked Lane will be able to handle the flow of traffic. Mr. Resnick said it depends on the use plan. It would be fine for recreational use. A proper road can be built and parking would need to be constructed. Mr. Simmons said as a senior, we have been hit with taxes pretty good. He is torn about voting for this as he can't afford to vote for this, but we don't need another warehouse. Rodney Dixon of 39 Baker Lane said we are in a senior center and the last two (2) speakers are the first ones to speak of our seniors. Please take everything into consideration. There are consequences to the vote that may be unintended. People like his mom that are on fixed incomes; this may drive his mom out of Lakeville. John Gregory of 8 Bartelli Road asked if anyone has reached out to Northbridge about the Talbot's building. Chairman LaCamera said when Talbots sent their letter to the Town, he called their HR Director as he was concerned about the people losing their jobs and a lot of the people live in Lakeville. That facility has been there 40 years. They said they were okay with severance packages and job fairs. He spoke of financial troubles and that the company was bought by another company. They are moving to Indianapolis because the company that bought them has unused distribution facilities. Our Town Planner spoke to Northbridge to let them know it is available. The Boston Globe said it is a 1,000,000 square foot facility, but it is only 500,000 square feet.

Robert Marshall of 16 Barstow Street said we have heard Member Fabian and Chairman LaCamera's positions. What is Member Carboni's. Member Carboni said we did the right thing allowing residents to vote at Town Meeting and she supports going to the ballot. If it is our decision, she will listen to the voters. She knows the financial implication; she understands this is not the best deal. We were able to give it to the voters to get it to the ballot and she will listen to the voters. Mr. Marshall said 14 years ago we were in the Sysco position, he was originally in favor of that and this now. He has spoken to people in Town and the more he speaks to people, he is feeling a bit more comfortable that our Town Boards have sufficient resources to put conditions and mitigations on development. He doesn't want a warehouse there, but he is not convinced that if we don't purchase it that it will be a warehouse. There are many unknowns. We are waiting to see if the DOD bylaw will be overturned by the court. We have a short time frame and a lot of unknowns and there are too many for him to vote for this.

Christopher Plonka of Baker Lane said look at the numbers. \$19.3 for land assessed at \$1.7 million. We are looking at an average annual tax increase of \$600 for best case scenario, not including Old Colony. The Fire Station is a conservative number. We are looking at an average operating expense at \$500,000 with no money identified for that. Also, we are looking at a potential loss of tax revenue for a warehouse of \$1,000,000. Our tax bills are going up 2.5% and then 1% for Community Preservation Act. Are we pricing ourselves out for first time buyers and fixed income? As a member of the Finance Committee, this is not a sound fiscal decision and he does not support it.

Brian Fahey of Reservoir Avenue said we have not talked about traffic. Chairman LaCamera said that is a Planning Board matter. Mr. Fahey talked about all the traffic from this warehouse; Lakeville Hospital and the proposed warehouse in Middleborough. This traffic will change our neighborhoods. The price is not a great price, but the Select Board is shooting solutions from private citizens down.

Work with the community for solutions to manage this cost. We want our community to stay the same. Member Fabian said the split tax rate was discussed a few times. A split tax rate is something that the Board of Assessors makes a recommendation to the Select Board on prior to setting the tax rate. It does not make sense to have a split tax rate right now as there is so little commercial and industrial development. The tax rate would be so high for that and residences would see a miniscule amount of savings. You need to have far more business; there are standards that the State gives. This is discussed every year at a public meeting in November.

