

**AGENDA**  
**Board of Selectmen and acting as the Wage &  
Personnel Board as needed**  
**Remote Location Meeting**  
**September 20, 2021 – 5:00 PM**

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

1. In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the September 20, 2021 public meeting of the Lakeville Board of Selectmen 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/>**
2. 5:30 PM Public Hearing – Propane Underground Storage Tank Hearing for Lakeville Island, LLC, - 57 Long Point Road
3. Introduction of new Full Time Firefighters Jason Kirby and Joshua King and Call Firefighters Dustin Mackiewicz; Mark Regan; Anthony DiMare and Blake Williams
4. Board of Selectmen Announcements
5. Town Administrator Announcements
6. Review and vote to place articles on the Special Town Meeting Warrant – November 8, 2021
7. Review budget process for FY23
8. Review and possible vote to approve revised job description for Assistant Town Clerk
9. Discuss and possible vote to approve a one-year contract extension for propane gas and fuel oil services
10. Review and possible vote to declare various office furniture and equipment surplus
11. Review and possible vote to approve application for Town Right of Way Use Form
12. Review and possible vote to approve application from Mahant Ne Sang, Corp., dba Lakeville Liquors and Market, for Pledge of Collateral in regards to the Retail All Alcoholic Beverages Package Store License for the property located at 330 Bedford Street
13. Request from Planning Board for review of Subdivision Definitive Plan – 6 lots – 162 Bedford Street
14. Discuss and possible vote to approve request from Stingray City Realty Corp. to connect to Taunton Water at 155 Rhode Island Road
15. Discuss and possible vote to approve request from Lakeville Funeral Homes Realty Trust to connect to Taunton Water at 17 Main Street

16. Request from Elliot Farm LLC for a one-day beer and wine liquor license – October 9, 2021 – 202 Main Street
17. Discuss request from Charles River Wheelers to use Lakeville roads for the Cranberry Century Ride – October 3, 2021 (**waiting on information**)
18. Review and vote to accept resignation of Jesse Medford from Open Space Committee
19. Review and vote to approve Selectmen Meeting Minutes of September 10, 2021
20. New Business
21. Old Business
22. Any other business that can properly come before the Board of Selectmen

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



**AGENDA ITEM #1  
SEPTEMBER 20, 2021**

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the September 20, 2021 public meeting of the Lakeville Board of Selectmen 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/>**

**AGENDA ITEM #2  
SEPTEMBER 20, 2021**

**PUBLIC HEARING – PROPANE UNDERGROUND STORAGE  
TANK HEARING FOR LAKEVILLE ISLAND, LLC, - 57 LONG  
POINT ROAD**

**NOTES:** The applicant is applying for 12 2,000-gallon underground storage tanks to support the development at 57 Long Point Road. The Fire Chief has been working with the applicant regarding permitting on his end. I have attached the application and information from the Fire Chief. There were 3 abutters notified: Decas Cranberry and the Cities of Taunton and New Bedford.

**Procedure for the hearing is as follows:**

Read legal notice published in the paper;

**Motion and vote:**

To open the hearing for the propane gas underground storage tank hearing for Lakeville Island, LLC for the property located at 57 Long Point Road.

Ask if anyone will be testifying and swear them in;

Explain procedure of the hearing (i.e. speaker needs to be recognized by Chair before speaking; all comments are to be addressed to the Chair).

Ask applicant/representative to speak to application. Ask if anyone else has any testimony or questions

**CLOSE THE HEARING**

**SELECTMEN TO HOLD DISCUSSION AND MAKE MOTION ON  
DECISION**



Pursuant to Chapter 148, Section 13 of the General Laws, the Board of Selectmen will conduct a public hearing at **5:30 PM on Monday, September 20, 2021** on the application of Lakeville Island LLC to store 24,000 gallons of propane gas located in 12 2,000-gallon underground storage tanks at 57 Long Point Road, Lakeville, Massachusetts.

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2021 novel Coronavirus outbreak emergency, the September 20, 2021 public meeting of the Board of Selectmen shall be physically closed to the public to avoid group congregation. However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>

Evagelia Fabian, Chair  
Richard LaCamera  
Lorraine Carboni  
Board of Selectmen  
September 9, 2021  
The Middleboro Gazette Newspaper  
Notice also on [www.masspublicnotices.org](http://www.masspublicnotices.org)



## Tracie Craig-McGee

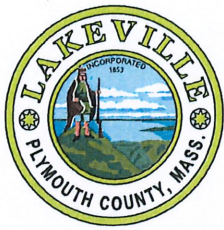
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**From:** Tracie Craig-McGee  
**Sent:** Tuesday, September 7, 2021 12:26 PM  
**To:** 'Nicholas Kelly'  
**Subject:** Hearing letter - propane storage tanks  
**Attachments:** 20210907122820777.pdf

Hi Nick,

Attached is the hearing letter for the September 20th meeting. Please note the time is at 5:30 PM.

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



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

September 7, 2021

Nicholas Kelly  
First Colony Group  
7 Eda Avenue  
Carver, MA 02330

RE: Public Hearing - Application for  
Underground Propane Storage Tanks  
57 Long Point Road, Lakeville, MA

Dear Nick:

The Board of Selectmen has scheduled a public hearing on the above petition for 5:30 PM on Monday, September 20, 2021, which will be held remotely.

A legal advertisement of the hearing will be published in the September 9<sup>th</sup> edition of The Middleboro Gazette. You are required to send a copy of the published notice by **registered mail, return receipt requested**, to each of the abutters appearing on the Assessors' most recent valuation list as the owners of the properties abutting 57 Long Point Road, Lakeville, Massachusetts, which I have enclosed.

I will send you the remote meeting notice once I receive it as you should be present at the September 20, 2021 hearing. Please submit the green return receipt cards from the mailings to the abutters to me prior to the hearing for verification.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Tracie Craig-McGee  
Executive Assistant to the Board  
of Selectmen & Town Administrator

Enclosure



# 300 foot Abutters List Report

Lakeville, MA  
September 02, 2021

## Subject Property:

Parcel Number: 071-001-002  
CAMA Number: 071-001-002  
Property Address: 57 LONG POINT RD

Mailing Address: 1 FITZGERALD DR LLC  
5 PINE ST  
CARVER, MA 02330

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## Abutters:

Parcel Number: 057-001-001-01  
CAMA Number: 057-001-001-01  
Property Address: ASSAWOMPSET POND

Mailing Address: *Attn: Katie Sousa*  
TAUNTON CITY OF WATER DEPT  
90 INGELL ST  
TAUNTON, MA 02780

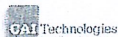
Parcel Number: 071-001-001  
CAMA Number: 071-001-001  
Property Address: 59 LONG POINT RD

Mailing Address: BETTY'S NECK FARM INC  
4 OLD FORGE DR  
CARVER, MA 02330

Parcel Number: 071-001-001-05  
CAMA Number: 071-001-001-05  
Property Address: POCKSHA POND

Mailing Address: NEW BEDFORD CITY OF WATER DEPT  
~~CHARLES KENNEDY QUITTACAS TREA~~  
1 NEGUS WAY  
E FREETOWN, MA 02717

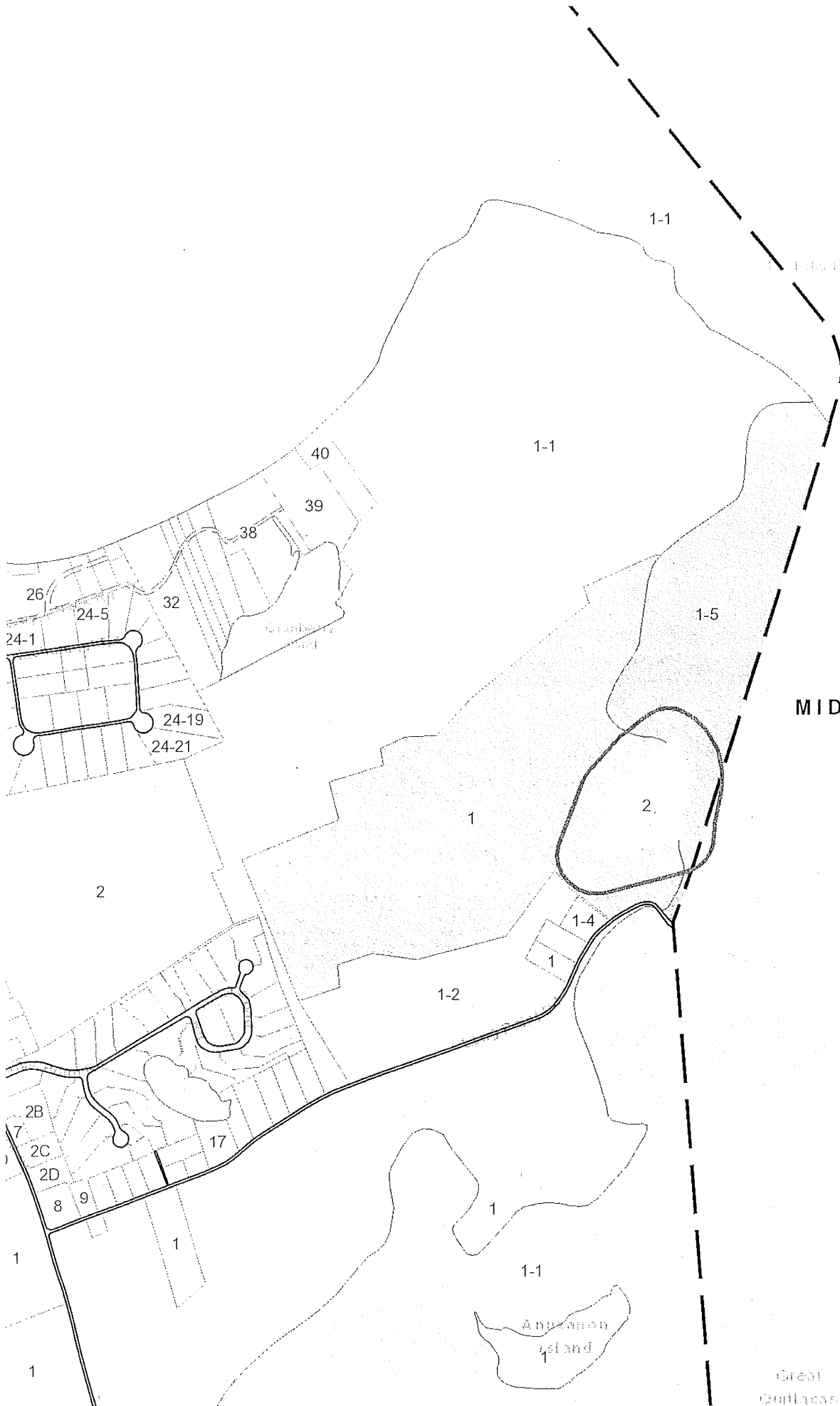
*Attn: Ymane Galoti*



www.cai-tech.com

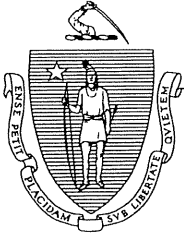
Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.





MIDDLEBOROUGH

Great Gullacas



FP-002A  
(Rev. 1.2018)

The Commonwealth of Massachusetts  
City/Town of Lakeville

### Application For License

Massachusetts General Law, Chapter 148 §13

New License     Amended License

|                 |
|-----------------|
| GIS Coordinates |
| _____           |
| LAT.            |
| _____           |
| LONG.           |
| _____           |
| License Number  |

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 57 Long Point RD, Lakeville  
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: Lakeville island, LLC

Address of Land Owner: 7 EDA Avenue, Carver, MA 02330

Use and Occupancy of Buildings and Structures: Residential

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

#### Flammable and Combustible Liquids, Flammable Gases and Solids

*Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.*

| PRODUCT NAME   | CLASS         | MAXIMUM QUANTITY | UNITS<br>gal., lbs,<br>cubic feet | CONTAINER<br>UST, AST, IBC,<br>drums |
|----------------|---------------|------------------|-----------------------------------|--------------------------------------|
| <u>Propane</u> | <u>UN1075</u> | <u>24,000</u>    | <u>gallons</u>                    | <u>UST</u>                           |
|                |               |                  |                                   |                                      |
|                |               |                  |                                   |                                      |
|                |               |                  |                                   |                                      |
|                |               |                  |                                   |                                      |

Total quantity of all flammable liquids to be stored: 24,000 gallons

Total quantity of all combustible liquids to be stored: \_\_\_\_\_

Total quantity of all flammable gases to be stored: \_\_\_\_\_

Total quantity of all flammable solids to be stored: \_\_\_\_\_

RECEIVED  
SEP - 2 2021  
SELECTMEN'S OFFICE

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: \_\_\_\_\_  
List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: 24,000 gallons  
List sizes and capacities of all underground containers used for storage: 12-2,000 gallon tanks

Total aggregate quantity of all LP-gas to be stored: 24,000 gallons

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_  
❖ Maximum amount (in pounds) of Class 1.4G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_  
❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: \_\_\_\_\_

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_  
❖ Maximum amount (in pounds) of Class 1.2: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_  
❖ Maximum amount (in pounds) of Class 1.3: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_  
❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_  
❖ Maximum amount (in pounds) of Class 1.5: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_  
❖ Maximum amount (in pounds) of Class 1.6: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

I, Sean McEntey, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Sean McEntey Date 9-2-2021 Name Osterman Propane

*Fire Department Use Only*

I, \_\_\_\_\_, Head of the \_\_\_\_\_ Fire Department endorse this application with my

