



TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

LAKEVILLE TOWN CLERK
ROJ 2024 JAN 5 AM 10:11

48-hr notice effective
when time stamped

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

Name of Board or Committee:	<u>Community Preservation Committee</u>
Date & Time of Meeting:	<u>January 10, 2024 6:30pm</u>
Location of Meeting:	<u>Lakeville COA 1 Dear Crossing Lakeville, Ma</u>
Clerk/Board Member posting notice:	<u>Nancy Yeatts</u>

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

Revised

1. Guest: Scott MacFaden from The Wildlands Trust to discuss Step2 application for land acquisition / 1 Elliot Way
2. Review emails from Coalition and Town Council regarding procedure for Town acquiring property / discussion / possible vote
3. 2024 Coalition membership dues/ discussion/ possible vote
4. Budget Report 12/31/23
5. Review MOA for approved projects/ discussion/ possible vote
6. Discuss timeline/ application submittals for 2024
7. Set meeting and Public Hearing Dates for annual plan / discussion / possible vote
8. Review and approve meeting minutes August 1, 2023 (amended) and December 13, 2023

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



TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:
[Signature]
LAKEVILLE TOWN CLERK
ROUD 2024 JAN 2 PMS 5:54
48-hr notice effective
when time stamped

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

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A G E N D A

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

From: Jonathan D. Eichman <JEichman@k-plaw.com>
Sent: Thursday, December 14, 2023 4:45 PM
To: Marc Resnick <mresnick@lakevillema.org>
Cc: Shirin Everett <SEverett@k-plaw.com>; Ari Sky <asky@lakevillema.org>
Subject: FW: LAKE: - CPC funds for land acquisition

Thanks, Marc. I agree with you that there is no limitation on who may submit an application for CPA funding. Wildlands Trust can submit on behalf of Mr. Christolini. Given that the Town will be the purchaser here, however, it is a little odd to see the seller rather than the Town initiating the request for CPA funding. It is certainly true that the Conservation Commission could submit the application to fund this purpose, but I am not aware of any requirement that applications for CPA funds to purchase land for open space must be made by the Conservation Commission.

It seems likely that if the Town purchased the property for conservation purposes the Conservation Commission would be assigned care, custody and control of the property, and Stewart may be thinking that the ultimate custodian of the land should join in the funding application. However, custody of conservation land and the authority to purchase it is not limited to the Conservation Commission, and Town Meeting could authorize any board or committee, including the Select Board, to purchase and/or hold custody. Note that G.L. c.44B, s.12 provides that real property acquired with CPA funds "shall be owned and managed by the city or town, but the legislative body [i.e., Town Meeting] may delegate management of such property to the conservation commission, the historical commission, the board of park commissioners or the housing authority The legislative body may also delegate management of such property to a nonprofit organization created under chapter 180 or chapter 203." Likewise, G.L. c.40, s.8C authorizes the Conservation Commission to acquire land for conservation purposes with funds available to it, but that statute merely empowers the Conservation Commission, it does not limit the Town's authority to purchase conservation land to the Conservation Commission. In any event, unless an article is petitioned onto the warrant, the Select Board is going to have to approve this purchase through insertion of an article on the warrant to authorize purchase and funding, and the CPC is going to have to approve the funding, regardless of who petitions.

Please let me know if you have further questions concerning this matter.

Jonathan D. Eichman, Esq.

KP | LAW

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Boston, MA 02110
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www.k-plaw.com

From: Stuart Saginor <stuart.saginor@communitypreservation.org>
Date: December 4, 2023 at 4:46:52 PM EST
To: Michele MacEachern <shell42880@gmail.com>
Cc: Chase Mack <chase.mack@communitypreservation.org>
Subject: RE: Cell Tower

Hi Michele:

I just found this second email from you with a copy of the applications. It looks fine. It's a step 1 application (to determine eligibility) as opposed to a project that will have multiple phases. That makes perfect sense, so no alarm bells on the "Step 1" application.

Will there be any structures on what you are potentially buying (like the house, barns, shed or cell phone tower). If so, that would be a huge red flag that needs to be handled very carefully. I'm guessing that you are just buying the open space piece, correct?

