

AGENDA ITEM # 1
JULY 31, 2023

SELECT BOARD ANNOUNCEMENTS

The Treasurer/Tax Collector would like to remind residents that real estate and personal property tax bills are due August 1, 2023. If you have any questions, please contact their office at 508 946-8801.

The Lakeville Arts Council's last summer concert is August 1st from 6 PM to 8 PM at the Center Stage located at the old Town House building – 2 Precinct Street. In case of rain, the concert will be moved 2 days later on the Thursday of the week.

For additional information please visit www.LakevilleArtsCouncilMA.org/concerts

If you have ever wanted to volunteer on a Commission or Committee, the Town has vacancies on the Conservation Commission; Cable Advisory Committee, Capital Expenditures Committee, Zoning Board of Appeals, Energy Advisory Committee and Open Space Committee. To apply, please visit the Town's website on the Town Clerk's page – Volunteer Form.

AGENDA ITEM #2
JULY 31, 2023

TOWN ADMINISTRATOR ANNOUNCEMENTS

**AGENDA ITEM #3
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE SELECT BOARD
MINUTES OF JUNE 26, 2023**

TOWN OF LAKEVILLE
Select Board Meeting Minutes
June 26, 2023 – 6:00 PM

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

On June 26, 2023, the Select Board held a meeting at 6:00 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 6:00 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present were Ari Sky, Town Administrator. LakeCAM was recording the meeting for broadcast.

Select Board Announcements

Chairman Day read the Select Board announcements.

Town Administrator Announcements

Mr. Sky read the Town Administrator Announcements.

Discuss and possible vote to approve Host Community Agreement Amendment for Bud's Goods & Provisions Corp.

Phillip Silverman, Esquire was present for the discussion. Chairman Day noted the Host Community Agreement needs revision due to a name change of the business from Bud's Goods and Provisions Corp. to Bud's Goods & Services MA Corp. Member Carboni said on Page 1 of the second amendment, 1st paragraph it references the Board of Selectmen. When the Host Community Agreement was originally signed, it was the Board of Selectmen.

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

VOTED: To approve the amendment to the Host Community Agreement for Bud's Goods & Services MA Corp. as amended.
Unanimous in favor.

Discuss and possible vote to approve draft Housing Production Plan

Marc Resnick, Town Planner, was present for the discussion. Mr. Resnick said the Planning Board has voted to approve the latest version of the Housing Production Plan, which has been submitted for your approval. Both Boards needs to approve and vote to send the Plan to the State for their review and approval. This is an update of the 2017 plan. The plan can be updated every five (5) years. Chairman Day said the plan highlighted the challenges about what can and can't be done regarding development in Town. Member Fabian asked that the Board be notified if the plan is approved. Mr. Resnick said if there are changes that the State wants, it will have to come back to both Boards for approval.

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

VOTED: To approve the 2023 Housing Production Plan as presented.
Unanimous in favor.

Discuss and possible vote to approve Select Board Minutes of June 12, 2023

Member Carboni said on Page 9 under Fire Station 4th line down, “Member Carboni said once SOCOTEC’s Feasibility Study was accepted, we were on the same page”, that was Member Fabian that said that.

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

VOTED: To approve the Select Board’s Meeting Minutes of June 12, 2023 as amended.
Unanimous in favor.

Discuss and possible vote to waive insurance requirements for use of the Historic Town House by the Friends of the Lakeville Council on Aging for December 3, 2023 wreath sale

Linda Ewell, President of the Friends of the Lakeville Council on Aging, was present for the discussion. Ms. Ewell asked for a one-time exception to the Town Office Building Use Policy regarding insurance. The sole purpose of the Friends is to raise money for the Council on Aging. Member Fabian said she would like to have the insurance requirement waived. Chairman Day said we will be reviewing this policy.

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

VOTED: To issue a waiver from the insurance requirements for the use of the Town House for the Friends of the Council on Aging for their wreath sale on December 3, 2023.
Unanimous in favor.

Select Board Policies review update:

John Viarella, Human Resources Director was present for the discussion. Chairman Day said at our last meeting, we asked Mr. Sky to bring a set of Select Board policies to the Board for review. Mr. Sky said Mr. Viarella has some thoughts on the first four (4) policies listed. We need to look at the Town Property Use Policy. We should have the DPW Director look at Recycled Product Procurement and Residential and Business Driveway Curb Cuts.

Mr. Viarella said we have an employee handbook and a series of addendums. It would be nice to have the employee handbook encompass the addendums. Member Carboni said would we include these in our employee handbook in lieu of having them being Select Board policies. Mr. Sky said these are approved by the Select Board as the Wage and Personnel Board. Mr. Viarella said we would have to negotiate with the unions to have them recognize the policies. The addendums are based on Federal and State law and we have to abide by them regardless of them being in a formal document. Chairman Day said for the CORI policy that covers not just employees, but also

contractors and vendors. Mr. Viarella said that should not be part of the Employee Handbook. There are certain requirements to do a CORI check.

Member Fabian said the policies are going to require input from staff and Departments Heads, but the Select Board should be doing the bulk of the work, except for the Personnel ones. She suggested a work meeting to work on some of these policies. On the Information Technology Use, she did not have time to compare this to what is in the Employee Handbook. Mr. Sky said perhaps we could have Bob McNally review it also. Mr. Sky said the Social Media and Information Technology Use policies address some of the same issues, but they come from a different time. He doesn't think we want to integrate them together. For the recycled policy, it was a Federal/State directive in 1997 that required us to have this policy to comply with recycling requirements at the time. Member Fabian asked are we purchasing what we are supposed to be purchasing. Mr. Sky said WB Mason has a class of paper that they provide to governments which complies with this policy by default. Chairman Day said we should have a work session to work on these. Mr. Sky said he would like to speak to the DPW Director about curb cuts. Member Carboni said red line versions are very helpful. Mr. Sky asked if the Board wants us to take a shot at a new Employee Handbook. Chairman Day said it seems that Mr. Viarella is already working on that. He suggested under the HIPAA Policy that the contact person's name be changed to his. Member Carboni said perhaps that should be the Human Resources Director. Chairman Day suggested having a generic email address.

Discuss Strategic Planning Process and possible meeting dates

Chairman Day said Mr. Sky introduced him to Katie Gilfeather of AllOne Health, which is an Employee Assistance Program. They offer organizational reviews. He would like to have Board members meet with Ms. Gilfeather independently. It was decided to hold a meeting on July 25th to discuss this. Member Fabian asked if there is a draft of any information that we can get from Ms. Gilfeather. Mr. Sky said it would be helpful to have her speak to you first. He will ask her to get something to the Board a week before.

Update on Town Administrator's evaluation and possible vote to appoint a designee to compile review materials

Chairman Day said we have the forms from last year and Mr. Sky has provided his goals for the current year. It is on us to fill the forms out and get them to Mr. Viarella. We can vote to designate someone to compile the forms. Member Fabian said the designee should be Mr. Viarella as advised by Town Counsel last year. Mr. Sky said Mr. Viarella would be providing a summary back to the Board. Member Carboni asked for an email that has the evaluation tool, goals that originally were set for this year and goals for next year. Mr. Sky said he has not done goals for next year.

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

VOTED: To have the Human Resources Director compile the Town Administrator review comments from the Board Members.
Unanimous in favor.

Building Committee Updates

Senior Center Feasibility Study

Member Fabian said there was one (1) meeting and the Owner's Project Manager is on task to provide the Committee with additional material, interviews and structural findings by July 5th. The next meeting is July 12th. Member Carboni asked about feedback from the Select Board? Member Fabian said after we meet on the 12th, she can bring back the findings and ask the Board for any comments.

Fire Station Building Committee:

Discuss overall project and possible vote to amend the Committee's charge to include identifying a fire station location.

Member Carboni said at the last Select Board meeting, she notified the Board that she was going to bring up possibly amending the charge of the Committee. There have been numerous discussions about the location of the Fire Station. During the feasibility study, there were three (3) locations discussed and there was a recommendation, however, nothing has been solidified that it would be a particular location. She is asking the Board to consider amending the charge to include the language where the Committee could work with the project manager and architect to identify a preferred location from the three (3) potential sites identified in the project's feasibility study.

Member Fabian said there were three (3) different options from the Owner's Project Manager (OPM) candidates and one (1) thought there was a preferred location, one did not question the location and the other was somewhere in the middle. All three (3) of them answered the question about the actual site and all three (3) said it is part of their job to make sure the location is a good location for the Fire Station. She is not opposed to changing the charge, but she feels that is part of the OPM's job to review the location and doesn't want to spend more time as we already have the feasibility study. Whoever the OPM is will do a good job assessing the site. Member Carboni said having the language in the charge provides clarity in the scope. She would ask that the language be inserted into the charge.

Chairman Day said he is not against the committee further investigating to see if any of the other location options fit. We never asked SOCOTEC what a combined Fire Station/Town Hall Building would look like. We are looking at \$16.3 million for Fire and \$10.9 million for Town Hall. In comparing the 2022 report to the 2007 report, Precinct Street is marked as a Police Station, which wouldn't be a quality of life thing as Police cars don't typically come out of the station with sirens going. Putting a Fire Station in there seem problematic for quality of life. Bedford Street has issues also. We have not had a discussion with the Park Commission and need to talk to Natural Heritage about what the cost would be for mitigation. He wants to be able to tell residents that we have turned over every rock and this is our best option. He would be open to the committee identifying that one of the options might work if we can acquire do a land acquisition next door. We should talk to the Board of Health about a phased approach that betters the current situation at Town Hall. Member Fabian said the Board did have that conversation with them about any type of major expansion, including a Fire Station. They said that could not happen there and they did not see themselves

approving a new septic system. Chairman Day said he had some recent conversations with the Board of Health that led him to believe that if we could go in with a better performing septic system, there may be something workable. He asked if a full response analysis has been done for various locations in Town. The Town really needs a substation to be able to respond to the Schools. Member Fabian said the Freetown substation would get the call.

Member Carboni said this would be making sure that the Committee does its due diligence and looks at the bigger picture because we are looking out at least 20 years in the future to make sure we are addressing our needs. Member Fabian said do you want to do a new feasibility study? If that is the case, we shouldn't be hiring a new OPM. Do we want to go forward with this project? Chairman Day said the SOCOTEC feasibility study left out the option of using the existing building. Member Fabian said are we asking the OPM to do a new feasibility study? Chairman Day said he would prefer that. He read a section of Page 5 of SOCOTEC's study stating that Option 2 was not desirable and spoke of sensitivities for the original pump house section. Sensitivities should not come into the situation. That is why we do not have a combined Public Safety Building. Member Fabian said she is disappointed that the Police Station was not a combined building. Member Fabian said the new language seems to her that it would mean to look at the three (3) proposed sites and figure out which one (1) would fit a protentional Fire Station. Mr. Sky said the architect and OPM would have to look at the potential sites to see which one would be the best fit. The reason why option 2 was not chosen to renovate the Fire Department and build a new Town Hall is that the feeling was there was no way to build a modern Fire Department on that location. They assumed that no one would want the pump house torn down due to its historic nature. Member Fabian said at Town Meeting residents made it pretty clear that they were not interested in any money going towards a new Town Hall. Chairman Day said he is putting his concerns out there. There were two options in the 2007 study that were not considered in SOCOTEC's study. The top preferred option in the 2007 study was not even considered by SOCOTEC. He is concerned that we are not doing the most financially responsible thing with a lack of information. We can ask the OPM if any of these sites have the capability to support a Fire Station and Town Hall. Mr. Sky said there has been no approval by Town Meeting to move forward with Town Hall. If we don't get the money to renovate Town Hall, then you have a half-abandoned building. Chairman Day asked would we be demolishing the existing Fire Station? Would that cost more in the end that re-purposing it. Mr. Sky said you can bring it back before another Town Meeting. CHA suggested instead of coming back with a \$16 million project, obtain the money for full design, then go out to bid and come back to Town Meeting with a bid in hand. You can go for the full design and say as part of that, we want to look at remediation for Town Hall. Mr. Sky said the feasibility study committee didn't want to spend money where we didn't have to so there was an aversion about spending money on land acquisition. Chairman Day said the decision was not based on a full investigation.

