

SELECTMEN'S MEETING
Monday, February 25, 2008

On February 25, 2008, the Board of Selectmen held a meeting at 7:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chair Yeatts at 7:01 PM. Selectmen present were: Selectman Yeatts, Selectman Evirs and Selectman Maksy. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

7:00 PM Caitlin Delphin-Mass Rides presentation

Caitlyn Delphin from the Executive Office of Transportation was present for the discussion. Ms. Delphin introduced herself. She was present to discuss MassRides, a service of the Executive Office of Transportation which is a statewide program that offers travel options for commuters. It is a free service. The goal is to reduce congestion and improve air quality. Massachusetts spends more money on transportation than it does on food. MassRides has outreach coordinators who will go to the worksite and help structure a program that works best for the business. Whether it is carpooling, vanpooling, transit, preferential parking, teleworking, or flexible work hour initiatives. The cost saving programs can help employees get to work. They have personalized customer service with bilingual and online ride matching. Ride matching provides customized carpool/vanpool matches based on home and work addresses and schedules. There is employer based assistance, and there are 260 partners across the state. They work with very large companies to very small business employers. First, a map is created to see where all the employees are coming from to determine the best options available. Mobility and access plans are the various items that they can help with. One can access www.commute.com for further information. Each partner gets a customized communication plan and access to an emergency commute ride home, so no one is left stranded. There is communication media. MassRides can have events at the workplace to help get the word out to the employees that there are many options available to them and to help expose the company. Employers can call 1-888-4commute.

The emergency ride home helps alleviate fears if the car pool partner has to leave during the day, and you do not have a ride home. MassRides offers unexpected emergencies four (4) times a year and will pay for the ride home. There are financial incentives for the employees once a van pool is formed. There are also commuter choice tax benefits. This helps reduce the need for parking, allows for positive community relations, improves site access, offers valuable employee benefits, and increases recruitment and retention. They also have safe routes to school for kids so that children can bike and walk to school safely. Ms. Delphin is the Outreach Coordinator for Lakeville, and she can be reached via email at; Caitlin.delphin@eot.state.ma.us or phone at 617-892-6083. This program is a federal mandate that states or cities with an air pollution problem have to put in place. It does not cost the Town, and it is federally funded. The presentation will be on cable and then on the local website to let people know that it is available. Since the Greenbush Line has come on, a lot of the Lakeville residents have not been getting to work on time, however, it is getting better and will be further improving. MassRides will help with any options for those commuting to Boston. Selectman Maksy asked about the COA and their

functions? Ms. Delphin responded that they primarily work mostly with commuters that make the same trip every day, but they can also work for other commuters as well.

7:15 PM Linda Grubb-Update on Commuter Rail

Linda Grubb was present for the discussion. She stated that she wanted to let the Board know about the meeting that will be taking place in March. The March 11th meeting will be at the Library. This is a civic engagement meeting in order to hear from the residents throughout the region about how the project can be built quickly, efficiently and with the most environmental and economic benefit. Ms. Grubb is part of the committee to “fight” for any resource protection that can be received for areas like the Assonet Cedar Swamp, Article 97 Land and public open space. The meetings are very informative and open to others outside of Lakeville as well. The Executive Office of Transportation & Public Works (EOT) had referred to the fact that they had not heard much from outside groups about the closing of the Lakeville train station. Attleboro has the commuter rail and freight lines and feel they are carrying enough burden for the commuters at this time. They are well aware of Lakeville’s concern about the closing of the T-station. It had been rejected before. The Middleborough route was not acceptable, and it may have been the travel time. However, there have not been a lot of public comments. Ms. Garbitt stated that the bottle neck will happen no matter what line they do, they cannot handle the extension no matter where they do it. Ms. Grubb mentioned that there is a new Middleborough/Lakeville station relocated north, as #18 on the list. So they are not saying they are closing the Lakeville station, but that there is an alternative. Selectman Evirs stated that if they relocate it north, it will no longer be in Lakeville and the Selectman are opposed to that.