One other thing to consider: When the Step 2 application comes in, the proper Town Department to submit that application is the Conservation Commission (not the Select Board, the property owner or Wildlands). All conservation land acquired by a town has to be under control of the Cons Com, so they are the ones actually acquiring it for the town and they will have care, custody and control of the land. So the application should come from them. Anyone else can prepare the application (it's common for the Land Trust to work on that), but the Cons Com should vote to approve the application and their name should be in the applicant slot.

Best,
Stuart

Stuart Saginor, Executive Director
Community Preservation Coalition

YEAR-TO-DATE BUDGET REPORT
 FISCAL YEAR 2024 AS OF DECEMBER 31, 2023

FOR 2024 06

ACCOUNTS FOR:	ORIGINAL APPROP	TRANFRS/ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
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170 COMMUNITY PRESERVATION COMM

28017000 REV - COMMUNITY PRESERVATION

28017000 412523 23-CPA SUR	0	0	0	-1,175.39	.00	1,175.39	100.0%
28017000 412524 24-CPA SUR	-225,000	0	-225,000	-111,496.56	.00	-113,503.44	49.6%*
28017000 417100 P&I-CPA	0	0	0	-147.41	.00	147.41	100.0%
28017000 469000 CPA-STATE	-20,000	0	-20,000	-46,812.00	.00	26,812.00	234.1%
28017000 482000 INT INCOME	-500	0	-500	.00	.00	-500.00	.0%*
TOTAL REV - COMMUNITY PRESERVATION	-245,500	0	-245,500	-159,631.36	.00	-85,868.64	65.0%

28170200 CPC - COMMITTEE EXPENSES

28170200 530000 PROF SRVCS	7,500	0	7,500	.00	.00	7,500.00	.0%
28170200 534400 ADVERTISNG	1,000	0	1,000	.00	.00	1,000.00	.0%
28170200 542000 OFFC SUPPL	1,500	0	1,500	.00	.00	1,500.00	.0%
28170200 571000 TRAVEL EXP	1,275	0	1,275	.00	.00	1,275.00	.0%
28170200 573000 DUES-MEMBS	1,000	0	1,000	.00	.00	1,000.00	.0%
TOTAL CPC - COMMITTEE EXPENSES	12,275	0	12,275	.00	.00	12,275.00	.0%
TOTAL COMMUNITY PRESERVATION COMM	-233,225	0	-233,225	-159,631.36	.00	-73,593.64	68.4%

172 OPEN SPACE

28172524 CPC OPEN SPACE - 2024 PROJECTS

28172524 530600 JPP ENG	0	25,000	25,000	.00	.00	25,000.00	.0%
TOTAL CPC OPEN SPACE - 2024 PROJECTS	0	25,000	25,000	.00	.00	25,000.00	.0%
TOTAL OPEN SPACE	0	25,000	25,000	.00	.00	25,000.00	.0%

194 HISTORIC RESOURCES

28194524 CPC HISTORIC - 2024 PROECTS

YEAR-TO-DATE BUDGET REPORT
 FISCAL YEAR 2024 AS OF DECEMBER 31, 2023

FOR 2024 06			ORIGINAL	TRANFRS/	REVISED	YTD ACTUAL	ENCUMBRANCES	AVAILABLE	PCT
ACCOUNTS FOR:	2800	COMMUNITY PRESERVATION	APPROP	ADJSTMTS	BUDGET			BUDGET	USE/COL
28194524	529500	GRAVESTONE	0	10,000	10,000	.00	.00	10,000.00	.0%
28194524	582100	HTH ROOF	0	30,000	30,000	.00	.00	30,000.00	.0%
TOTAL CPC HISTORIC - 2024 PROECTS			0	40,000	40,000	.00	.00	40,000.00	.0%
TOTAL HISTORIC RESOURCES			0	40,000	40,000	.00	.00	40,000.00	.0%
TOTAL COMMUNITY PRESERVATION			-233,225	65,000	-168,225	-159,631.36	.00	-8,593.64	94.9%
TOTAL REVENUES			-245,500	0	-245,500	-159,631.36	.00	-85,868.64	
TOTAL EXPENSES			12,275	65,000	77,275	.00	.00	77,275.00	