Member Carboni said when the SOCOTEC feasibility study was done, she had questions about the location. We did not look at land acquisition or other options. Member Fabian said we also discussed adding a second floor at the Fire Station, but that was not an option. Member Carboni said the current structure of bays would not support the second floor. Mr. Sky said bigger bays are also needed. Chairman Day asked how long did SOCOTEC study take? Mr. Sky said it was \$75,000 and it was about six (6) months. Chairman Day said identifying the OPM is the first step. We could ask them to take a swipec at a few things and maybe we throw out a few more options. Mr. Sky said he cannot promise that the appropriation will be enough. It would be within the scope of that to talk

about the location of the Fire Station, but the appropriation was supposed to be for schematic design. Member Fabian said do we want to go with what we have and build a Fire Station at one of the three (3) locations or do we want to abandon this. She would like to see the Fire Station built. The Townspeople said they wanted to build a new Fire Station. Chairman Day asked is it worth having a conversation with the OPM to see if between now and Fall Town Meeting within the Fire Station project is there is opportunity for the use of space. Member Fabian asked if that would nullify the bid process for the OPM. Mr. Sky said no, it is an hourly rate, but it will cost more money. Member Fabian said we should have stakeholders in the room if we are going to have that conversation with the OPM.

Chairman Day said he is not looking to kill anything; he wants to make sure we investigate everything. Member Carboni said we have not explored to the critical level of our options. Each candidate for OPM did speak about the location. Chairman Day asked can the OPM bring combined projects to the table? Member Fabian said it sounded like Chairman Day wants to start over from the beginning, which will be problematic for the Fire Department. Member Carboni said if we were to say we are starting over, what does that look like. The money at Town Meeting was for schematic design for the Fire Station. Chairman Day asked do we know if the currently allocated money will cover it. Mr. Sky said the \$220,000 was estimated with a little padding by SOCOTEC for the schematic design on the preferred alternative. Mr. Sky said the Board needs to provide some definition on the parameters. The \$220,000 cannot support a Town Hall design. Chairman Day said if we wanted to move forward with a solo Fire Station, two (2) areas at the Ted Williams Camp have been identified. Once that land is developed, it takes away area for Ted Williams Camp. What are the Park Commission's plans for expansion? What are the mitigation costs? He would like to see an option for the current location with potential land acquisition. Member Fabian said that she was not sure you can do that with this OPM hired for this specific project. Mr. Sky said the language you have here will provide the opportunity for the Building Committee to ask the OPM to look at the three (3) sites and make recommendations. It is a judgement call if 346 Bedford Street with a land acquisition next door is part of that or not. It was not originally looked at. Member Fabian said that is not the right path to go down. Even our Hazardous Mitigation Plan stated that it is not the right place for a Fire Station as it is within a flood zone and you can't build within 600' of the water. Chairman Day said the three (3) locations are Precinct, Bedford Street and the existing location. Has the present location been ruled out? Member Carboni said it was as existing. Mr. Sky said the sites in the Park were previously identified for public use a long time ago. The Fire Department would prefer not to exit onto Route 18. That is a problem right now. Chairman Day said he would like to ask the OPM what would go into identifying a preferred location and what would we do with the results. Member Fabian said all three (3) companies were willing to do that and Pomroy suggested it from the start.

Chairman Day said he is okay adding this language to the charge. He asked Mr. Sky to speak to the OPM about adding this. Mr. Sky said we will make sure the work plan includes what we want. Member Fabian said she is okay with the language as it specifies the three (3) sites. Chairman Day said he is looking for the best financial interest for the Town and to provide Fire with what they need because their run rates are going through the roof. Member Fabian said she doesn't want to delay the project. Chairman Day said he is okay with delaying if it is better for the Town's financial health going forward. Is there harm in saying identify preferred location? Mr. Sky said suggested keeping the three (3) locations in there. Chairman Day said the Committee should be given the ability to

consider if the acquisition of surrounding properties bumps a location to the front of the list. We won't know that unless we do a deeper investigation as to how ready are these sites. We need to have conversations with the Park Commission and Board of Health. Member Fabian said she is concerned about delays and an increase in the cost. Chairman Day said if it costs us another \$100,000 and nine (9) months of time, but saves us a few million in interest, he would be comfortable standing up saying that the Board wants to tap the brakes due to the information that has come forward. However, residents could go forward and put something on for Town Meeting. Mr. Sky said the Board needs to decide how to approach this.

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

VOTED: To amend the charge for the Fire Station Building Committee to insert: 2. Work with the Project Manager and Project Architect to identify a preferred location from the three potential sites identified in the 2022 feasibility study.
Unanimous in favor.

Discuss and possible vote to approve the Building Committee's recommendation for selection of an Owner's Project Manager (OPM)

Member Carboni said the Committee interviewed three (3) viable candidates from the pool of five (5). Each of the candidates made a presentation and the Committee had seven (7) questions to ask each candidate. There was a lengthy discussion and Pomroy was the firm that was chosen to move forward to the Select Board. It was a vote of eight (8) in favor and one (1) against. She felt all three (3) firms interviewed were all qualified, but it was felt Pomroy would bring the project to success. Mr. Sky said he did reference checks on Pomroy and there were a few things here and there, but nothing major. One major thing was that with the Police Station, the Town Accountant reported an issue with how Pomroy reported the financials and how they worked in MUNIS. Sandwich also reported the same issue. In most cases, Pomroy does not have the resources to do public advocacy campaigns. If we ask them, they will appear at Town Meeting. As long as we pick the right architect, that will be fine. Member Fabian said in 2019, we didn't have all the procurement documents in our office; we know now that we need that. Mr. Sky said we can tell Pomroy the way we want to do things. Chairman Day said they did the Police Station and it came out well. We did learn some things from the Police Station project.

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

VOTED: That the Select Board approve the Fire Station Building Committee's recommendation for the selection of the Owner's Project Manager of Pomroy Associates.
Unanimous in favor.

New Business

There was no New Business discussed.

Old Business

Member Fabian reminded residents to sign up for MBTA Construction updates from the Town's website.

Executive Session

At 7:57 PM, upon a motion made by Member Carboni and seconded by Member Fabian, it was:

VOTED: To enter into Executive Session pursuant to M.G.L c.30A Sec. 21(a)(3) to discuss strategy with respect to collective bargaining, specifically with the Laborer's International Union, if an open meeting may have a detrimental effect on the bargaining position of the public body and the Chair so declares and pursuant to M.G.L. c.30A Sec. 21(a)(7) to comply with the Open Meeting Law, M.G.L. c.30(a) Sec. 22(f): approval of Executive Session Minutes for February 10, 2023, and April 24, 2023 and not to return to Open Session.

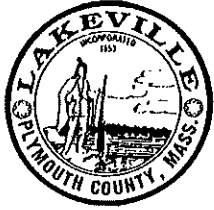
Roll call vote: Member Fabian – aye; Member Carboni – aye and Chairman Day – aye.

List of documents provided at the Select Board Meeting of June 26, 2023

1. Agenda page
2. Agenda page
3. Agenda page; draft amendment to Host Community Agreement
4. Agenda page; draft Housing Production Plan; memo from Town Planner
5. Agenda page; Select Board draft minutes of June 12, 2023
6. Agenda page; letter from Friends of the Lakeville Council on Aging
7. Agenda page; Select Board policies: CORI; Domestic Violence Leave; HIPAA Privacy; Information Technology Use; Social Media; Property Use; Recycled Product Procurement and Residential and Business Driveway Curb Cuts
8. Agenda page
9. Agenda page
10. Agenda page; Fire Station Building Committee charge; Pomroy Associates OPM presentation
11. Agenda page
12. Agenda page
13. Agenda page

**AGENDA ITEM #4
JULY 31, 2023**

**PRESENTATION BY THE TOWN PLANNER ON THE ABUTTER LOT
PROGRAM AND POSSIBLE VOTE TO APPROVE**



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

July 27, 2023

TO: Select Board
FROM: Ari J. Sky, Town Administrator *AJS*
SUBJECT: Draft Abutter Program Policy

Attached is a copy of a draft policy for the Abutter Program, which was initially identified as an objective during staff's August 2022 presentation of the problem properties program. Town Meeting subsequently voted on November 14, 2022, to transfer five Town-owned properties with market values below \$35,000 to the Select Board for disposition. Combined with four low value properties already assigned to the Select Board, the nine properties currently eligible for this program are:

Location	Tax ID	Assessed Value
9 Violet Street	042-014-005	\$11,200
Cherry Street	042-012-015A	\$10,800
10 Fifth Avenue	041-006-002	\$11,900
Evergreen Road	041-007-013	\$11,200
Meadow Ln/Clark St	042-004-008	\$9,900
Grove St/Clark St	042-004-007	\$12,700
10 Helen Street	042-018-011	\$11,000
Evergreen Road	042-004-003	\$12,000

The Abutter Program is designed to facilitate disposition of low value properties by making them available for sale to adjacent property owners, with the objective of enhancing neighborhood property values and providing a mechanism for maintaining previously neglected spaces. Eligible properties must be vacant, assessed below \$35,000, and made available for sale by Town Meeting or by the Select Board in cases where the Town acquired the property directly.

Lots that are acquired through the Abutter Program would not be developed for uses separate from the purchaser's property, and a covenant between the Town and the buyer would be required to ensure that the lot is well-maintained and combined with the abutting property for zoning and assessment purposes. The program would be administered by the Town Administrator's office with the support of the problem properties group.

Thank you for your consideration. Staff will attend the July 31 Select Board meeting to provide an overview of the program and to answer your questions.

Attachment



TOWN OF LAKEVILLE SELECT BOARD

ABUTTER LOT PROGRAM

Adopted: XXX

The Town of Lakeville is pleased to offer the opportunity to eligible property owners to purchase town-owned vacant lots that border their property. If your property lies adjacent to a Town-owned vacant lot, you may be eligible to expand your property. The Abutter Lot Program provides the option of reclaiming vacant land of low value in order to expand neighboring lot sizes, enhance neighboring property values, and improve quality of life in Lakeville neighborhoods by maintaining previously neglected spaces.

As the custodian of land subject to this program, the Town of Lakeville Select Board hereby adopts the following guidelines concerning the potential sale of vacant lots to abutters.

This document is for informational purposes only and is not intended to create any binding agreement or obligation on the part of the Town. The Select Board expressly reserves the right to reject any and all proposals, to retain properties for public purposes, to dispose of properties to any third party using sound business practices, or to require any other lawful terms and conditions as part of an offer to sell particular properties.

What lots may be available for purchase?

The Abutter Lot Program applies only to parcels of land meeting all four of the following criteria:

- Parcels owned by the Town of Lakeville,
- Parcels that are vacant
- Parcels that have a market value of less than \$35,000; and
- Tax Title parcels that have been made available for sale by vote of the Lakeville Town Meeting or properties that have been acquired directly by the Select Board.

For example, at the November 14, 2022 Town Meeting, the body voted to transfer the care, custody and control of five land of low value (under \$35,000) parcels acquired by the Town by tax title foreclosure, from the Treasurer/Collector for the purpose of sale at public auction to the Select Board for general municipal purposes and/or for the purpose of conveyance and to authorize the Select Board to convey such parcels on such terms and conditions as the Board may deem appropriate. This first step will be necessary for all vacant properties eligible to be sold via the Abutter Lot Program.

The vacant lots that may be available for purchase under this program generally have the following characteristics:

- They are less than 10,000 square feet in size;
- In residential neighborhoods, with a privately-owned building on at least one side;
- Not needed by the Town for open space or any other public use;
- Not part of a larger vacant parcel which can be developed.

Not all eligible lots will be available for sale. Some lots will be retained by the Town for conservation, public access, water supply protection, future expansion of public utilities, or other public purpose.

What can an abutter lot be used for?

Abutter lots acquired through this program may not be developed for uses separate from the abutting property. Permissible uses may include but not be limited to the following, subject to applicable zoning, conservation, building and health laws which may impose further limitations or prohibitions on use:

- Garden
- Side-yard
- Landscaped open space
- Off-street parking
- Accessory Structure
- Public Health Improvements
- An addition to an abutter's existing structure that does not increase the number of bedrooms in the home
- Septic system or well relocation.

The Town of Lakeville makes no representations or warranties with respect to the suitability of any lot for any particular purpose, or as to the applicability or effect of any local, state, or Federal law. Selection of a proposal and sale of a lot by the Town pursuant to the terms of this program does not ensure that zoning, conservation, building, health or other approvals will be granted.

What is the process to purchase a parcel?

Once properties have been transferred to the custody of the Select Board for purposes of conveyance by Town Meeting, those properties may be directly marketed to eligible abutting property owners at the sole discretion of the Select Board. If properties are made available to abutters, applications will be evaluated according to these guidelines and other criteria that may be established at the time.

If you are an abutter to a vacant Town-owned property that currently is not offered for sale, you may request that its status be evaluated by the Town Administrator. After careful review, the Town Administrator may recommend to the Select Board that the property be offered for sale, subject to Town Meeting approval.

When a vacant lot is made available for sale by the Town, the lot may be referred to the Town Administrator to evaluate the property and determine its eligibility in accordance with this guidance.