Ms. Grubb stated that they are indicating that there will be 36 trains a day, 32 of them will be going to New Bedford and Fall River, and that should be what is running on the Taunton Street rail. Then there is the meeting of March 20th here in the Selectmen’s office for the community leaders. Ms. Garbitt stated that at the kick off meeting for the community leaders, the Board of Selectmen asked for Canpro and Ms. Grubb to be present. The Town should also invite the Conservation Commission and Planning Board members also. Ms. Grubb stated that they want to talk about what the Town would want, like mitigation. Mitigation should be in Lakeville. If they are going to take wetlands in Lakeville, then they need to replace them in Lakeville. Lakeville needs to be conscious of what they want when this takes place. The station is planned to be behind the Target Store in Taunton, and that will require a backup if it comes to Middleborough. Selectman Maksy stated that he did not see the advantage of the additional route. It will take longer to get to Boston. Selectman Maksy and Ms. Grubb will come back and update the Board after the March 11th meeting has taken place.

7:30 PM Meet with Building Commissioner Bob Iafrate

Request to increase fees-Building Department

Robert Iafrate, Building Commissioner, was present for the meeting. He stated that he would like to increase the re-inspection fee to \$50 and retain \$10 for the Department since they do all the paperwork for this. The re-inspection fee is presently \$40 and this goes to the Inspectors when they go back out for the re-inspection. Ms. Garbitt noted that if the Board approves the

increases, they will need to be published in the paper, and the Board will need to provide a date for when it becomes effective. Chair Yeatts stated that March 1st would be good for the effective date. Selectman Maksy noted that looking at the residential electrical, maybe all the wiring fees should be revamped for the paperwork. Mr. Iafrate responded that one would pay a lot more than \$120 for a new dwelling, so the Town does make money. This was discussed with the Inspectors, and they would make money that way. He added that he was also looking to investigate a new way to implement Occupancy Permits. Perhaps having a yellow placard, which is located on the site, and signed off as needed. This will be a very important document. In the past, people have lost this and then it takes some time to go back to recreate all the dates for all the inspections. If a fee is in place for when this happens, it would help pay for the cost of doing this additional paperwork and research. Chair Yeatts responded that that is fine as long as you warn people about that up front. They need to know how important it is not to lose that placard. Selectman Maksy suggested that it should also be printed on the card that the cost to replace it is \$100. Mr. Iafrate stated that they are also considering a whole different look with the permit card as well. Selectman Maksy asked if \$100 has to be the figure, it seems steep? Mr. Iafrate responded that he would like it to be, it is not a revenue stream for the Town; it is just a cost to cover having to do more work. Right now the fee schedule only has \$30 per effected room and he would like to add roofing, siding, windows and doors to this so that people know where that fits in. No where on the schedule does it say those areas. This will simplify it and make it easier. Selectman Maksy asked if the amount should be a maximum of \$120? What is the full fee or is it per square foot? What if they are going to remodel the whole house? Mr. Iafrate responded that he would just keep adding them up.

Chair Yeatts stated that she had a problem with the Zoning Board of Appeals (ZBA) review fee. To have the person go before the ZBA it is \$120.75 for advertising, then \$140 for the ZBA fee and to now add another fee it would be about \$300, before they even started. Mr. Iafrate stated that other Towns do this. There are a lot of projects going before the ZBA. This is to streamline the process. There are also a lot of complicated projects going to them. Chair Yeatts explained that people going right before the ZBA did not happen before. It used to be that they had to get the letter of denial first from the Building Commissioner, but the previous Building Commissioner did not mind and allowed that. Mr. Iafrate stated that he thought there should be some kind of fee for the work to do that letter. Selectman Evirs stated that the Building Commissioner is also the Zoning Enforcement Officer and this is included in his job description. Chair Yeatts noted that people are already upset about the amount they have to pay to go before the ZBA. Ms. Garbitt stated that she did speak with Don Foster, Chair of the ZBA, about all the applications that are being submitted incomplete and to let people know that they need to go to the Building Commissioner first. Otherwise the ZBA opens the hearing, and it has to get continued since the application is incomplete. When the application comes in and gets stamped by the Town Clerk, then the clock starts ticking. People have been bypassing the Building Commissioner. Selectman Maksy stated that they should be applying for a building permit to get approved or denied. Ms. Garbitt asked if someone came in and they were denied a building permit, would the Building Commissioner hold the check until they get their appeal approved. Mr. Iafrate responded that he would be holding onto that check for a long time and then it may be no good, so no. Discussion took place on this aspect. Selectman Maksy stated that as long as the fee gets credited to the end result, at some point. Selectman Evirs stated that he felt that is what the Board is paying Mr. Iafrate to be here to do, zoning issues, etc. That is what the Town