YEAR-TO-DATE BUDGET REPORT
FISCAL YEAR 2024 AS OF DECEMBER 31, 2023

FOR 2024 06

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
GRAND TOTAL	-233,225	65,000	-168,225	-159,631.36	.00	-8,593.64	94.9%

** END OF REPORT - Generated by Todd Hassett **



Town of Lakeville
COMMUNITY PRESERVATION ACT
MUNICIPAL PROJECT
MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (hereinafter "MOA") made this _____ day of _____
_____ sets the terms and understanding between the _____
(the Grantee) with an address of _____
and the Town of Lakeville Community Preservation Committee ("CPC") with an address of 346
Bedford Street, Lakeville, MA 02347 to ensure that the Community Preservation Act funds
governed by this agreement at the amount described below (the "Funds") are used for purposes
defined in this document and in accordance with the CPA, M.G.L. c.44B.

Project Name: _____

Award Amount: _____

Project Location: _____

Grantee Contact: _____

Grantee Address: _____

Grantee email: _____

Grantee Phone: _____

Project Description: _____

Project Conditions: _____.

Project Scope of Work. The Lakeville Town Meeting has allocated these CPA funds only for the use specified in the CPC Recommendation provided to and approved by the Lakeville Select Board. Any material changes to the project from what was represented during the project selection process in relationship to the use of CPA funds must be approved in advance and in writing by the CPC. In making its decision, the CPC will determine whether the new CPA funding use is consistent with the Town Meeting approval, and if it is not, it will require further approval by Town Meeting. Any project work funded from other (non-CPA) sources is not subject to this process.

Project Liaison. The Planning Department shall serve as the Project Liaison for the MOA. The Project Liaison shall serve as the agent of the CPC for the purpose of monitoring project compliance with the terms of this MOA and shall periodically report to the CPC regarding the progress of the project funded by this MOA and compliance with the terms of this MOA.

Compliance with Laws and Agreement. Grantee understands and agrees that Projects funded through this MOA are made pursuant to and must comply with the requirements of the Community Preservation Act, M.G.L. c. 44B. The Grantee also agrees to comply with all requirements of this MOA. The Grantee shall comply with all applicable federal and state laws and city ordinances and regulations, including but not limited to Americans with Disabilities Act and Massachusetts Architectural Access Board regulations, which in any manner affect the performance of this MOA. The Grantee acknowledges its responsibility to comply with all applicable laws pertaining to the procurement process.

Permits and Licenses. It is the obligation of the Grantee to obtain all necessary permits and licenses for implementation of the Project. No local permit or license is waived by the award of this funding. The Planning Department will assist the Grantee in securing preservation restrictions, accessibility waivers for historic resources, or other necessary approvals necessary to comply with the Community Preservation Act as appropriate.

Replacement of City Funds. Consistent with the provisions of M.G.L. c. 44B Section 6, the Funds shall not replace existing Town operating funds nor reimburse the Town for services provided to the Project.

Record Keeping. The Grantee shall keep such records with respect to the utilization of the Funds as are kept in the normal course of business and such additional records as may be required by the CPC. Should the Project have multiple funding sources, the Grantee shall track specific expenditures of the Funds separate from other funding sources. The Lakeville Planning Department and the CPC shall have full and free access to such records and may examine and copy such records. The Grantee further agrees to meet from time to time with the CPC or Lakeville Planning Department, upon reasonable request, to discuss expenditure of the Funds.

Release of Funds and Reporting. The CPC will periodically release Funds directly to the Project vendor(s) for completed Project tasks. The Grantee must submit an invoice for each disbursement of Funds using the Standard CPA Fund Invoice and Grant Report Form provided by the Planning Department. The CPC will not release a disbursement unless the Planning Department has approved and signed the corresponding Invoice and Grant Report Form

verifying that the deliverables have been successfully completed. For Project tasks involving physical work, the Grantee must include at least three high-resolution photos to document the progress of the Project with each invoice. Upon completion of the Project, the Grantee must submit a written final report in a form satisfactory to the CPC.