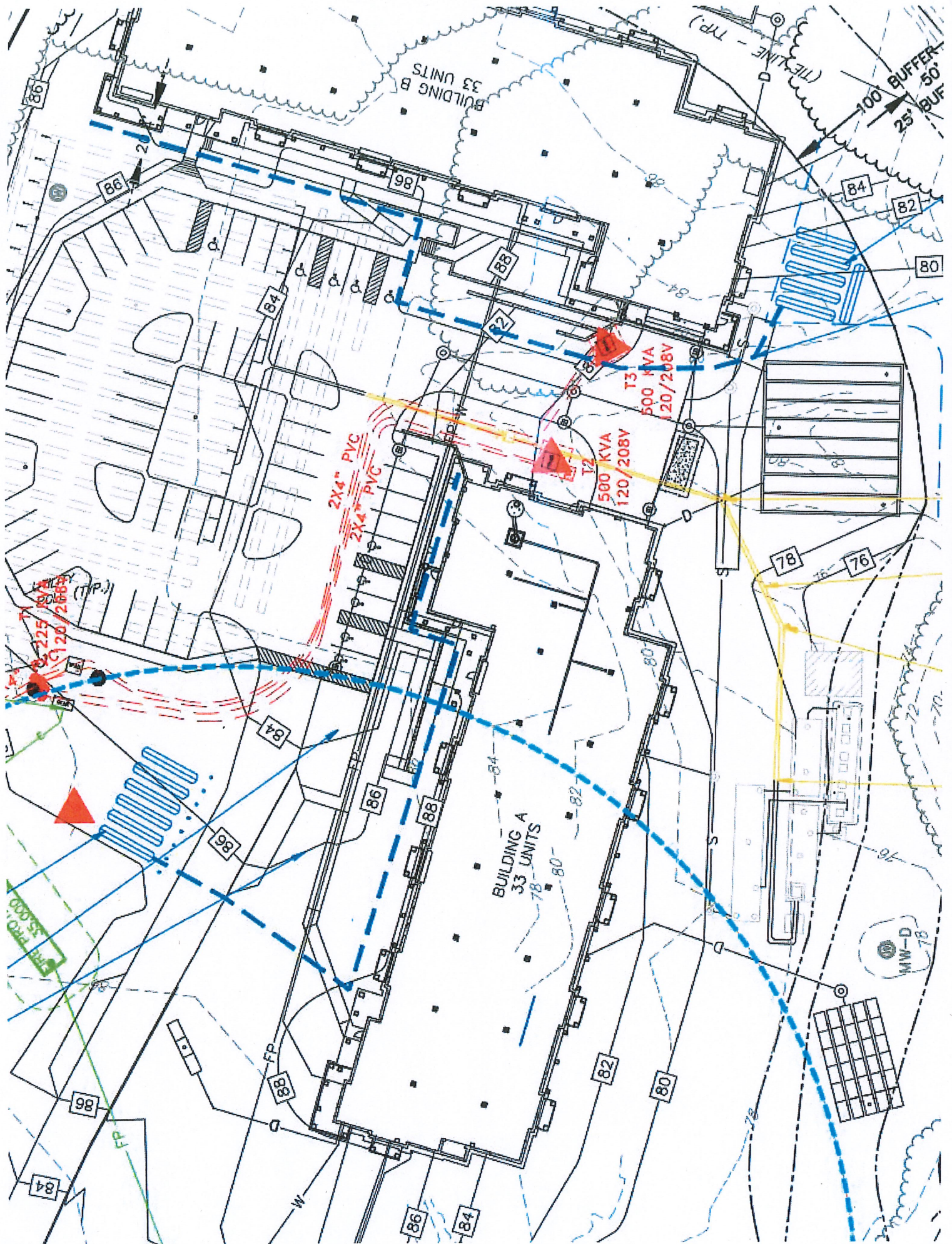
Approval  Disapproval

Signature of Head of the Fire Department

Date

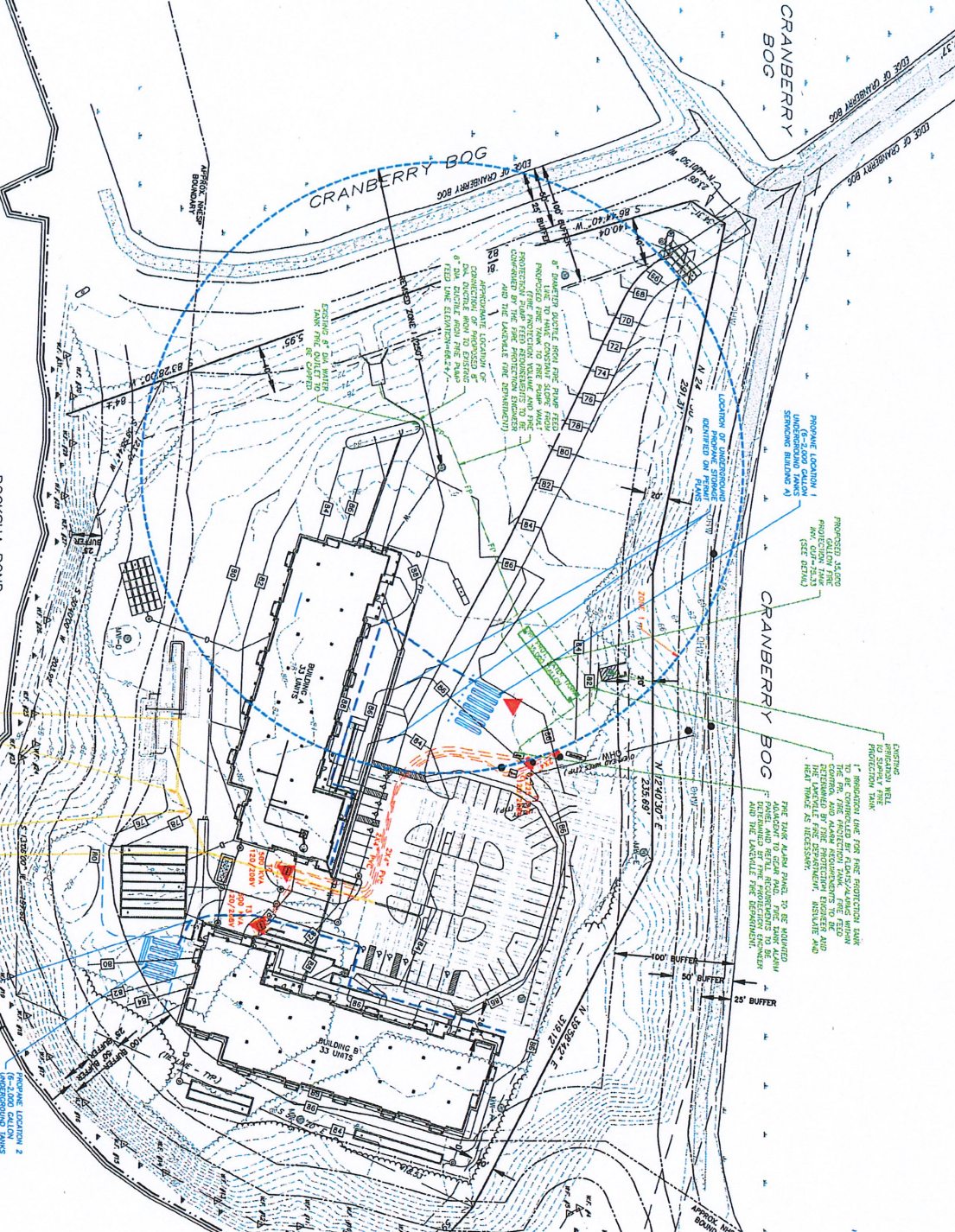
Recommendations: \_\_\_\_\_







CRANBERRY BOG  
CRANBERRY BOG  
CRANBERRY BOG  
CRANBERRY BOG



EDGE OF CRANBERRY BOG

EDGE OF CRANBERRY BOG

EDGE OF CRANBERRY BOG

EDGE OF CRANBERRY BOG

POCKSHA POND  
CLASS A - PUBLIC WATER SUPPLY



GRAPHIC SCALE  
0 20 40

PROPOSED LOCATION 1 (5-3,000 GALLON UNDERGROUND TANK SERVING BUILDING A)

PROPOSED LOCATION 2 (5-3,000 GALLON UNDERGROUND TANK SERVING BUILDING B)

PROPOSED STATION (FOR PROTECTION LANE - SEE DETAIL)

PROPOSED STATION (FOR PROTECTION LANE - SEE DETAIL)

PROPOSED 150 PSI STEEL PIPE (FOR PROTECTION LANE) TO BE COMPLETED BY LICENSED PLUMBER WITH PERMITS ONLY AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.

PROPOSED 150 PSI STEEL PIPE (FOR PROTECTION LANE) TO BE COMPLETED BY LICENSED PLUMBER WITH PERMITS ONLY AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.

EXISTING 150 PSI STEEL PIPE (FOR PROTECTION LANE) TO BE COMPLETED BY LICENSED PLUMBER WITH PERMITS ONLY AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.

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EXISTING 150 PSI STEEL PIPE (FOR PROTECTION LANE) TO BE COMPLETED BY LICENSED PLUMBER WITH PERMITS ONLY AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.

- LEGEND**  
PROPERTY LINE  
BUILDING SETBACK  
WETLAND AND FLAG  
MEAN HIGH WATER (MHW)  
ETC. ELEVATION CONTOUR  
WELL  
SEWER MANHOLE  
SEWER PIPING  
WATER PIPING  
PROPOSED FIRE PROTECTION PIPING (UNDERGROUND TANKS)  
PROPOSED FIRE PROTECTION PIPING (OVERGROUND TANKS)
- ELECTRICAL LEGEND**  
PROPOSED TRANSFORMER  
PROPOSED RISER ON EXIST. PALE  
PROPOSED PRIMARY 120 CABLE  
EXISTING PRIMARY OVERHEAD  
CABLE
- NOTES**  
1. THE ELECTRICAL INFORMATION CONTAINED WITHIN THIS PLAN IS BASED ON THE INFORMATION PROVIDED TO THE ENGINEER BY THE CLIENT AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.  
2. THE ELECTRICAL SERVICE SHALL BE PROVIDED BY THE CLIENT TO THE LOCATION OF THE UNDERGROUND STORAGE TANKS AND SHALL BE COMPLETED BY LICENSED PLUMBER WITH PERMITS ONLY AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.  
3. THE LOCATION OF THE GENERATOR PAD, GEAR PAD, AND TRANSFORMER PAD, SHOWN ON THIS PLAN, IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.  
4. THE LOCATION OF THE UNDERGROUND STORAGE TANKS AND THEIR PROTECTION LANE, SHOWN ON THIS PLAN, IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.  
5. THE ELECTRICAL AND FIRE PROTECTION SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.  
6. THE PROTECTOR SHALL BE INSTALLED IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.  
7. THE PROTECTOR SHALL BE INSTALLED IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.  
8. THE PROTECTOR SHALL BE INSTALLED IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.  
9. THE PROTECTOR SHALL BE INSTALLED IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.  
10. THE PROTECTOR SHALL BE INSTALLED IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.

Client/Project  
1 Fitzgerald Drive, LLC  
P.O. Box 952, Carver, MA 02330  
LAKE POINT  
57 LONG POINT ROAD  
LAKEVILLE, MA 02347  
Title  
PROPANE OPTION 2  
2021-07-19  
**DRAFT**  
0  
1 of 01

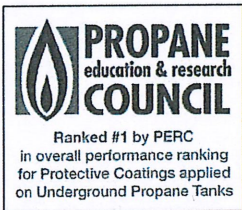
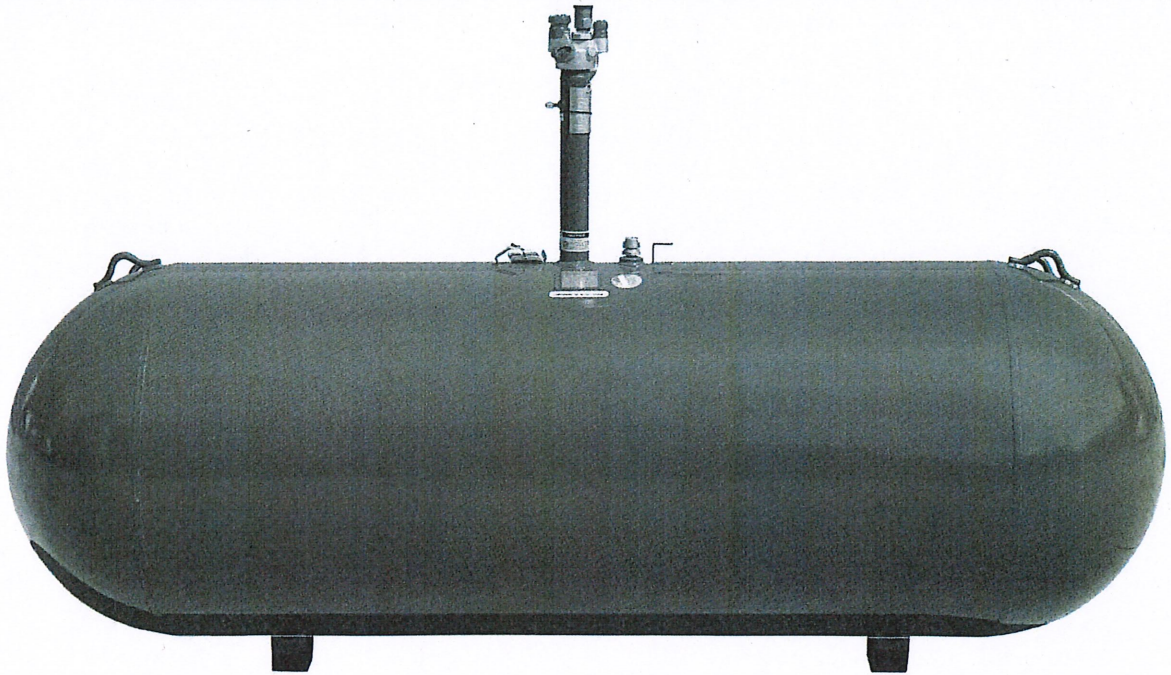
144 North Street  
Waltham, Massachusetts 02451  
www.stantec.com  
The Contractor shall be responsible for all information contained herein. Stantec shall not be responsible for any errors or omissions. The Contractor shall be responsible for obtaining all necessary permits and approvals. The Contractor shall be responsible for coordinating with all relevant agencies and stakeholders. The Contractor shall be responsible for maintaining accurate records and documentation throughout the project.