is paying him for and the taxpayers are paying that. Mr. Iafrate responded that that is a good point. Chair Yeatts agreed with Selectman Evirs that that is the job. Selectman Evirs stated that the Town will still be getting the permit fees once the process does take place. Chair Yeatts stated that all the Departments do this; they have to make a determination and recommendations for the ZBA. Mr. Iafrate stated that maybe \$100 is too high, maybe it can be reduced, but it is in line with what other Towns are charging or Lakeville does not have to do it at all. There have been eight (8) to ten (10) petitions so far since he has been on the job. Chair Yeatts suggested putting that one on the back burner for now.

Mr. Iafrate stated that with the alarm permits, he would like to get commercial and residential in line with each other, not to have one more than the other. Discussion took place with the Board members on this last request. It was decided that commercial permits will be \$80 and residential permits will be \$50.

Upon a motion made by Selectman Evirs; seconded by Selectman Maksy it was:

VOTED: To approve bullets 1, 2, 3, & 5, on the memo dated January 29, 2008 from the Building Commissioner and to exclude the zoning determination letter bullet (#4).
The new fee schedule will go into effect March 1, 2008.
Unanimous in favor.

Review ZBA petition-Urbansky

This petition is for the property at 170 Main Street. Mr. Iafrate stated that the ZBA is looking for a recommendation. This is a continuation of a matter that has been ongoing. It is a petition by an abutter since the abutter does not think the present use is conforming. The abutter wrote several letters to the previous Building Commissioner and spoke with him several times. Nick Ieronimo, property owner, has been very helpful. The old roadway layout is an issue on his property and also the old greenhouse. He would like to have the old road abandoned. Chair Yeatts stated that the Board has discussed that before, and Mr. Ieronimo just needs to get a letter to the Board.

Mr. Iafrate explained that under 4.1 of the Zoning By-law, it was thought he fell under the first part. He could have a farm or green house by right, and he has been operating under that premise. He can have a stand for agricultural products with a special permit, and he was spoken to on that. If he did, the Town could then put hours of operation and restrictions on him for having the business in a residential area. That was about two (2) months ago. He discussed it with his attorney and that was not the road he wants to take because he could be imposed conditions that would impair how he operates. He does want to do the right thing though. His operation is consistent to what was allowed prior to Mr. Iafrate being appointed the Building Commissioner. No response has been provided to the Urbanskys or their attorney. Selectman Maksy stated that the Board feels that what the Building Commissioner wrote is appropriate. Chair Yeatts stated that right now the road is a liability for the Town and Mr. Ieronimo just needs to write a letter to us on that. It is a previous non conforming existing use. Mr. Iafrate stated that if Mr. Ieronimo owned the road, it will allow him to do some things that he cannot do now. There is the setback violation and parking issues, and it may solve other problems. There is an

old cart path at the other end which is an access road, but according to the Fire Chief, it is a road that he is not planning on accessing. Mr. Ieronimo will have to find out if the residents use that road to get to the pond, but the way that it is all overgrown it is not thought so. Ms. Garbitt stated that when she looks at Briarby Lane, there is a section that she does not know where the road would discontinue. Chair Yeatts explained that the Board has previously spoken about this at length. Ms. Garbitt stated that she is not sure if the Town would have to auction it off, usually the road reverts back to the abutters, who would own to the center of the road. Selectman Maksy stated that the Town can take the steps to discontinue and abandon the maintenance of the road. Chair Yeatts stated that it is of great advantage to Mr. Ieronimo to have this piece of land and any costs to accomplish this, would be beneficial to him. Selectman Maksy stated that he disagreed, the frontage was moved. Mr. Ieronimo lost access to the frontage on the main road since they should have abandoned Briarby Road before when changes were made.

