

**TOWN OF LAKEVILLE  
Select Board Meeting Minutes  
February 26, 2024 – 5:30 PM**

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

On February 26, 2024 the Select Board held a meeting at 5:30 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 5:30 PM by Chairman Day. Members present were Chairman Day, Member Fabian and Member Carboni. Also present was Interim Town Administrator Robert Nunes. Tracie Craig-McGee, Executive Assistant to the Select Board and Town Administrator was attending remotely. LakeCAM was recording the meeting for broadcast.

**Select Board announcements**

Chairman Day read the Select Board announcements. He expressed condolences to the Lane Family in Middleborough and thanked the first responders that responded to the scene.

**Town Administrator announcements**

Mr. Nunes read the Town Administrator announcements. He summarized a meeting he held with Town Counsel regarding the history of the marijuana businesses in Town.

**Discuss and possible vote on Select Board Meeting Minutes of February 12, 2024**

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

VOTED: To approve the Select Board Meeting Minutes of February 12, 2024 as presented.  
Unanimous in favor.

**Public hearing-liquor license transfer – LeBaron Hills Country Club**

*Present for the hearing was Craig Medeiros, attorney for the applicant and Mark Rubicine, proposed manager.* Chairman Day read the legal notice into the record.

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

VOTED: To open the hearing for the transfer of the liquor license for LeBaron Hills Country Club.  
Unanimous in favor.

Attorney Medeiros said the previous transfer application with Brian Conefrey did not come to fruition. Golf Blues, LLC consists of one of the previous owners, Alexis Dunn, who has been acting as general manager and will remain on. Mr. Rubicine already works at LeBaron, previously worked at The Chateau, and has been in this line of business for years. The day to day operation should not change for 2024. The shift of ownership requires this application. Member Carboni asked who is the current owner. Attorney Medeiros said the holder of the liquor license is LeBaron Operating Company, Inc. There was a pledge of the liquor license and Golf Blues, LLC foreclosed upon the golf course and liquor license, so this is an execution of that pledge. Member Fabian asked if the

previous application is wiped out. Attorney Medeiros said he submitted a withdrawal letter to the ABCC.

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

VOTED: To close the hearing.  
Unanimous in favor.

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

VOTED: To approve the transfer of the On Premises Restaurant All Alcoholic Beverages License from Lebaron Operating Company, LLC, dba Lebaron Hills Country Club to Golf Blues, LLC, dba Lebaron Hills Country Club with an expiration date of December 31, 2024.  
Unanimous in favor.

**Public hearing regarding a complaint of vicious dog owned by Alisha Tetreault – 40 Clark Road**

*Present for the discussion is Alisha Tetreault, dog owner; Andrew Mathison of 17 Central Avenue; Douglas Carlson of 8 Beechwood Avenue; and James Almeida of 9 Laurel Street.* Chairman Day said these hearings can be emotional, but we will do our best to stay professional and factual. All comments go through the Chairman. He read the letter notifying Ms. Tetreault of the hearing.

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

VOTED: To open the hearing.  
Unanimous in favor.

Chairman Day summarized M.G.L. C140, S157. He said there are two (2) similar sounding positions in Town: Animal Control Officer who responds to incidents and the Animal Inspector under the Board of Health with different duties. He swore in anyone who may want to speak at the hearing. Chairman Day read the complaint into the record filed by David Frates, Animal Control Officer. He then read the letter to the party that suffered the dog bite. Mr. Frates said he responded to a Police Call for a dog attacking a person around 40 Clark Road. The dog was back in the house, but he observed a young lady with a bruise on her arm. He noted that the dog bit someone in May of 2021. Mr. Frates said the fence needs to be fixed. Member Carboni asked if he responded to the incident in 2021. Mr. Frates said he did. Member Carboni asked was the fence in the same condition. Mr. Frates said he didn't know if the fence was the issue as the dog was running loose. Ms. Tetreault said that the dog went through the fence. The dog went past the boy and jumped on the girl. She didn't realize the dog had bit her, but asked the girl if she was okay and she said she was. Ms. Tetreault said the last time the dog bit was because that person was trying to steal the dog and taking it off the chain. The lady was trespassing on her property. The dog is her ears and alerts her to people outside or at the door. Member Carboni asked if the dog is normally outside during the day. Ms. Tetreault said no and she was not by herself; we were outside doing yardwork. She was on the chain, but her daughter let go of the chain to help her and the dog started barking going toward the