Upon determining that the property is eligible, the Town Administrator will prepare a report and recommendation to the Select Board. The report and recommendation will include: the location, size and value of the property, the number of direct abutters, any restrictions that should be included in the sale and any other information deemed necessary.

If the Select Board determines that the lot will be offered for sale to abutters, qualifying abutters will be notified and invited to submit a proposal to purchase the property.

If an abutter submits a completed application by the deadline contained in the invitation, the proposal will be reviewed by the Town Administrator, who will prepare a recommendation for the Select Board.

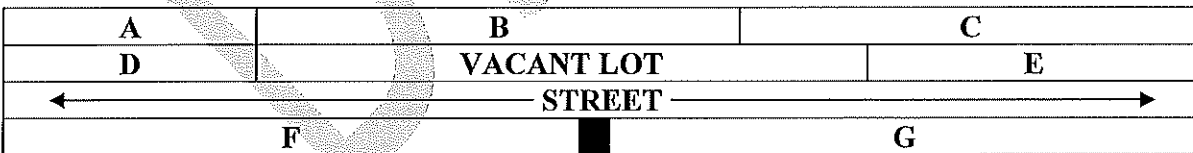
If the Select Board votes to accept the proposal, the parties will execute a purchase and sale agreement and the Board will convey the property in accordance with Massachusetts Law and standard conveyancing practices.

The Town Administrator may consult with other Town officials, separately or as a group, including but not limited to officials from the planning, fire, treasurer, building, and health departments, prior to making their recommendation to the Select Board.

Who can submit an application?

Any person owning land in the Town of Lakeville which shares a boundary line with a parcel of vacant land meeting the criteria of these guidelines or, if the properties are on opposite sides of a private road or right of way.

The following graphic shows an example of who can and cannot apply.



In this example, owners of properties B, C, D and E can apply to buy the vacant lot. The owner of parcel A cannot apply since the property does not directly border the available vacant lot. Additionally, owners of properties located across the street from the available vacant lot are not eligible. Owners of vacant land abutting the lot for sale are also not eligible. In the case where one property owner owns two separate but adjacent parcels (one of which is a primary residence and one is vacant) and the parcel abutting the lot for sale is vacant, that owner may be eligible to purchase the third lot as long as all lots are then combined. Priority will be given to the lots abutting on either side of the vacant lot on the same road, unless the rear lot needs additional land for septic improvements.

Parcels (Lots F and G) across the street may apply only if the street is a private road or right of way.

The following property owners will not be eligible to participate in this program:

- Abutters who have had property foreclosed upon by the Town of Lakeville are ineligible for the program. At the time of filing an application and during the review process, abutters must not be delinquent in the payment of taxes on any property within the Town.
- Abutters with arson-related histories or with any unresolved arson related charges are ineligible for the program.
- Abutters who have any housing discrimination complaints, convictions for violating fair housing laws, unresolved tenant harassment complaints or convictions for tenant harassment are ineligible for the program.
- Abutters who have any unresolved violations of building, conservation or health codes are ineligible for the program.

What is the price of an abutter lot?

The purchase price for a lot offered for sale will be at least equal to the assessed value for the current fiscal year; provided that the Select Board reserves the right to sell the lot for such higher price as it deems in the best interests of the Town. The Select Board may also determine the reasonable assessment of any costs associated with preparing the lot for sale. These costs may include building demolition, property clean up, survey, fencing, legal, and other make ready actions necessary.

The lot sales price must be paid in full at closing. In addition to the sales price, the buyer is responsible for paying all Plymouth County Registry of Deeds recording fees, costs associated with the survey and ANR plan, deed preparation, and pro-rated payment in lieu of taxes calculated by multiplying the tax rate for the fiscal year by the sale price. If a property is divided between two or more applications, then they shall share the cost of the common expenses.

How are applications evaluated?

Abutters invited to submit an application shall apply in writing in accordance with instructions provided with the invitation.

All abutters who submit an application will be subject to the following reviews:

- The abutters' current use of the vacant parcel must be consistent with the goals of the Abutter Lot Program which are to improve the cleanliness and safety of Lakeville neighborhoods.
- Complete Application Review: Applications must be complete and submitted by any applicable deadlines. All sections should be completely and truthfully answered, the attachment forms signed and a property deed, as well as any other information, if applicable, should be included. Incomplete applications will be rejected.

- Eligible Abutter Review: Applicants must be an abutting property owner to be eligible to buy an abutter lot. Please see the criteria above.
- Zoning Review: The proposed sale of the abutter lot must not expand a non-conforming use
- Abutter Lot Use: The applicant's proposed use for the abutter lot must be an allowed use as of right in accordance with applicable zoning, conservation and health regulations.

Upon approval of the application by the Select Board the applicant will be required to survey their existing lot and the new abutter lot (or portion thereof) for the purposes of combining both lots into a newly configured lot. A Form A application shall be filed with the Planning Board. Upon approval of the Form A and satisfaction of all other conditions in the Purchase and Sale Agreement, the property closing shall occur along with the recording of the plans and deeds.

All sales must be approved by the Lakeville Select Board. Abutters may be required to attend the Select Board Meeting. The Select Board reserves the right to not approve any or all abutters as the purchaser of a lot.

What happens when more than one abutter applies for the same lot?

If more than one abutter applies for the purchase of the lot and they both submit applications that meet the minimum review requirements, then two options are available. The Town Administrator can recommend that the parcel be divided, and each abutter will receive a portion of the property, or the Town Administrator may decide that the property should be sold to one abutter based on the following program criteria:

- Preference will be given to an abutter who is a residential, owner-occupant.
- Preference will be given to an abutter who maintains their property in excellent condition.
- Preference will be given to the abutter who presently has little or no useable open space and/or needs land for required off street parking or additional land for a septic system or well.
- Preference will be given to the abutter who has assisted in the maintenance and care of the vacant lot.
- Preference will be given to those proposals that fulfill a recognized need for that neighborhood.
- Preference will be given to those abutters that have an excellent tax payment history.

In some cases, the Town Administrator may request to meet with both applicants to generate a mutually agreeable solution for both parties. The Town reserves the right to not recommend any abutter as the purchaser of the vacant lot.

What are the Terms and Conditions of the Sale?

If a proposal is accepted by the Select Board, the parties will execute a legally binding purchase and sale agreement that will set forth the specific terms and conditions for completing the transaction.

The buyer will be responsible for all legal, recording, or other applicable fees that are incurred as part of the sale.

Included in the sale terms and conditions is an agreement that the buyer must agree to certain items such as the following, which will be recorded as a restriction on the deed:

- The lot must be kept free of garbage and debris.
- The grass and/or weeds must be kept trimmed and cut below 6 inches.
- All shrubs must be maintained.
- The premises shall be combined with the abutting property into the same record ownership for the purposes of future conveyances. If the lot is sold, the lot must always be sold with the original abutter lot.
- If the lot is used for off-street parking, a legal curb-cut must be constructed for access in compliance with all applicable Town regulations.
- The buyer must begin maintenance of the lot immediately upon purchase and complete all proposed improvements generally within one year of purchase.

A covenant between the Town and the Buyer shall be required to ensure adherence to the stipulations above. Any improvement to the lot must be completed in accordance with all applicable zoning, building, conservation and health codes.

Who Should I Contact if I have Questions?

If you have questions or would like more information about the Abutter Lot Sales Program you may contact the Lakeville Town Administrator's office at (508) 946-8803.

**AGENDA ITEM #5
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE TO SIGN MEMORANDUM OF
AGREEMENT BETWEEN THE TOWN OF LAKEVILLE AND
MASSACHUSETTS LABORER'S DISTRICT COUNCIL OF
LABORERS INTERNATIONAL UNION OF NORTH AMERICA, AFL-
CIO**



Memorandum of Agreement Between the Town of Lakeville
And
Massachusetts Laborer's District Council of Laborers
International Union of North America, AFL-CIO

This Memorandum of Agreement is entered into by and between the Town of Lakeville "The Town" and the Massachusetts Laborer's District Council of Laborers International Union of North America, AFL-CIO, Local 22 "Union". All terms and conditions of the Collective Bargaining Agreement effective from July 1, 2023 through June 30, 2026 shall remain in effect.

Whereas the Town and the Union are parties to a collective bargaining agreement
AND

Whereas the Town and Union seek to come to an agreement to resolve compensation concerns raised by the Union
AND

Whereas the Town and Union have bargained in good faith and agree to resolve such issues as follows:

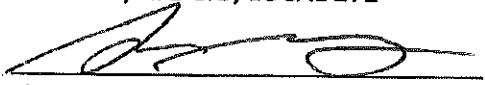
1. Move Jennifer Jewel from Pay Grade 1 Administrative Assistant to Pay Grade C Step 4
2. Move Sarah Robbins from Grade 4 Step 1 to Grade 4 Step 3
3. Move Mary Sancinlto from Grade 4 Step 2 to Grade 4 Step 4
4. All salary changes shall take effect July 1, 2023
5. The Town agrees to perform a salary study for the following positions:
 - a. Pay Grade 1 Administrative Assistant
 - b. Pay Grade C Assistant Town Clerk and Assistant Treasurer Collector
 - c. Pay Grade B Executive Assistant to the Building Commissioner

IN WITNESS WHEREOFF, the parties hereto have executed this agreement this ____ day of
____, 2023.

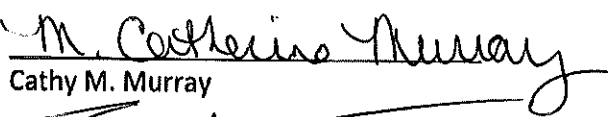
TOWN OF LAKEVILLE

MASSACHUSETTS LABORERS' DISTRICT
COUNCIL OF THE LABORERS
INTERNATIONAL UNION OF NORTH
AMERICA, AFL-CIO, LOCAL 272

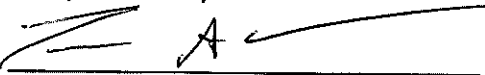
By its Select Board


Shawn Mahoney, Business Manager

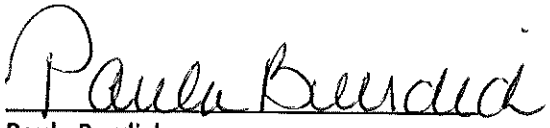
Brian Day

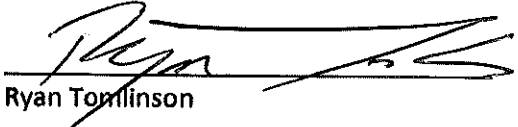

Cathy M. Murray

Evagelia Fabian


Teresa Mirra

Lorraine Carboni


Paula Burdick


Ryan Tomlinson

**AGENDA ITEM #6
JULY 31, 2023**


**DISCUSS AND POSSIBLE VOTE TO SIGN EXTENSION OF THE
INTERMUNICIPAL AGREEMENT FOR THE SCHOOL RESOURCE
OFFICER FOR F/L REGIONAL SCHOOL DISTRICT**

**Agreement Between
Freetown-Lakeville Regional School District
And the
Lakeville Police Department
For
Placement of a School Resource Officer**

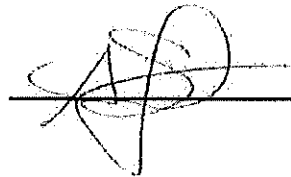
The Lakeville Police Department and the Freetown-Lakeville Regional School District agree to extend the Intermunicipal Agreement between both entities, dated July 31, 2023, to include the school year ending June 30, 2024.

All other terms and conditions of the Intermunicipal Agreement shall remain in full force and effect.

Police Chief



Superintendent of Schools



Subject to ratification by:
Freetown-Lakeville Regional School District
By Its School Committee


Town of Lakeville
By Its Board of Selectmen

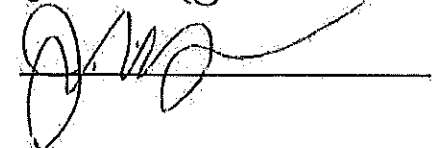


Robert Clark













Memorandum of Understanding
Between
Freetown-Lakeville Regional School District
and
Lakeville Police Department

This agreement (the "Agreement") is made by and between Freetown-Lakeville Regional School District (the "District") and Lakeville Police Department (the "Police Department") (collectively, the "Parties"). The Chief of Police of the Police Department (the "Chief") and the Superintendent of the District ("the Superintendent") are each a signatory to this Agreement. The provisions of this Agreement in bold typeface are specifically required by law under G.L. c. 71, § 37P.

I. Purpose

The purpose of this Agreement is to formalize and clarify the partnership between the District and the Police Department to implement a School Resource Officer ("SRO") program (the "Program") Apponequet Regional High School, Freetown Lakeville Middle School, George R. Austin Intermediate School and Assawompset Elementary School (the "Schools") in order to promote school safety; help maintain a positive school climate for all students, families, and staff; enhance cultural understanding between students and law enforcement; promote school participation and completion by students; facilitate appropriate information-sharing; and inform the Parties' collaborative relationship to best serve the school community.