Ms. Garbitt stated that the Keene Shore residents raised concerns that the cart path was a fire lane, so the discontinuance of it was taken off a previous Town Meeting warrant. Selectman Evirs explained that Mr. Ieronimo may have lost the frontage on Main Street with the redirecting, but then he gained another piece and regained his frontage. Mr. Ieronimo would be financially liable for expenses to discontinue the road. Since the Town just rezoned Lori Lane, whoever buys those homes will ask to discontinue use of that road, so whatever the Board does here, the same thing could come up again. Selectman Maksy stated that the Town could be asked to plow and maintain it, the Town is responsible. Ms. Garbitt stated that the Town does not plow or maintain it now. Selectman Maksy stated that we need to find out if we can discontinue or abandon the road. A determination needs to be made, if it is a State or County road the Town cannot, but if it is a Town road the Town can. The deeds to the property need to be seen.

Ms. Garbitt noted that William and Amy Dow own a small piece of land with frontage on Briarby Lane. Mr. Dow took the floor and stated that he owns the land which used to belong to his father. Mr. Dow pointed out the stretch of land that they own on the map. It is 70 feet by 20 feet, and it abuts Keene Shore Road. Mr. Dow asked what his rights were as an abutter to that road. He stated that he thought Briarby Lane met Keene Shore Road as he understood it from how his father explained it to him. The Norris property is the only connection to Town property. Selectman Maksy stated that the Board legally does not know which road is which, where they start and end. The Town would only be giving up its rights, not be taking a road away from anyone. Ms. Garbitt stated that if he abuts that section, then halfway into the road he would own. Mr. Dow asked if he could still use it as an access. Ms. Garbitt responded not if it is discontinued. Mr. Dow could go to the other end from Keene Shores, but not from Nelsons Grove. If abandoned by the Town then yes, but not if it is discontinued. Mr. Dow stated that his only access is the 20 foot portion. He has no access to Keene Shore Road. Nelson Grove is a private road. He is using Nelsons Grove Road, but he does not want to give up the access to it from Briarby Lane. That is his only access to a Town road. Further discussion for clarification took place on this matter.

Mr. Iafrate stated that the Town should ask Mr. Ieronimo to determine where these two (2) roads start and stop. Mr. Ieronimo may absorb any costs as far as the engineering is concerned. Chair Yeatts asked if Mr. Dow would still want a right of way if Mr. Ieronimo takes it over?

Mr. Dow responded that it would change his rights to that road. It is understood that having a curb cut to Main Street is a separate issue. It is a State issue, and he has to deal with that. Selectman Maksy stated that if the Town abandons the use of it, Mr. Dow should still have rights to it. Chair Yeatts stated that Mr. Ieronimo needs to look into this for what the Town should do. Selectman Evirs asked Mr. Dow would he give up his right to the road for the proper financial consideration from Mr. Ieronimo. Mr. Dow responded that Selectman Evirs was correct. Also, there is a business operating in front of his property, and he does not want to see it grow into something larger. Selectman Evirs stated that the business can be controlled by the Town. The Town can make it so they cannot use Nelson's Grove or Mr. Dow's property for parking, Mr. Ieronimo would need to have parking take place on his property. Mr. Dow needs to speak with his neighbor and let him know the interests and concerns that he has.

Selectman Maksy stated that he would like to pursue the discontinuance of maintenance first. This could be done at Town Meeting, and it takes the liability away from the Town. It is done quite a lot, but this is not saying the Town would be giving the road away. Mr. Ieronimo still could not operate on it, gate it, etc., but no one would be calling the Town to maintain it.