Community Preservation Act Awareness. Upon completion of any construction Project, the Grantee agrees to post, in an appropriate location mutually acceptable to the parties, a permanent sign stating that the Project was funded in part by the Town of Lakeville's Community Preservation Act program. For the duration of the work, the Grantee shall post a temporary sign provided by the CPC. The Grantee shall also identify that the Project was funded in part by the Town of Lakeville's Community Preservation Act in its written materials about the Project, including press releases, brochures, etc

Deed Restrictions: Pursuant to M.G.L. c. 44B §12, every project that involves the acquisition of any interest in real property with CPA funds shall be bound by a permanent deed restriction that meets the requirements of M.G.L. c. 184, limiting the use of the interest to the purpose for which it was acquired. Where applicable, the Grantee agrees to the imposition of such deed restriction in a form acceptable to the CPC.

Project Completion: Once the project is complete, a final site visit will be conducted and/or the CPC will request copies of any completed studies or materials for its files. Projects should be completed within one (1) year following the execution of this MOA. A Project Closeout Report is required for submittal within thirty days of project completion.

Project Updates: Every four (4) months until the Completion Date, the Grantee shall provide the CPC with a Project Status Report which details the progress toward completion of the Work. The CPC requires notification by email to the Planning Department when a project has commenced and again when it is completed. The Planning Department may contact the Grantee periodically to check on the status of a project or schedule site visits to document any completed work.

Unused CPA Project Funds: In the event the total cost of the project is less than the award amount, or if the project is terminated prior to its completion, any unexpended CPA funds that have been awarded to the Department for the project shall be returned to the CPA Fund Balance.

Project Completion: All work described in this MOA must be completed no later than one year from the execution of this MOA unless the Lakeville CPC grants an extension in writing for good cause shown.

If no Project funds have been expended by the Grantee for the Project within six (6) months of the Completion Date and are not expected to be expended prior to the Completion Date, the Grantee must present a request for a term extension to the CPC, providing a Project Update comprised of a revised timeline and revised scope of work to confirm that funds are still required for the Project as recommended by the CPC and approved by Town Meeting.. If the Grantee does not comply with the submission of a Project Update or the CPC does not approve of the Project Update, the CPA funds shall be returned to the CPA Fund account from which the Funds were

originally appropriated. Funds not utilized on the Project must be returned to the Community Preservation Fund and will be made available for future appropriation to other recipients.

Entire Agreement. This Agreement with all attachments and appendices constitutes the entire agreement between the parties hereto and may be amended only in writing executed by both the CPC and the Grantee. Signatory below acknowledges and avers that he/she has the authority to execute this Agreement on behalf of Recipient.

Breach: In the event the CPC alleges that the Grantee has failed to fulfill its obligations under the terms of this MOA, the CPC shall deliver written notice to the Grantee indicating such, and the Grantee shall have ninety (90) days, or a reasonable time as agreed by the parties, to fulfill its obligations. In the event the Grantee requires additional time to fulfill its obligations under the MOA and demonstrates a good faith effort to do so, the Grantee and the CPC may, by written mutual agreement, extend the term of the MOA.

If, after reasonable notice, the Grantee fails to fulfill its obligations under the MOA, the CPC shall have the right, in its sole discretion, to terminate this MOA. Upon receipt of notice of such termination, the Grantee shall refund all undisbursed Funds, and such Funds shall be returned to the CPA Fund account from which the Funds were originally appropriated. Notwithstanding the foregoing, failure or delay in performance due to Acts of God or other causes factually beyond Grantee's control and without fault or negligence shall not be deemed a breach of the MOA if immediate notice of such is given to the CPC.

Severability. If any term or condition of this MOA or any application thereof shall to any extent be held invalid, illegal or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this MOA shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.

Governing Law. This MOA shall be governed by, construed, and enforced in accordance with the laws of the Commonwealth of Massachusetts

No Assignment. This MOA may not be assigned by the Grantee without prior written agreement by the CPC.