This memorandum is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable by any person in any civil or criminal matter.

II. Mission Statement, Goals, and Objectives

The mission of the Program is to support and foster the safe and healthy development of all students in the District through strategic and appropriate use of law enforcement resources and with the mutual understanding that school participation and completion is indispensable to achieving positive outcomes for youth and public safety.

The Parties are guided by the following goals and objectives (the "Goals and Objectives");

- To foster a safe and supportive school environment that allows all students to learn and flourish regardless of race, religion, national origin, immigration status, gender, disability, sexual orientation, gender identity, and socioeconomic status;
- To promote a strong partnership and lines of communication between school and police personnel and clearly delineate their roles and responsibilities;
- To establish a framework for principled conversation and decision-making by school and police personnel regarding student misbehavior and students in need of services;
- To ensure that school personnel and SROs have clearly defined roles in responding to student misbehavior and that school administrators are responsible for code of conduct and routine disciplinary violations;

- To minimize the number of students unnecessarily out of the classroom, arrested at school, or court-involved;
- To encourage relationship-building by the SRO such that students and community members see the SRO as a facilitator of needed supports as well as a source of protection;
- To provide requirements and guidance for training including SRO training required by law and consistent with best practices, and training for school personnel as to when it is appropriate to request SRO intervention;
- To outline processes for initiatives that involve the SRO and school personnel, such as violence prevention and intervention and emergency management planning; and
- To offer presentations and programming to the school focusing on criminal justice issues, community and relationship building, and prevention, health, and safety topics.

III. Structure and Governance

The Parties acknowledge the importance of clear structures and governance for the Program. The Parties agree that communicating these structures to the school community, including teachers and other school staff, students, and families, is important to the success of the Program.

A. Process for Selecting SRO

The Parties acknowledge that the selection of the SRO is a critical aspect of the Program and that it is important for the Parties and the school community to have a positive perception of and relationship with the SRO.

In accordance with state law, the Chief shall assign an officer whom the Chief believes would foster an optimal learning environment and educational community and shall give preference to officers who demonstrate the requisite personality and character to work in a school environment with children and educators and who have received specialized training in child and adolescent cognitive development, de-escalation techniques, and alternatives to arrest and diversion strategies. The Chief shall work collaboratively with the Superintendent in identifying officers who meet these criteria and in selecting the officer who is ultimately assigned as the SRO.

The Chief shall consider the following additional factors in the selection of the SRO:

- Proven experience working effectively with youth;
- Demonstrated ability to work successfully with a population that has a similar racial and ethnic makeup and language background as those prevalent in the student body, as well as with persons who have physical and mental disabilities;
- Demonstrated commitment to making students and school community members of all backgrounds feel welcomed and respected;
- Demonstrated commitment to de-escalation, diversion, and/or restorative justice, and an understanding of crime prevention, problem-solving, and community policing in a school setting;
- Knowledge of school-based legal issues (e.g., confidentiality, consent), and demonstrated commitment to protecting students' legal and civil rights;

- Knowledge of school safety planning and technology;
- Demonstrated commitment and ability to engage in outreach to the community;
- Knowledge of school and community resources;
- A record of good judgment and applied discretion, including an absence of validated complaints and lawsuits; and
- Public speaking and teaching skills.

In endeavoring to assign an SRO who is compatible with the school community, the Chief shall receive and consider input gathered by the Superintendent from the school principal(s) and representative groups of teachers, parents, and students, in addition to the Superintendent. In accordance with state law, the Chief shall not assign an SRO based solely on seniority.

The Chief shall consider actual or apparent conflicts of interest, including whether an officer is related to a current student at the school to which the officer may be assigned as an SRO. As part of the application process, officers who are candidates for an SRO position shall be required to notify the Chief about any relationships with current students or staff members or students or staff members who are expected to join the school community (e.g., children who are expected to attend the school in the coming years). Any SRO who has a familial or other relationship with a student or staff member that might constitute an actual or apparent conflict of interest shall be required to notify his or her appointing authority at the earliest opportunity. The Police Department shall determine the appropriate course of action, including whether to assign another officer to respond to a particular situation, and will advise the SRO and the District accordingly. Nothing in this paragraph is intended to limit the ability of the SRO to respond to emergency situations in District schools.

B. Supervision of SRO and Chain of Command

The SRO shall be a member of the Police Department and report directly to the police Lieutenant assigned as SRO supervisor. The SRO shall be designated as a special employee of the District and shall report directly to the respective building principals. To ensure clear and consistent lines of communication, the SRO shall meet at least monthly with the principal and any other school officials identified in Section V.A. The SRO shall ensure that the principal remains aware of material interactions and information involving the SRO's work, including, but not limited to, arrests and searches of students' persons and property, consistent with Section V.D.

C. Level and Type of Commitment from Police Department and School District

The Freetown-Lakeville Regional School District agrees to pay the Town of Lakeville 75% of the annual base salary of a step 1 Lakeville Police Officer. The Lakeville Police Department will invoice the FLRSD at the end of each month. Should the SRO be unavailable on a particular day, the Lieutenant supervising the SRO will fill or replace the SRO. The District will be billed the same amount for the supervising SRO's duties that particular day.

The Freetown-Lakeville Regional School District shall be billed by the Lakeville Police Department the current detail rate, up to a maximum of 8 hours per week, for school related duties outside the SRO's normal work schedule or for duties of the supervising SRO.

The District will make available to the SRO, a dedicated and secure office space for the SRO that allows the SRO to engage in confidential conversations. This includes a desk, chairs, and access to any technology needs.

D. Integrating the SRO

The Parties acknowledge that proper integration of the SRO can help build trust, relationships, and strong communication among the SRO, students, and school personnel.

The District shall be responsible for ensuring that the SRO is formally introduced to the school community, including students, parents, and staff. The introduction shall include information about the SRO's background and experience, the SRO's role and responsibilities, what situations are appropriate for SRO involvement, and how the SRO and the school community can work together, including how and when the SRO is available for meetings and how and when the school community can submit questions, comments, and constructive feedback about the SRO's work. The SRO shall also initiate communications with students and teachers to learn their perceptions regarding the climate of their school.

The SRO shall regularly be invited to and attend staff meetings, assemblies, and other school convenings. The SRO shall also be invited to participate in educational and instructional activities, such as instruction on topics relevant to criminal justice and public safety issues. If the District has access to a student rights training through a community partner or the District Attorney's Office, the school shall consider offering such a training to students, where practicable, at the start of each school year. The SRO shall make reasonable efforts to attend such training. The SRO shall not be utilized for support staffing, such as hall monitor, substitute teacher, or cafeteria duty.

The Parties acknowledge that the SRO may benefit from knowledge of accommodations or approaches that are required for students with mental health, behavioral, or emotional concerns who have an individualized education program ("IEP") under the Individuals with Disabilities Education Act or a plan under Section 504 of the Rehabilitation Act ("504 Plan"). School personnel shall notify parents or guardians of such students of the opportunity to offer the SRO access to the portions of the IEP document or 504 Plan that address these accommodations or approaches. It is within the sole discretion of the parents or guardians to decide whether to permit the SRO to review such documents. If a parent or guardian provides such permission, the SRO shall make reasonable efforts to review the documents. Whenever possible, the school shall make available a staff member who can assist the SRO in understanding such documents.

The SRO shall participate in any District and school-based emergency management planning. The SRO shall also participate in the work of any school threat assessment team to the extent any information sharing is consistent with obligations imposed by the Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. § 1232g) (see further information in Section V).

E. Complaint Resolution Process

The Parties shall develop and implement a simple and objective complaint resolution system for all members of the school community to register concerns that may arise with respect to the SRO or the Program. The system shall comply with Police Department policies and shall provide for timely communication of the resolution of the complaint to the complainant. The system shall also allow parents and guardians to submit complaints in their preferred language and in a confidential manner that protects the identity of the complainant from the SRO consistent with the SRO's due process rights and any applicable employment protections.

All students, parents, guardians, teachers, and administrators shall be informed of the complaint resolution system and procedures at the beginning of each school year.

The Parties shall develop and implement a system that allows for the SRO and other Police Department officers to register concerns, including concerns about misconduct by teachers or administrators, that may arise with respect to the Program.

F. Annual Review of the SRO and the SRO Program

In accordance with state law, the Chief and the Superintendent shall annually review the performance of the SRO and the success and effectiveness of the Program in meeting the Goals and Objectives. The review shall be conducted at the end of each school year in a meeting among the SRO, the Chief, and the Superintendent.

The Chief and Superintendent shall jointly develop and agree in advance on the metrics for measuring the SRO's performance and the success and effectiveness of the Program. The review shall include measures that reward the SRO's performance, subject to the terms of any applicable collective bargaining agreements, for compliance with the terms of this Agreement and the SRO's contributions to achieving the mission, purpose, goals, and objectives as set forth in Sections I and II. The review shall consider SRO efforts to prevent unnecessary student arrests, citations, court referrals, and other use of police authority. The review shall also assess the extent of the SRO's positive interactions with students, families, and staff and the SRO's participation in collaborative approaches to problem-solving, prevention, and de-escalation.

The Chief and Superintendent shall provide a mechanism for receiving feedback from the school community, including principal(s), teachers, students, and families of the school(s) to which the SRO is assigned. The Chief shall seriously consider any such feedback and shall make a good faith effort to address any concerns raised; however, the final selection

and assignment of the SRO shall be within the sole discretion of the Chief. If the Superintendent recommends that the SRO not be assigned to a specific school, the Chief shall provide an explanation of any decision to maintain the SRO's assignment.

IV. Roles and Responsibilities of the SRO and School Administrators and Staff in Student Misbehavior

The Parties agree that school officials and the SRO play important and distinct roles in responding to student misbehavior to ensure school safety and promote a positive and supportive learning environment for all students.

Under state law, the SRO shall not serve as a school disciplinarian, as an enforcer of school regulations, or in place of school-based mental health providers, and the SRO shall not use police powers to address traditional school discipline issues, including non-violent disruptive behavior.

The principal or his or her designee shall be responsible for student code of conduct violations and routine disciplinary violations. The SRO shall be responsible for investigating and responding to criminal misconduct. The Parties acknowledge that many acts of student misbehavior that may contain all the necessary elements of a criminal offense are best handled through the school's disciplinary process. The SRO shall read and understand the student code of conduct for both the District and the school.

The principal (or his or her designee) and the SRO shall use their reasoned professional judgment and discretion to determine whether SRO involvement is appropriate for addressing student misbehavior. In such instances, the guiding principle is whether misbehavior rises to the level of criminal conduct that poses (1) real and substantial harm or threat of harm to the physical or psychological well-being of other students, school personnel, or members of the community or (2) real and substantial harm or threat of harm to the property of the school.

In instances of student misbehavior that do not require a law enforcement response, the principal or his or her designee shall determine the appropriate disciplinary response. The principal or his or her designee should prioritize school- or community-based accountability programs and services, such as peer mediation, restorative justice, and mental health resources, whenever possible.

For student misbehavior that requires immediate intervention to maintain safety (whether or not the misbehavior involves criminal conduct), the SRO may act to deescalate the immediate situation and to protect the physical safety of members of the school community. To this end, school personnel may request the presence of the SRO when they have a reasonable fear for their safety or the safety of students or other personnel.

When the SRO or other Police Department employees have opened a criminal investigation, school personnel shall not interfere with such investigation or act as agents of law enforcement. To protect their roles as educators, school personnel shall only assist in a criminal investigation as witnesses or to otherwise share information consistent with Section V, except in cases of

emergency. Nothing in this paragraph shall preclude the principal or his or her designee from undertaking parallel disciplinary or administrative measures that do not interfere with a criminal investigation.

A student shall only be arrested on school property or at a school-related event as a last resort or when a warrant requires such an arrest. The principal or his or her designee shall be consulted prior to an arrest whenever practicable, and the student's parent or guardian shall be notified as soon as practicable after an arrest. In the event of an investigation by the SRO that leads to custodial questioning of a juvenile student, the SRO shall notify the student's parent or guardian in advance and offer them the opportunity to be present during the interview.

In accordance with state law, the SRO shall not take enforcement action against students for Disturbing a School Assembly (G.L. c. 272, § 40) or for Disorderly Conduct or Disturbing the Peace (G.L. c. 272, § 53) within school buildings, on school grounds, or in the course of school-related events.

It shall be the responsibility of the District to make teachers and other school staff aware of the distinct roles of school administration and SROs in addressing student misbehavior, consistent with this Section and this Agreement, as well as the Standard Operating Procedures accompanying this Agreement and described in Section VIII.