Request for Zoning By-Law amendment-Planning Board

Chair Yeatts stated, to summarize the Zoning By-Law, the Planning Board is trying to regulate the size of buildings on lots, to take away large structures on tiny lots. The Master Plan Implementation Committee (MPIC) did not agree, they felt the by-law was too restrictive. It is assumed that the Building Commissioner believes this too. Mr. Iafrate responded that the Chair is correct. The Town already has bylaws for this. He stated that he looked at Clark Shores and the sizes of those lots. Then, as an example, he took an 8,800 square foot lot. Current regulations allow for 25% lot coverage, which is 2,200 square feet, thus that is the total lot coverage. A standard driveway is about 800-1,000 square feet. So, the lot is left with a 1,200 square foot footprint. It is a little different than what the Planning Board proposes. The Town currently has the 35 foot height restriction, so that polices the large homes being built on a small lot. This would be all floor space, including any outbuildings and sheds (the 1,200 square foot print). It will force people to build a small cottage home. Then there is another layer of policing for the non-conforming lots due to the size. This would only be another layer to meet, so he felt there were adequate regulations already in place. Selectman Maksy stated that if someone did want to get this approved they would have to go to the ZBA, but the Building Commissioner feels that the Town is covered adequately to handle these issues. Mr. Iafrate responded in the affirmative. A 24' x 36' home is 936 square feet. One would not be able to build a standard sized home since there is the bylaw, and they would have to go for a variance. He stated that he has seen three (3) projects from Clark Shores combining two (2) and three (3) lots. Does the Town want to see a big home or a small home that is seasonal? Chair Yeatts stated that she did not think anyone has built a seasonal house in Lakeville in her lifetime. Selectman Evirs stated that if someone replaces three (3) small homes with one (1) home, it would reduce the amount of children in the school system and the value of the home is greater. This would also increase the tax revenue for the Town. Mr. Iafrate stated that the Town is not too far off from the intent of the proposal of where it is now. Selectman Evirs added that the Town also has the limits of restoration. Mr. Iafrate stated that it is pretty close to the intent of that bylaw.

Upon a motion made by Selectman Evirs; seconded by Selectman Maksy it was:

VOTED: To send a letter to the Planning Board that the Board of Selectmen support the recommendation of the MPIC to not enact the proposed zoning by-law, based on the recommendation of the Building Commissioner.
Unanimous in favor.

Discuss Master Plan Implementation memo regarding proposed casino in Middleborough

Chair Yeatts stated that the MPIC has sent the Board a memo on the proposed Middleborough casino. Ms. Garbitt explained that the Board of Selectmen had asked last year for the MPIC to forward their thoughts on the proposed Middleborough casino. The MPIC had not met in quite a while and that was a priority on the agenda at their recent meeting. Selectman Maksy added that mutual aid is a big expense to the Town. He asked if the memo should be forwarded to the Task Force or kept as an internal memo. Chair Yeatts stated that it went back to the question of the Task Force and what they have been talking about lately. Taking some sort of a stand. SRPEDD gave a recommendation of how the Task Force can non-confrontationally support the Governor. The Governor did speak about Southeastern Massachusetts and the Regional Concerns not being met. So maybe this can be looked at again. Also, if the Tribe were to take the land into trust, it does not protect the Town's interest as well as if they were negotiating with the State. Selectman Maksy pointed out that 1% or 2 ½ % is not a lot for all the Towns that would be effected, so it does not seem like the Governor is protecting the Town either. Selectman Evirs stated that he finds fault with the Governor. It seems that it is okay if it is his way, but not if it is someone else's way. Infrastructure problems are infrastructure problems. The Selectmen do thank the MPIC for the memo. It is very good. It echoes the concerns of the Town. Chair Yeatts stated that this will be sent to the Task Force from the MPIC.

8:00 PM Meet with representative from The Call-discuss delivery issues

Mr. Boise was present from The Call for the discussion. Chair Yeatts stated that the Town has received many complaints from people about the papers found in their driveway. If someone goes away, and The Call continues throwing papers into the yard, the home could get broken into, since the papers build up in the driveway. Mr. Boise explained the areas and the network that The Call covers, which is similar to a daily publication. He stated that there is a phone number on the paper that people can call to ask for the paper to be stopped, and it would come to him. He would let the contractor know not to deliver the paper. He has recorded 35 stops since last March. There is also a way to transfer the calls from Quincy. At one point, The Call had to outsource the phone number to another country, but that did not work out, so they have relocated it back to Quincy. The Call just wants to get the news and information out there. The paper did try to advertise initially, and he then explained how the paper is delivered. Chair Yeatts stated that if someone comes to the Board, the Board can give them the number to call, which is 1-800-557-8882. Selectman Maksy suggested to put this information and telephone number on the website as well. Selectman Evirs stated that he did not understand why you have to make a phone call to stop something that you do not even subscribe to. Mr. Boise explained that it was a free paper that was mailed to all originally, and if someone did not want it, they could call in and