Douglas Berry of 95 Crooked Lane said the property lines are incorrect on the map. We made a transfer of land with Gary Mosca. When you say it is 50' wide, that is exactly to their property line. Would that cause the back entrance to be null and void. Chairman LaCamera said the deeds are unclear. We would have to do a title search. Your property is clearly defined in the Assessors records. Mr. Berry said Ted Williams Camp has been a good thing for the Town and we could do something good with the golf course. Brynna Donahue of Crooked Lane noted that the map is different than what was voted on at Town Meeting. The right of way in Crooked Lane is highlighted in green. Chairman LaCamera said we are entitled to purchase the Chapter 61B property. We voted on 138 acres. Ms. Donahue said we voted on a different map at Town Meeting. Mr. Resnick said that was correct based on the information at the time. We were unaware that the Assessors had assessed the buildings and 70,000 square feet of land at full value. We don't have a copy of the private sale contract with Northbridge, so we don't have a definitive answer on the private land. Ms. Donahue said so we wouldn't be purchasing 44 Clear Pond Road. Chairman LaCamera said the Purchase and Sale Agreements excludes all improvements on the land not taxed under 61A. If we want to own the clubhouse and other areas, we have to negotiate with Mr. Maksy on top of the purchase price. We have asked him twice, but he will not respond. The average taxpayer would be paying \$208.00 per year for the purchase. Chairman LaCamera said there is so much uncertainty about what could be done with the property. Potential revenues on the park would not help the taxpayers. Mr. Scott said if the DOD is found not to be lawful, if a warehouse can't be built, Northbridge could probably put in a 40B residential, which would also cause havoc.

Tim Larkin of Crooked Lane said what disturbs him the most is the Select Board not listening to the people. You should listen to the people. Caroline Darcy said the Board does have the best interest of the Town in mind. The Town is being blackmailed. If we do not buy it, the Planning Board has to give a special permit. Do we have any say on them giving the permit. Chairman LaCamera said you get a say, especially if you are an abutter. Noelle Rouleau said the Select Board knows the DOD was being challenged. Why didn't you put on a moratorium? Chairman LaCamera said the DOD has nothing to do with this. They submitted a Purchase and Sales Agreement to us; we either purchase it or not. We are not allowed to put a moratorium on it. Mr. Jenkins said Town Counsel said unless it is a legal issue, the Planning Board won't look at it. Chris Sargo of Baker Lane said the red part that we cannot purchase, if the warehouse purchases the 61B property, do they purchase that? Chairman LaCamera said they already have a Purchase and Sale Agreement for it. Ms. Sargo said so we won't have access to Crooked Lane, but they will. We don't have access to hole 18 or the clubhouse, but the warehouse can. Chairman LaCamera said they are buying everything. Ms. Sargo asked why can't the Town? Chairman LaCamera said it is not assessed as Chapter land. Mr. Maksy is doing everything he can to make us not buy it.

Member Fabian said when she was first elected, she was at odds with her fellow Board Members over the pressing issue then. She has never lost sleep over anything, except for this project. The three (3) people on this Board have no personal gains. There have been people on Boards that were contractors or have their own personal reason for volunteering. You can like us or hate us; that is

your choice. We don't have a recall in Lakeville. If you want to do that, it is your choice. It is not always easy sitting here. It is nice to see people in the room. There are Town Meetings that we are calling people to come down so we have a quorum. If no one showed up at Town Meeting to vote DOD down, hold yourselves accountable. You have so much control about how your Town is run by going to Town Meeting. It happens twice a year usually. Show up; you might like being part of the process. She is the swing vote on the Board. She didn't say she was not voting with the people. Ms. Spieler said that. She has been called a bully to Member Carboni about pressing her about how to find the money. She is not a bully. There is more transparency in the Select Board's Office with this Board and the Town Administrator than in a long time. This is the worst situation that we have been given. Ms. Donahue said Ms. Fabian said at the April 20th meeting that she would vote with the residents. Are you voting yes? Member Fabian said more challenging information has been discovered since April 20th. \$1,000,000 for the covenant; more negotiating for other issues. Ms. Donahue said your position starting should be neutral. Mr. Marshall said when he goes to Town Meeting and there is a zoning article, he doesn't understand them 99% of the time. He depends on the Planning Board, Finance Committee and Select Board to guide his vote. He should have paid more attention in 2020 when the DOD was passed.