V. Information Sharing Between SROs, School Administrators and Staff, and Other Stakeholders

The Parties acknowledge the benefit of appropriate information sharing for improving the health and safety of students but also the importance of limits on the sharing of certain types of student information by school personnel. The Parties also acknowledge that there is a distinction between student information shared for law enforcement purposes and student information shared to support students and connect them with necessary mental health, community-based, and related services.

A. Points of Contact for Sharing Student Information

In order to facilitate prompt and clear communications, the Parties acknowledge that the principal (or his or her designee) and the SRO are the primary points of contact for sharing student information in accordance with this Agreement. The Parties also acknowledge that, in some instances, other school officials or Police Department employees may serve as key points of contact for sharing information. Such school officials and Police Department employees are identified below

Superintendent
Chief of Police
Police Lieutenant SRO Supervisor

Such Police Department employees are considered a part of the District's "Law Enforcement Unit" as defined in the Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. § 1232g).

B. Compliance with FERPA and Other Confidentiality Requirements

At all times, school officials must comply with FERPA. This federal statute permits disclosures of personally identifiable information about students contained in educational records ("Student PII"), without consent, only under specific circumstances.

When the District "has outsourced institutional services or functions" to the SRO consistent with 34 C.F.R. § 99.31(a)(1)(i)(B) of FERPA, the SRO qualifies as a "school official" who can access, without consent, Student PII contained in education records about which the SRO has a "legitimate educational interest."

Consistent with 34 C.F.R. §§ 99.31(10) and 99.36 of FERPA, the SRO (or other Police Department employee identified in Section V.A.) may gain access, without consent, to Student PII contained in education records "in connection with an emergency if knowledge of the [Student PII] is necessary to protect the health or safety of the student or other individuals."

These are the *only* circumstances in which an SRO may gain access, without consent, to education records containing student PII (such as IEPs, disciplinary documentation created by a school, or work samples).

FERPA does not apply to communications or conversations about what school staff have observed or to information derived from sources other than education records.

In addition to FERPA, the Parties agree to comply with all other state and federal laws and regulations regarding confidentiality, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and state student record regulations at 603 C.M.R. 23.00. The Parties agree to collect only that student information necessary and relevant to fulfilling their respective roles, to share such information with each other only where required or allowed under this Agreement, and not to share such information beyond the sharing contemplated in this Agreement unless required to be shared by state or federal law. The Parties shall not collect or share information on a student's immigration status except as required by law.

C. Information Sharing by School Personnel

1. For Law Enforcement Purposes

Where the principal or his or her designee learns of misconduct by a student for which a law enforcement response may be appropriate (as described in Section IV), he or she should inform the SRO. If a teacher has information related to such misconduct, he or she may communicate this information directly to the SRO but

should also communicate such information to the principal or his or her designee. The Parties agree that the sharing of such information shall not and should not necessarily require a law enforcement response on the part of the SRO but shall and should instead prompt a careful consideration of whether the misconduct is best addressed by law enforcement action, by a school disciplinary response, or by some combination of the two.

Notwithstanding the foregoing, if student information is obtained solely during a communication with school staff deemed privileged or confidential due to the staff member's professional licensure, such communication shall only be disclosed with proper consent or if the communication is subject to the limits and exceptions to confidentiality and is required to be disclosed (e.g., mandatory reporting, immediate threats of harm to self or others). Additionally, if such student information is gathered as part of a "Verbal Screening Tool for Substance Abuse Disorders," such information shall only be disclosed pursuant to the requirements of G.L. c. 71, § 97.

The Parties acknowledge that there may be circumstances in which parents consent to the disclosure of student information for law enforcement purposes (e.g., as part of a diversion program agreement) and that the sharing of information under such circumstances does not violate this Agreement.

The Parties also acknowledge that, from time to time, an emergency situation may arise that poses a real, substantial, and immediate threat to human safety or to property with the risk of substantial damage. School personnel having knowledge of any such emergency situation should immediately notify or cause to be notified both the Police Department (or the SRO if appropriate to facilitate a response) and the principal or his or her designee. This requirement is in addition to any procedures outlined in the school's student handbook, administrative manual, and/or School Committee policy manual.

Nothing in this section or this Agreement shall prevent the principal or his or her designee from reporting possible criminal conduct by a person who is not a student.

2. For Non-Law Enforcement Purposes

Based on their integration as part of the school community, SROs may periodically require access to student information for purposes that fall outside of the SRO's law enforcement role outlined in Section IV.

Student PII received by the SRO (or other Police Department employee identified in Section V.A.) that is not related to criminal conduct risking or causing substantial harm shall not be used to take law enforcement action against a student but may be used to connect a student or family with services or other supports. Prior to such a disclosure, whenever possible, the principal or his or her designee shall notify the parent, the student, or both, when such information will be shared with the SRO.

D. Information Sharing by the SRO

Subject to applicable statutes and regulations governing confidentiality, the SRO shall inform the principal or his or her designee of any arrest of a student, the issuance of a criminal or delinquency complaint application against a student, or a student's voluntary participation in any diversion or restorative justice program if:

- The activity involves criminal conduct that poses a (present or future) threat of harm to the physical or psychological well-being of the student, other students or school personnel, or to school property;
- The making of such a report would facilitate supportive intervention by school personnel on behalf of the student (e.g., because of the Police Department's involvement with a student's family, the student may need or benefit from supportive services in school); or
- The activity involves actual or possible truancy.

The SRO shall provide such information whether the activity takes place in or out of school, consistent with the requirements of G.L. c. 12, § 32 (Community Based Justice information-sharing programs) and G.L. c. 71, § 37H (setting forth potential disciplinary consequences for violations of criminal law).

When the SRO observes or learns of student misconduct in school for which a law enforcement response is appropriate (as described in Section IV), the SRO shall convey to the principal or his or her designee as soon as reasonably possible the fact of that misconduct and the nature of the intended law enforcement response, and when the SRO observes or learns of student misconduct that does not merit a law enforcement response, but that appears to violate school rules, the SRO shall report the misconduct whenever such reporting would be required for school personnel.

VI. Data Collection and Reporting

In accordance with state law, the SRO and school administrators shall work together to ensure the proper collection and reporting of data on school-based arrests, citations, and court referrals of students, consistent with regulations promulgated by the Department of Elementary and Secondary Education.

VII. SRO Training

In accordance with state law, the SRO shall receive ongoing professional development in:

- (1) child and adolescent development,
- (2) conflict resolution, and
- (3) diversion strategies.

Additional areas for continuing professional development may include, but are not limited to:

- Restorative practices
- Implicit bias and disproportionality in school-based arrests based on race and disability
- Cultural competency in religious practices, clothing preferences, identity, and other areas
- Mental health protocols and trauma-informed care
- De-escalation skills and positive behavior interventions and supports
- Training in proper policies, procedures, and techniques for the use of restraint
- Teen dating violence and healthy teen relationships
- Understanding and protecting civil rights in schools
- Special education law
- Student privacy protections and laws governing the release of student information
- School-specific approaches to topics like bullying prevention, cyber safety, emergency management and crisis response, threat assessment, and social-emotional learning

The SRO shall also receive certified basic SRO training on how to mentor and counsel students, work collaboratively with administrators and staff, adhere to ethical standards around interactions with students and others, manage time in a school environment, and comply with juvenile justice and privacy laws, to the extent that such training is available.

The SRO shall attend a minimum of twelve (12) hours of training per year.

Where practicable, the District shall also encourage school administrators working with SROs to undergo training alongside SROs to enhance their understanding of the SRO's role and the issues encountered by the SRO.

VIII. Accompanying Standard Operating Procedures

This Agreement shall be accompanied by Standing Operating Procedures that shall be consistent with this Agreement and shall include, at a minimum, provisions detailing:

- The SRO uniform and any other ways of identifying as a police officer;
- Duty hours and scheduling for the SRO;
- Use of police force, arrest, citation, and court referral on school property;
- A statement and description of students' legal rights, including the process for searching and questioning students and when parents and administrators must be notified and present;
- The chain of command, including delineating to whom the SRO reports, how often the SRO meets with the principal or his or her designee, and how school administrators and the SRO work together, as well as what procedure will be followed when there is a disagreement between the administrator and the SRO;
- Protocols for SROs when school administrators, teachers, or other school personnel call upon them to intervene in situations beyond the role prescribed for them in Section IV;
- Performance evaluation standards, which shall incorporate monitoring compliance with this Agreement and use of arrest, citation, and police force in school;
- Protocols for diverting and referring at-risk students to school- and community-based supports and providers; and

- Clear guidelines on confidentiality and information sharing between the SRO, school staff, and parents or guardians.

IX. Effective Date, Duration, and Modification of Agreement

This Agreement shall be effective as of the date of signing.

This Agreement shall be reviewed annually prior to the start of the school year. This Agreement remains in full force and effect until amended or until such time as either of the Parties withdraws from this Agreement by delivering written notification to the other Party.

Upon execution of this Agreement by the Parties, a copy of the Agreement shall be placed on file in the offices of the Chief and the Superintendent. The Parties shall also share copies of this Agreement with the SRO, any principals in schools where the SRO will work, and any other individuals whom they deem relevant or who request it.

Freetown-Lakeville Regional School District
BY its Committee

J.C. Fox

Town of Lakeville
BY its Board of Selectmen

[Signature]

COVID-19
approved via zoom meeting

[Signature]
Superintendent of Schools

Date: June 12, 2020

[Signature]
Chief of Police

Date: June 12, 2020

**AGENDA ITEM #7
JULY 31, 2023**

**UPDATE ON POSSIBLE REVISIONS TO ANNUAL TOWN MEETING
ARTICLE 14 (RECALL OF AN ELECTED OFFICIAL) AS
REQUESTED BY HOUSE COUNSEL**

Ari Sky

From: Ari Sky
Sent: Monday, July 10, 2023 1:31 PM
To: Brian Day; Lorraine Carboni; Lia Fabian
Cc: Lillian Drane, Town Clerk & Chief Elections Officer, CMC, Commissioner to Qualify & Burial Agent; Gregg J. Corbo
Subject: Recall Petition - Edits by House Counsel
Attachments: RE: Certified Vote - Article 14 (Recall of Elected Officials); RE: Certified Vote - Article 14 (Recall of Elected Officials)

All –

I received the attached email on Friday describing a number of revisions to the recall article that was approved at the Annual Town Meeting. Given that the article was submitted by petition, I reached out to Town Counsel to request guidance on the discretion afforded to the Select Board in revising the article. Gregg Corbo's response, which states that the Select Board has the authority to approve changes requested by the Legislature, is also attached.

My intention at this point is to meet with Gregg later this week to determine whether the proposed edits and requests for clarification fall within the scope of the petition and, if so, to prepare a version for the Select Board's consideration. I'm aiming to have a product ready for the July 31 meeting. Thanks.

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



An Act to establish recall methods for elected officials in the town of Lakeville.

A. RECALL DESCRIPTION

SECTION 1. (a) Any holder of an elected office in the Town of Lakeville may be recalled therefrom by registered voters of the Town as hereinafter provided.

2. The recall of an elected official shall consist of a 3-step process as set forth in subsections (b) through (d), inclusive.

3. An initial recall affidavit shall not be filed against an officer within 6 months after the officer takes office or within the last 6 months of the term.

B. INITIATION OF THE RECALL AFFADAVIT (Step one) The Affidavit

(b) 1. Any 5% per cent of the registered voters of the Town of Lakeville may initiate a recall petition by filing an affidavit containing the name of the official to be recalled and a statement of the grounds for recall with the Town Clerk; provided, however, that if a recall affidavit is filed to recall the town clerk, the select board may appoint a temporary or interim town clerk to carry out the recall process.

2. The Select Board may appoint a Temporary/Interim Town Clerk to handle the recall process and Election should the Town Clerk be the Elected official subjected to the recall.

Commented [MB(1)]: This wording is confusing. It is not clear here what the 5% of registered voters need to do to initiate a recall petition. Most similar bills require a certain amount of signatures on an affidavit of this type to initiate a recall. If the intent here is to have the 5% of registered voters sign the affidavit we should explicitly say that.

C. THE PETITION (Step two) The Petition

(c) 1. If the affidavit process has been completed in compliance with the requirements of subsection (b) of this Chapter, the Town Clerk shall provide a sufficient number of copies of recall petition blanks demanding such recall (printed forms of which shall be kept on hand) to the voters who made the affidavit; provided, that the town clerk shall keep printed copies of the recall petition blanks on hand. The blanks shall be issued by the Town Clerk and bear the Clerk's signature and Official Seal of the town; they shall be dated and addressed to the select board and shall contain the names of all persons to whom issued, the number of blanks so issued, the name of the person sought to be recalled, and shall demand the election of a successor to such office.