**ARCOSA**  
TANK

120-2,000 wg

## Underground Domestic Tank



### Tank Features:

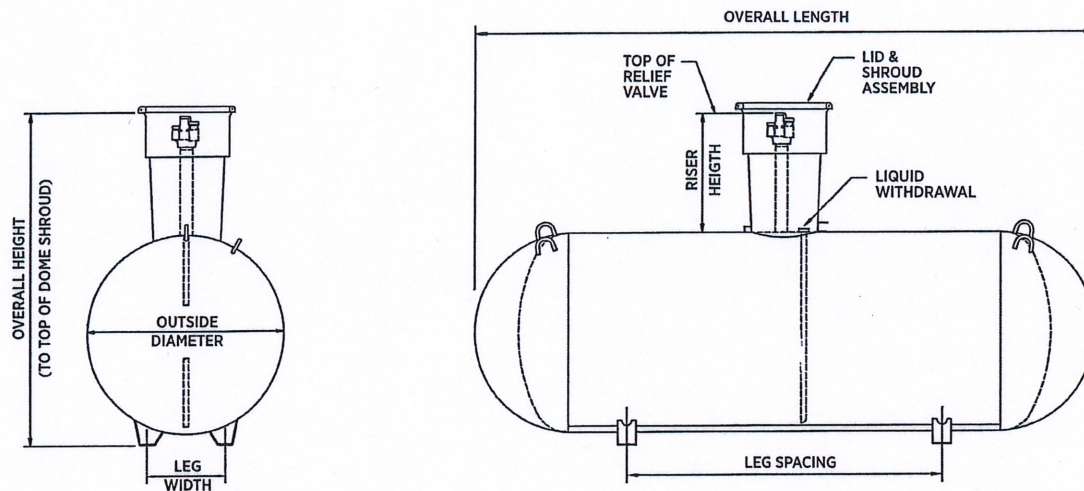
- Superior, ready to bury, red oxide durable powder coating
- Black polyethylene shroud for durability and easy access
- Duplicate stainless steel nameplate
- Anode bolt attached on riser for easy, secure cathodic connection
- Dual lifting lugs for 500 wg and 1,000 wg
- Steel galvanized domes in select colors
- Vacuum Purge
- #72 liquid level outage valve orifice

Fabricated to A.S.M.E. code, Section VIII, Division 1  
Registered with the National Board  
Registered with CRN (Canadian Registration Number)

**For more information**  
888.558.8265



### Underground Domestic Tanks



### GENERAL SPECIFICATIONS

Conforms to the latest edition of the ASME, Section VIII, Division 1. Complies with NFPA 58.

Container pressure rated at 250 psig from -20° F. to 125° F. All tanks may be evacuated to a full (14.7 psi) vacuum.

Vessel Finish: Coated with TGIC red powder.

Applicable federal, state, or local regulations may contain specific requirements for protective coatings and cathodic protection. The purchaser and installer are responsible for compliance with all federal, state, local and NFPA Industry regulations. Cathodic protection is required and coating must be continuous and uninterrupted and must comply with local, state or national code.

### UNDERGROUND VESSEL DIMENSIONAL INFORMATION

| Water Capacity        | Outside Diameter     | Head Type | Overall Length              | Overall Height            |                            | Leg Width           | Leg Spacing               | Weight                    | Quality   |           |
|-----------------------|----------------------|-----------|-----------------------------|---------------------------|----------------------------|---------------------|---------------------------|---------------------------|-----------|-----------|
|                       |                      |           |                             | Riser Height 14"          | Riser Height 28"           |                     |                           |                           | Full Load | Per Stack |
| 120 wg.<br>454.2L     | 24"<br>609.6 mm      | Ellip     | 5' - 5 7/8"<br>1,673.2 mm   | 3' - 4 5/8"<br>1,031.9 mm | 4' - 6 3/4"<br>1,390.7 mm  | 10 1/8"<br>257.2 mm | 3' - 0"<br>914.4 mm       | 268 lbs.<br>121.6 kg.     | 72        | 9         |
| 250 wg.<br>946.3 L    | 31.5"<br>800.1 mm    | Hemi      | 7' - 2 1/2"<br>2,197.1 mm   | 4' - 0 5/8"<br>1,235.1 mm | 5' - 2 1/16"<br>1,576.4 mm | 12 3/4"<br>323.9 mm | 3' - 6"<br>1,066.8 mm     | 490 lbs.<br>222.3 kg.     | 42        | 7         |
| 320 wg.<br>1,211.2 L  | 31.5"<br>800.1 mm    | Hemi      | 8' - 11 3/4"<br>2,736.9 mm  | 4' - 0 5/8"<br>1,235.1 mm | 5' - 2 1/16"<br>1,576.4 mm | 12 3/4"<br>323.9 mm | 4' - 0 1/4"<br>1,225.6 mm | 610 lbs.<br>276.7 kg.     | 35        | 7         |
| 500 wg.<br>1,892.5 L  | 37.42"<br>950.5 mm   | Hemi      | 9' - 10"<br>2,997.2 mm      | 4' - 6 1/2"<br>1,384.3 mm | 5' - 8 1/8"<br>1,730.4 mm  | 15"<br>381.0 mm     | 5' - 0"<br>1,524.0 mm     | 921 lbs.<br>417.7 kg.     | 25        | 5         |
| 1000 wg.<br>3,785.0 L | 40.96"<br>1,040.4 mm | Hemi      | 15' - 10 7/8"<br>4,848.2 mm | 4' - 9 1/2"<br>1,460.5 mm | 6' - 0"<br>1,828.8 mm      | 16 1/4"<br>412.8 mm | 9' - 0"<br>2,743.2 mm     | 1,760 lbs.<br>798.3 kg.   | 15        | 5         |
| 1465 wg.<br>5,545.0 L | 46.77"<br>1,188 mm   | Ellip     | 17' - 6 7/8"<br>5,356.2 mm  | 5' - 3 7/8"<br>1,722.4 mm | 6' - 5"<br>1,955.3 mm      | 21"<br>533.4 mm     | 10' - 0"<br>3,084 mm      | 2,830 lbs.<br>1,283.7 kg. | 9         | 3         |
| 2000 wg.<br>7,570.0 L | 46.77"<br>1,188 mm   | Ellip     | 23' - 9"<br>7,239 mm        | 5' - 3 7/8"<br>1,722.4 mm | 6' - 5"<br>1,955.3 mm      | 21"<br>533.4 mm     | 14' - 0"<br>4,267.2 mm    | 3,685 lbs.<br>1,671.5 kg. | 6         | 3         |

All vessels dimensions are approximate.

Rev: January 8, 2019



For more information  
888.558.8265

## Tracie Craig-McGee

---

**From:** Michael P. O'Brien, Fire Chief  
**Sent:** Wednesday, September 1, 2021 3:24 PM  
**To:** Tracie Craig-McGee  
**Subject:** RE: Propane storage tanks - 57 Long Point Road

Tracie,

Here some of the requirements that I will be imposing on this project by code.

6.27.3\* Protection of ASME Containers.

6.27.3.1\* Fire protection shall be provided for installations with an aggregate water capacity of more than 4000 gal (15.2 m<sup>3</sup>) and for ASME containers on roofs.

6.27.3.2 The modes of fire protection shall be specified in a written fire safety analysis for new installations, for existing installations that have an aggregate water capacity of more than 4000 gal (15.2 m<sup>3</sup>), and for ASME containers on roofs. Existing installation shall comply with this requirement within 2 years of the effective date of this code.

6.27.3.3 The fire safety analysis shall be submitted by the owner, operator, or their designee to the authority having jurisdiction and local emergency responders.

6.27.3.4 The fire safety analysis shall be updated when the storage capacity or transfer system is modified.

6.27.3.5 The fire safety analysis shall be an evaluation of the total product control system, such as the emergency shutoff and internal valves equipped for remote closure and automatic shutoff using thermal (fire) actuation, pull away protection where installed, and the optional requirements of Section 6.28.

A fire safety analysis should include the following:

- (1) Effectiveness of product control measures
- (2) Analysis of local conditions of hazard within the container site
- (3) Exposure to or from other properties, population density, and congestion within the site
- (4) Probable effectiveness of plant fire brigades or local fire departments, based on adequate water supply, response time, and training
- (5) Consideration for the adequate application of water by hose stream or other method for effective control of leakage, fire, or other exposures
- (6) If necessary, designated time period for review of the fire safety analysis with local emergency response agencies to ensure preplanning and emergency response plans for the installation are current

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

**From:** Michael P. O'Brien, Fire Chief  
**Sent:** Monday, August 30, 2021 1:54 PM  
**To:** Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>  
**Subject:** RE: Propane storage tanks - 57 Long Point Road

Jon Delli Priscoli seems to be the guy who has completed all the permit applications for the project.

bjohnson@edaville.com

Thank you!

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

From: Tracie Craig-McGee

Sent: Monday, August 30, 2021 1:10 PM

To: Michael P. O'Brien, Fire Chief <mobrien@lakevillema.org>

Subject: Propane storage tanks - 57 Long Point Road

Hi Mike,

Here is their application. 2 things to note: they did not list an owner's name (Lake Point is the development). I have contacted Osterman and they don't know who it is. I am waiting to hear back from them.

They also did not indicated UST or AST. As the drawing shows UST, I assume that is the case. I have asked for confirmation from them.

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



To: Nicholas Kelly  
 First Colony Developers  
 File: Project File

From: Tom Gramza  
 Stantec  
 Date: September 14, 2021

**Reference: Lake Point – Propane Installation Siting Study**

Stantec has recently been requested to provide a code review of a proposed underground propane storage tank installation at the Lake Point site located at 57 Long Point Road in Lakeville, MA. The ASME tanks will be configured in (2) groups of (6) tanks each. The water capacity of each storage tank is 2,000 gallons. The scope of this assessment is to verify compliance with the facility siting requirements of the following codes and standards:

- 527 CMR 1.00: Massachusetts Comprehensive Fire Safety Code
  - NFPA 1 (2015 Edition) w/ Amendments
- NFPA 58: Installation of LP-Gas Systems (2014 Edition)

The following two documents, provided by First Colony, were used to perform this assessment:

- "57 Long Point Lakeville Tank Diagram" – Attachment 1
- "Propane Layout Sketch\_8-18-21" – Attachment 2

This assessment is focused solely on the spacing requirements of buried propane tanks. This assessment does not address the 527 CMR 1.00 permitting, installation, inspection and testing requirements associated with the installation of buried propane tanks and the associated piping, valves and appurtenances.

The following table summarizes the applicable spacing requirements, and indicates whether the proposed layout meets these requirements:

| Siting Criteria                                | Code Requirement   | Code and Section Reference | Evaluation  |
|--|--|----------------------------|---|
| Separation Distance Between Buried Tanks       | 3'-0" minimum spacing between tanks with 0-2,000 gallons of water capacity | NFPA 58, Table 6.3.1.1     | The proposed layout indicated in Attachment 1 meets this criteria.  |
| Distance From Buried Tank to Adjacent Building | 10'-0" minimum   | NFPA 58, Section 6.3.2.3   | The proposed layout indicated in Attachment 2 meets this criteria. Note that the distance from Building B to their associated tanks is approximately 14 ft. to the closest building edge. |

September 14, 2021

Nicholas Kelly

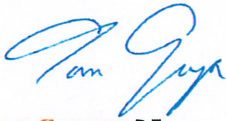
Page 2 of 2

Reference: Lake Point – Propane Installation Siting Study

| Siting Criteria  | Code Requirement | Code and Section Reference | Evaluation   |
|--|------------------|----------------------------|--|
| Distance From Buried Tank to Adjoining Property That Can Be Built Upon | 10'-0" minimum   | NFPA 58, Section 6.3.2.3   | The proposed layout indicated in Attachment 2 meets this criteria. |

Please contact us with any questions.

