

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
March 16, 2016 – 6:30 PM

On March 16, 2016, the Board of Selectmen held a meeting at 6:30 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Burke at 6:33 PM. Selectmen present were: Selectman Burke, Selectman Powderly and Selectman Hollenbeck. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Matthew Ferreira of the Middleboro Gazette and LakeCAM were recording the meeting.

6:30 PM Meet with Sarah Kulakovich to discuss:

Permission to use the Town Seal on Signs for the Vigers Conservation Land

Sarah Kulakovich was present for the discussion. Chairman Burke stated that the Town Seal can only be used with the permission of the Board of Selectmen. Ms. Kulakovich showed a sample of a sign to the Board. The sign is necessary so that people know that they are leaving the Viger's property and heading onto private property. Some abutters have requested signage so that their property is not confused with Conservation Land. The Police Department has taken care of putting up policing signs, and the Superintendent of Streets and Town Administrator have been working together to have parking signs made. The Boy Scouts have come up with several trail blazing signs. People have been seen wandering off into the woods and going onto private property at Vigers. Some type of signage is needed that looks official to let people know that they have gone too far. Selectman Powderly suggested purchasing No Trespassing signs from a hardware store. Ms. Kulakovich stated that it is the abutter's responsibility to post No Trespassing signs, but she is recommending that there is a sign to let people know that they are at the end of trail. There are standard end of trail signs that can be purchased for \$17. Selectman Powderly stated that if the neighbors/abutters want people off their property, they need to post signs. Ms. Kulakovich stated that she could contact them and ask them to post signs.

Chairman Burke stated that an official sign may need to be used and posted every 50'. Selectman Hollenbeck asked if the signs are needed since people do not know where to go, or is it that they do not know where the end of the trail is. Chairman Burke stated that he did not think that the Town Seal would be needed on the signs. Ms. Garbitt stated that Ms. Kulakovich was thinking about having four (4) signs. Ms. Kulakovich added that she wanted to have signs made to make sure that people do not park on the street for safety reasons and have signs for the overflow lot. Chairman Burke asked about the cost. Ms. Kulakovich stated that the cost would be approximately \$150 for the signs. Chairman Burke stated that the signs should be professionally done, installed to last and be as permanent as can be. Ms. Kulakovich stated that when she brought up the cost for the signs at a recent Conservation Commission Meeting, they said that they had no budget for signs. Chairman Burke stated that the Town can find the resources to pay for the signs. Selectman Hollenbeck suggested that the signs be funded through the Community Development Committee.

Discuss Petition for Community Preservation Act (CPA) for Annual Town Meeting

Sarah Kulakovich was present for the discussion. Chairman Burke stated that a petition had been received for the Town to accept the Community Preservation Act (CPA) at the Annual Town Meeting. A petition was presented to the Town Clerk that was signed by registered voters and had the correct amount of signatures. Selectman Powderly asked about holding meetings so that both sides of the matter would have the opportunity to present the pros and cons. Ms. Kulakovich stated that there is an educational meeting scheduled on April 28th from 6:00 to 8:00 PM. What is different about the CPA now from when it was first introduced in 2005-2006 is that low income residents and the elderly have been added as exclusions. There have been many people asking about the CPA. Selectman Powderly asked if people could be solicited that are on the opposite side of the fence, since he would like to hear both sides at a public meeting. He asked how much money would be raised doing this. Ms. Kulakovich responded that it depends on how many people apply for the exemption; the lowest percentage is being put on the ballot. Based on the average household valued at \$245,000, a homeowner would pay about \$20 per year. Selectman Powderly and Chairman Burke asked about a rough number that would be raised, and stated that the average house value is actually about \$200,000. Ms. Kulakovich said that she will make the correction with the house value amount. She does not have data available for making projections for the Town; however, she will attempt to gain that information. She has heard that people want to preserve the rural character of the Town, and currently there is no way of creating capital to use to help the Town.

Selectman Powderly stated that he needs facts, figures and to hear how the other side feels about this. Chairman Burke stated that based on his understanding the Town is obligated to put the petition on the ballot. Selectman Hollenbeck suggested that between now and Town Meeting that there be education provided to answer peoples questions about the CPA. Though only 1% is looking to be raised at this time, it would be beneficial to see the long term plan, if this is just the beginning.