say so. Selectman Evirs stated that his wife has called to stop delivery and so have some of his neighbors. It is a weekly publication, and yet he can go two (2) to three (3) weeks without seeing it, and then it shows up. If it is inconsistently delivered, how do you make one (1) phone call to consistently stop the delivery. Mr. Boise explained that they have had some difficulties with who wants it, and who does not want it. There is a team that goes out to make sure it is going out to those who want it. They have a GPS phone in place, so the paper is trying to get it consistent to make sure that it is being delivered and delivered correctly.

Selectman Evirs asked how the private roads are handled. Mr. Boise explained that the paper does not deliver to the areas around the lakes or if it says private road. They do not enter the private roads since it is difficult to get in and out. Selectman Evirs stated that again, he just finds it difficult that you receive something that you do not ask for, and you have to go through this trouble to stop it, and then you do not know if it will stop. Mr. Boise stated that the paper has an updated list of where the stops are, since it is recorded and inputted into the data system. They will terminate the carrier if they do not deliver the paper where it is supposed to be delivered. The paper has terminated about seven (7) to ten (10) carriers due to not stopping delivery or just not delivering. Selectman Maksy stated that it sounds like the carrier has a certain amount of papers, and they just want to find a large spot and leave them. Ms. Garbitt mentioned that she felt it is a turnover issue with the carriers since they do not know that one place stopped, and then the new carrier delivers it. Mr. Boise stated that it may just be human error with the carrier.

Ms. Garbitt stated that she lives on Main Street and has never gotten the paper. This is her home, not a business. Mr. Boise responded that they do not deliver to businesses. They do deliver in the daytime, but may not deliver on the main streets due to the traffic. A carrier started out on Route 18 early in the morning but could only get one end completed then had to go back in the afternoon to finish, due to the traffic.

Review mileage reimbursement request

Chair Yeatts stated that the new rate is 50.5 cents per mile for the IRS effective January 1, 2008. The rate that the Town pays is 37.5 cents per mile since March 15, 2004. Ms. Garbitt stated that she researched this since it was brought up to her. There are not a lot of employees that utilize this by using their own cars. Selectman Maksy stated that this is what the person can claim, but that does not mean it is what the Town has to pay. There is a ten (10) cent buffer at least. Chair Yeatts stated that this would be affecting the Conservation Commission since the Agent uses her own personal vehicle. Ms. Garbitt stated that the agent submitted 940 miles in a six (6) month period. It would be an increase of \$260 for a full year to the Conservation Commission. This is typically for people to go to seminars and meetings and they use their own vehicle. They do not have a car allowance or a town car at their disposal. Selectman Maksy stated that the IRS is just a deduction. This is not the wear and tear of the vehicle. That same person can take this deduction when they file their taxes. He stated that he would like to know what the rates are that people are being reimbursed for and what other towns are paying.

Ms. Garbitt stated that Old Colony Elderly is raising their reimbursement for Meals on Wheels to the federal rate. Further discussion took place on the topic. Outside of the Conservation Commission, it is a matter of \$100 or less. Ms. Craig mentioned that one thing that is being left

out is that there used to be a Board of Selectmen car that was available to take to meetings and the Town no longer has that vehicle. That saves the Town on insurance and repairs, so the increase may be more cost effective. Selectman Evirs stated that he did not have a problem with the increase. Chair Yeatts stated that it is the message that the Board is sending though. It is a financially difficult year. Maybe the Board can wait until a better year. Selectman Maksy stated that he would be curious to see what the State and everyone else is paying. He gave a case scenario on this and how much it would cost, understanding that it does include wear and tear. He added that he needs more information before he can make a judgment call on this matter. He is not against it; he just would like some more information. Selectman Evirs stated that the person can say that they will no longer use their personal vehicles to attend a seminar. Ms. Garbitt stated that different people go to different meetings for different purposes. Ms. Mansfield is on a lot of different Boards as part of her job. The Accountant goes to many seminars and DOR meetings. Selectman Maksy stated that the Selectmen never put a slip in for all the meetings that they attend. He stated that he just wanted to poll some towns and table this for now.