**Stantec Consulting Services Inc.**



**Tom Gramza** P.E.  
Senior Fire Protection Engineer

Phone: 781 221 1030

Tom.Gramza@stantec.com

c. Katy Konary, Kevin Klein, Peter DiPerna, Wade Stanley, central file

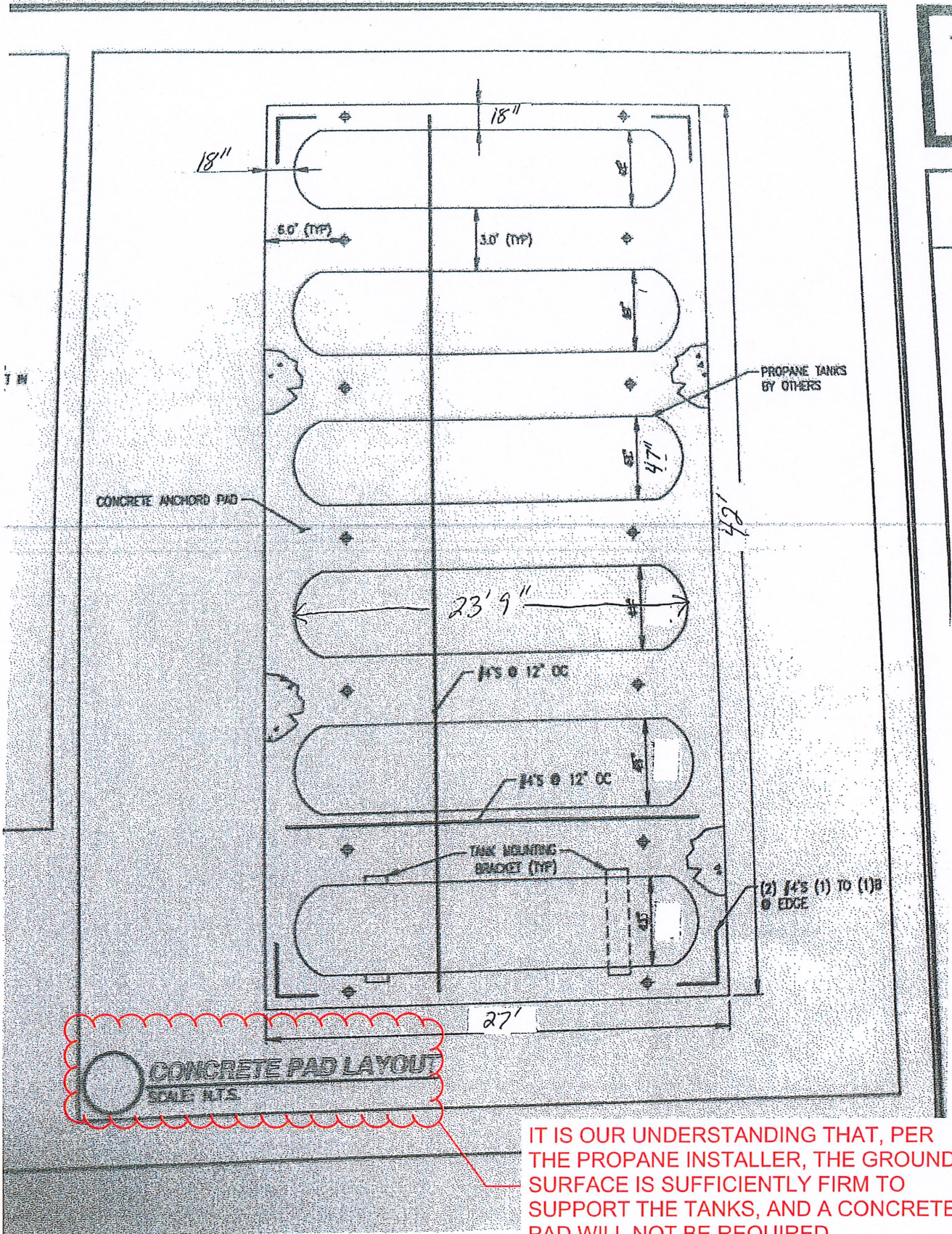
Attachments:

- Attachment 1: "57 Long Point Lakeville Tank Diagram"
- Attachment 2: "Propane Layout Sketch\_8-18-21"



Tank Measurements: 23'9" length x 47" wide

Attachment #1



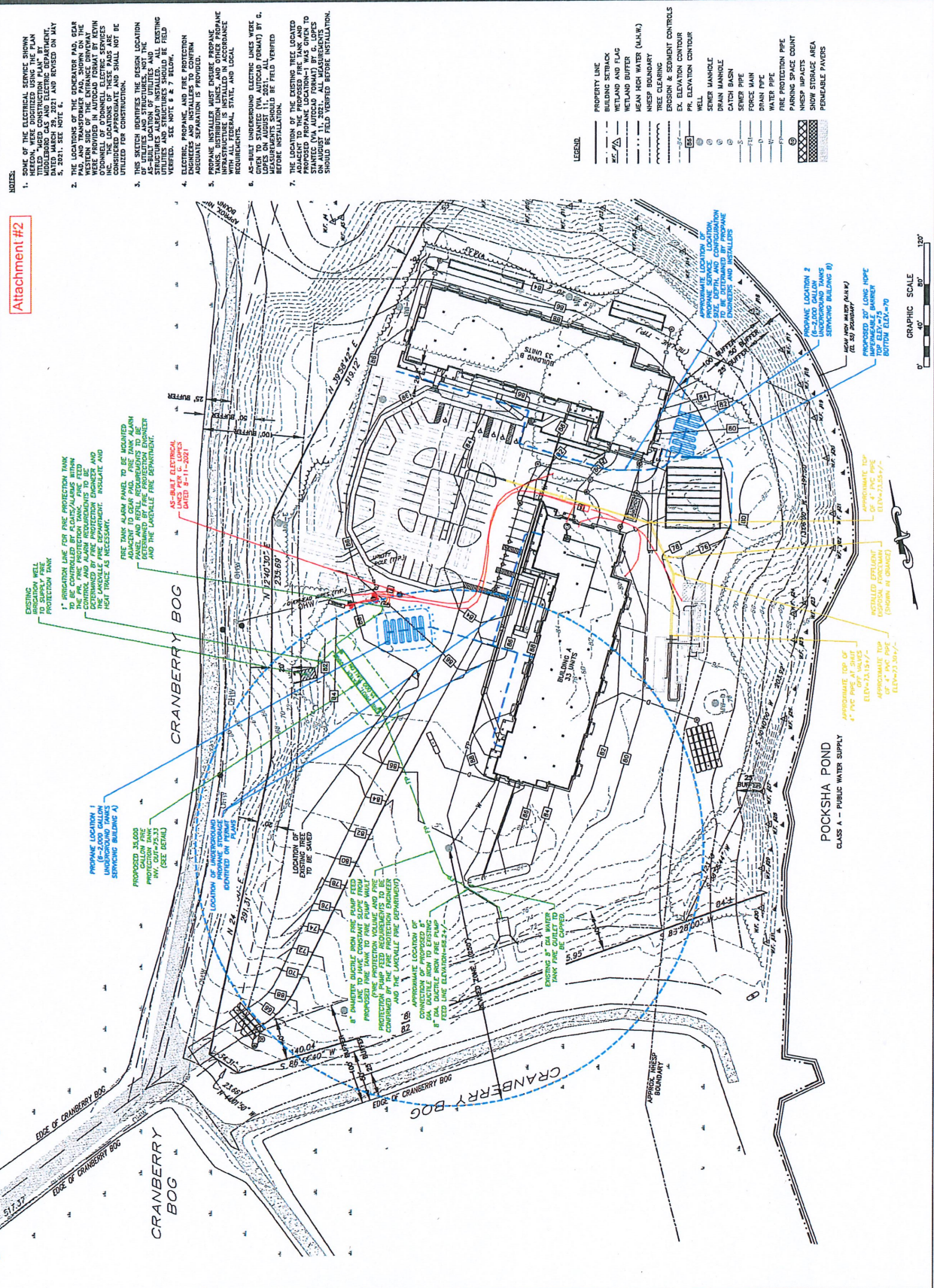
CONCRETE PAD LAYOUT  
SCALE: N.T.S.

IT IS OUR UNDERSTANDING THAT, PER THE PROPANE INSTALLER, THE GROUND SURFACE IS SUFFICIENTLY FIRM TO SUPPORT THE TANKS, AND A CONCRETE PAD WILL NOT BE REQUIRED.



| NO. | DATE       | DESCRIPTION       |
|-----|------------|-------------------|
| 1   | 11/15/2019 | ISSUED FOR PERMIT |
| 2   | 11/15/2019 | ISSUED FOR PERMIT |
| 3   | 11/15/2019 | ISSUED FOR PERMIT |
| 4   | 11/15/2019 | ISSUED FOR PERMIT |
| 5   | 11/15/2019 | ISSUED FOR PERMIT |
| 6   | 11/15/2019 | ISSUED FOR PERMIT |
| 7   | 11/15/2019 | ISSUED FOR PERMIT |
| 8   | 11/15/2019 | ISSUED FOR PERMIT |
| 9   | 11/15/2019 | ISSUED FOR PERMIT |
| 10  | 11/15/2019 | ISSUED FOR PERMIT |
| 11  | 11/15/2019 | ISSUED FOR PERMIT |
| 12  | 11/15/2019 | ISSUED FOR PERMIT |
| 13  | 11/15/2019 | ISSUED FOR PERMIT |
| 14  | 11/15/2019 | ISSUED FOR PERMIT |
| 15  | 11/15/2019 | ISSUED FOR PERMIT |
| 16  | 11/15/2019 | ISSUED FOR PERMIT |
| 17  | 11/15/2019 | ISSUED FOR PERMIT |
| 18  | 11/15/2019 | ISSUED FOR PERMIT |
| 19  | 11/15/2019 | ISSUED FOR PERMIT |
| 20  | 11/15/2019 | ISSUED FOR PERMIT |

**Attachment #2**



**AGENDA ITEM #3  
SEPTEMBER 20, 2021**

**INTRODUCTION OF NEW FULL TIME FIREFIGHTERS JASON KIRBY AND JOSHUA KING AND CALL FIREFIGHTERS DUSTIN MACKIEWICZ; MARK REGAN; ANTHONY DIMARE AND BLAKE WILLIAMS**

Chief O'Brien will be present to introduce the new firefighters and call firefighters to the Board. I have attached a memo from him.





## Lakeville Fire Department

346 Bedford Street  
Lakeville, Massachusetts 02347

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

MICHAEL O'BRIEN  
FIRE CHIEF  
mobrien@lakevillema.org

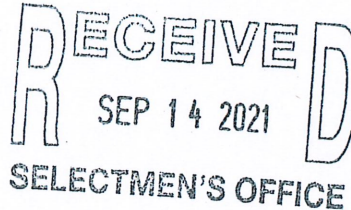
PAMELA GARANT  
DEPUTY CHIEF  
pgarant@lakevillema.org

To: Ari Sky, Town Administrator

From: Michael O'Brien

RE: New appointments

Date: September 14, 2021



This document has been written to request the opportunity to address the Lakeville Board of Selectmen to present the following candidates for the position of full time and on-call firefighter of Lakeville Fire Department.

#### Fulltime Firefighter:

1. Jason Kirby
2. Joshua King

#### On-call Firefighter:

1. Dustin Mackiewicz
2. Mark Regan
3. Anthony DiMare
4. Blake Williams

These candidates are in various stages of the new employee vetting procedure. Each candidate will be subject to a 1-year probationary procedure. Each candidate, if they have not already done so, will be required to complete the most appropriate basic firefighting academy. Fulltime firefighter candidates, if they are not already licensed, will be required to complete and maintain paramedic licensure within 1 year of appointment.

**AGENDA ITEM #4  
SEPTEMBER 30, 2021**

**BOARD OF SELECTMEN  
ANNOUNCEMENTS**

**AGENDA ITEM #5  
SEPTEMBER 20, 2021**

**TOWN ADMINISTRATOR ANNOUNCEMENTS**

**AGENDA ITEM #6  
SEPTEMBER 20, 2021**

**REVIEW AND VOTE TO PLACE ARTICLES ON THE  
SPECIAL TOWN MEETING WARRANT  
NOVEMBER 8, 2021**

Attached are the draft warrant articles for the November 8, 2021 Special Town Meeting for your review and vote.



**Fall 2021 Special Town Meeting**  
**Draft Articles**

**Budget Amendments**

**ARTICLE :** To see if the Town will vote to transfer the sum of \$423.37 from Free Cash and \$155.00 from Park Retained Earnings to pay for the following unpaid bills from the prior fiscal year; or take any other action in relation thereto.

| <b>Unpaid Bill No.</b> | <b>Department</b> | <b>Vendor</b>               | <b>Amount</b>   | <b>Purpose</b>           |
|------------------------|-------------------|-----------------------------|-----------------|--------------------------|
| 1                      | Town Offices      | Ricoh                       | \$353.37        | Copier services          |
| 2                      | Police            | M&S Automotive Repair, Inc. | 35.00           | State Inspection         |
| 3                      | Police            | M&S Automotive Repair, Inc. | 35.00           | State Inspection         |
| 3                      | Park              | Mr. Cesspool                | 155.00          | Portable Restroom Rental |
|                        | <b>Total</b>      |                             | <b>\$578.37</b> |                          |

**ARTICLE :** To see if the Town will vote to raise and appropriate from taxation the sum of \$67,000 and transfer from Septic Loan Fund the sum of \$15,000 to supplement the appropriations stated below that were previously voted in Article 1 of the May 10, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for various Town Departments; or take any other action in relation thereto.

| <b>Line No.</b> | <b>Department</b>            | <b>Budget Line Item</b> | <b>Amount</b>   | <b>Purpose</b>                            |
|-----------------|------------------------------|-------------------------|-----------------|---|
| 1               | Selectmen/<br>Administration | Salaries                | \$62,000        | Asst Town Admin / Town Planner            |
| 9               | Treasurer/<br>Collector      | Salaries                | (9,500)         | New Treas/Coll started mid-October        |
| 10              | Treasurer/<br>Collector      | Expenses                | 9,500           | Interim Treas/Coll<br>Contracted Services |
| 30              | Cable TV<br>Advisory         | Expenses                | 5,000           | Verizon contract negotiation              |
| 65              | Debt Service                 | Principal               | 15,000          | Septic Loan Program                       |
|                 | <b>Total</b>                 |                         | <b>\$82,000</b> |   |

**ARTICLE :** To see if the Town will vote to rescind the borrowing authority for \$95,163 which constitutes the balance that is not going to be borrowed for the Police Station construction; Article 9 of the June 12, 2017 Annual Town Meeting.

**Assawompset School Renovations**

**ARTICLE :** To see if the Town will approve the \$90,000 borrowing authorized by the Freetown-Lakeville Regional School District for the purpose of paying costs of Assawompset Elementary School repairs, feasibility study thru schematic design, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the School Building Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA.

*NOTE: This article will only be proposed if the MSBA Board approves the ARP project at its October 27, 2021, meeting.*

## Town Clerk Requested Articles

**ARTICLE :** To see if the Town will vote pursuant to Massachusetts General Law Chapter 41, Section 110A, to allow the Office of the Town Clerk to remain closed on Saturdays and to treat Saturday as a legal holiday for the purposes of calculating the time frame for filing or taking other action required by law, or take any other action relative thereto.