7:00 PM Met with Superintendent of Streets Jeremy Peck to discuss:

Presentation by BETA, Inc. on Pavement Management Plan;

Discuss Amendment #2 to Weston & Sampson Contract for Beneficial Use

Determination (BUD);

Discuss Alternatives for Route 79 and Route 18 Intersection

Jeremy Peck, Superintendent of Streets, was present for the discussion, along with Conrad Leger from BETA. Mr. Leger said he has been working with the Town of Lakeville for some time. The Pavement Management program preceded both Mr. Peck and himself. This is an update to explain the benefits of Pavement Management. Keeping the roads in good condition helps the Town save money by doing the right types of repairs at the right time. Pavement Management provides the framework for long and short term planning for the roads. Originally an assessment was made of all the Town's roads. Then it was put into a two (2) to five (5) year Capital Plan to develop a strategy for the process to take place. A comprehensive five (5) step approach has been developed at the initial stages of the program: roadway inventory and GIS mapping, a field inspection program, an existing conditions summary, and a capital improvement planning system. The idea of the program is to get each roadway segment into a repair category.

Pavement Management categories include deferred maintenance, routine maintenance such as crack sealing, preventative maintenance, which entails curb to curb overlay of the roadway, rehabilitation, which is milling and overlay, hot and cold placement and then reconstruction. The costs increase as you proceed down the categories, so we want to catch the roads at the top of the categories. An outline was provided of the Town's roadway inventory. The Town has accepted approximately 77 miles of roads. There are 27.81 miles of State roads and 26.13 miles of private roads, which have not been assessed as part of the study, for a total of 130.5 miles of roads. All the roads were assessed by former Superintendent of Streets, Chris Peck, and they provided each with a Road Surface Rating (RSR). They looked at surface stresses, linear cracking, potholes and patching. Ratings are from 0-100. Line striping, curbing, sidewalk information, etc., was all gathered as part of the platform. Once each roadway is assigned a category, they are assigned an estimated cost to do the repairs.

Mr. Leger explained the current maintenance and repair costs per linear foot are estimated at: defer \$0, routine \$.40, preventative \$14.50, mill and overlay \$16.50, reclamation \$22.50, and reconstruction \$38.50. Unit prices reflect curb to curb improvements only. The costs are only for pavement, it does not include berms, sidewalks or drainage work. The repair costs being reflected are from 2011. Approximately 75.42 road miles have the RSR. There are not too many in the reclamation category; there are more roads categorized for mill and overlay and preventative maintenance. Overall, the Town falls in a 71.5 average. That is a good average for this area. The backlog cost, if all repairs to all roads were done today, would be \$10.6 million, and that amount is a five (5) year old price. Mr. Peck explained that the processes have changed, and he has invested in crack sealing over the past few years. Mr. Leger said then the Capital Improvement Plan (CIP) was developed. This took into consideration targeting RSR and budget requirements; refining repair methods; looking at unit costs; developing prioritization strategies; utility coordination; and deterioration rates. There is good existing data of the roadways at this time. Also, a sign inventory and storm water inventory including catch basins, etc., was done. The Town usually uses Chapter 90 funding to repair the roads. Mr. Leger provided a breakdown on where that money has been spent over the course of 15 years. The Town received \$4.6 million in Chapter 90 funds, of which \$2.9 million was spent on "other" than roadway work itself.

The next steps to the program are to re-inspect the roadway network, (which should be done every three (3) to five (5) years), since the type of winter can impact how the road fared); monitor and update actual costs; move the database to a web-based platform; continue to evaluate funding resources; and develop a five (5) year CIP. BETA has teamed up with People GIS and integrated its desktop platform with their web based program. This allows access from anywhere on electronic devices. Mr. Peck stated that he received updated quotes yesterday for the software. Mr. Leger has come before the Town and given some presentations about the options that this software can provide. All sorts of data bases are being built for the Town in order that everything is ready for when the Stormwater permitting comes into play from the EPA. Mr. Leger added that BETA teamed up with People GIS about three (3) years ago. Most Towns are now trying to move in that direction. People GIS helps to leverage the necessary platforms to get the information that is needed. The process of evaluating funding resources will continue. The Route 79 project is going through the Transportation Improvement Plan (TIP). Mr. Peck stated that with the TIP, Route 79 will cost a significant portion, \$300,000, with 25% design