fence. She was not fast enough to catch the chain. She is normally not in the fenced area; she is on a runner in the back. Her daughter will take her on walks; they don't usually let her run in the yard. She only goes on the runner to go the bathroom and they watch from the door and then call her back in. Member Carboni asked if the whole back yard is fenced in. Ms. Tetreault said no. She has a 2-lot property and the area that she was in is mostly fenced in, but not completely. Member Carboni said we have pictures of the fence with the bar at the top. Ms. Tetreault said she has chickens and has some chicken wire up for them, but the dog went through that. Chairman Day said one (1) side is fenced and one is not. Was it the chicken wire she got through or the other fence? Ms. Tetreault said she has not had time yet to finish the fence. Member Fabian asked if it was her intention to repair the fence and put the dog in there. Ms. Tetreault said the dog will not be put out in the fenced in area because she does not want to jeopardize the dog. We are putting up the fence that we have. The neighbor has a portion of fence that has fallen down, but he doesn't plan on fixing it. She will be putting up chicken wire to keep the chickens in. Member Fabian asked so you don't intend to leave her out there. Ms. Tetreault said no.

Chairman Day asked in 2021, how did the first person get access to the dog. Ms. Tetreault said she walked up the driveway into the backyard where the dog was on a runner. Member Fabian asked if she knew that person? Ms. Tetreault said no, she lives in Quincy. Mr. Frates said this is the first he heard of the attempt to steal the dog. Mr. Mathison said his daughter was walking in the center of the street with her brother when she was attacked. She sustained a decent bite mark with punctures which required an x-ray. To hear about the previous bite, he is shocked that someone else was attacked and the fence was not inspected. Chicken wire fencing is not adequate for a medium/large breed dog. It shouldn't have happened if this happened before. Adequate measures to follow up should have been done in 2021. Chairman Day asked Mr. Mathison if they have a reasonable solution. Mr. Mathison said he would like a follow up to make sure proper fencing is put up. Mr. Carlson said once a year his wife holds a training exercise for triathlons. The woman bit in the 2021 incident was running; she was not trying to steal the dog. The dog came up and attacked the lady and turned her calf into hamburger. She was admitted into the hospital for some time. His wife is now afraid to walk in that neighborhood. This should have been taken care of. Chairman Day asked Mr. Carlson if he was present for the incident in 2021? Mr. Carlson said no, but he received texts that it was his wife. We shouldn't be afraid to walk down a main road. You can't contain a large dog with chicken wire. There should have been a 6' fence in 2021. Why was the dog not quarantined for rabies like it was in 2021? Chairman Day asked if the dog was up to date on rabies. Mr. Frates said yes and the Animal Inspector quarantined the dog at home. Ms. Tetreault said regarding the incident in 2021, the lady stated to the Police that she didn't know anyone in Clark Shores and admitted to the Police that she tried to take the dog. Chairman Day said in the three (3) years since the initial incident, is there a reason why there was not a more proactive effort to move the run into the enclosed area. Ms. Tetreault said her lot is overgrown and she has been trying to clean it up. During COVID she was the only person employed. Her fence was taken down in the front and she has gotten that back up. She does not intend to have the dog walked in the neighborhood. She will be on a run and either her or her husband will put the dog out.

Member Carboni said the fenced in area would need to be completely fenced in. Ms. Tetreault said she planned on doing that. The dog is not going out there regardless of the fencing. She will be a house dog. Member Carboni asked how large is the dog. Mr. Frates said about 45-50 pounds. Chairman Day asked is there any kind of tools that can be utilized. Mr. Frates said if the whole

fence cannot be fixed, he would put in a kennel with blocks underneath so she can't get out. Chairman Day asked if Ms. Tetreault had any relatives in Town with fully fenced in yards who could take her while repairs are being made? Ms. Tetreault said no. Member Fabian said since this is a second incident, we have some responsibility. Ms. Tetreault said the dog will not be in the fenced area. Her daughter let the dog go. Even if she fixes the fence, she is not putting her out there. She will only be out to go the bathroom. Chairman Day said the first incident took place and there were no proper fortifications put in. How do know that there won't be an accident and there isn't anything to stop her from getting out. We need to make sure the dog and neighborhood are protected. He is struggling on what to do if we can't get a multi-layer protection. Ms. Tetreault said she would like to fence off the lot, but she cannot guarantee it. Mr. Frates said they can muzzle the dog when she goes outside and put it on in the house. They have muzzles that they can have on all the time. Mr. Almeida said he was notified about the incident in 2021 and he was at the scene shortly after. He was there when the dog was being removed from the house and that dog scared him. He was shocked when the dog was returned. The fence is in dire straits. People are in fear to walk anywhere by the home. He feels for the dog owner, but there are a lot of people that are scared about what had happened. People fear repercussions and have been threatened with the dog by the dog owner if they are too close to the property. The association knew that the triathlon group was going to be there to train. We want people to be safe and right now its not safe. To not be able to walk down a street because there is a homeowner that is aggressive with their dog is not right. He hopes something will be done this time. Member Carboni said maybe the area where the back porch is can get fenced in in case the dog gets out.