Executed

Date

Grantee

CPC Chairman

TOWN OF LAKEVILLE

Community Preservation Committee Meeting Minutes August 1, 2023

On August 1, 2023, the Committee Preservation Committee held a meeting at 7:00 PM at the Lakeville Police Station, 323 Bedford Street. The meeting was called to order at 7:00 PM by Chairman Nancy Yeatts. Community Preservation Committee Members present were Nancy Yeatts, Paula Houle, Michele MacEachern, Susan Spieler, Kathleen Barrack, Nancy LaFave, Barbara Standish. Open Space seat is vacant. Also present were Marc Resnick, Town Planner; Cathy Murray, Planning Board Clerk and Christina Cotsoridis, Assistant to Town Administrator. LakeCAM was recording the meeting for broadcast.

CPA Budget year end Budget Reports/CP1 & CP2 filings/CP3 filing/discussion

The Final Year End Budget was read by Member S. Spieler showing the fund has \$220,502.99, with \$215.55 delinquent payments, interest \$389.73, for a total of \$226,077.17, minus expenses of \$1100 for minutes, \$180 for advertising, \$49.99 for office supplies, \$875 for dues and membership. There was a discussion about why the minutes were being charged to the CPC budget and Marc Resnick reported we use an outside person to do the minutes so that is why CPC was billed for it. The committee was confused that they were told there would be no charge for the minutes. Chairman Yeatts will put this back the August 15th agenda to discuss and look into further, along with a better explanation of the penalties and interest. M. MacEachern stated that the town projected \$220,000 for the first year and we are right on target. The Coalition sent an email regarding the state match. As of now, the match will be around 20 percent unless the state passes extra funds in September to supplement the match.

The CP1 and CP2 have been filed by the Town and the CP3 needs to be submitted from the Committee. Member K. Barrack volunteered to do the CP3 and set up the account online.

Review Complete CPP, including Appendix/discussion/vote

The Committee never approved the finished Community Preservation Plan in its entirety.

Upon motion made by M. MacEachern and seconded by S. Spieler, it was:

VOTED: to approve the draft of the Community Preservation Plan as shown.
Unanimous in favor

Review 3 applications for CPA funding Step 2/discussion/possible vote

- Gravestone Repairs- Cemetery Commission \$10,000 – Marc Resnick presented the application on behalf of Joan Morton, who worked on the application for the Cemetery Commission for gravestone repairs at Thompson Hill Cemetery. The Commission would like to get on the national registry and needs a lot of restoration. Colonial Stone did an assessment, and it was recommended to address a few critical stones towards the front of the property first. There are two large slab type stones that should be elevated on six posts each and are lying on the ground and in danger of cracking. In addition, there are several others in the same vicinity that are critical, and they would repair as much as they could with the \$10,000. This is the first step to getting on the national registry but there is more work that would need to be done.

M. MacEachern mentioned she would like to see the two historic projects looked at together. The Committee discussed whether the \$22,000 of the historic allocated funds be split between the two historic projects presented and not take the remainder from the reserve funds. The \$22,000 would come from historic allotment and then the remainder of \$18,000 would come out of the reserve funds. Chairman Yeatts stated each project should be looked at individually and not grouped together.

Upon a motion by N. LaFave and seconded by P. Houle, it was:

VOTED: for the Committee to look at each application separately

Roll Call Vote: P. Houle-aye; N. LaFave-aye; K. Barrack-aye; N. Yeatts-aye; B. Standish-aye; S. Spieler-aye; M. MacEachern-nay.

Upon a motion made by K. Barrack and seconded by M. MacEachern, it was:

VOTED: to recommend the gravestone repairs of \$10,000 be submitted to Town Meeting for approval.

Unanimous in favor

- Historic Town House Roof Replacement – Lakeville Historical Commission \$30,000 – Christina Cotsoridas helped draft of this application and stated the town allocated \$30,000 in 2020 and working with RTA Architects in Marion. They are estimating the project won't cost more than \$60,000 but won't know until they do discovery. If there is other damage that the \$60,000 won't cover, the Historical Commission is asking for another \$30,000 as a contingency. The MHC grant money must be spent by next June. The Committee discussed the project and the amount of money being asked for.