*Explanation: Acceptance of this MGL essentially allows the Town Clerk's Office to treat Saturdays as a legal holiday when calculating filing deadlines, such as voter registrations or submittal of nomination papers.*

**ARTICLE :** To see if the Town will vote to amend Lakeville General Bylaws, Chapter II, by adding the following new section 18 Articles Seeking Special Legislation, to provide as follows:

To enable adequate time for review, no article appearing on a warrant for an Annual or Special Town Meeting, requesting a petition to the General Court to enact special legislation shall be in order for consideration by Town Meeting unless the text of the special legislation sought is included as part of the article or as an appendix to the warrant, or is on file with the Town Clerk at least fourteen (14) days prior to the date of a Special Town Meeting and seven (7) days prior to the date of an Annual Town Meeting at which it will be considered.

or take any other action relative thereto.

*Explanation: This article seeks to avoid some of the confusion observed at the June 21, 2021 Special Town Meeting of the Freetown-Lakeville Lake District by ensuring that voters have the opportunity to look over proposed legislation prior to a town meeting.*

## Community Preservation Act

**ARTICLE: :** To see if the Town of Lakeville will vote to accept sections 3 to 7, inclusive, of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act, (hereinafter "the Act"), and beginning in Fiscal Year 2023, to assess a one percent (1%) surcharge on real property for the purposes permitted by said Act, which include enabling the town to (1) acquire, create and preserve open space, which includes land for parks, recreational uses, conservation areas and the protection of drinking water supplies; (2) create and rehabilitate local parks, playgrounds, and athletic fields; (3) acquire, preserve, rehabilitate and restore historic buildings and resources; and (4) create and preserve affordable housing; and further to adopt the following exemptions from the surcharge: (a) property owned and occupied as a domicile by a person who qualifies for low income housing or low or moderate income senior housing in the Town of Lakeville, as defined in Section 2 of said Act; (b) \$100,000 of the value of each taxable parcel of residential property; and (c) \$100,000 of the value of each taxable parcel of class three, commercial property, and class four industrial property as defined in GLc.59, section 2A. A taxpayer receiving a regular property tax abatement or exemption will also receive a pro rata reduction in the surcharge.

; or take any other action relative thereto

**ARTICLE:** To see if the Town will vote to reaffirm the vote at the June 13, 2005, Annual Town Meeting to adopt the Town's Community Preservation Committee bylaw, as published on the Town's website and on file at the office of the Town Clerk, and by amending Section-6 of said bylaw by striking its text, and replacing it with the following; or take any other action relative thereto.

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.

### Change to Select Board

**ARTICLE:** To see if the Town will vote to amend the Bylaws of the Town of Lakeville to change the title of the "Board of Selectmen" to "Select Board" as follows, or take any other action relative thereto:

1. Amend Chapter III of the Town's General Bylaws, by changing the tile from "Selectmen" to "Select Board"
2. Delete the text of Section 9 of Chapter III and replace it with the following: "The Select Board shall have all the powers and duties of a Board of Selectmen for purposes of the General Laws and any special acts applicable to the Town of Lakeville. The Select Board shall have general direction and management of property and affairs of the town in all matters not otherwise provided for by law or these by-laws.
3. Delete the words "Board of Selectmen" or "Selectmen" in each place they appear in the Town's General and Zoning Bylaws and insert in their place "Select Board".

### Change to Council on Aging Membership

**ARTICLE:** To see if the Town will vote to amend Lakeville General Bylaws, Chapter 1, Section 27, to change the composition of the Council on Aging from an eleven (11) member board with one (1) alternative, to a nine (9) member Board with two (2) alternates, as shown below with additions in **bold** and deletions in ~~strikethrough~~; or take any other action relative thereto.

### COUNCIL ON AGING

#### **Section 27**

**Section 1.** The Board of Selectmen shall appoint a Council on Aging for the purpose of coordinating or carrying out programs designed to meet the problems of the aging in the Town of Lakeville, which shall include, but not be limited to, identifying the needs of the elderly population of the town; educating the community and enlisting support and participation of all citizens about these needs; and designing, promoting and implementing services to fill these needs.

**Section 2.** The Board of Selectmen shall appoint the Council on Aging consisting of Eleven (11) Members and One (1) alternate; **provided, however, that upon the effective date of an amendment to this By-law, the membership of the Council on Aging shall be changed to Nine (9) Members and Two (2) alternates.** Upon the effective date of **an amendment** to this By-law, the appointed incumbents serving at the time of adoption shall continue to serve for the remainder of their terms, unless the incumbent resigns or is removed prior to the end of their term, **and expiring terms and vacant seats shall not be re-filled until the membership reaches Nine (9) members.** Thereafter, the Board shall appoint Members for three year terms. Members can be re-appointed for concurrent terms determined by the discretion of the Board and Appointees acceptance. The Members of the Council shall serve without pay.

The Alternates shall be appointed for a three (3) year term. The Chair may designate ~~the~~ **either or both** Alternates to sit on the Council in the case of absence, inability to act or conflict of interest of any Member, or in the event of a vacancy on the Council until the vacancy is filled.

Whenever a vacancy shall occur in the membership of the Council, by reason of death, resignation, inability to act or for any other reason, the vacancy shall be filled in accordance with the provisions of Massachusetts General Laws, Chapter 41, Section 11. When an opening in the full membership occurs, the Alternate may be considered for appointment to full membership and a replacement Alternate may be appointed.

**Section 3.** The Council on Aging at its first annual meeting and thereafter, annually in June of each year, shall elect from its membership Chair, Vice Chair, Secretary and Treasurer. All members shall assist the Council on Aging Director in carrying out the business of the Council as needed.

*Proposed by the Council on Aging.*

### **Marijuana Overlay Bylaw**

**ARTICLE:** To see is the Town will vote to amend the Lakeville Zoning Bylaw, Section 7.4.6 “Marijuana Uses - Adult Use Marijuana Establishments, and Marijuana Retailers, and Registered Marijuana Dispensaries SPGA – Zoning Board of Appeals; Marijuana Overlay District” Sub-section A by adding the following shown in underline below:

A. All Marijuana Uses, including Adult Use Marijuana Establishments, Marijuana Retailers, and Registered Marijuana Dispensaries, shall require a Special Permit from the Zoning Board of Appeals, and shall only be permitted to locate within the Marijuana Overlay District, as shown on the Town’s Zoning Map. All allowed uses and special permit uses in the underlying district shall remain allowed by right or by special permit as designated in Section 4.1, Table of Use Regulations.

*Explanation: This article addresses considerations identified by the Attorney General’s office regarding action taken by the June 2, 2020, Town Meeting to create the Marijuana Overlay District. Specifically, the Attorney General’s office suggested that the Town clarify the uses that will be allowed by right.*

### **Earth Removal Bylaw**

**ARTICLE:** To see if the Town will vote to amend the Lakeville General Bylaws, Chapter 5, by deleting the section titled “Earth Removal” and replacing it with a new section entitled “Earth Work,” as set forth below, or take any other action relative thereto.

## **CHAPTER V**

### **EARTH WORK.**

Section 1. Definitions.

Board – the Town of Lakeville Board of Health

Earth – any form of soil, rock or dirt, including but not limited-to sod, loam, peat, humus, clay, sand, stone, gravel, rock, and ledge.

Earth Removal - removal of Earth from its present location to another location by any means, including but not limited to, stripping, excavating, mining or blasting.

Earth Work – any Earth Removal, Stockpiling or Fill operation.

Fill – the use of Earth from another location for the purpose of changing the topography of a site.

Stockpiling – the keeping and storage of Earth brought to a site from another location for the purpose of using it.

## Section 2. Permit Required.

No person, firm or corporation shall perform Earth Work in the Town of Lakeville without first obtaining a permit from the Board, as provided in this Bylaw.

Notwithstanding the provisions of the preceding paragraph, the following Earth Work projects may be undertaken without a permit:

1. Earth Work by any governmental entity, including but not limited to the Town of Lakeville;
2. Earth Work involving less than 5,000 square feet of earth in a single calendar year;
3. Earth Work in connection with agricultural use of land, including cranberry bog maintenance operations;
4. Earth Work that is merely incidental to the construction or installation of buildings, structures, swimming pools, septic systems, utilities, fences, athletic courts, driveways, parking lots, walkways and other construction or installations occurring on the site from which the earth is removed; provided that the project is being done in accordance with all required permits and approvals, the amount of earth removed does not exceed the amount needed for the construction or installation and the removal of earth does not result in topographical changes to the surrounding land; and
5. The transfer of earth from one portion of a parcel to another portion of the same parcel for purposes of improving the same.

## Section 3. Procedure

An application for an Earth Work Permit shall be in writing, on a form provided by the Board, and shall include but not be limited to the following information:

1. The location of the proposed work.
2. The legal name and address of the owner of the property involved.
3. The legal name and address of the applicant (if different than the owner).
4. A plan and representative profiles of the area, prepared by a Registered Professional Engineer, from which final grades may be established.
5. The anticipated amount (in cubic yards) of earth work involved.
6. The reason for the project.
7. The type of work – Earth Removal, Stockpiling or Fill.
8. Previous earth removal activities on the property.
9. The source of Earth for Stockpiling and Fill projects

Upon receipt of a completed application and payment of applicable fees, the Board shall conduct a public hearing on the application. Notice of said hearing shall be provided, at the applicant's expense, to all abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within three hundred feet, and by publication in a newspaper of general circulation in the Town once, at least seven days prior to the hearing.

If the Board finds, based on the facts adduced at said hearing, that the permit may result in a nuisance or that it will otherwise create a risk of harm to public health, safety or welfare, the Board may deny the application.

In approving the issuance of a permit, the Board may impose reasonable conditions, designed to protect public health, safety and welfare, which may include but not be limited to the following:



1. The finished leveling and grading shall be indicated on the approved plans as indicated and submitted to the Board, but in no event shall any grade be below the grade of any abutting and established way open to the public or private use, except that if on the authority of a Registered Civil Engineer it is determined by the Board that such a change in grade below the existing grade is advantageous to the proposed change in topography.
2. No Earth Work permit shall be approved by the Board if the work extends within four hundred (400) feet of a way open to the public whether public or private, or within one hundred (100) feet of a building or structure or property line, unless the Board is satisfied that such removal will not undermine the way or structure, or prove detrimental to the neighborhood.
3. The placing of topsoil and planting necessary to restore the area to usable condition. Cover of topsoil of not less than 4 inches in depth shall be replaced or allowed to remain.
4. The duration of the operation.
5. The construction of necessary fencing and other protections against nuisances and/or erosion.
6. Methods for the work.
7. Temporary structures.
8. Hours of operation.
9. Routes of travel or transportation of material.
10. Control of temporary or permanent drainage.
11. Disposition of boulders and tree stumps.
12. Set and maintain permanent monuments at each property corner.
13. Slopes shall not be steeper than 4 to 1.
14. Imported earth material and/or fill may not contain debris, rebar, concrete, other building materials, clay, seashells, asphalt, glass or any solid waste of any kind. Imported materials must be soil and/or clean fill.

The Board may require a bond, or at the election of the applicant, the deposit of money into an escrow account to enforce performance of conditions imposed pursuant to this bylaw. The total amount of the bond or security deposit shall be determined by the Board and shall be based upon the extent of the operations as indicated on the plans submitted by the applicant.

The Board may adopt, and may from time-to-time revise, regulations to implement the provisions of this bylaw relative to conducting public hearings and establishing criteria for determining whether a project is likely to result in a nuisance or that it will otherwise create a risk of harm to public health, safety and welfare.

#### Section 4. General Conditions.

Permits shall be in effect for a period of one (1) year from the date of issue.

All Earth Work operations shall be conducted in accordance with the requirements of this bylaw, regulations of the Board adopted pursuant thereto and all conditions imposed by the Board.

All Earth Work operations shall be conducted in accordance with applicable federal, state and local laws concerning the operation, including but not limited to the requirements of the Conservation Commission. It shall be the applicant's responsibility to ensure compliance with such laws and the issuance of a permit by the Board shall not authorize any Earth Work operation undertaken in violation of any other applicable statute, rule or regulation.

#### Section 5. Permit Renewals

An application for renewal of an Earth Work Permit shall be in writing, on a form provided by the Board, and shall be submitted to the Board at least forty-five (45) days prior to expiration of the permit, along with the applicable renewal fee.

Any application for renewal not submitted within the time required by this bylaw shall be treated as a new application.

Each renewal application include all of the information required by the Board, and shall specify the number of cubic yards of material removed during the prior permit term and shall be accompanied by an elevation plan on a 50-foot grid prepared by a Registered Civil Engineer, showing before, after and proposed final elevations.

Upon receipt of a completed application and payment of the applicable fee, the Board may renew the Earth Work Permit without first conducting a public hearing, provided that all conditions of the permit and this bylaw have been complied with and the Applicant has not changed the scope of the project as originally approved. In all other cases, a public hearing shall be required in accordance with the procedure set forth in Section 3 of this bylaw.

#### Section 6. General Administration

The Board or its designated representatives may enter upon the premises involved from time to time to inspect and ensure proper conduct of the work.

The Board may adopt and may from time-to-time revise a schedule of reasonable fees to cover the costs associated with the administration of this bylaw.

The Board may engage engineers, scientists, financial analysts, planners, attorneys or other appropriate professionals, who can assist the Board in analyzing a project or application to ensure compliance with all relevant laws, bylaws, standards and regulations. Such assistance may include, but not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decision or regulations, or inspecting a project during construction or implementation.

The Board may adopt and from time-to-time revise regulations for the imposition of reasonable fees for the employment of such outside consultants as set forth in M.G.L. c. 44, §53G.

The Board or its designated representatives reserve the right to inspect the applicant's records at any time.