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

VOTED: To close the hearing.  
Unanimous in favor.

Board discussion: Member Carboni said the entire yard does not need to be fenced, but at least the area where the run is should have a 6' high fence. Chairman Day said he feels like the dog should be quarantined at the shelter until an appropriate structure can be put in place. The owner says she is going to make the best intentions of the dog not being outside, but animals can sneak by. He does not want to be here a third time. He asked if there is room in the shelter and can the owners visit? Mr. Frates said there is room, but visiting them makes them worse. Member Fabian said she is thinking about a behavioral analysis. To quarantine the dog at the shelter will stress the dog. Member Carboni said the owner has indicated that her child would not be the one taking the dog outside; it would be her or her husband. That would need to be maintained. Is the runner chain at the house or do you have to go outside? Ms. Tetreault said it is attached to a pole at the bottom of the porch. The dog can be attached to the runner chain while inside the house. Member Fabian asked if the dog uses a pinch collar. Ms. Tetreault said only while on walks, but she could put it on the runner. Member Carboni said she likes the idea of a fenced in area and the kennel. Mr. Frates said the kennel would stop the dog from getting it riled up. Lacey Marshall offered Ms. Tetreault a dog kennel that she is removing. Ms. Tetreault said she would take it. Member Fabian said she understands the need for a decision tonight so we won't have a third incident. We can assign a muzzle and pinch collar tonight when the dog is outside. Putting the animal at the shelter is going to stress it out. She has empathy for Ms. Tetreault's disability because the dog is her hearing and she doesn't want to make her life harder. Member Carboni said she would have the muzzle by

tomorrow. Chairman Day asked who will enforce this. Member Fabian said we can have Mr. Frates do sporadic checks. Member Carboni said by Friday there is to be a kennel secured on the property. Member Fabian said we need to give them until Sunday to get it. If it goes a week or two (2) and there is no resolution, we will have to remove the dog. Chairman Day said she should consider a pitbull rescue because he does not want a third incident. He is not confident that the neighborhood will be confident walking by. It is an improvement, but does not solve the situation. A muzzle is good, but fencing in the entire property will be out of reach. Member Carboni said this is one of the most difficult decisions the Board has to make. Chairman Day asked Mr. Mathison if he had thoughts on what he had heard. Mr. Mathison said the muzzle and kennel is good. An electric fence can be installed around the house and is not very expensive. There has to be better things put in place. He made sure his lot was fenced in and he has a corner lot, but that is a pet owner's responsibility. The electric fence would give them time to get some fencing. He has a large dog that is on an electric fence and once trained, they won't go through.

Member Fabian asked to have the conditions summarized with dates. We should revisit this so that the homeowner will have time to assess their finances to see if it will be a fence around the house or another option. Chairman Day said the Board has no desire to remove the animal from the property or to destroy it. The dog will be muzzled immediately and a kennel needs to be installed within two (2) weeks from today (March 11<sup>th</sup>) with Mr. Frates approval. Mr. Frates said they can put up chain link fence like an alley to the kennel. A 4' fence would be okay. Chairman Day said so a 4' chain link fence to the kennel and the Board will revisit this at the March 25<sup>th</sup> meeting for a status update. Mr. Frates said leash walking only because runners can break with a pinch collar and muzzle. Chairman Day said muzzle when outside the house; only to be walked with a pinch collar preferable in the somewhat fenced in area; and a kennel by March 11<sup>th</sup>; a 4' fence that leads from the home to the kennel to keep the dog in an alley way in one (1) month and revisit March 25<sup>th</sup>. Ms. Craig-McGee asked how long do they have to get the fence to the kennel built. Chairman Day said one (1) month. Member Fabian said with periodic inspection by the Animal Control Officer. Chairman Day said the neighborhood is not on crime watch, but if you see anything egregious, please contact the Animal Control Officer.