Upon a motion by K. Barrack and seconded by P. Houle, it was:

VOTED: to recommend \$12,108 from the Historic category and balance from the reserved fund be submitted to Town Meeting for approval.

Roll Call Vote: P. Houle-aye; N. LaFave-aye; K. Barrack-aye; N. Yeatts-aye; M. MacEachern – nay; B. Standish-aye; S. Spieler-aye.

- John Paun Park Bathhouse-Lakeville Park Commission \$25,000 – Marc Resnick presented the project with the ongoing problems with lack of bathrooms. The park is not accessible, drainage issues, parking not well organized or laid out. This grant would fund a plan for the property to make these improvements and design a bathroom building so that estimates could be obtained. They would be applying for other grant programs to fund this construction. The CPA funds are needed to do the plans to design a septic system, survey the land and architect to design the accessible building with bathrooms and a storage area.

Upon a motion by K. Barrack and seconded by N. Yeatts. It was:

VOTED: to recommend to Town Meeting the revitalization project for John Paun Park for Open Space funding \$22,106 and the CPA reserve fund of \$2,894 for approval.

Roll Call Vote: P. Houle-aye; N. LaFave-aye; K. Barrack-aye; N. Yeatts-aye; B. Standish-aye; S. Spieler-aye; M. MacEachern-nay.

Approve Minutes 3/20/23; 4/4/23 and 5/30/23

Upon motion by N. LaFave and seconded by B. Standish, it was:

VOTED: to approve the minutes as amended for March 20, 2023, with the correction of spelling of Spieler on page 2.

Unanimous in favor.

Upon motion by M. MacEachern and seconded by S. Spieler, it was:

VOTED: to approve the minutes of April 4, 2023, as drafted.

Unanimous in favor.

Upon motion by K. Barrack and seconded by P. Houle, it was:

VOTED: to approve the minutes of May 30, 2023, with the changes as noted.

Unanimous in favor.

Old Business

Next agenda Chairman Yeatts will bring 2/29/22 minutes to the next meeting. The minutes that were tape recorded on 1/18/23 minutes needed to be approved as drafted with missing information since the tape has been erased.

Upon motion by M. MacEachern and seconded by N. LaFave, it was:

VOTED: to approve the minutes of 1/18/23 as drafted.

Unanimous in favor.

Next Meeting: August 15, 2023 at 7 pm.

Amy Knox from Open Space only had a one-year term. Open Space needs to nominate someone for the Select Board to appoint for the next meeting.

ADJOURNMENT:

Upon motion of P. Houle and seconded by N. LaFave, the committee voted to adjourn the meeting at 8:16 pm.

TOWN OF LAKEVILLE

Community Preservation Committee Meeting Minutes December 13, 2023

On December 13, 2023, the Community Preservation Committee held a meeting at 7:00 PM at the Lakeville Police Station, 323 Bedford Street. The meeting was called to order at 7:07 PM by Chairman Nancy Yeatts. Community Preservation Committee Members present were Nancy Yeatts, Paula Houle, Susan Spieler, Kathleen Barrack, and John Lucey. Absent were Nancy LaFave, Barbara Standish, Michele MacEachern, and Amy Knox. Also present, Marc Resnick, Town Planner. LakeCAM was recording the meeting for broadcast.

Budget Report

Chairman Yeatts presented the Year-To-Date Budget Report showing the state match of \$46,812.00 deposited into the CPA account. The fund has taken in \$110,000 so far this year which is not cumulative. Ms. Yeatts will ask the Town Accountant to include the total from last year. The report presented shows what has been taken in and the amount spent of \$65,000 that was approved at town meeting but is not reflective of what is left over from last year. The total amount in the Preservation fund for this fiscal year is \$171,269.15.