#### Section 7. Enforcement

The Board may modify, suspend or revoke any permit issued pursuant to this bylaw for any violation of this bylaw, regulations of the Board adopted pursuant thereto or any conditions imposed by the Board. Such modification, revocation or suspension may take place after a hearing held by the Board of which the permit holder is given seven (7) days written notice. Such notice shall be deemed given upon mailing same, certified mail, return receipt requested, to the address listed on the permit application.

This bylaw may be enforced by the Town's Building Commissioner or his designee. Whoever violates any provision of this bylaw may be penalized by a noncriminal disposition process as provided in G.L. c.40, §21D and the Town's non-criminal disposition bylaw. If noncriminal disposition is elected, then the non-criminal fine for each such violation, if not otherwise specified, shall be:

|                                |       |
|--------------------------------|-------|
| First Offense:                 | \$100 |
| Second Offense:                | \$200 |
| Third and Subsequent Offenses: | \$300 |

Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.



Whoever violates any provision of this bylaw may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be three hundred dollars (\$300). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

The Board may enforce this bylaw or enjoin violations thereof through any lawful process, and the election of one remedy by the Board shall not preclude enforcement through any other lawful means.

#### Section 8. Severability

If any provision of this bylaw shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions.

**AGENDA ITEM #7  
SEPTEMBER 20, 2021**

**REVIEW BUDGET PROCESS FOR FY23**

# TOWN OF LAKEVILLE

Fiscal Year 2023

## Budget Process Calendar

|                            |  |
|----------------------------|--|
| Thursday, November 4, 2021 | Department Heads Budget Kickoff<br>General Guidelines, Budget/Capital Forms distributed    |
| Monday, November 22, 2021  | Board of Selectmen Meeting – Budget Guidance/Objectives                                    |
| Monday, December 6, 2021   | Internal Deadline for Operating and Capital Budget Submissions                             |
| Mid-January 2022           | Preliminary Revenue Budget Completed (Governor’s Budget)                                   |
| Monday, January 24, 2022   | Board of Selectmen – Proposed FY 2023 Budget Presentation and Overview                     |
| February 2022              | Board of Selectmen – Budget Reviews and Recommendations                                    |
| Mid-March 2022             | Submission deadline for Articles<br>Education Budget, approved by F-L RSD School Committee |
| March 2022                 | Finance Committee – budget reviews/recommendations   |
| Mid-April 2022             | Finalize FY2023 Recommended Budget/Capital Plan<br>STM/ATM Warrants published/posted       |
| Monday, May 9, 2022        | Special/Annual Town Meetings   |



**AGENDA ITEM #8  
SEPTEMBER 20, 2021**

**REVIEW AND POSSIBLE VOTE TO APPROVE  
REVISED JOB DESCRIPTION FOR ASSISTANT  
TOWN CLERK**

Attached is the draft job description for the Assistant Town Clerk for the Board's review.



FROM THE OFFICE OF  
LILLIAN M. DRANE  
MMC/CMMC

## TOWN OF LAKEVILLE


### OFFICE OF THE TOWN CLERK

346 Bedford Street  
Lakeville, Massachusetts 02347  
508-946-8814  
ldrane@lakevillema.org

RECEIVED  
SEP 15 2021  
SELECTMEN'S OFFICE

### MEMORANDUM

**TO:** Board of Selectmen

**FROM:** Lillian M. Drane, Town Clerk/Chief Elections Officer/Board of Registrar 

**DATE:** September 15, 2021

**RE:** Revised Job Description for the Assistant Town Clerk

As you may know, my Assistant Town Clerk of 5 ½ years left to seek her teaching career, so during her tenure her essential responsibilities, activities, qualifications, and duties for her role changed due to unfunded mandates and the required mandated early voting sessions and vote by mail for all local, state and federal elections in Massachusetts.

Attached, please find the revised **DRAFT** job description for the Assistant Town Clerk position. The previous job descriptions from 2007, and 2015 were generic ones, so to be more precise and detailed to the everyday responsibilities and duties that's currently required, changes had to be made.

The highlighted day-to-day activities of the position have been revised and clarified, so the candidates understand the work environment and the activities they will be exposed to on a daily basis.

Revisions were made as well on the qualifications and skills set, to identify the must-haves vs nice-to have skills and qualifications for the role and to encourage a more diverse set of candidates to apply.

This revised job description will provide enough details for candidates to determine if they're qualified for the position.

Thank you for your consideration. Please do not hesitate to let me know if you have any questions or would like to discuss this position.

*Attachment*



**TOWN OF LAKEVILLE  
TOWN CLERK'S OFFICE  
ASSISTANT TOWN CLERK**

**GENERAL STATEMENT OF DUTIES:** Under the direction of the Town Clerk, provides comprehensive administrative and clerical support to the work assisting the Town Clerk, Elections and the Board of Registrars in the administration of the Town Clerk's Office with in strict accordance to the Massachusetts General Laws, Town By-Laws and Federal Laws and regulations. The position performs routine to complex administrative and customer service work assisting the Town Clerk and the office by maintaining records, issuing official documents, and providing information to the general public and town departments. Therefore, oversees daily operation and related work as required in accordance with local by laws and State statutes.

The identity of the Assistant Town Clerk is registered with the Secretary of State. In the absence or unavailability of the Town Clerk, the Assistant has the authority to assume the duties of the Town Clerk in the operation of the office, subject to the requirements and the penalties applicable to the office; act as keeper and dispenser of the Town Seal.

**SUPERVISION RECEIVED:** Works under the general supervision of the Town Clerk and in accordance with the applicable provisions of the Massachusetts General Laws.

**SUPERVISION EXERCISED:** May at times supervise election workers, town meeting workers and volunteers.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

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

Assist the Town Clerk in the maintenance Maintains of vital statistics, recording births, marriages and deaths; issues certified copies of statistics as requested ensuring restricted access to vital records; assists in the direction of the Town census; serves as custodian of Town records and of the official seal of the Town; in the absence of the Town Clerk administers Oaths of Office as necessary to all elected and appointed officials of the Town and all members of boards as well as administers and distribute Conflict of Interest, Open Meeting Law, etc. to all employees and board members and maintains database of yearly distribution of same.



Continuously aAssists the Town Clerk in the administration and operation of election activities; including absentee and early voting ballot processing and sessions; assists in administering voter registrations and in maintaining complete and updated street lists and voter lists and enters all necessary changes into the state Voter Registration system (VRIS), sends acknowledgements. Participates in conducting and recording the Annual Street Census; sorts and returns and verifies data with the state computer system. Assists with certification of signatures on petitions and nomination papers both statewide and locally.

Receives and stamps accurate time and date of receipt on documents including but not limited to Planning Board and Zoning Board of Appeals applications and decisions; maintains project files and logs of same and sells town bylaws and maps. Records, files documents or disposes of documents in accordance with State statute and established office procedures.

Issues, records, and collects fees for a large variety of State, County and Town licenses, certificates and permits such as dogs, kennels, hunting and fishing, businesses, fuel storage, junk dealers, junk collectors, auctioneers, raffles and bazaars, etc. after obtaining all applicable information and receiving necessary approvals. Record and file such records as resignations of official elected and appointed. Record, file and issue Business Certificates and manages monthly renewals and database. Serves as primary contact for dog licensing, issuing licenses, entering rabies vaccination information, printing reports for animal control, sending reminder notices to dog owners, maintain database and liaison to the municipal hearing officer. related matters.

Assist in the posting Post of general meeting notices and public hearing notices in accordance with the Open Meeting Law; maintains notices on the Town's official website calendar and Office bulletin board and in the Town Clerk's office, schedules conference room as directed, and files minutes from these meetings.

Assists in the preparation of materials for Town Meeting; attends Town Meetings and assists in the maintenance of related records.

Assist as ~~As~~ Board of Health Burial Agent, issues burial permits, and processes payments and generates deeds for Town owned cemetery lots.

Under the direction of the Town Clerk, cCompiles daily departmental receipts, from all monies collected from fees, records same in Clerk's cash draw and transmits receipts to the Treasurer on a monthly basis processes timely turnovers to the Treasurer and submits reports as required.

Errors could result in delay in service, considerable monetary loss, or legal consequences to the Town.

**OTHER REQUIRED RESPONSIBILITIES:**

Answers all questions from the general public including town employees, federal, state, county and local officials. Contacts are primarily in person, directly and by telephone, online and email; provides information and makes referrals to other departments, offices and agencies; provides information requested by Town Officials. The Clerk's office is usually the first door of government accessed by individuals seeking information and resolution to problems. Communication with the public requires considerable patience, courtesy, discretion in an impartial manner and the ability to maintain confidentiality and professionalism. Greet visitors, explain office procedures, and respond to questions within level of expertise and authorization, referring more complex issues to the Town Clerk. Issues may include:



- Explanation of department policies, regulations and office procedures, including restrictions or requirements that apply in individual situations.
- Explanation and interpretation of Town Bylaws, state and federal regulations, and policies and procedures relevant to the functions of the Town Clerk's Office.
- Explanation of the process surrounding voter registration, requests for vital statistics, licenses, and business certificates.

Performs routine clerical functions such as typing forms and correspondence, maintaining both paper and computerized databases and filing systems, photocopying, faxing, answering telephones, relaying messages, and sorting and delivering the mail to all departments, boards and commissions.

Assists the public with genealogical research, town government history and personnel histories and as requested, assist the Town Clerk in responding to Public Records request.

Performs other duties as assigned and in conjunction with other Town employees and departments.

Regular attendance at workplace is required.

Notarizes documents for Town employees and the public.

### **QUALIFICATIONS AND SKILLS:**

Working knowledge of State statutes and Town By-laws relating to the duties and responsibilities of Town Clerks, knowledge of election and voter registration laws and procedures; general knowledge of the operation and procedures of local government.

Strong written and oral communication skills; ability to interact effectively with staff and the public in a pleasant and courteous manner.

Thorough knowledge of office procedures, practices and terminology. Proficient in Microsoft Office, including Word, Excel, Access and Outlook. Ability to operate standard office equipment, word processing and statistical applications including Town and State software applications.

Ability to understand, learn, interpret and explain policies and procedures and apply such guidelines appropriately to different situations.

Ability to establish and maintain effective and harmonious working relationships with Town Officials and departments, State agencies and the general public.

~~Skill in operating personal computers and applicable word processing and statistical applications including Town and State software applications.~~

Excellent clerical, organizational, and record management and writing skills. Ability to maintain detailed and extensive records and prepare necessary reports.

The skill to prioritize and multi-task in fast-paced environment and deal with interruptions is essential.

~~Working knowledge of office procedures, practices, and equipment.~~

Ability to exercise independent judgment and maintain confidentiality.



Ability to prepare, type and proofread forms and correspondence.

Ability to follow written and oral directions.

Must be or have the ability to become a Massachusetts Notary Public Commission desirable, will be required within ~~6 months~~ 12 months from date of hire.

Ability to attend various training programs and conferences off site on an annual basis as deemed appropriate by the Town Clerk.

Ability to be bonded.

**EDUCATION, EXPERIENCE AND TRAINING:**

Bachelor's degree in business management; records management; public administration or related field with ~~three~~ four (3-4) to five (5) years of supervisor and records management experience in municipal government experience preferred; or an equivalent combination of education and work experience.

**PHYSICAL REQUIREMENTS:**

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

While performing the duties of this job in a municipal setting, the employee is required to write, talk, hear, sit and stand for extended periods. Occasionally requires walking, bending, stooping, reaching, carrying and lifting possibly up to 40 pounds.

The employee must have good vision to view computer screens and numbers and read reports and printouts for analytical purposes. Requires manual dexterity in combination with eye-hand coordination for keyboard input, and data entry.

**WORKING CONDITIONS:**

Monday through Friday, 40-hour work week.

Work is performed in an office environment. Majority of work is performed in a moderately noisy and busy environment; work is subject to seasonal fluctuations and administrative deadlines. Employee must be able to perform duties while being constantly interrupted. It can be frequently subjected to a stressful environment and the workload can vary as a result of political and other fluctuations including census, town meetings, elections, etc.

Occasionally will be asked to work Monday evenings from 6:30 to 8:30 P.M.



Attend Special and Annual Town Meetings, work at the polls at election time, and hold voter registration hours and early voting sessions, which includes evenings and late hours and some weekends.

Some night work required at peak work times

Be able to work at the Annual Rabies Clinic, which may include Saturdays.

This position is an exempt position as regarding federal and state minimum wage and overtime requirements and, therefore is not eligible to be paid at the rate of time and one half (i.e., one and one-half times) the regular rate of pay for all hours worked beyond forty hours in a workweek.

*This list of essential job functions, qualifications and skills is not exhaustive and may be supplemented at any time.*

*This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and the requirements of the job change.*

**AGENDA ITEM #9  
SEPTEMBER 20, 2021**

**DISCUSS AND POSSIBLE VOTE TO APPROVE A  
ONE-YEAR CONTRACT EXTENSION FOR PROPANE  
GAS AND FUEL OIL SERVICES**

In 2019, the Town went out to bid for propane gas and fuel oil services and maintenance services. The contract included two (2) one-year extensions. This is the last extension on the contract.