2. Such blanks must shall be provided within five 5 Town hall business days during regular business hours.

Commented [MB(2)]: Correct? We refer to the recall petition in the next paragraph, so we should establish that the blanks provided to voters are the same thing.

Commented [MB(3)]: It's not clear who this is referring to. Do registered voters need to sign the affidavit? Or do the blanks just need to be sent to the voter who files the affidavit?

3. Said recall petition shall be returned and filed with the Town Clerk on the 28th day after the requesting voter receives the blank petitions from the Town Clerk; provided, however,

4. In the event that if the Town hall is not open on the 28th day, the petition may be filed during normal business hours on the next Town hall business day.

5. The petition, before being returned and filed, shall be signed by 1000 qualified registered voters of the Town. Every signature must be accompanied by the signer's place of residence, including giving the street and number.

6. Within 5 working days of receipt of the recall petition sheets, the town clerk shall submit the recall petition sheets to the board of registrars of voters and the board of registrars of voters shall verify the number of signatures which are names of registered voters of the town.

Commented [MB(4)]: We've changed this to "registered voters" since that is the term used above. If "qualified voters" means something different than "registered voters" we may want to define "qualified voters".

D. THE RECALL ELECTION (Step three) The Recall Election

(d) 1. If the recall petition filed pursuant to subsection (c) shall be found and certified by the Registrars of voters to be sufficient, the Town Clerk shall forthwith submit the petition with the certificate to the select board. The select board shall forthwith give written notice to said official of the receipt of said certificate and, if the official sought to be removed does not resign within seven 7 calendar days, shall order an election to be held on a day fixed by them select board not less than 45 days nor more than 60 days after the date of the Town Clerk's issuance of a certificate to the select board showing that a sufficient petition has been is filed; provided, however, if any other Town election is to occur within 90 days after the date of issuance of said certificate, the select board may, at their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as provided in this section provided.

Commented [MB(5)]: Is this correct based on the intent here? The earlier language in this paragraph says that the registrars of voters certify the petition, not the town clerk. Does the town clerk have to issue some kind of certificate to the select board? If that is the case, we should mention that before this.

2.—The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall all be in accordance with the law relating to elections, unless otherwise provided in this act.

3.—Ballots used in a recall election shall contain the following propositions:

FOR THE RECALL OF THE
[NAME OF OFFICER] ()
AGAINST THE RECALL OF THE
[NAME OF OFFICER] ()

Adjacent to each proposition, there shall be a place to mark a vote. Following the propositions shall appear the word "Candidates" with directions to voters as required by section 42 of chapter 54 of the General Laws. Beneath the word "Candidates" shall appear the names of candidates nominated as provided in this act. Adjacent to the name of each candidate shall be a place to mark a vote.

E. DUTIES OF THE INCUMBENT

1.—(e) The incumbent shall continue to perform the duties of his/her/their office until the recall election.
2.—If the official is not recalled, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, as provided in this act.

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F. VOTING RESULTS

1.—(f) If a majority of the votes cast upon the question of recall are in favor of recall, the officer shall be recalled and the votes for the candidates shall be counted.
2.—In that instance event that a majority of the votes cast are in favor of recall, the candidate receiving the highest number of votes shall be declared elected for the open office.
3.—If less than a majority of the votes cast are in favor of recall, the votes for candidates shall not be counted.
4.—If the official is recalled in the recall election, they/he/she shall be deemed removed upon the election of their/his/her successor, who shall hold office during the unexpired term.
5.—If the successor fails to take office within five days after receiving notification of their/his/her election, the incumbent shall thereupon be deemed removed and the office shall be deemed vacant.

G. CANDIDATES TO SUCCEED THE ELECTED OFFICIAL

(g)1.—Any elected official sought to be recalled may not be a candidate to succeed themself/himself/herself.
2.—The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of law relating to elections unless otherwise provided by this act.

H. APPOINTMENT OF RECALLED OR RESIGNED OFFICIAL

(h)1.—Any person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her shall not be appointed to any town office within 2 years after such removal or such resignation.
2.—In the case of an officer subjected to a recall election and not recalled, a new recall affidavit shall not be filed against that officer until at least 1 years have elapsed after the election at which the previous recall was submitted to the voters of the town.

I. EFFECTIVE DATE

SECTION 2. This act shall take effect upon its passage.

Ari Sky

From: Gregg J. Corbo <GCorbo@k-plaw.com>
Sent: Monday, July 10, 2023 1:19 PM
To: Ari Sky
Cc: Mark R. Reich
Subject: RE: Certified Vote - Article 14 (Recall of Elected Officials)

Hi Ari. Because the vote taken included the language quoted below, it is my opinion that the Select Board has the authority to approve changes requested by the Legislature. Please let me know if you want me to review and advise as to the specific changes being requested.

further, to authorize the General Court to make changes of form only to such legislation unless approved by Select Board prior to enactment, and, further to authorize the Board to approve such changes as are within the public purposes of this petition or take any other action relative thereto. Subject to the above-stated rights of the General Court and the Select Board to make certain changes, the proposed special legislation shall include the following provisions relative to the recall of elected Town officials:

From: Ari Sky <asky@lakevillema.org>
Sent: Monday, July 10, 2023 11:31 AM
To: Gregg J. Corbo <GCorbo@k-plaw.com>
Cc: Mark R. Reich <MReich@k-plaw.com>
Subject: RE: Certified Vote - Article 14 (Recall of Elected Officials)

Gregg –

Just checking in on this issue. I could use some guidance regarding the Select Board's ability to amend this document given that the article was submitted by petition. Can you advise? Thanks.

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



From: Ari Sky <asky@lakevillema.org>
Sent: Friday, July 7, 2023 2:15 PM
To: Gregg J. Corbo <GCorbo@k-plaw.com>
Cc: Lillian Drane, Town Clerk & Chief Elections Officer, CMC, Commissioner to Qualify & Burial Agent <ldrane@lakevillema.org>
Subject: Fw: Certified Vote - Article 14 (Recall of Elected Officials)

Gregg -

House Counsel has provided a number of comments on the home rule recall petition, which was approved by Town Meeting in May. I'm not certain about how to proceed at this point, given that the article was submitted by petition. Can you advise? Thanks.

Ari J. Sky, ICMA-CM

Town Administrator

Town of Lakeville

346 Bedford Street

Lakeville, Massachusetts 02347

asky@lakevillema.org

(508) 946-8803



From: Newhall, Joshua (HOU) <Joshua.Newhall@mahouse.gov>
Sent: Friday, July 7, 2023 12:50 PM
To: Ari Sky <asky@lakevillema.org>
Subject: RE: Certified Vote - Article 14 (Recall of Elected Officials)

Hey Ari,

I hope you and your family had a nice Fourth of July! I am sorry it took a bit, but I finally have some updates on the home rule legislation to establish recall methods for elected officials.

House Counsel took a bit reviewing because they had several recommendations. Attached are two copies of the redraft that House Counsel provided, along with comments on why each correction is needed. House Counsel sent a marked-up version and clean redraft for the town's review.

There were several clerical edits and a few sections where the town must provide additional details for clarity. The sections which require clarification must be amended and approved by the Select Board, along with the other clerical edits. Once that's done, I will send it in for another quick review and, if all the changes the town submits looks good, our office can file.

Please let me know if the town has any questions which need to be forwarded to House Counsel. I am sure they would be happy to explain any of their comments in more detail.

Regards,
-Josh

From: Ari Sky <asky@lakevillema.org>
Sent: Wednesday, May 10, 2023 11:02 AM
To: Rodrigues, Michael (SEN) <Michael.Rodrigues@masenate.gov>; Orrall, Norman - Rep. (HOU) <Norman.Orrall@mahouse.gov>
Cc: Flanagan, Maureen (SEN) <Maureen.Flanagan@masenate.gov>; Newhall, Joshua (HOU) <Joshua.Newhall@mahouse.gov>; Lillian Drane, Town Clerk & Chief Elections Officer, CMC, Commissioner to Qualify & Burial Agent <ldrane@lakevillema.org>
Subject: Certified Vote - Article 14 (Recall of Elected Officials)
Importance: High

All –

On May 8, the Lakeville Town Meeting voted to petition the Legislature for Special Legislation to provide for the recall of officials elected solely by the voters of Lakeville. A copy of the certified text is attached. Thank you for your consideration, and please let me know if you need anything else.

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



Ari Sky

From: Gregg J. Corbo <GCorbo@k-plaw.com>
Sent: Thursday, July 13, 2023 2:27 PM
To: Newhall, Joshua (HOU)
Cc: Ari Sky
Subject: RE: Certified Vote - Article 14 (Recall of Elected Officials)
Attachments: KP-#872297-v1-
An_Act_to_establish_recall_methods_for_elected_officials_in_the_town_of_Lakeville-_Counsel_Redraft.DOCX

Dear Josh:

As you may be aware, I am Town Counsel for the Town of Lakeville. I have reviewed the changes suggested by Attorney Martin relative to the Town's petitioned recall act and I am suggesting additional changes to address some of her comments.

Please forward this revised draft to Attorney Martin and inform her that she may contact me directly if there are any questions or concerns.

Please note that none of the amendments have been approved by the Select Board yet, but it is planning to address the matter at its next meeting on July 31, 2023. If we can reach agreement on potential revisions before then I can present it to the Board for approval at that meeting.

Thank you for your attention to this matter.

Very truly yours,

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

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From: Newhall, Joshua (HOU) <Joshua.Newhall@mahouse.gov>
Sent: Friday, July 7, 2023 12:51 PM
To: Ari Sky <asky@lakevillema.org>
Subject: RE: Certified Vote - Article 14 (Recall of Elected Officials)

Hey Ari,

I hope you and your family had a nice Fourth of July! I am sorry it took a bit, but I finally have some updates on the home rule legislation to establish recall methods for elected officials.

House Counsel took a bit reviewing because they had several recommendations. Attached are two copies of the redraft that House Counsel provided, along with comments on why each correction is needed. House Counsel sent a marked-up version and clean redraft for the town's review.

There were several clerical edits and a few sections where the town must provide additional details for clarity. The sections which require clarification must be amended and approved by the Select Board, along with the other clerical edits. Once that's done, I will send it in for another quick review and, if all the changes the town submits looks good, our office can file.

Please let me know if the town has any questions which need to be forwarded to House Counsel. I am sure they would be happy to explain any of their comments in more detail.

Regards,
-Josh

From: Ari Sky <asky@lakevillema.org>
Sent: Wednesday, May 10, 2023 11:02 AM
To: Rodrigues, Michael (SEN) <Michael.Rodrigues@masenate.gov>; Orrall, Norman - Rep. (HOU) <Norman.Orrall@mahouse.gov>
Cc: Flanagan, Maureen (SEN) <Maureen.Flanagan@masenate.gov>; Newhall, Joshua (HOU) <Joshua.Newhall@mahouse.gov>; Lillian Drane, Town Clerk & Chief Elections Officer, CMC, Commissioner to Qualify & Burial Agent <ldrane@lakevillema.org>
Subject: Certified Vote - Article 14 (Recall of Elected Officials)
Importance: High

All –

On May 8, the Lakeville Town Meeting voted to petition the Legislature for Special Legislation to provide for the recall of officials elected solely by the voters of Lakeville. A copy of the certified text is attached. Thank you for your consideration, and please let me know if you need anything else.

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



An Act to establish recall methods for elected officials in the town of Lakeville.

A. RECALL DESCRIPTION

SECTION 1. (a) Any holder of an elected office in the Town of Lakeville may be recalled therefrom by registered voters of the Town as hereinafter provided; ~~provided, however, that members of the Freetown-Lakeville Regional School District committee shall not be considered elected officials for purposes of this act.~~

Commented [GJC1]: I recommend that this language be added because members of the RSD committee are not elected solely by the voters in Lakeville.

~~2. The recall of an elected official shall will consist of a 3-step process as set forth in subsections (b) through (d), inclusive.~~

~~3. An initial recall affidavit shall not be filed against an officer within 6 months after the officer takes office or within the last 6 months of their term.~~

B. INITIATION OF THE RECALL AFFADAVIT – (Step one) The Affidavit

~~(b)1. An initial recall affidavit signed by at least Any 5% per cent of the registered voters of the Town of Lakeville containing their names and addresses may be filed with the Town Clerk. That initial recall affidavit shall contain may initiate a recall petition by filing an affidavit containing the name of the official to be recalled and a statement of the grounds for recall. The town clerk shall immediately forward the recall affidavit to the board of registrars for verification of signatures; with the Town Clerk; provided, however, that if a recall affidavit is filed to recall the town clerk, the select board may appoint a temporary or interim town clerk to carry out the recall process.~~

Commented [MB2]: This wording is confusing. It is not clear here what the 5% of registered voters need to do to initiate a recall petition. Most similar bills require a certain amount of signatures on an affidavit of this type to initiate a recall. If the intent here is to have the 5% of registered voters sign the affidavit we should explicitly say that.