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

VOTED: To require the dog wear a muzzle when outside of the house; to be walked with a pinch collar preferably in the somewhat fenced area; erect a chain link kennel by March 11, 2024; erect a 4' high chain link fence leading from the home to the kennel in one (1) month; periodic inspections by the Animal Control Officer and revisit this at the March 25, 2024 meeting.  
Unanimous in favor.

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

VOTED: To continue the hearing until the March 25, 2024 meeting.  
Unanimous in favor.

## **Meet with Kevin Paicos of National Financial Partners to discuss health insurance rate increases**

*Present for the discussion was Lacey Marshall, Human Resources Director and Kevin Paicos of National Financial Partners.* Mr. Nunes said this is an informational meeting only. Mr. Paicos said the Town is a member of the Gateway Group, which is Lakeville, Carver and Old Rochester School. He gave a history of Lakeville joining Gateway. Rates can be cyclical based on rates of claims and always go up. On June 30, 2022 at the last audit of the trust, there was a surplus of \$2.4 million. There was more money in the trust than required, and the Board was interested in drawing that down. It is unfair to the taxpayers and employees to have too large of a surplus, so they set the rate at 2-3% below what the underwriters recommended. As of June 30, 2023, the surplus was about \$2.2 million. Chairman Day said they wanted to burn it down \$600,000. Mr. Paicos said yes, but claims were better than expected. In July of 2023, the Board did a 3% increase instead of a 6%, so that would draw down the balance about \$600,000. Claims started running way above what you were collecting. The working rate revenue was \$1,100,000, so there was a \$469,000 negative number for that month. Going forward for the first quarter, there was a \$1.2 million overrun and then in October things started to stabilize. That pattern is fairly normal. The single biggest driver of the claim number is pharmaceuticals. The demand for new cancer and diabetes/weight loss drugs has caused an incredible increase to the cost of health care and we also have a boom with respiratory illnesses. GIC is the largest insurer in the state and they just announced a 9% increase in their rates. The Massachusetts Insurance Agency announced a rate increase from 2-10.3%. This problem is everywhere. By the end of December, Gateway posted a \$1.7 million deficit. In addition, in response to very good claims for the prior fiscal year, the Board decided to offer a premium holiday where premium is not collected. You still have to pay claims for that month and use the trust fund. That holiday was in December of 2023. Unfortunately, we did not collect the \$1.1 million, plus the negative \$1.7 million wiped out the surplus and now the trust has about a \$1 million deficit. Deficits like these trust funds are normal and you are allowed to carry a deficit, but it must be addressed. On July 1, 2024, there was an indicated 17.5% rate increase based on two (2) years of claims. We know this is not going to work, so we started to work on the deficit and the 17.5% rate increase. The first thing is to reduce the rate increase to a reasonable number. He reviewed some ways to decrease the increase to try to bring the increase down to 9%. These are things that were voted by the Board of Directors. If you wish to stay in Gateway you have to do these. In order to get rid of the deficit, the Board voted to take the dollars not collected from the employers for the premium holiday and collect them. Employees will not pay a premium for December. The employer portion is already in your budget. The deficit will be mostly wiped out.

Chairman Day asked about claims? Mr. Paicos said January claims have dropped off sharply. You are paying about \$30,000 for a health insurance plan between the Town and Employee. If claims do not exceed that number per employee, the remaining amount goes into the surplus. For significant illnesses or injury, if they get to \$175,000 over the course of treatment, the trust stops paying and the stop gap insurance starts paying. Once the stop gap insurance starting paying, claims drop off. The first step is to bid ASO services. The second thing is the pharmacy management program are companies that come in, look at the high claims and file for the coupons from the manufacturers. The third thing is a Health Reimbursement Account (HRA). This allows you to change the co-pays and deductible up to and not exceeding what the GIC has. GIC has \$500/1,000 deductible on their plan, so the Board voted to have you increase your deductibles. You now have to do this. However, once you go down this road it is not negotiable with your employees. There is