Request from TEAMS to place sign on Ted Williams Camp entrance-Green Fair

Chair Yeatts read the letter from TEAMS asking for permission to place signs advertising the Green Fair at the Ted Williams Camp. Ms. Garbitt stated that the Park Commission did discuss this and voted to allow the sign. Chair Yeatts asked Selectman Evirs about the signs. Selectman Evirs stated that they are to be taken down the next day, April 13th.

Upon a motion made by Selectman Evirs; seconded by Selectman Maksy it was:

VOTED: To allow TEAMS to place the signs about the Green Fair at the Ted Williams Camp entrance with the stipulation that they are to be taken down the next day, April 13, 2008.
Unanimous in favor.

Request from Southeastern Massachusetts Festival Chorus to use Town House

Chair Yeatts read the request to use the Town House for a fundraiser yard sale into the record.

Upon a motion made by Selectman Evirs; seconded by Selectman Maksy it was:

VOTED: To approve the use of the Town House by the Southeastern Massachusetts Festival Chorus to conduct a yard sale. Friday, April 18th will be for the dropping off of sale items and the sale day of April 19, 2008. Signs are to be in place only on the day of the event.
Unanimous in favor.

Ms. Craig mentioned that there have been requests from them to be able to put on a performance some time in Lakeville.

Vote to accept resignation of Elaine Barrie from Council on Aging

Chair Yeatts read the resignation letter from Elaine Barrie into the record. The Board of Selectman and also Marilyn Mansfield, COA Director, will send her a letter of appreciation.

Upon a motion made by Selectman Evirs; seconded by Selectman Maksy it was:

VOTED: To accept the letter of resignation of Elaine Barrie from the Council on Aging and to send a letter of appreciation for her work.
Unanimous in favor.

Request for change of manager-LeBaron Hills Country Club

Chair Yeatts stated that there was a request to change the manager of the LeBaron Hills Country Club to Frank Will. Ms. Craig stated that the CORI was acceptable.

Upon a motion made by Selectman Evirs; seconded by Selectman Maksy it was:

VOTED: To approve Frank Will as the new manager of LeBaron Hills Country Club.
Unanimous in favor.

Review and vote to approve Selectmen's meeting minutes-November 19, 2007

Upon a motion made by Selectman Evirs; seconded by Selectman Maksy it was:

VOTED: To waive the reading of and approve the Selectmen's meeting minutes of November 19, 2007 as presented.
Unanimous in favor.

Any other business that may properly come before the meeting.

Selectman Evirs updated the Board of the meeting that took place with MassHighway on the relocation of Route 79 with Middleborough. Middleborough did not like either dead ending plan. Ruth Geoffroy, Middleborough's Town Planner, came up with another alternative which would make the existing Route 79 a one way street, and one could only turn in when entering. That is the problem. Since people think they are turning into the highway and not the street. There will be accidents. The Middleborough Fire Chief was against this. If you do not close the existing Route 79, SRPEDD will not support the funding for the relocation of Route 79. So, we will look for some kind of a compromise. There is the hammerhead design, which Middleborough is against. They may not be able to turn around a school bus, but a trash truck could. Middleborough does not plow this part of Route 79, Lakeville does. They only plow Crest Drive. There is another meeting scheduled for March 5th at which the engineer will provide another design and it may involve some land takings. Also, SRPEDD's argument of going the wrong way on a one way road is that people will cheat and do that if they could. The Fire Chief is not worried about turning around; they will get to the fire. An ambulance will go around, that is not a problem. Middleborough also does not know what the 495 interchange will

look like either, so maybe putting something together on how it will look should be done. Further discussion took place on the topic. The date of the March 19th hearing is when the alternatives would be made available, but the 25% site design does not have to be made at that time.