~~2. The Select Board may appoint a Temporary/interim Town Clerk to handle the recall process and Election should the Town Clerk be the Elected official subjected to the recall.~~

C. THE PETITION – (Step two) The Petition

~~(c)1. Within 14 calendar days of receipt of the initial recall affidavit, the board of registrars of voters shall (1) verify the signatures on the initial recall affidavit and if found to contain a sufficient number of signatures, (2) the town clerk shall thereupon deliver to the first 10 signers of the affidavit a formal numbered printed recall petition sheet with the town clerk's official seal, and addressed to the select board demanding the recall. The town clerk shall fill out the top portion of each recall petition sheet naming the elected official, the grounds for recall stated in the petition, the names of the first 10 voters signing the affidavit, and shall demand the election of a successor to the office. A copy of the recall petition shall be entered in a record book to be kept in the office of the town clerk.~~

~~If the affidavit process has been completed in compliance with the requirements of subSection (b)B of this Chapter, the Town Clerk shall provide a sufficient number of copies of recall petition blanks demanding such recall (printed forms of which shall be kept on hand) to the voters who made the affidavit; provided, that the town clerk shall keep printed copies of the recall petition blanks on hand. The blanks shall be issued by the Town Clerk and bear the Clerk's signature and Official Seal of the town; they The blanks shall be dated and addressed to the Select Board and shall contain the names of all persons to whom issued, the number of blanks so issued, the name of the person sought to be recalled, and shall demand the election of a successor to such office.~~

Commented [MB3]: Correct? We refer to the recall petition in the next paragraph, so we should establish that the blanks provided to voters are the same thing.

~~2. Such The blanks must shall be provided within five 5 Town hall business days during regular business hours.~~

Commented [MB4]: It's not clear who this is referring to. Do registered voters need to sign the affidavit? Or do the blanks just need to be sent to the voter who files the affidavit?

~~The Town's registered voters making the initial recall affidavit shall then have twenty-eight days from the date of delivery of the blank recall petition sheets in which to file their signed recall petition sheets with the town clerk; provided, however, that if the town clerk's office is not open on the twenty-eighth day, the signed recall petition sheets may be filed during normal business hours on the next town clerk business day.~~

~~3. Said rThe recall petition shall be returned and filed with the Town Clerk on the 28th day after the requesting voter receives the blank petitions from the Town Clerk; provided, however,~~

4. In the event that if the tTown hall is not open on the 28th day, the petition may be filed during normal business hours on the next tTown hall business day.

5. The petition, before being returned and filed, shall be signed by 1,000 qualified registered voters of the Town. Every signature must be accompanied by the signer's place of residence, including giving the street and number.

Commented [MB(5)]: We've changed this to "registered voters" since that is the term used above. If "qualified voters" means something different than "registered voters" we may want to define "qualified voters".

6. Within 5 working days of receipt of the recall petition sheets, the town clerk shall submit the signed recall petition sheets to the board of registrars of voters and the board of registrars of voters shall verify certify thereon the number of signatures which are names of registered voters of the town.

D. THE RECALL ELECTION—(Step three) The Recall Election

(d) If the recall petition filed pursuant to subsection (c) shall be found and certified by the rRegistrars of vVoters to be sufficient, the tTown cClerk shall forthwith submit the petition with the certificate to the sSelect bBoard. The sSelect bBoard shall forthwith give written notice of the receipt of the certificate to said official of the receipt of said certificate and, if the official sought to be removed does not resign within seven 7 calendar days, then the select board shall order an election to be held on a day fixed by themm select board not less than 64 45 days nor more than 90 60 days after the date of the tTown cClerk's issuance of a certificate to the select board showing that a sufficient petition has been is filed; provided, hHowever, if any other tTown election is to occur within 9090 days after the date of issuance of said certificate, the sSelect bBoard may, at their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as provided in this section provided.

Commented [GJC6]: Please note that 64 days' notice is the minimum amount of time needed under the General laws for the Town Clerk to prepare for an election.

Commented [MB(7)]: Is this correct based on the intent here? The earlier language in this paragraph says that the registrars of voters certify the petition, not the town clerk. Does the town clerk have to issue some kind of certificate to the select board? If that is the case, we should mention that before this.

An official sought to be removed may not be a candidate to succeed himself/herself in an election to be held to fill the vacancy. 2.—The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall all be in accordance with the law relating to elections, unless otherwise provided in this act.

3.—Ballots used in a recall election shall contain the following propositions:

FOR THE RECALL OF THE
[NAME OF OFFICER] ()
AGAINST THE RECALL OF THE
[NAME OF OFFICER] ()

Adjacent to each proposition, there shall be a place to mark a vote. Following the propositions shall appear the word "Candidates" with directions to voters as required by section 42 of chapter 54 of the General Laws. Beneath the word "Candidates" shall appear the names of candidates nominated as provided in this act. Adjacent to the name of each candidate shall be a place to mark a vote.

E. DUTIES OF THE INCUMBENT

4. (e) The incumbent shall continue to perform the duties of his/her their office until the recall election. 2. If the official is not recalled, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, as provided in this act.

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F. VOTING RESULTS

4. (f) If a majority of the votes cast upon the question of recall are in favor of recall, the officer shall be recalled and the votes for the candidates shall be counted.

2. In the at instance event that a majority of the votes cast are in favor of recall, the candidate receiving the highest number of votes shall be declared elected for the open office.

3. If less than a majority of the votes cast are in favor of recall, the votes for candidates shall not be counted.

4. If the official is recalled in the recall election, theyhe/she shall be deemed removed upon the election of theirhis/her successor, who shall hold office during the unexpired term.

5. If the successor fails to take office within 5five days after receiving notification of theirhis/her election, the incumbent shall thereupon be deemed removed and the office shall be deemed vacant.

G. CANDIDATES TO SUCCEED THE ELECTED OFFICIAL

~~(g)1. Any elected official sought to be recalled may not be a candidate to succeed themselhimself/herself.~~

~~2. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of law relating to elections unless otherwise provided by this act.~~

H. APPOINTMENT OF RECALLED OR RESIGNED OFFICIAL

~~(h)1. Any person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her shall not be appointed to any [Town] office within 2 years after such removal or such resignation.~~

~~2. In the case of an officer subjected to a recall election and not recalled, a new recall affidavit shall not be filed against that officer until at least 1 years hasve elapsed after the election at which the previous recall was submitted to the voters of the town.~~

I. EFFECTIVE DATE

SECTION 2. This act shall take effect upon its passage.

**AGENDA ITEM #8
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE ON SCHEDULING THE SPECIAL TOWN
MEETING FOR NOVEMBER 13, 2023, APPROVE CALENDAR AND OPEN THE
WARRANT**

**SPECIAL TOWN MEETING SCHEDULE
NOVEMBER 13, 2023**

<u>ACTION</u>	<u>MEETING DATE</u>
Schedule Special Town Meeting	July 31, 2023
Open Warrant	July 31, 2023
Warrant Closes	August 31, 2023 at 3:00 PM
Vote on Articles	September 18, 2023
Send Articles to Town Counsel for review	September 18, 2023
Vote on Final Warrant	October 10, 2023
Legal ad in Paper	October 19, 2023
Warrant Posting	October 19, 2023
Warrant Review	October 23, 2023

**AGENDA ITEM #9
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE TO RE-APPOINT THE
FOLLOWING CONSTABLES FOR CIVIL PURPOSES ONLY:
RICHARD COLETTI; IAN DALY AND MATTHEW PAULIKS**

RICHARD J. COLETTI
PROFESSIONAL CONSTABLES & PROCESS SERVICES
166D Main Street
Wareham MA 02571
(508) 314-6148
rcoletti54@gmail.com
www.processserverwareham.com
www.napps.org

Town of Lakeville
Selectmen's Office
346 Bedford Street
Lakeville MA 02347

July 9, 2023

To whom it may concern,

I am writing to express my interest in continuing as a Constable for the Town of Lakeville. My training and experience as a Constable over 21 years will be an asset to the town.

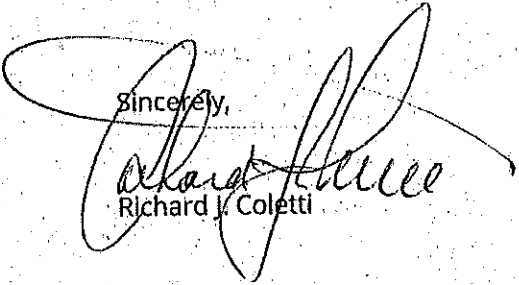
I've served thousands of legal documents for attorneys, landlords, and ordinary citizens in the areas of subpoenas, summonses, all probate process, evictions, and vehicle repossessions.

To be appointed would be an added benefit to my perspective clients, and the Town of Lakeville in general that I would not have been able to do in the capacity as a Process Server in your town.

I currently serve as a Constable in the municipalities of Wareham, Marion, Mattapoisett, and New Bedford. My Constable bond is up to date until August 2024, and I already have submitted my Conflict of Interest Law certificate.

If you have any questions please do not hesitate to contact me. Thank you for your time.

Sincerely,


Richard J. Coletti

From: constablemass@yahoo.com <constablemass@yahoo.com>

Sent: Friday, June 30, 2023 10:10 PM

To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>

Subject: Re: constable reappointment 2023-2024

To the Honorable Selectman/Selectwoman,

I (Ian Daley) would like to be be reappointed to the Lakeville Constable position for the year 2023-2024. I believe my bond is still in effect for this year.

Thank You ,
Ian Daley

My mailing address is below.

Ian Daley

59 Linden st # 302

Taunton, Ma 02780

RECEIVED

JUL -6 2023

July 3, 2023

LAKEVILLE TOWN CLERK

Dear Board of Selectmen of Lakeville,

"APPLICATION FOR RE-APPOINTMENT AS CONSTABLE"

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

My reasons for desiring Re-appointment are to continue to run and operate my own constable's office (Mass Constable Service, Inc) for the purpose of serving court documents, eviction notices and all other duties of a constable. I have been a sworn Constable for the town of Lakeville for 11 year and have successfully built a modest business in doing so. I have performed my duties as a constable in a professional manner and have the highest respect for the position.

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

Date of Birth: July 19, 1974

Place of Birth: Stoughton, MA

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

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

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

Regards,



Matthew T. Pauliks

83 Pickens St, Lakeville, MA. 02347

Cell : 508-386-6369

Email : mtpauliks@msn.com

CONSTABLE BOND

Bond No.: S-942190

KNOW ALL MEN BY THESE PRESENTS, That we,

Matthew Pauliks

of 83 Pickens Street

Lakeville

MA 02347

as Principal and

NGM Insurance Company

of 55 West Street

Keene NH 03431-7000

as Surety are held bound unto the

Town of Lakeville Town Offices

in the full and just sum of

Five Thousand and 00/100 Dollars

(\$5,000)

to the payment of which sum well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, the above bounded Principal has been appointed

as Constable for

Town of Lakeville Town Offices

NOW, THEREFORE, if the said Principal shall faithfully perform all duties of his said office in the service of all Civil Processes which may be committed to him during the term of which he has been Elected or Appointed, then this obligation shall be null and void; otherwise to remain in full force and effect.

This bond shall be effective on 6/23/2023

and expire on 6/23/2026

SIGNED, sealed and dated July 6, 2023

Matthew Pauliks

Principal

By: 

Matthew Pauliks

NGM Insurance Company

Surety

BY: 

David G. Smith

Attorney-in-Fact





POWER OF ATTORNEY

S-942190

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint David O Smith its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed bond number S-942190 dated June 23, 2023

on behalf of **** Matthew Pauliks **** in favor of Town of Lakeville Town Offices for Five Thousand and 00/100

Dollars (\$ 5,000)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of NGM Insurance Company; this act of said Attorney is hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By: Kimberly K. Law



Kimberly K. Law Vice President, General Counsel and Secretary

State of Florida, County of Duval

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid; that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal at Jacksonville, Florida this 7th day of January, 2020.

Loe K. Pentz



I, Nancy Giordano-Ramus, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 6th day of July, 2023

Nancy Giordano-Ramus



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-603-354-5281.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Department or call our Bond Claim Department at 1-603-358-1437.