Community Preservation Coalition dues/discussion/possible vote

Chairman Yeatts presented the Community Preservation Coalition Dues bill of \$875. Mr. Resnick commented that although the coalition is good at lobbying technical advice, he felt it's far from accurate. He referenced an email that Ms. MacEachern sent to the coalition asking a question about applications which he felt the response was entirely inaccurate. Mr. Resnick is getting a written opinion from Town Counsel to explain the land acquisition process. He felt the director of the coalition gives out misinformation and expresses his opinion as a matter of fact. Ms. Yeatts distributed a copy of the email response to Ms. MacEachern which was not included in the packet but had been emailed to members previously. Two things he felt were inaccurate were that the application for land acquisition must come from the Conservation Commission and secondly it must be owned and controlled by the Commission. Neither the DOR guidelines nor local plans, which communities need to follow, have those restrictions. He said it varies from community to community how applications are submitted, and land acquisition projects are owned and managed by the community. There needs to be a Conservation Restriction placed on the property, which the DOR guidelines require, but who owns it and what entity controls it is not specified nor who can assist and/or submit an application on behalf of someone. He felt some of the work by the coalition is fine but since we have a bill he thought the committee should know his feelings. Ms. Houle stated officially the coalition doesn't make the rules. Mr. Resnick confirmed the coalition does not make any rules, they are an advocacy and technical assistance organization which manages one statue, one type of program but have given out misinformation in his opinion. Ms. Barrack asked what the email question was, and Ms. Yeatts stated the original question was the Wildlands Trust is doing Step 1 and plans on helping the person selling the land to do Step 2. Ms. Yeatts felt that Wildland Trust shouldn't be doing Step 2 because they aren't the buyers. The Select Board would be the buyers asking for the money and oversee land purchases. Ms. MacEachern emailed the coalition for guidance, but Mr. Resnick looked up the DOR rules. Ms. Spieler called a point of order since agenda item 3 was being discussed and not voting on approving the payment of the dues. Ms. Yeatts asked the board to postpone voting on the dues when we have a full board. Mr. Lucey asked what Third Sector New England is and are they a non-profit. The coalition now operates as a fiscally sponsored program of Third Sector New England. They are funded by the state and collect dues from the CPA communities. They are subject to government related rules for public records request and maintaining records because they are funded by the state. Mr. Resnick is not happy with the coalition as they have one job to

represent the CPA and give advice based on the Act and DOR regs and other cases that have gone through and it's inaccurate. He has spoken to other communities that have CPA and have expressed the same frustrations. He's not sure what the value to the community is to pay the dues but understands they try to lobby which might be worth something. Mr. Lucey stated that it seems the primary focus is housing and he's not sure that will be the biggest issue in Lakeville.

A motion was made by Mr. Lucey and seconded by Ms. Spieler, it was:

VOTED: to postpone voting on the dues until the next meeting.

Unanimous vote

Application for Eligibility Determination/Step 1/land acquisition 1 Elliot Way discussion/possible vote

Step 1 application for 1 Elliot Way was presented to the Committee and a vote needed to determine eligibility for CPA funding. The exact amount and how much land to be purchased by the town is not yet known. The owner is having the property surveyed and then will make a proposal to the town. The owner wants to keep the house and 10 acres and sell 30 acres to the town. The town needs a survey, get the land appraised and go through the steps. Wildlands Trust is working with the property owner in the land acquisition which has a conservation easement on abutting property, so they have an interest in protecting this land as well. This property abuts Vigers Conservation Area on Pickens St. which is owned by the town. Ms. Yeatts felt the Select Board should be the entity asking for the money to purchase the property and not Wildlands Trust. Wildlands Trust plans to go to the Select Board once they have the survey, appraisal, and the number. Wildlands Trust will assist Mr. Chistolini and submit it to the Select Board for their approval to move forward with the purchase. If the Select Board approves the purchase, then it will go to Town Meeting for the residents to approve. Wildlands Trust does not assist in funding but since there is a conservation restriction on land abutting, they will put a conservation restriction on the acquisition and then have volunteers to help with a trail system.