a process you must go through with your employees and you must share 25% savings with the employees for the first year. Ms. Marshall said we do have some employees with a \$500 deductible, some in the \$2,000 deductible and some with no deductible. Mr. Paicos said this will drop your premium drastically, but you have to engage with your employees. You need to send an announcement letter and then have a hearing. You will be required to vote to invoke the provisions of that law. If you don't do it, you cannot continue with Gateway, and it is not an option at this point as no one will take you with these numbers. The law provides a time frame. From the day you notify the employees you are doing this you need to form a PEC, and they have 30 days to come back to you on how they want the 25% in savings. You take those savings and employees that occur deductibles will be reimbursed. Their premium will decrease and they will end up paying less. Ms. Marshall said if you have a \$15 co pay now, but they pay \$65 with this, they will get reimbursed \$45. Chairman Day said until the 25% percent runs out after the first year. Mr. Paicos said it typically takes two (2) to three (3) years; it is up to you if you want to continue after that. It is the PEC agreement that will provide for where the money goes. Most likely they will ask for the HRA. Beyond that point you have no obligation. We will be working with your staff to inform the Board of the different steps to take. The time frames were set tight so it will get done well prior to July 1<sup>st</sup>. If you can't reach an agreement with the PEC, you to appoint a second group. 40 days after you trigger the notice, it's done and you will have an agreement. You have three (3) months to get this done. Old Rochester will be working on it and Carver has already done it.

Ms. Marshall said we already have the December payment in our budget. The ASO bidding will save us about 2.5% and instead of Blue Cross, it will be Harvard Pilgrim. Just a different person paying the bills and allows us to get the prescription savings, so that saves us 2.5%. The HRA saves us 3%, so that brings us down to 9%. It gives us time to see if we want to move somewhere else. Member Carboni asked how many members did Gateway have in FY23. Mr. Paicos said there were three (3). Marion and Mattapoisett withdrew and went to MIAA. Mattapoisett may be potentially readmitted. Member Fabian asked if anyone else did a premium holiday. Mr. Paicos said all three (3) members did it. Mr. Paicos said MIAA did one three (3) years ago; it is pretty common. Member Fabian said she had spoken to Mr. Sky about the holiday being risky. Mr. Paicos said we did not have the second quarter claims until January and the holiday was already done. Chairman Day said you keep saying we have to do this. We are hearing this number now and there is no way to get anything else done by July 1 and this is ridiculous. How solid are we on the 9% number? Mr. Paicos said if you do the HRA, the ASO bidding and the RX bidding, you will need to have favorable claims to get to 9%. Ms. Marshall said if the claims continue to go down, we could pay less, but the steps are guaranteed to get us to the 9%.

Chairman Day said employees are going to say this is a pay cut and this is a hard message to sell. How do we show them a model of this? Mr. Paicos said the HRA reimbursable will get them to where their deductible is now. The employees will save on premiums and will be made whole with the premium holiday. Chairman Day said that is not how they are going to take this discussion. We need to see some models to present to the employees. Mr. Paicos said we will generate material to show the employees if you don't do this, this is your rate versus if this is done. You are saving on the rate and getting reimbursed for the co-pays. Mr. Nunes said we do not want to be adversarial with our employees and will reach out and establish the PEC and reach out to the non-union employees and do our best to educate the employees and address their concerns. Mr. Paicos said this is not welcome news to anyone, but claims are claims and your premium goes up. We have not encountered hostility where we have done this; we have to do this. You have low enrollment on the

HSA plan. The Board voted to have a full education to introduce employees to go on the HSA plan and is better than the HRA plan. Chairman Day asked can you take that savings and put it into an HSA instead of an HRA. Mr. Paicos said the first year you are required to put those savings in an HRA. Member Fabian said if an agreement is not reached, we appoint a review panel. Since she is the union representative of the Board, she would be happy to help with this. Chairman Day said we can be moved to the GIC if we don't have an agreement. Mr. Paicos said the Board does not want to do that. Ms. Marshall said this gives her time to research what is out there. GIC is not giving premiums any better than ours. Right now, this is the best she can do. Mr. Paicos said this is the least intrusive option to reduce your premiums. Mr. Nunes said July 1<sup>st</sup> is right around the corner, but we do have the obligation to look at other options; perhaps hire a consultant to look at this. He is sure employees will ask about looking elsewhere for insurance.

### **Discussion/contemplation on organizational restructuring for some Town Departments**

Chairman Day said Ms. Marshall had put together an organizational chart. Given the challenges that we are faced with, some empty positions and the class and compensation plan, should we take a look on how we are organized today. Is there any room for improvements; cross training and better utilization of resources. Looking at the chart, it is set up by appointing authority. There are a lot of people under the Town Administrator. Are there some Departments that would fit better with others? Member Carboni said it is a good idea to look at your infrastructure. Mr. Nunes said this is informational and we need to be careful because of the unions and cannot be done in this forum. Chairman Day said the Planner position is vacant; do we analyze and see if there are other roles that fit in another Department. Facilities is new; is that worth taking a look at. Is Animal Control in the right place or does it fit better under Public Safety. This is a wide organizational structure. Member Carboni said this is a great place to start.