costs and to finish a few hundred thousand more. With Rush Pond Road, Chapter 90 funds do not account for sidewalks, which is why we wanted to just remove the sidewalks. Otherwise that cost will add another \$90,-100,000 of Chapter 90 funds to be used for the project. It is hoped to do preventative maintenance and some type of sealant. Highland Road was just crack sealed. If the Town can just do an overlay on that, then the life of the road can be extended another 10-15 years without a significant cost. Mr. Leger stated that in 2008 when the program started, there were not as many options for preventative maintenance. Now there are many more options, and the cost benefit value for the treatments is greatly beneficial for the Town. The cost per square yard for the various types of treatments range from \$14 per square yard to as low as \$3 per square yard for preventative maintenance. It is beneficial for the Town to do preventative maintenance with costs for treatments that low. The Town presently has the skeleton of the program in place. From now forward it is basically recalibrating everything with the data that has been gathered over the past five (5) to eight (8) years.

Selectman Powderly stated that Rush Pond Road was taken as an example with its roadway not being in very good condition, but it serves about 30 homes. There are high traffic roads like Highland Road, which the Police and Fire Departments have ear marked as one of the most traveled roads in Town. These high traffic roads should be handled a bit differently. Their condition should be in a separate report and not part of the 77 miles of roadwork in Town. It may be that the Town wants to spend some money on roads that are not as deplorable as others just to keep them going, even though they may not be in as deplorable condition as some roads that have been prioritized. Mr. Leger stated that the priority report and the roadway rating report are separate. There are a lot of aspects that go into determining the priority for a road. Selectman Hollenbeck stated that if the Town does move to People GIS, how much of this will the Town be able to keep up in house as opposed to having to hire a consultant to do. Mr. Leger responded that the whole idea for teaming up is so that the Towns can maintain it. An overall calibration is tough for the Town and staff to do; they do not have the time or experience to do that. Selectman Hollenbeck stated so BETA will do this recalibration every five (5) years, but then the Town will enter information periodically throughout the period. Mr. Peck responded that he has been doing that as work has been taking place. Selectman Hollenbeck stated that looking at this in terms of the long term priority of the Town, we need to be make sure that this is a priority.

Ms. Grubb asked if they keep track of stream crossings, since it would be a perfect time to mark the crossings and determine what shape they are in. Mr. Peck stated that maybe the Town would do that before hand, since there is that assessment, which may be a significant cost. Many are overgrown, and you do not even know that they are there. We will be required to inventory them and the catch basins, outfalls and more with the Stormwater Permit. Selectman Powderly noted that in some instances you would use up all your money just to do one (1) culvert repair. Ms. Garbitt stated that one of the benefits when this program first came into place in 2008 was that it was discovered that the Town was not getting Chapter 90 funds for some roads that the Town should have been, and the Town was getting Chapter 90 funds for some private roads that it shouldn't have been getting. Mr. Leger stated that the Town of Lakeville was one of the first in this area to get this program in place.

Discuss Amendment #2 to Weston & Sampson Contract for Beneficial Use

Mr. Peck stated that there is going to be an increase to the Beneficial Use Determination (BUD) contract, since the quantity of material was larger than originally thought. The increase in cost is \$1,200. The material will be separated and used on site, and there will be some further testing of the material. The material cannot be used as a berm or for open space. Selectman Hollenbeck asked where future catch basin cleanings will go. Mr. Peck responded that they can be used as fill on the side of the road or as compost, which is being done with sweepings. Moving forward this will have to be part of the budget in order to do what DEP requires and for the proper disposal of the material. Additional material cannot be added to the present pile, while this process is being done. The debris and organic materials will be removed by splitting the large pile into four (4) piles. Ms. Garbitt stated that it was originally thought it would be \$1,000 but now the cost will be \$2,000-\$2,500.