I have included the contract extension page and the pricing sheet from the original contract.

| <u>No. 2 Fuel Oil</u>           | <u>Year #1</u> | <u>Year #2</u> | <u>Year #3</u> |
|---------------------------------|----------------|----------------|----------------|
| Delivery Fee (per gallon)       | .173           | .183           | .193           |
| Other fees (per gallon)         | 0              | 0              | 0              |
| <b>Total price (per gallon)</b> | <b>.173</b>    | <b>.183</b>    | <b>.193</b>    |

| <u>Preventative Maintenance<br/>Service Rates</u> | <u>Year #1</u> | <u>Year #2</u> | <u>Year #3</u> |
|---|----------------|----------------|----------------|
| Price Per Hour (Weekday Service)                  | \$95.00        | \$105.00       | \$105.00       |
| Price Per Hour (Night Hours)                      | \$125.00       | \$125.00       | \$125.00       |
| Price Per Hour (Weekends)                         | \$125.00       | \$135.00       | \$135.00       |

| <u>Propane Gas</u>              | <u>Year #1</u> | <u>Year #2</u> | <u>Year #3</u> |
|---------------------------------|----------------|----------------|----------------|
| Delivery Fee (per gallon)       | .46            | .44            | .43            |
| Other fees (per gallon)         | 0              | 0              | 0              |
| <b>Total price (per gallon)</b> | <b>.46</b>     | <b>.44</b>     | <b>.43</b>     |

| <u>Preventative Maintenance<br/>Service Rates</u> | <u>Year #1</u> | <u>Year #2</u> | <u>Year #3</u> |
|---|----------------|----------------|----------------|
| Price Per Hour (Weekday Service)                  | \$98.00        | \$98.00        | \$98.00        |

**TOWN OF LAKEVILLE, MASSACHUSETTS  
CONTRACT EXTENSION**

This EXTENSION APPROVED BY THE BOARD OF SELECTMEN on September 20, 2021 represents an agreement for continued services between the Town of Lakeville, a municipal corporation duly organized under the laws of Massachusetts and having a usual place of business at 346 Bedford Street, Lakeville, Massachusetts, hereinafter referred to as the "TOWN", and Jaysan Gas Service, Inc. having a usual place of business at 80 County Road, East Freetown, MA 02717, hereinafter referred to as the "CONTRACTOR".

WHEREAS, the TOWN seeks to extend its current contract with the CONTRACTOR from September 30, 2021 through September 30, 2022 to provide Propane Gas and Preventative Maintenance of Propane Gas Equipment as noted in the contract between the TOWN AND CONTRACTOR dated October 7, 2019 (contract pricing sheet attached); and

WHEREAS, the CONTRACTOR had provided a quote in response to the TOWN's 2019 Request for Quotes for Propane Gas and Preventative Maintenance of Propane Gas Equipment;

NOW, THEREFORE, the TOWN and the CONTRACTOR agree as follows:

The term of the contract extension is until September 30, 2022. Per the accepted price proposal, the total contract extension price for Year 3 is \$.43 per gallon delivery fee for Propane Gas and Preventative Maintenance Service Rates are Ninety-Eight Dollars (\$98.00) per hour for weekday service.

All other terms of the previous contract remain in force.

For the TOWN OF LAKEVILLE, MA

JAYSAN GAS SERVICE, INC.

By: \_\_\_\_\_  
Ari Sky, Town Administrator

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**CONTRACT  
BETWEEN  
TOWN OF LAKEVILLE, MASSACHUSETTS  
AND  
JAYSAN GAS SERVICE, INC.**

This contract is made as of the 7<sup>th</sup> day of October in the year of two thousand and nineteen between the Town of Lakeville, Massachusetts, located at 346 Bedford Street, Lakeville, Massachusetts 02347 and JaySan Gas Service, Inc. located at P.O. Box 746, East Freetown, Massachusetts 02717 for the following item:

- Propane Gas
- Preventative Maintenance of Propane Gas Equipment

The Town of Lakeville, Massachusetts and JaySan Gas Service, Inc. agree to the following:

**SERVICES:** During the term of the contract and any extensions, the Contractor shall furnish the services set forth in this document and the attached invitation for bid and other bid documents. The Contractor shall furnish all labor, materials, equipment, and supervision necessary to perform such services. The Town may request, and the Contractor may perform, extra services at such prices and at such times as the parties agree in writing.

**EXCLUSIONS:** The Town of Lakeville shall not provide space to the Contractor within the Town's buildings and grounds for the storage of supplies, equipment, and materials.

**TERM:** The original term of this contract shall be from October 1, 2019 through September 30, 2020 with two (2) one-year extensions, subject to approval by the Town, with prices as quoted by the Contractor in a bid form dated September 24, 2019.

**TERMINATION:**

A. The Town may terminate the contract if the Contractor: (1) persistently or repeatedly refuses or fails to supply enough properly skilled workers or proper materials; (2) fails to make payments to subcontractors for materials or labor in accordance with respective agreements between the Contractor and the subcontractors; (3) persistently disregards laws, ordinances or rules, regulations or orders of a public authority having jurisdiction; or (4) is otherwise guilty of substantial breach of a provision of the Contract. When any of the above reasons exist, the Town, without prejudice to any other rights or remedies of the Town and after giving the Contractor written notice of the breach, may terminate this agreement if the Contractor does not remedy the breach within three (3) business days from the date of this notice.

B. The Contractor may terminate this agreement if the Town has not made payment within the time stated in the contract documents and it has given the Town written notice that it has not



received payment and the Town does not make payment within three (3) business days from the date of the notice.

**PRICE AND PAYMENT:** The price for services is shown on Schedule A. Payment will be made within thirty (30) days after receipt of the individual invoices. If work is performed for less than a calendar month, the Contractor shall be entitled to receive payment for the prorated portion of such month.

All invoices must be submitted, along with signed delivery slips, to the Town within ten (10) days of delivery. *Monthly invoicing is not permitted in regards to this service.* All deliveries must be made by meter. One copy of meter ticket register signed by a municipal employee is to be left at time of delivery at the municipal office responsible for that location. *If signature is not obtained, invoice will not be paid.* Company will be provided with pager numbers/telephone numbers for site contacts.

**LEGAL COMPLIANCE:** The Contractor shall abide by all federal, state, and local laws, ordinances, and regulations.

**MSDA:** The Contractor shall supply the Town with copies of Material Safety Data Sheets (MSDA) for all products used on the job site.

**INSURANCE:** The Contractor shall carry Worker's Compensation insurance in accordance with the laws of the State of Massachusetts, and all other applicable laws and regulations, for all of his employees engaged in work under the contract. If any work is sublet, the Contractor shall require the subcontractors to provide Worker's Compensation insurance for all of the latter's employees engaged in such work unless such employees are covered by the protection afforded by the Contractor's Worker's Compensation insurance and the certificate of insurance furnished by the Contractor so stipulates. Prior to commencing work, the Contractor shall furnish the Town with proof of coverage.

The Contractor shall carry general liability insurance in amounts not less than \$1,000,000 per occurrence/\$2,000,000 aggregate. Prior to commencing work, the Contractor shall furnish the Town with proof of such coverage and shall include the Town of Lakeville as additional insured with regard to this work. If any work is sublet, the Contractor shall require the subcontractors to provide general liability coverage in the same limits as for the Contractor, and shall furnish the Town with proof of coverage.

**PERSONNEL:** The Contractor shall designate a member of its staff who is very knowledgeable about the terms and conditions of the contract to be the contact person. The Town has the right at all times to require that the Contractor remove and/or replace any personnel working on Town property. A police check shall be provided if requested by the Town.

**NON-ASSIGNABILITY:** The Contractor shall neither assign the contract nor any payments due hereunder in whole or in part without prior written approval of the Town of Lakeville. For this purpose, the Contractor shall give ninety (90) days written notice of any proposed assignment

and shall give the same notice of any proposed change in the majority ownership or control of the Contractor. The contract shall bind the parties and their legal representatives, successors, heirs, and assigns. In the event of a violation of the terms of this paragraph, it shall be conclusively presumed that this contract has been breached by the Contractor.

AUTHORITY TO EXECUTE: The individual executing the contract represents and warrants that he or she is duly authorized to execute and deliver this contract on behalf of the corporation or entity for which he or she is signing, in accordance with its terms.

All the terms and conditions are hereby ratified and confirmed in all respects, inclusive of the attached Schedule A, invitation for bids, and other bid documents.

BY: JaySan Gas Service, Inc.

Town of Lakeville, Massachusetts

\_\_\_\_\_  
Signature of Signing Authority

\_\_\_\_\_  
Maureen Candito

\_\_\_\_\_  
Printed Name of Signing Authority

Maureen Candito  
\_\_\_\_\_  
Printed Name of Signing Authority

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Administrator

October 8, 2019  
\_\_\_\_\_  
Date

**SCHEDULE A**

1. The total price shall include a base price and delivery/other fees. The base price shall be from the Principal U. S. Postings average, Selkirk, New York, from Butane-Propane News, Weekly Propane Newsletter for the product delivered, posted on the day of delivery. The propane gaseliverty/other fees shall be as follows:

| <u>Propane Gas</u>               | <u>Year #1</u> | <u>Year #2</u> | <u>Year #3</u> |
|----------------------------------|----------------|----------------|----------------|
| <b>Delivery Fee (per gallon)</b> | .46            | .44            | .43            |
| <b>Other fees (per gallon)</b>   | 0              | 0              | 0              |
| <b>Total price (per gallon)</b>  | <b>.46</b>     | <b>.44</b>     | <b>.43</b>     |

| <u>Preventative Maintenance<br/>Service Rates</u> | <u>Year #1</u> | <u>Year #2</u> | <u>Year #3</u> |
|---|----------------|----------------|----------------|
| <b>Price Per Hour (Weekday Service)</b>           | \$98.00        | \$98.00        | \$98.00        |



**TOWN OF LAKEVILLE, MASSACHUSETTS  
CONTRACT EXTENSION**

This EXTENSION APPROVED BY THE BOARD OF SELECTMEN on September 20, 2021 represents an agreement for continued services between the Town of Lakeville, a municipal corporation duly organized under the laws of Massachusetts and having a usual place of business at 346 Bedford Street, Lakeville, Massachusetts, hereinafter referred to as the "TOWN", and Standish Energy (formerly known as Standish Oil Company, Inc.) having a usual place of business at 62 Cambridge Street, Middleboro, Massachusetts 02346, hereinafter referred to as the "CONTRACTOR".

WHEREAS, the TOWN seeks to extend its current contract with the CONTRACTOR from September 30, 2021 through September 30, 2022 to provide No. 2 Fuel Oil and Preventative Maintenance of Heat and Air Conditioner Units as noted in the contract between the TOWN AND CONTRACTOR dated October 7, 2019 (contract pricing sheet attached); and

WHEREAS, the CONTRACTOR had provided a quote in response to the TOWN's 2019 Request for Quotes for No. 2 Fuel Oil and preventative maintenance of heat and air conditioner units;

NOW, THEREFORE, the TOWN and the CONTRACTOR agree as follows:

The term of the contract extension is until September 30, 2022. Per the accepted price proposal, the total contract extension price for Year 3 is \$.193 per gallon delivery fee for #2 Fuel Oil and Preventative Maintenance Service Rates are One Hundred and Five (\$105.00) Dollars per hour for weekday service; One Hundred Twenty-Five (\$125.00) Dollars per hour for night hour service and One Hundred Thirty-Five (\$135.00) Dollars per hour for weekend service.

All other terms of the previous contract remain in force.

For the TOWN OF LAKEVILLE, MA

STANDISH ENERGY

By: \_\_\_\_\_  
Ari Sky, Town Administrator

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**CONTRACT  
BETWEEN  
TOWN OF LAKEVILLE, MASSACHUSETTS  
AND  
STANDISH OIL COMPANY, INC.**

This contract is made as of the 7<sup>th</sup> day of October in the year of two thousand and nineteen between the Town of Lakeville, Massachusetts, located at 346 Bedford Street, Lakeville, Massachusetts 02347 and Standish Oil Company, Inc. located at 62 Cambridge Street, Middleboro, Massachusetts 02346 for the following items:

- No. 2 Fuel Oil
- Preventative maintenance of heat and air conditioner units

The Town of Lakeville, Massachusetts and Standish Oil Company, Inc. agree to the following:

**SERVICES:** During the term of the contract and any extensions, the Contractor shall furnish the services set forth in this document and the attached invitation for bid and other bid documents. The Contractor shall furnish all labor, materials, equipment, and supervision necessary to perform such services. The Town may request, and the Contractor may perform, extra services at such prices and at such times as the parties agree in writing.

**EXCLUSIONS:** The Town of Lakeville shall not provide space to the Contractor within the Town's buildings and grounds for the storage of supplies, equipment, and materials.

**TERM:** The original term of this contract shall be from October 1, 2019 through September 30, 2020 with two (2) one-year extensions, subject to approval by the Town, with prices as quoted by the Contractor in a bid form dated September 23, 2019.

**TERMINATION:**

A. The Town may terminate the contract if the Contractor: (1) persistently or repeatedly refuses or fails to supply enough properly skilled workers or proper materials; (2) fails to make payments to subcontractors for materials or labor in accordance with respective agreements between the Contractor and the subcontractors; (3) persistently disregards laws, ordinances or rules, regulations or orders of a public authority having jurisdiction; or (4) is otherwise guilty of substantial breach of a provision of the Contract. When any of the above reasons exist, the Town, without prejudice to any other rights or remedies of the Town and after giving the Contractor written notice of the breach, may terminate this agreement if the Contractor does not remedy the breach within three (3) business days from the date of this notice.

B. The Contractor may terminate this agreement if the Town has not made payment within the time stated in the contract documents and it has given the Town written notice that it has not received payment and the Town does not make payment within three (3) business days from the date of the notice.

PRICE AND PAYMENT: The price for services is shown on Schedule A and shall be paid to the Contractor on a per invoice basis. Contractor will obtain a signature of a municipal employee, verifying delivery for all shipments. Failure to provide signed receipts could result in non-payment.

LEGAL COMPLIANCE: The Contractor shall abide by all federal, state, and local laws, ordinances, and regulations.

MSDA: The Contractor shall supply the Town with copies of Material Safety Data Sheets (MSDA) for all products used on the job site.