### **Discussion on potential orientation seminar for newly elected Town Officials**

Chairman Day said in relation to the seminars we mentioned before, is there any interest in holding a welcome to the team orientation seminar for newly elected Town Officials. Does this have value? Member Carboni said it is an excellent idea. This could be for all elected and appointed officials. Member Fabian said it can be tricky for new members to find training. This could be repetitive, but who would do the work? We can't force people to attend. Member Carboni said we put together a handbook recently and that is a good tool. Chairman Day said this could be a collaborative effort between us, the Town Clerk and Human Resources. Mr. Nunes asked if this would be a workshop? He can put something together and get back to the Board.

### **Discussion on expected decorum/behavior of Lakeville Boards, Committees and Commissions**

Chairman Day said we have had a couple of meetings recently where things got a little hot. He reminded members to try to do their best to respectfully disagree and let people speak and not interrupt them. We have the Standards of Conduct that were enacted a few years ago. If you are on a large board with a lot of members, if other members come in for discussion and you form a quorum, you should post a meeting. We don't want problems with the Open Meeting Law. Member Carboni said Town Counsel gives us a schedule of different training opportunities. All appointed and elected Boards are required to take the training. We need to pay attention to the Open Meeting Law. Chairman Day said we have had some letters sent in that people were not pleased with some of the behavior they have seen. You represent the Town when serving on these boards.



**Review proposed charge and possible members for the Town Administrator Search Committee with possible vote to appoint the members**

Chairman Day said Ms. Marshall had provided a packet with the charge and protocol from KP Law for the Committee. Member Carboni said the charge hit upon everything. Member Fabian asked about the number of candidates to be brought forward; is it referenced in here? Ms. Marshall said from the last meeting notes, you had 46 candidates whittled down to 12. Member Fabian said then it was brought down to 6 based on the essay. Member Fabian said 6 were interviewed in Executive Session by the Search Committee, and we brought forward 4 names and 1 dropped out, so 3 were interviewed in public. Ms. Marshall said she did not put in any numbers; she took KP Law's protocol and she integrated it into a charge. Chairman Day spoke on Item #5. Member Carboni said you had said 7 members, but she counts 8 plus HR. Chairman Day suggested a few non-voting members. Member Fabian said she was okay with HR voting. Ms. Marshall said she needs to stay neutral. Chairman Day said at the last meeting it was said that 9 members seems to large. Member Fabian said interviewing 6 people in Executive Session is a long day with 9 members. Chairman Day said we can drop it down to 7. Member Carboni said 7 is a great number with HR as a non-voting member. Ms. Marshall said she would be taking minutes, etc. Chairman Day asked for any changes to the charge. Member Fabian said what happens if we lose too many candidates? Ms. Marshall said on the last page, it speaks if something were to happen, you could go back without having to reappoint the committee.

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

VOTED: To adopt the charge for the Town Administrator Search Committee.  
Unanimous in favor.

Chairman Day said we had indicated 7 members, so there are 2 spots for Select Board and 1 for Finance Committee. Member Fabian suggested the Building Commissioner and the Police Chief. Chairman Day said the Town Clerk had expressed interest. Chairman Day asked if the Board wanted an at large member. Member Fabian said she thought the Board should ask for letters of interest for an at large member. The deadline for letters of interest was set for March 6, 2024.

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

VOTED: That the Search Committee be comprised of one (1) Select Board Member now; one (1) Select Board Member after the election; Nate Darling, Building Commissioner, Police Chief Perkins, Town Clerk Lillian Drane, one (1) Finance Committee Member and a Member At Large.  
Unanimous in favor.

Chairman Day said the Board needed to appoint a member now. Members Fabian and Carboni both expressed interest. Member Fabian said she would feel more comfortable with the Select Board member not up for election. Chairman Day said this could change also. Member Fabian is done with Senior Center right now, so he is okay with her being appointed.

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

VOTED: To appoint Member Fabian to the Town Administrator Search Committee as one of the Select Board spots.  
Unanimous in favor.

### **Discussion and possible vote on the Housing Production Plan**

Chairman Day said we just received the plan this afternoon. Member Fabian said should we table this? Chairman Day said SRPEDD is being asked to finalize other work from the State, however there has been no consideration to the operation of the Transfer Station. It has come to his attention that the landfill is a monitored site by DEP. Ms. Craig-McGee asked Town Counsel if we should put language in the plan regarding the Transfer Station Operation or should there be another level of diligence. If DEP comes back and says there is an Activity Use Limitation on the site, that could stop things anyway. Do we want to bring it back, reach out to DEP or let SRPEDD finish their work. Member Carboni said we don't have to vote at this time. SRPEDD hours are going to be used to finish the work. Chairman Day asked should we reach out to DEP now or wait for SRPEDD. Member Fabian said maybe we should reach out. Member Carboni said maybe SRPEDD is doing that. Chairman Day said we can ask Planning to ask SRPEDD to reach out to DEP.