Tony Chiuppi of Vaughan Street asked if the Select Board has the power to repeal DOD. Chairman LaCamera said we can ask the Planning Board to do something. Back in 2021 there was a petition put together by Ms. Spieler and others to repeal the DOD. As a member of the Board of Selectmen, we forwarded it to the Planning Board and it was put on the May 8, 2021 Town Meeting. The Planning Board had a hearing on April 29th and there were comments made that they wanted to look at the bylaw and see what changes could be made. The Planning Board voted not to recommend it at Town Meeting unanimously. Ms. Spieler got up at Town Meeting and tabled the motion and it could not be brought up at Town Meeting. In the April 29th minutes for Planning Board, it was agreed by the group that they would get back together and relook at the zoning and modify the DOD for the fall 2021 meeting. They didn't do anything about this. This project could not have gone forward if the DOD was not there. Mr. Scott said Chairman LaCamera is leaving out that it was tabled because we were told by the Town Moderator and our attorney that if we put it on the floor, you could change the DOD to add Lakeville Hospital to DOD. There was a strategic reason; there may have been litigation and that is why the meeting did not take place. We have known for two (2) years that Lakeville Country Club might come out of Chapter 61B. We have not heard from Master Plan Committee or Open Space Committee. He looks to our Town committees to do the hard lifting. The DOD from the beginning was a mistake. Chairman LaCamera said people at Town Meeting were denied the right to vote on the petition. Mr. Scott said the Planning Board took no action, which allowed us not being able to move forward because of the risk of having it modified. Ms. Spieler said the reason why it was tabled was because the Planning Board did not make a recommendation and it was considered out of order and it could not be discussed. Chairman LaCamera asked what happened after May 8th? Ms. Spieler said the Planning Board never approached us. Chairman LaCamera said the DOD could have been eliminated at the 2021 Fall Meeting. Ms. Spieler said the Planning Board did not approach us. We can't bring it back again for another two (2) years. We were told that. Chairman LaCamera said the Planning Board could bring it back. It could have been brought back to Town Meeting and it wasn't.

Mr. Marshall said he spoke to the Town Moderator about this. She told him that she advised Ms. Spieler that she had a number of options, including requesting that it be directed back to another committee or the Planning Board to bring it back. She was quite surprised when it was moved to be tabled. We can blame all we want, but we as a Town have got to figure this out between now and June 28. Mr. Chiuppi said the blowback unfortunately is on all of the townspeople. The Lakeville Hospital and Lakeville Country Club are intertwined: the common thread is the DOD. The Select Board is

saying if you have 25 acres of land, you could get a warehouse. Chairman LaCamera said not the Select Board, the Planning Board. Mr. Chiuppi said if the Planning Board has the power to repeal this at their next meeting he would hope this is done. Larry Kostant of Freetown Street said the Select Board understands residents' passion, but the people that have a vested interest in this property live around it. There are other citizens in Town that aren't in favor of this. The Select Board has to consider all of the citizens, not just a few. To blame them for their positions or that they don't care is wrong. The amount of people that come out to vote is a disgrace. If you are not happy, fix it and get out and vote. Don't blame them for doing their jobs. Mr. Chiuppi said about an hour ago, the Board said they have made up their mind. Chairman LaCamera said he has made up his mind. Member Fabian said Member Carboni has stated that she would vote with the people.

Member Fabian said there is other Chapter land in Lakeville that we may go through the same thing with. There was a train meeting and the residents that live near the tracks are unhappy because now they have commuter rail. We fought that six (6) years ago. She was the one in January of 2021 that suggested the Community Preservation Act to try to get passed again. She is not anti-open space. Member Carboni said we have done our job to try and provide the information to you to make an educated decision. Some residents have reached out individually to us and we try to answer. We have done what we can by having these meetings so you can hear the impact of your decision from our side where we have to manage the money. Now it is up to you to do your research and vote on the 28th.

Chairman LaCamera said we have questions about putting signs up from the vote; you cannot put them on public property. The election is June 28th from 12:00 to 8:00 PM. Absentee ballots are now available at the Town Clerk's Office. He gave contact information for the Town Administrator and himself.

New Business

Member Carboni said SRPEDD is looking for a volunteer in the SMMPO, which is a transportation group. This is not a representative selected by the Board. Anyone can volunteer to do it, but SRPEDD approves the representative. Chairman LaCamera said that committee is important and has to do with the Federal funding. It is a once a month meeting. Member Fabian said she was not interested in serving. Member Carboni said she will speak to SRPEDD about this.