Selectman Maksy updated the Board on renewable energy. He stated that renewable energy, of whatever type, is companies and residents subsidizing their homes for heat. Typically, if you can make power, anything in excess of what you need, you can bank it with the utility company, and they have to pay you for it. However, Lakeville is served by a municipality and the MG&E does not ask the Town to contribute into any fund towards renewable energy, like NSTAR. So Lakeville does not get this service charge by the MG&E, the MG&E does not have to credit back for any additional electricity that is provided. If something is done at the schools or a residence, they are not eligible to sell the power. At a seminar he learned that no one qualifies for it if served by a municipality, unless the municipality sets a policy to do it, and allows for the electricity to be sold back to them at a wholesale rate. Selectman Maksy spoke with the MG&E on this, and they will look into this further since it is also buying power for them that they can resell. Right now, if a windmill was installed at the School, the Town can only use the electricity itself. They cannot sell the power back. Selectman Evirs pointed out that the school cannot be taken out of the grid and then not reconnected. One would need to do switches on and off. There is also only a very limited amount of storage. Selectman Maksy explained that the MG&E has to order their electricity a week in advance. They would not have the power available for the school if the wind does not give the School what they require. Then the MG&E would charge a different rate to the school system. This does not have anything to do with the bill. It is just a policy that needs to be set that if anyone produces power, the MG&E will buy it back at a certain rate from that one individual. Selectman Evirs stated that the Town would still have to pay for the availability of the MG&E to have that power available. Selectman Maksy stated that the MG&E will consider this since they are looking at additional sources of electricity that they could purchase outside the grid. Chair Yeatts stated that it is a great place for the schools to have a windmill.

Ms. Garbitt stated that the Plymouth County Development Transportation Council is having a breakfast. Senator Murray will be there and the Secretary of Transportation. It will be at the Radisson Hotel in Plymouth on March 14th. There is a \$25 fee to attend. RSVP's are by March 7th. Selectman Maksy suggested that this is something that Linda Grubb maybe should attend.

Ms. Garbitt mentioned that the Habitat for Humanity will be having a celebration at the Hampton Inn in Plymouth with to go over their accomplishments. If anyone is interested they could let her know.

Other Items

1. Letter from Massachusetts Cultural Council regarding Joanne Upham
Chair Yeatts stated that Dan Cooney was awarded this honor last year. It is an outstanding volunteer award. The Board should send her a letter of recognition. The recognition event will be at the Statehouse in Boston on March 12th.
2. Letter from DEP announcing Municipal Sustainability Grant
3. Memo from Board of Health regarding Annual Town Meeting
4. Update from Josh Gonsalves regarding community sign Eagle Scout project
Chair Yeatts noted that Josh Gonsalves has raised \$1,600 thus far and is about 1/3 of the way of reaching his goal.
5. Annual Beano Report-St. Martha and Mary Church
6. Memo from Town Counsel regarding New Identity Theft Law
7. Memo from Town Counsel regarding Solid Waste Flow Control Laws
8. Memo from Town Counsel regarding Recent Developments in Land Use Law
9. SRPEDD meeting notice-February 27, 2008
10. Cranberry Country Chamber of Commerce Perspective
11. Plymouth County Commissioners agendas: February 6th, 12th and 26th
12. Plymouth County Commissioners agendas: February 25, 2008
13. Old Colony Elderly Services information
14. Mass Historical Commission information–Archeology Month
Chair Yeatts stated that the Archeology aspect is always done at Betty's Neck, at the extravaganza in October. There is a display, which is presently located at the Library, a traveling collection and Mass Historical puts out a brochure.
15. DEP letter-State Revolving Fund Borrower's meeting schedule
16. City and Town – January 2008
17. Mass wildlife News
18. DOR 2007 Legislation Bulletin
19. Comcast Overview-4th
20. Comcast Channel Line Up Changes
21. Department Conservation & Recreation 2007 Annual Report
22. 30th Annual Legislative Reception-Mass Developmental Disabilities Council
23. MEMA Report
24. US EPA information on Stormwater Management

Upon a motion made by Selectman Evirs; seconded by Selectman Maksy it was:

VOTED: To enter into Executive Session and not to return to Open Session for the purpose of discussing the Collective Bargaining Agreement with the Fire Department.
Polled vote: Selectman Evirs – aye, Selectman Maksy – aye, and Selectman Yeatts – aye.
Unanimous in favor.