### **Discuss and possible vote to appoint Shawn Robert as Police Department Sergeant**

*Present for the discussion was Matthew Perkins, Police Chief.* Chief Perkins said there was a vacancy for a Sergeant in the Department. Last year a new promotional process was implemented. We had a company come in and conduct a written exam and an assessment center in December. There were six (6) applicants and the top candidate was Shawn Robert. He was hired last year and has 18 years of experience, 17 of which were in New Bedford. Chief Perkins said that Officer Roberts has leadership since he has been with the Department and requested he be promoted to Sergeant. Officer Robert spoke of working in the Department.

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

VOTED: To approve the request of the Police Chief to appoint Shawn Robert to the rank of Sergeant with a one (1) year probation period for a term expiring February 26, 2025.  
Unanimous in favor.

### **Building Committee Updates:**

#### **Senior Center Feasibility Study Committee**

*Rafal Toczko from RTA, Lori Fahey, Council on Aging Director and Nate Darling, Building Commissioner, were present for the discussion.* Mr. Toczko reviewed the schedule and summarized the existing site conditions. The septic system would need to be increased if an addition was built and parking lot would need to be increased. The current space and programs were reviewed with the Committee to understand how the existing space and programs are being utilized and to identify new potential space and programs. He reviewed some of the identified deficiencies. The great room is used for different programs, but restricts the ability to provide dedicated space for a dedicated

program, like a gym area. The food pantry is in the custodian's storage room and does not provide proper food storage space. The brown bag program does not provide privacy for seniors using the program. The Veterans' Agent is sharing space with the Visiting Nurses' Office. The goal is to provide a private Veterans' Agent Office with an exterior access. The computer room provides space for two (2) individuals to use. It does not allow for large groups, furniture, an accessible area or technology. There is only one (1) ADA accessible restroom out of the six (6) restrooms.

Mr. Toczko reviewed the existing space assessment chart. They looked at either renovations, a small addition to the site or a larger addition to the rear. He showed Proposal 1 for the larger addition of 2,175 square feet which includes a renovated ADA restroom, new Veterans' Agent Office and a larger addition housing the great room, food pantry, computer room and storage. Proposal 2 was the smaller addition in the rear of 1,360 square feet which includes a great room, renovated restrooms and the Veterans' Agent Office. For renovations, the building is well maintained, but some systems are at the end of their life expectancy. We included items that would need to be addressed in the very near future, as well as, items within five (5) to ten (10) years. Some of the big-ticket items were replacing the HVAC which is mostly past its life expectancy; a sprinkler system, which is not required, but we were asked to see what the cost would be and a new dedicated 4" water line; updated electrical and lighting to LED; renovate restrooms; relocate the IT server and exterior improvements. The renovation cost was estimated at \$1.3 million for the total list. The estimated cost for the additions were \$1.15 million for the smaller one and \$1.89 million for the larger one.

Member Fabian said we had several meetings and one thing that we did focus on a lot was what we are not currently doing for our seniors. In a perfect world we would have the money to do the additions, but she doesn't see that as being viable right now or having the money in the operating budget to hire the staff to support a larger building with new space. It is nice to see the cost broken out to see what we have to do to keep the building in good condition. The HVAC system is 20 years old and has been requiring service. The Building Commissioner has suggested ways to perhaps put a boiler on the Capital Plan at each Town Meeting. Expanding the building opens it up to it being ADA compliant throughout, which is cost prohibitive right now. The Committee did not make a recommendation because it comes down to the Select Board to look at the options to either go to Town meeting or make sure the building will last another 20 years.