**AGENDA ITEM #10
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM TOWN
CLERK TO APPOINT ELECTION WORKERS**



TOWN OF LAKEVILLE

OFFICE OF THE TOWN CLERK

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

RECEIVED
JUL 18 2023
SELECTMEN'S OFFICE

FROM THE OFFICE OF
LILLIAN M. DRANE
MMC/CMMC

TO: Select Board
FROM: Lillian M. Drane, Town Clerk/Brd of Registrar *LD*
RE: Appointment of Election Workers
DATE: July 18, 2023

Pursuant to M.G.L. Chapter 54, §12, the Board of Registrars is requesting that the following registered voters be appointed as Election Officers until **August 15, 2024**:

1	Joseph A. Chamberlain, II	48 Highland Road, Lakeville
2	Joan M. Morton	72 Highland Road, Lakeville
3	Jean A. Douillette	17 Precinct Street, Lakeville
4	Beverly Ingraham	6 Haskell Circle, Lakeville
5	Kristen L. Main	51 Lakeside Avenue, Lakeville
6	Gary E. Mansfield	25 Forest Park Drive, Lakeville
7	Joanne L. Corrieri-Upham	9 Pine Haven Lane, Lakeville
8	Stephanie Annichiarico	34 Plympton St, New Bedford, MA 02745
9	Francis B. Kenney, IV	18 Clark Road, Lakeville
10	Judy J. Roberts	98 Main Street, Lakeville
11	Karen A. Keohane	41 Haskell Circle, Lakeville
12	JoAnn K. Chiuppi	57 Montgomery Street, Lakeville
13	Mary M. Fronzaglia	13 Parkhurst Drive, Lakeville
14	Robert W. Marshall	16 Barstow Street, Lakeville
15	Mary E. Sylvia	23 Beechwood Avenue, Lakeville
16	Maria A. Perrone-Martin	207 Cedar Drive, Lakeville
17	Peter Chiuppi	57 Montgomery Street, Lakeville
18	Cynthia M. Sousa	13 Lincoln Street, Lakeville
19	Karen L. Regas	69 Main Street, Lakeville
20	Melissa M. Fitzgerald	4 Shockley Drive, Lakeville
21	Cindy L. Barber	60 Highland Road, Lakeville
22	Richard Velez	80 Kingman Street, Lakeville
23	Karen A. Donnelly	6 Parkhurst Drive, Lakeville
24	Robin Marques	61 Rhode Island Road, Lakeville
25	Elizabeth L. Nash	53 Montgomery Street, Lakeville
26	Debra Kenney	18 Clark Road, Lakeville
27	Susan T. Dunn	18 Montgomery Street, Lakeville
28	Dale Horton	205 Main Street, Lakeville

29	Ryan Jenkins	4 Anaconda Drive, Lakeville
30	Paul McMeekin	30 Sherwood Lane, Lakeville
31	Janet M. Plonka	41 Baker Lane, Lakeville
32	Bonnie Tucker	187 Wood Street, Middleboro, MA 02346
33	Jessie R. Berry	885 Pine Street, Raynham, MA 02767
34	Beth Kilanowich	220 Appleton St, New Bedford, MA 02745
35	Margaret Riendeau	138 Howland Road, Lakeville
36	Martha Panigua-Mendez	5 Hybrid Drive, Lakeville
37	Lola Curley	6 Hybrid Drive, Lakeville
38	Leanne Cataldo	4 Anaconda Drive, Lakeville
39	Steven Monty	81 Howland Road, Lakeville
40	Margaret Bethune	24 Lebaron Blvd, Lakeville

Should you have any questions, please do not hesitate to contact my office.

Thanking you in advance for your help in this matter.

**AGENDA ITEM #11
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE TO ACCEPT THE RESIGNATION
OF CHRIS CARMICHAEL FROM THE ZONING BOARD OF
APPEALS AND APPOINT CHRISTOPHER SHEEDY TO FILL THE
VACANT TERM**

Tracie Craig-McGee

From: Cathy Murray, Appeals Board Clerk
Sent: Wednesday, June 21, 2023 3:35 PM
To: Tracie Craig-McGee
Subject: ZBA member

Hi Tracie,

Please see email below from Chris Carmichael. He is unable to continue to serve on the ZBA. At their last meeting, the ZBA recommended that the Select Board appoint Chris Sheedy to fill the full member position and advertise for an associate member.

Please let me know if you have any questions.

Thanks

Cathy

From: Chris Carmichael <carpbycarm@comcast.net>
Sent: Thursday, June 1, 2023 10:04 AM
To: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Subject: Re: ZBA

Hi Cathy

Thank you for reaching out, unfortunately my schedule won't allow me to continue with the Board. I wish everyone well moving forward.

Best Chris Carmichael

Sent from my iPhone

On May 30, 2023, at 5:04 PM, Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org> wrote:

Hi Chris,

Noticed that you have not been at the last few meetings of the ZBA. Just wanted to check in to see if everything is okay.

Cathy

Christina Cotsoridis

From: Tracie Craig-McGee
Sent: Tuesday, July 25, 2023 11:35 AM
To: Christina Cotsoridis
Subject: FW: Resignation of Chris Carmichael

Print please

From: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Sent: Thursday, July 20, 2023 6:10 PM
To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Subject: FW: Resignation of Chris Carmichael

Hi Tracie,

Lil is going to accept this email as Chris's resignation.

Can you please place this on the Select Board's agenda to move Chris Sheedy up to full member and advertise for an Associate member.

Thank you!

Cathy

From: Cathy Murray, Appeals Board Clerk
Sent: Thursday, July 20, 2023 3:40 PM
To: Lillian Drane, Town Clerk & Chief Elections Officer, CMC, Commissioner to Qualify & Burial Agent <ldrane@lakevillema.org>
Subject: Resignation of Chris Carmichael

From: Chris Carmichael <carpbycarm@comcast.net>
Sent: Wednesday, July 19, 2023 3:46 PM
To: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Subject: Re: ZBA

Cathy

Please consider this email as my formal resignation.
Thank you Chris Carmichael

**AGENDA ITEM #12
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE ON APPOINTMENT OF PAULA
HOULE AS PARK COMMISSION REPRESENTATIVE TO THE
COMMUNITY PRESERVATION COMMITTEE**

Christina Cotsoridis

From: melisa turcotte <mmmsturco1@gmail.com>
Sent: Friday, July 21, 2023 8:20 AM
To: Christina Cotsoridis
Subject: Fwd: CPC

Good morning,

Tracie had asked that I send her the park commissions appointee to the CPC right away. I received the bounce back that she was out, so I thought I'd let you know too.

Thank you
Melisa Turcotte

----- Forwarded message -----

From: melisa turcotte <mmmsturco1@gmail.com>
Date: Fri, Jul 21, 2023 at 8:14 AM
Subject: CPC
To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>

Good morning Tracie

At the park commission meeting on Thursday, July 20, 2023, the Lakeville Park Commission voted to appoint Paula Houle to the CPC.

Enjoy your day
Melisa

**AGENDA ITEM #13
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE FROM LAKEVILLE LIONS CLUB
FOR ONE DAY BEER AND WINE SPECIAL LICENSE FOR
SEPTEMBER 16, 2023 (RAIN DATE SEPTEMBER 17, 2023)**

RECEIVED
JUL 17 2023

THE COMMONWEALTH OF MASSACHUSETTS

No. SELECTMEN'S OFFICE

of _____
APPLICATION FOR LICENSE
(GENERAL)

JULY 17th 2023

TO THE LICENSING AUTHORITIES:

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

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

STATE CLEARLY
PURPOSE FOR
WHICH LICENSE
IS REQUESTED

To ONE DAY BEER AND WINE SPECIAL LICENSE (FOR SALE
OF BEER ONLY) FOR FALL FAMILY FESTIVAL FROM 11AM TO 5PM ON
SEPTEMBER 16th, 2023, RAIN DATE TO BE HELD ON SEPTEMBER 17th, 2023,

GIVE LOCATION
BY STREET
AND NUMBER

At 170 MAIN STREET

In said City of LAKEVILLE
Town

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

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

LAKEVILLE LIONS CLUB

Signature of Individual
or Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

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

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

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

Received _____ 20 _____

Hour A.M. _____

P.M. _____

Approved _____ 20 _____

WILLIAM COMEAU *William ComEAU*

85 VAUGHAN STREET, LAKEVILLE MA 02347

License Granted _____ 20 _____

AGENDA ITEM #14
JULY 31, 2023

**DISCUSS FOLLOW UP ON JULY 25 PLANNING SESSION AND
POSSIBLE FUTURE MEETING(S)**

**AGENDA ITEM #15
JULY 31, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE TOWN
ADMINISTRATOR'S GOALS FOR FY 2024**

FY 2024 Town Administrator Goals

1. Advance Infrastructure Projects
 - a. DPW Administration Building
 - b. Fire Station Project
 - c. Outdoor Stage Cover
 - d. Assawompset ES MSBA Renovation Project
 - e. Gamache Playground
 - f. New Fields
 - g. Betty's Neck
 - h. Cybersecurity/IT infrastructure
2. Acquire Grants and Implement Grant-Funded Projects
 - a. Existing Projects:
 - i. Old Town Hall Roof
 - ii. Ambulance Replacement
 - iii. Extension of Water Services at Parks & Facilities
 - iv. Senior Center Addition Study
 - b. ADA Grant (Old Library entrance)
 - c. Community Compact (continue records retention project)
 - d. EV chargers (MG&E)
3. Personnel System Priorities
 - a. Classification & Compensation Study
 - b. Oversight Structure (inc. Wage & Personnel Board)
 - c. Updated Employee Handbook
 - d. JLMC/Police Union
 - e. Identify training programs and opportunities for employees and recommend resources to support.
4. Continue to Strengthen Internal Operations
 - a. Maintain sustainable fiscal profile.
 - b. Continue emphasis on effective communications and transparency.
 - c. Identify and implement measures to support 5 member Select Board:
 - i. Physical Improvements
 - ii. Resource requirements
 - iii. Policy updates
 - d. Expand Community Outreach
 - i. Continue informative videos
 - ii. Examine "citizens academy" concept

5. Economic Development Priorities

- a. Work with Select Board and other bodies to clarify development/preservation priorities.
- b. Problem Properties Group
 - i. Implement abutters' program.

DRAFT

AGENDA ITEM #16
JULY 31, 2023

BUILDING COMMITTEE UPDATES:

- a. SENIOR CENTER FEASIBILITY STUDY**
- b. FIRE STATION BUILDING COMMITTEE**
- c. OLD COLONY FEASIBILITY STUDY**



Town of Lakeville
Board of Health
241 Main Street
Lakeville, MA 02347

Board of Health
(508) 946-3473
(508) 946-8805
(508) 946-3971 fax

July 10, 2023

Lakeville Select Board
Attn: Brian Day, Chairman
346 Bedford Street
Lakeville, MA 02347

Re: Fire Station septic system

Dear Chairman Day:

At the Board of Health meeting held on July 6, 2023 the Board of Health Members voted to send a letter to the Board of Selectmen to clarify the Board of Health's position on the proposed Fire Station Location.

The current septic system at the Town Hall and Fire Station was sized for 570 gallons per day or 38 employees. The Town of Lakeville is allowed to make expansions, providing the flow of 570 gallons per day is not exceeded. The flow currently going into the septic system based upon the number of employees working there as of today's date was estimated to be 390 gallons per day (26 employees). The difference of 180 gallons per day would allow for the addition of 12 employees. If the Town wanted to expand beyond the 570 gallons per day, the Board of Health would be open to discussing options, providing that the expansion was needed due to public safety.

If you have any questions, please let us know.

Sincerely for the Board of Health

Edward Cullen Health Agent

Cc: Ari Sky Town Administrator
Lakeville Fire Station Building Committee

AGENDA ITEM #17
JULY 31, 2023

NEW BUSINESS

**AGENDA ITEM #19
JULY 31, 2023**

CORRESPONDENCE

DEAR TRACIE,

On behalf of the Friends of the
Lakeville Council on Aging, please relay
to the Select Board our deep gratitude
for the \$300 donation from the
Patriot TRIATHLON. We appreciate
your thinking of our team.

Thank you
Linda Ewell
President
FLCOA



THE TUESDAY CLUB OF ASSONET

P O Box 251

ASSONET, MA 02702

July 5, 2023

RECEIVED
JUL 12 2023

SELECTMEN'S OFFICE

Dear Friends of the Strawberry Festival,

The Tuesday Club of Assonet would like to express our appreciation to you for all of the help and assistance you provided to make the Strawberry Festival's 34th year such a success. It was a sell out!

Your help and support allows are club to fulfill our effort to raise money for the scholarships we award to Freetown graduates each year.

We look forward to working with you again next year!

Sincerely,



Cathy Oliveira

Corresponding Secretary

Email: ourtuesdayclub@aol.com

www.tuesdayclubofassonet.org