Member Fabian said she attended the Plymouth County Advisory Board Committee and summarized the meeting.

Old Business

Chairman LaCamera said we need to do the Town Administrator's review and review the goals we established for the Town Administrator. We also need to review new goals for the upcoming year. Please send the goals to the Town Administrator for the June 27th meeting. Chairman LaCamera said we spoke about doing a review and having one (1) member of the Select Board compile the information and provide a review form for the members to fill out and the results will be presented and reviewed with Mr. Sky. We had talked about Member Fabian doing it. Member Fabian said she will put together information about different ways to do the review. For new goals, we should have them for June 27th? Chairman LaCamera said we should have a draft for the 27th if possible. Mr. Sky asked if the Board would like to see his self-assessment regarding the goals. It was agreed that

the Board would like to see it. Chairman LaCamera noted that the review will be presented at an open meeting.

Chairman LaCamera said we have a lot of projects that are still pending. We have a new project coming up quickly. We need to have the Town Administrator update the project list for the 27th.

Chairman LaCamera said the Feasibility Study for the Fire Station and Town Office Building has another meeting on Friday. We will be updated by the consultant. It will be another three (3) to four (4) months before they will be ready to present. The Special Town Meeting in the fall will ask for funding for design. Mr. Scott asked if the location has been picked yet. Chairman LaCamera said we are looking at multiple locations. Some options are using the existing building and expand that; build a new stand-alone Fire Station; or taking the existing building and making that a station and then build a new Town Hall.

Any other business that can properly come before the Select Board

There was no other business discussed.

Adjournment

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

VOTED: To adjourn the Select Board Meeting at 9:13 PM.
Unanimous in favor.

Other Items

1. Notice from Board of Health regarding appointment of Associate Board of Health Agents
2. Memo from Zoning Board of Appeals
3. Final Cost Examination for Water Street Crossing
4. Channel and Cost Change from Comcast

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

1. Agenda page
2. Agenda page; list of transfers
3. Agenda page
4. Agenda page
5. Agenda page; memo from Fire Chief; financing lease agreement; purchase documents
6. Agenda page; report from Environmental Partners; memo from Police Chief
7. Agenda page; draft Election Warrant
8. Agenda page; memo from Town Administrator; memo from Building Commissioner; photographs of similar structures
9. Agenda page; applications from Lakeville Arts Council to hold concerts

10. Agenda page; letter from Christine Ann Goyette; application for Junk Dealer and Junk Collector; lease for property; organization documents
11. Agenda page
12. Agenda page; email from Council on Aging Director
13. Agenda page; memo from Board of Health
14. Agenda page; memo from Zoning Board of Appeals
15. Agenda page
16. Agenda page; memo from Town Clerk; sample letters
17. Agenda page; application for Outdoor Entertainment Permit
18. Agenda page; application for Outdoor Entertainment Permit
19. Agenda page; application for 1-day beer and wine permit
20. Agenda page
21. Agenda page; Select Board Meeting Minutes of May 23, 2022
22. Agenda page; copy of presentations regarding Lakeville Country Club
23. Agenda page
24. Agenda page
25. Agenda page

AGENDA ITEM #15
JUNE 27, 2022

NEW BUSINESS

**AGENDA ITEM #16
JUNE 27, 2022**

OLD BUSINESS

**AGENDA ITEM #17
JUNE 27, 2022**

**ANY OTHER BUSINESS THAT CAN PROPERLY COME
BEFORE THE SELECT BOARD**

OTHER ITEMS

1. Letter from Lakeville Arts Council
2. Letters from Department of Environmental Protection regarding Existing Structures in Jurisdiction

RECEIVED
JUN 15 2022
SELECTMEN'S OFFICE



June 15, 2022

Lakeville Library Trustees
c/o Lakeville Library
4 Precinct Street
Lakeville, MA 02347

Dear Library Trustees,

The Arts Council members and I are writing to thank you for the partnership we enjoy with our Library through Jayme Viveiros and Teresa Mirra.