INSURANCE: The Contractor shall carry Worker's Compensation insurance in accordance with the laws of the State of Massachusetts, and all other applicable laws and regulations, for all of his employees engaged in work under the contract. If any work is sublet, the Contractor shall require the subcontractors to provide Worker's Compensation insurance for all of the latter's employees engaged in such work unless such employees are covered by the protection afforded by the Contractor's Worker's Compensation insurance and the certificate of insurance furnished by the Contractor so stipulates. Prior to commencing work, the Contractor shall furnish the Town with proof of coverage.

The Contractor shall carry general liability insurance in amounts not less than \$1,000,000 per occurrence/\$2,000,000 aggregate. Prior to commencing work, the Contractor shall furnish the Town with proof of such coverage and shall include the Town of Lakeville as additional insured with regard to this work. If any work is sublet, the Contractor shall require the subcontractors to provide general liability coverage in the same limits as for the Contractor, and shall furnish the Town with proof of coverage.

PERSONNEL: The Contractor shall designate a member of its staff who is very knowledgeable about the terms and conditions of the contract to be the contact person. The Town has the right at all times to require that the Contractor remove and/or replace any personnel working on Town property. A police check shall be provided if requested by the Town.

NON-ASSIGNABILITY: The Contractor shall neither assign the contract nor any payments due hereunder in whole or in part without prior written approval of the Town of Lakeville. For this purpose, the Contractor shall give ninety (90) days written notice of any proposed assignment and shall give the same notice of any proposed change in the majority ownership or control of the Contractor. The contract shall bind the parties and their legal representatives, successors, heirs, and assigns. In the event of a violation of the terms of this paragraph, it shall be conclusively presumed that this contract has been breached by the Contractor.

AUTHORITY TO EXECUTE: The individual executing the contract represents and warrants that he or she is duly authorized to execute and deliver this contract on behalf of the corporation or entity for which he or she is signing, in accordance with its terms.



All the terms and conditions are hereby ratified and confirmed in all respects, inclusive of the attached Schedule A, invitation for bids, and other bid documents.

BY: Standish Oil Company, Inc.

Town of Lakeville, Massachusetts

\_\_\_\_\_  
Signature of Signing Authority

\_\_\_\_\_  
Signature of Signing Authority

\_\_\_\_\_  
Printed Name of Signing Authority

Maureen Candito  
\_\_\_\_\_  
Printed Name of Signing Authority

\_\_\_\_\_  
Title of Signing Authority

Town Administrator  
\_\_\_\_\_  
Title of Signing Authority

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**SCHEDULE A**

The total price shall include a base price and delivery fee. The base price shall be from the JoC Oil Price Daily, Boston, Massachusetts Harbor Low for the product delivered, posted on the day of delivery. The delivery fee shall be as follows:

| <u>No. 2 Fuel Oil</u>            | <u>Year #1</u> | <u>Year #2</u> | <u>Year #3</u> |
|----------------------------------|----------------|----------------|----------------|
| <b>Delivery Fee (per gallon)</b> | .173           | .183           | .193           |
| <b>Other fees (per gallon)</b>   | 0              | 0              | 0              |
| <b>Total price (per gallon)</b>  | <b>.173</b>    | <b>.183</b>    | <b>.193</b>    |

| <u>Preventative Maintenance<br/>Service Rates</u> | <u>Year #1</u> | <u>Year #2</u> | <u>Year #3</u> |
|---|----------------|----------------|----------------|
| Price Per Hour (Weekday Service)                  | \$95.00        | \$105.00       | \$105.00       |
| Price Per Hour (Night Hours)                      | \$125.00       | \$125.00       | \$125.00       |
| Price Per Hour (Weekends)                         | \$125.00       | \$135.00       | \$135.00       |

**AGENDA ITEM #10  
SEPTEMBER 20, 2021**

**REVIEW AND POSSIBLE VOTE TO DECLARE VARIOUS OFFICE  
FURNITURE AND EQUIPMENT SURPLUS**

Below is a list of office furniture and equipment that is located in the pod that Ari is recommending being declared as surplus. Pictures are also attached.

Once the items are declared as surplus, they can be auctioned off to the public.

**Tables**

- 1 Wooden Round Table with metal base
- 1 Wooden Conference Table
- 1 Farmhouse Kitchen Table

**Chairs**

- 4 Farmhouse Chairs
- 2 Wooden Stain Captain Style Chairs
- 2 Beige Tufted Chairs
- 2 Floral Print Wooden Framed Chairs
- 4 Black Foam and Metal Office Chairs
- 4 Olive Colored Faux Leather Chairs
- 1 Small Schoolhouse Chair
- 9 Worn, Stained, Cranberry Cushioned Chairs
- 1 Small Deacons Bench

**Desks**

- 2 L Shaped 5 Draw Desks

**File Cabinet**

- 1 Beige 4 Draw

All furniture is pretty worn.  
Can be delivered to transfer station if necessary.













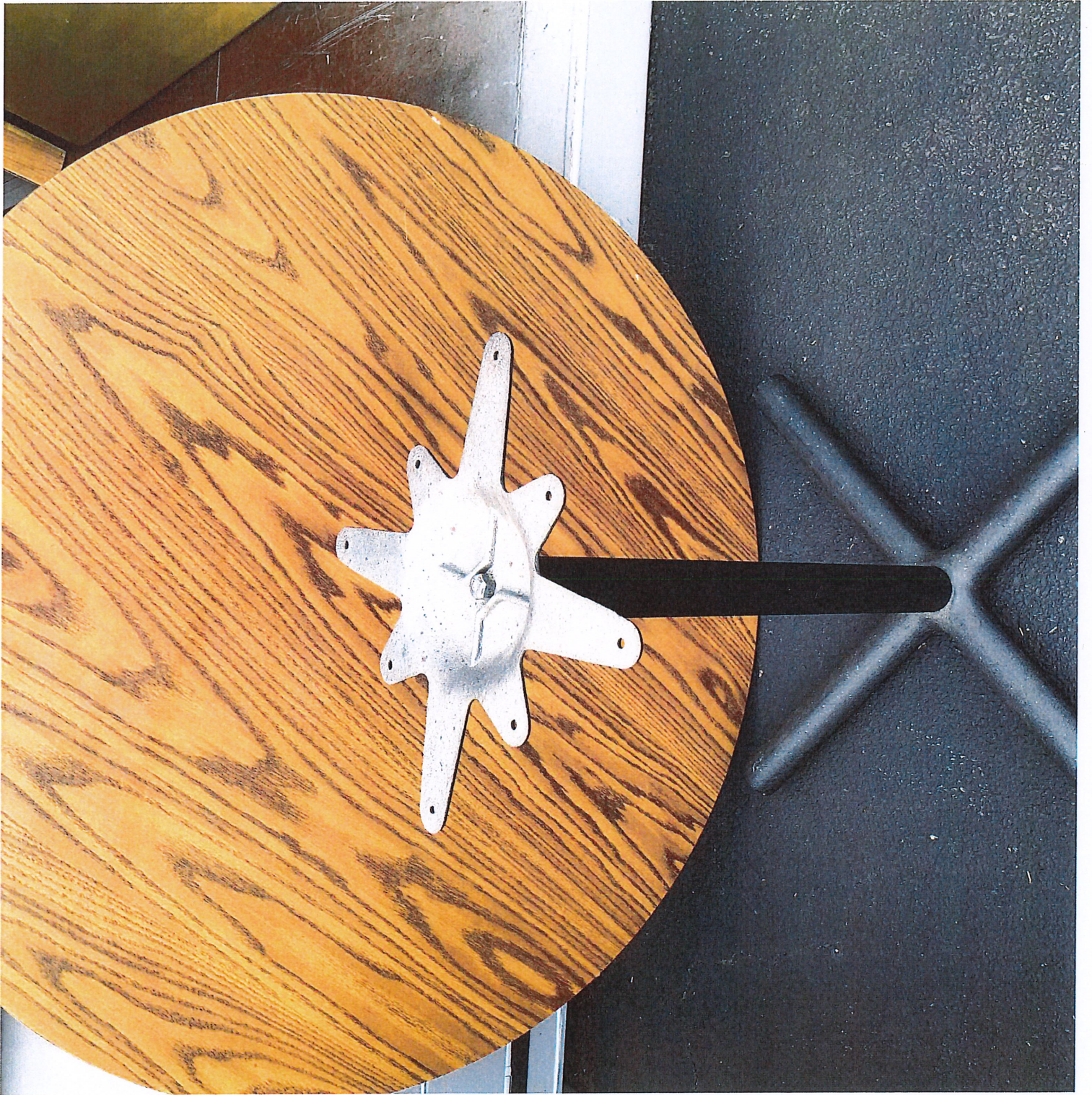


































**AGENDA ITEM #11  
SEPTEMBER 20, 2021**

**REVIEW AND POSSIBLE VOTE TO APPROVE APPLICATION FOR  
TOWN RIGHT OF WAY USE FORM**

Attached is a memo from Ari regarding the development of a Public Way License Application for the use of Town Right of Ways and the draft application.





## TOWN OF LAKEVILLE

### Town Administrator's Office

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

September 10, 2021

**TO:** Board of Selectmen

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

**SUBJECT:** Public Way License Application

At its June 14, 2021, meeting, the Board directed staff to develop a process to consider requests for use of the public right of way for private events. A working group consisting of the directors of Public Works and Inspectional Services, the Police and Fire chiefs, and myself, with the assistance of town counsel, developed an inventory of activities involved incurred by the Town when allowing events on public streets. The attached application establishes a standard for consideration of private event requests on public rights of way.

The ultimate objectives of the Public Way License process would be to ensure adequate review of special event applications and to establish a uniform standard for cost recovery. Applications would be submitted to the Department of Public Works no less than 60 days prior to the date of an event, in order to ensure that the Town would have sufficient time to review. The application would carry a \$500 base fee, or \$250 for nonprofit organizations that provide proof of nonprofit status. In addition, the application would require review by Town agencies, which could result in additional fees for Police details and/or EMS coverage. The process overall has been designed to ensure transparency and clarity regarding the Town's review criteria.

Thank you for your consideration of this important issue. I look forward to your questions and comments.



**Town of Lakeville**

346 Bedford Street  
Lakeville, MA 02347

Revised: XX

**Public Way License Application**

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

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

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

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

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

|                        |                  |                    |                     |                        |  |
|------------------------|------------------|--------------------|---------------------|------------------------|--|
| Organization/Applicant |                  | Event/Project Name |                     | Event/Project Location |  |
| Primary Contact        |                  | Phone #            | Email               |                        |  |
| Application Date       | Date(s) of Event | Time(s) of Event   | Applicant Signature |                        |  |

**Section 2 - Description of Request**

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

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

|                 |                      |           |         |               |                       |   |
|-----------------|----------------------|-----------|---------|---------------|-----------------------|---|
| 1. Public Works | 2. Inspectional Svcs | 3. Police | 4. Fire | 5. Town Admin | 6. Board of Selectmen | 7. DOT Approval Required <input type="checkbox"/> |
|-----------------|----------------------|-----------|---------|---------------|-----------------------|---|

**Section 4 - Process/Comments**

|                              |                                |                     |
|------------------------------|--------------------------------|---------------------|
| Evidence of Insurance (Date) | Payment Received (Amount/Date) | Additional Comments |
|------------------------------|--------------------------------|---------------------|

**Section 5 - Fee Estimates**

|                    |
|--------------------|
| Base License Fee:  |
| Police Detail:     |
| Fire/EMS Coverage: |
| Other (Describe):  |
| Total Estimate:    |

|                         |
|-------------------------|
| Other Fees Description: |
|-------------------------|





## Town of Lakeville

### *Public Way License Instructions*

**General:** The Public Way License application provides an orderly process for the consideration and approval of the use of public rights of way for special events within the Town of Lakeville. Such events often require coordination between several departments and involve the utilization of municipal resources. This process is designed to ensure transparency regarding the scope of the event and the Town resources required to ensure it occurs in a successful manner. A license shall be granted upon review and approval by the Board of Selectmen allowing for the specified limited use of the public right of way for the indicated event.

**Applicants must submit a complete application to the Department of Public Works no less than 60 days prior to the planned event.**

#### **Sections 1 & 2:**

Applicants are encouraged to provide as much as information as possible regarding the date(s), timing and anticipated support requirements for the event. Descriptive information, flyers and any additional background which helps to describe the scale of the event is welcome. Applications should also include a map of the impacted streets for reference.

#### **Section 3:**

The application review process ensures that all departments are aware of the event and prepared to provide the necessary support. Final Town approval will be provided by the Board of Selectmen during a business meeting. Events impacting State roads will also require approval by the Massachusetts Department of Transportation (MassDOT). The applicant shall be required to obtain and provide evidence for such approval prior to the issuance of a license by the Town.

#### **Section 4:**

Applicants must provide evidence of insurance coverage sufficient to indemnify the applicant from potential liability.

#### **Section 5:**

The base fee for the Right of Way permit is \$500 and will be reduced to \$250 for charitable organizations providing proof of status. Additional fees could be incurred if a Police detail or onsite EMS coverage are required, as determined by the relevant departments and the Board of Selectmen.

**AGENDA ITEM #12  
SEPTEMBER 20, 2021**

**REVIEW AND POSSIBLE VOTE TO APPROVE APPLICATION FROM  
MAHANT NE SANG, CORP., DBA LAKEVILLE LIQUORS AND  
MARKET, FOR PLEDGE OF COLLATERAL IN REGARDS TO THE  
RETAIL ALL ALCOHOLIC BEVERAGES PACKAGE STORE  
LICENSE FOR THE PROPERTY LOCATED AT 330 BEDFORD  
STREET**

Mahant NE Sang, Corp, dba Lakeville Liquors and Market are requesting permission to pledge their Retail All Alcoholic Beverages Package Store License for the property located at 330 Bedford Street. This is in reference to a lending agreement.

If approved, the motion would be:

To approve the pledge of license for Mahant NE Sang, Corp, dba Lakeville Liquors and Market for the property located at 330 Bedford Street, Lakeville, MA .