Member Fabian said the Council on Aging Director has been putting in a lot of time to offer programs that seniors want and need. The things that we are not offering is the food pantry. Ms. Fahey said the addition idea was brought forth by the previous director. Ms. Fahey said she initially was in favor of the larger addition. However, after the needs assessment and seeing the cost, we would need more staff. After speaking to the Building Commissioner, she had to decipher between needs and wants. The thing needed is a food pantry, which is nonexistent and not private. If people need food now, we shop on an as needed basis. Member Fabian said people using the food pantry need privacy. Mr. Fahey said the brown bag program is currently non-existent. We used to get our food from the Boston Food Bank and went to Taunton to pick up the bags. However, that location has closed. She would like to revisit with the Boston Food Bank about becoming a brown bag site. We were servicing 42 seniors. Our Meals on Wheels Program has been brought in house and we have 28 volunteers in that program. We are serving 52 seniors and that takes up a lot of space in one of our main rooms. We are trying to reconfigure programming so we can utilize all the space. The great room has a divider, but you can't have a movie in one side and bingo in the other. She

can look for grants for green energy and Chief O'Brien is looking for grants for a sprinkler system. Member Fabian said we looked at the feasibility study's ala-carte feature. We will need HVAC in there.

Chairman Day said the way this is presented, he does not see how we would do either proposal without doing some renovation. Mr. Toczko said the two (2) additions would be on top of the renovations. The renovations have more in there than is actually required. Chairman Day said the HVAC is \$215,000. Member Fabian said we would have to retrofit the original building. Mr. Darling said the State is opening up additional funding for heat pump systems. We are going to be doing Green Communities projects this year and can look at weatherization. Overall any proposal is going to have a trigger. If you do 1,000 square foot addition, you don't need a sprinkler system; if you do a 2,000 square foot addition it does. It's not just installing the system; the ceiling would need to be removed and replaced. The additional square footage needs additional parking and the septic system is in a Zone A so it may have to be moved. A lot of the pavement would need to be pulled up to bring in the water line. Chairman Day asked if the Fire Department was consulted regarding access around the addition as it would be closer to the tennis courts. Mr. Darling said it is a lot closer, but you would still have access. We would be dealing with Natural Heritage again on any addition.

Member Fabian said at this point, as far as the project manager is concerned, they have fulfilled their obligation. It is up to us to sit down and look at some of these things and bring options to the Select Board. It is her opinion, as much as she wishes we could do a debt exclusion for a million or two (2), she doesn't know where the extra money for the additional staff would come from. Maybe we could find some space to house some things, but it wouldn't get a private entrance for the Veterans' Agent. Mr. Darling said adding storage is not adding onto the load, so there is opportunity to do some storage areas. Member Fabian said we have to be concerned with costs on anything we do. Member Carboni asked have you asked how the great room can entirely be reconfigured? Member Fabian said that is what staff is looking at.

#### Fire Station Building Committee

Member Carboni said the committee is getting back together on March 13<sup>th</sup> to review the results of the sub-group that was put together to look at the needs for the facility.

#### Old Colony Regional Vocational Technical Building Committee

Chairman Day said there are no new updates. They are in the thick of the request for services process and it won't be until April or May until the next step.

#### New Business

There was no New Business discussed.

#### Old Business

Member Fabian said DPW Director Moniz gave the Board an update on Route 79. Chairman Day said he said there is movement even though we don't see much happening. BETA received comments on the 100% submission. The next submission is due the end of April. They hope to have an Order of Conditions in May or June of this year. There is an Intermunicipal Agreement that

needs to be put together with Taunton. We won't be seeing any work, but they estimate starting July or August of 2025. The cost estimates look like \$15 million, but the increase will be the State's burden

### **Correspondence**

1. Notification to Abutters under the Massachusetts Wetlands Protection Act
2. Notification of Simplified License Application – Waterways Regulation Program for 1 Mona Street, Lakeville, MA

At 9:01 PM upon a motion made by Member Fabian and seconded by Member Carboni, 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 PBA Local 185 if an open meeting may have a detrimental effect on the bargaining position of the public body and the Chair so declares and not to return to open session.

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

### **List of documents provided at the Select Board Meeting of February 26, 2024**

1. Agenda page
2. Agenda page; Town Administrator announcements
3. Agenda page; Select Board Meeting Minutes of February 12, 2024
4. Agenda page; ABCC transfer of license application and associated documents
5. Agenda page; complaint form; letter to dog owner; letter to party that was bit; police reports; bite reports; order of quarantine; call response log; MGL C140, S157
6. Agenda page; PowerPoint presentation
7. Agenda page; organizational chart
8. Agenda page
9. Agenda page
10. Agenda page; proposed charge; letters of interest; Town Counsel Search Committee protocol
11. Agenda page; draft Housing Production Plan
12. Agenda page; memo from Police Chief
13. Agenda page; Senior Center Feasibility Study Report
14. Agenda page
15. Agenda page
16. Agenda page; correspondence
17. Agenda page