We sincerely appreciate the value of this relationship and the value you placed on this relationship by your financial support of the structure we are planning to build over "Center Stage".

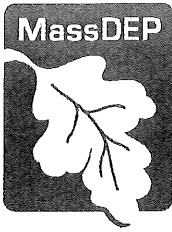
We look forward to many years of joint ventures enjoying the stage and the structure.

With regards and appreciation,

A handwritten signature in black ink, appearing to read 'Joanne Corrieri-Upham', is written over a circular stamp that is partially obscured by the signature.

Joanne Corrieri-Upham
LAC Chair

Cc: Lakeville Select Board members, Town Administrator Ari Sky



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

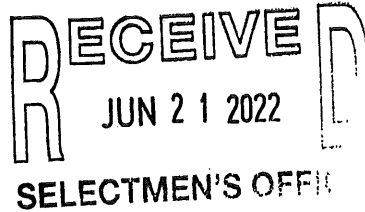
Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner



June 16, 2022

Magdalene Lague
9 Cottage Lane
Lakeville, MA 02347

RE: Existing Structure in Jurisdiction
Long Pond, Lakeville, Bristol County

Dear Property Owner(s):

This letter is in regard to the structure extending from the shoreline at 9 Cottage Lane, Lakeville, into the waters of Long Pond. In review of our files we were unable to find a Chapter 91 Waterways License for your structure. You may be in violation of Massachusetts General Laws Chapter 91, the Public Waterfront Act. We are therefore requiring you to exercise one of the three options listed below.

Option 1. Submit within 15 calendar days from the date of this letter a complete Chapter 91 Waterways License Application for any and all unauthorized structures; <https://www.mass.gov/waterways-program-chapter-91>

Option 2. Submit within 15 calendar days from the date of this letter information demonstrating either that the referenced structure is already authorized under Chapter 91 (you would find a Chapter 91 License recorded with your property deed at the County Registry of Deeds) or that it is outside the jurisdiction of Chapter 91; or

Option 3. Remove the referenced structure within 15 calendar days from the date of this letter, and notify us within 10 days of such removal.

Please be advised that unauthorized structures, fill or activities within the jurisdiction of Chapter 91 may be subject to fines. Should you have any questions in regards to this matter, please feel free to call me at (508) 946-2873.

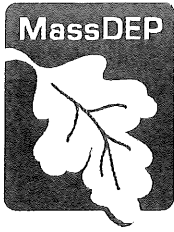
Sincerely,

Carlos T. B. Fragata

Carlos T. B. Fragata
Environmental Analyst
Waterways Program

Ecc:

Lakeville Conservation Commission
Lakeville Board of Selectmen
File copy



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

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Secretary

Martin Suuberg
Commissioner

RECEIVED
JUN 21 2022
SELECTMEN'S OFFICE

June 16, 2022

Mary L. Matin-Kirkland &
Nancy T. Jackson
11 Cottage Lane
Lakeville, MA 02347

RE: Existing Structure in Jurisdiction
Long Pond, Lakeville, Bristol County

Dear Property Owner(s):

This letter is in regard to the structure extending from the shoreline at 11 Cottage Lane, Lakeville, into the waters of Long Pond. In review of our files we were unable to find a Chapter 91 Waterways License for your structure in that specific location of the watershed. We did find Interim Approval No. 6347 (issued 1/26/2006). You may be in violation of Massachusetts General Laws Chapter 91, the Public Waterfront Act. We are therefore requiring you to exercise one of the three options listed below.

Option 1. Submit within 15 calendar days from the date of this letter a complete Chapter 91 Waterways License Application for any and all unauthorized structures; <https://www.mass.gov/waterways-program-chapter-91>

Option 2. Submit within 15 calendar days from the date of this letter information demonstrating either that the referenced structure is already authorized under Chapter 91 (you would find a Chapter 91 License recorded with your property deed at the County Registry of Deeds) or that it is outside the jurisdiction of Chapter 91; or

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Sincerely,

Carlos T. B. Fragata

Carlos T. B. Fragata
Environmental Analyst
Waterways Program

Ecc:

Lakeville Conservation Commission
Lakeville Board of Selectmen
File copy