A motion was made by Mr. Lucey, and seconded by Ms. Spieler, it was:

VOTED: to accept as an eligible project

Unanimous vote

Approve Minutes of August 1, 2023, August 15, 2023, and October 17, 2023

Ms. Spieler had some comments to make about the minutes. She emailed three sets of minutes to Ms. Yeatts as her first submittal as secretary. Ms. Yeatts looked them over and said they looked good, but she had some questions and would email them over the weekend. Nothing was received over the weekend, so Ms. Spieler emailed her asking for her comments. Ms. Yeatts felt it needed more content, so Ms. Spieler made a second edit to the minutes of August 1st and sent them to Ms. Yeatts. At this point, Ms. Yeatts told her not to bother because she and Cathy Murray, the Planning Board Clerk, were reviewing them together and would send their revisions. Ms. Spieler asked the question who is paying Cathy Murray for her time since she is a town employee and is she being paid for doing the minutes. Ms. Yeatts stated at the last meeting Ms. Spieler should speak to Lillian Drane, the town clerk, to get an outline. Ms. Spieler used the format of another committee as a template and went to Ms. Drane after the fact but was never given an outline. Ms. Yeatts spoke to Ms. Drane and was told when deciding or making a recommendation to approve money at town meeting that as chairman Ms. Yeatts should go over them and put more content about the money. Ms. Spieler felt Ms. Yeatts should have worked with her to make the revisions rather than go to Cathy Murray for assistance. Ms. Yeatts mentioned the Planning Board is our town support and it doesn't make any difference who pays Cathy. Mr. Resnick stated that Cathy wasn't being paid to do the minutes and was asked to provide an example. She is available to provide support or answer

questions regarding any meeting. Ms. Yeatts said she didn't have time to get together with Ms. Spieler and Cathy Murray to make the revisions and just had them done and that's the end of it.

A motion was made by K. Barrack and seconded by P. Houle, it was:

VOTED: to accept the minutes of August 1st.

Vote: P. Houle-aye; K. Barrack-aye; N. Yeatts-aye; J. Lucey-abstain; S. Spieler-nay.

Ms. Spieler stated the minutes were still incorrect as the second set of edits she made were missing from the version that N. Yeatts and Cathy Murray produced. Ms. Barrack asked Ms. Spieler what information was missing. Ms. Spieler stated that under the section of CPA budget year ending budget reports/CP1 & CP2 filings/CP3 filing/discussion on page 1 the first line, "The Year End Budget was read by Member S. Spieler showing the fund has \$220,502.99, with \$215.55 delinquent payments, interest \$389.73," what was missing was "for a total of \$226,077.17 minus expenses of \$1100 minutes, \$180 for advertising, \$49.99 offices supplies, \$875 coalition dues.

A motion was made by P. Houle, seconded by K. Barrack, it was:

VOTED: to accept the minutes of August 1, 2023 as amended

P. Houle-aye; K. Barrack-aye; N. Yeatts-aye; S. Spieler-aye; J. Lucey-abstain

A motion was made by P. Houle, seconded by K. Barrack, it was:

VOTED: to accept the minutes of August 15, 2023

P. Houle-aye; K. Barrack-aye; N. Yeatts-aye; S. Spieler-aye; J. Lucey-abstain

A motion was made by P. Houle, seconded by K. Barrack, it was:

VOTED: to accept the minutes of October 17, 2023

Unanimous in favor

Mr. Lucey commented that it's no more a thankless and tedious job being an unpaid minute taker and he would hope we could work together to make it easier for the person that took that responsibility on.

Ms. Yeatts agreed and said we had a professional person taking the minutes before and as chair she just wanted to make sure we are following the rules.

Review scheduling for next meetings

Ms. Yeatts stated our next meeting was previously scheduled at the last meeting for January 10th, so we need to schedule some further meetings. Mr. Lucey stated he can never attend on Tuesday nights, but Thursdays are good for him. It was decided to meet on Thursday, February 1st. The committee will need to look over the plan to see if any changes need to be made before we hold a public meeting. Ms. Yeatts stated we will need to decide at the January 10th meeting when to hold the public hearing. She stated that from the survey that was sent out, senior housing was high on the list.

A motion was made by J. Lucey and seconded by K. Barrack, it was:

VOTED: to adjourn the meeting at 7:49 p.m.

Unanimous in favor