Selectman Powderly stated that he wants to know what the property lines are before any buildings go up. Mr. Peck responded that the Town would certainly survey the lot before any building took place. Chairman Burke stated that the surveying should be done now. Mr. Peck mentioned that there had been talk of taking all the trees down; however, it would be beneficial to leave the trees as a buffer. Selectman Powderly stated that eventually, the Selectmen will come to Mr. Peck with a phased out layout of a plan for the Highway Department. Mr. Peck explained that since this is a wooded area and it will be surveyed with a laser, there are different set ups to do, since the trees are in the sight lines.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To approve the amendment to the agreement by and between the Town of Lakeville and Weston & Sampson Engineers, Inc., and to authorize it to be signed by the Town Administrator.
Unanimous in favor.

Discuss Alternatives for Route 79 and Route 18 Intersection

Chairman Burke stated that the alternatives for the Route 79 and Route 18 intersection plan (roundabout and signalization) have been provided with comparisons by BETA. Pam Haznar of MassDOT is requesting the Selectmen's input. MassDOT reports that there are 50% less accidents when roundabouts are put in versus traffic signals. Mr. Peck stated that he has designed roundabouts in the past. When they are put in the right location with the right amount of traffic, they work well. Chairman Burke stated that even if the Town stays with signalization in that area, the configuration will be different. Selectman Hollenbeck stated that she has not heard a single positive benefit about roundabouts from meetings she has attended. There have also been five (5) different concepts proposed. Mr. Peck stated that the MassDOT would want a roundabout since they are less maintenance. Selectman Hollenbeck stated that the safety issue with the roundabout is the only benefit. At present, the sight lines at the intersection are poor, but with the proposed land takings, it will make the sight lines appropriate. Chairman Burke stated that he did not believe that a rotary was any more dangerous than signalization. The State may actually benefit with a roundabouts since they would not have to maintain the lights if a

signal is put in. Selectman Hollenbeck stated that her concern with the feedback from the public meeting is that not a single person was in favor of the roundabout. Additional lanes would be the preferred option with signalization. Chief Alvilhiera has provided information on the number of crashes that take place at that intersection. The traffic does build up there in the mornings. Selectman Powderly stated that if the roundabout would be similar to the one Freetown, then he would rather have the traffic signals. The State will be taking more square footage with the installation of a roundabout. Mr. Peck explained that both scenarios will be designed to handle the larger vehicles, like tractor trailers. There will also be a design public meeting possibly in the fall when the design is 25% complete. Both alternatives will have to be analyzed and input provided. Chairman Burke and Selectman Hollenbeck preferred traffic signals; Selectman Powderly stated that he is open to either scenario.

Approve Charge of Police Station Design Review Committee

Chairman Burke read the draft charge into the record. Selectman Powderly stated that the second bullet should be stricken in order to make sure that the Committee is reviewing the design for its adequacy. Ms. Garbitt suggested that a deadline be included in the Charge, so that the Committee can provide a report for the June 6th Town Meeting.

Upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To approve the Charge for the Police Station Design Review Committee as amended.
Unanimous in favor.

Appoint Members to the Police Station Design Review Committee

Chairman Burke stated that the Board had received letters of interest from people who would like to serve on the Police Station Design Review Committee. Letters were received from Pauline Ashley, Tim LaChapelle, Mike Bois, and Thomas Robinson. It was noted that there is still time for letters of interest to be submitted, since the deadline for submittal is March 21, 2016. The four (4) interested parties can be appointed at this time. Ms. Garbitt stated that their appointments will expire July 31, 2016.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To appoint Pauline Ashley, Tim LaChapelle, Mike Bois and Thomas Robinson to the Police Station Design Review Committee with a term to expire July 31, 2016.
Unanimous in favor.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To appoint Nate Darling, Building Commissioner, Aaron Burke, Selectman and Frank Alvilhiera, Police Chief, to the Police Station Design Review Committee with terms to expire July 31, 2016.
Unanimous in favor.

Announce Commendation for Police Officer Thomas Norcross

Chairman Burke read the letter of commendation for Thomas Norcross from the Police Chief into the record.

Discuss Budget Workshop scheduled for March 19, 2016 at 10:00 AM and review PowerPoint Presentation

Chairman Burke stated that Ms. Garbitt has invited all Department Heads and Employees to the FY17 Budget Workshop, which is scheduled for Saturday, March 19, 2016 at 10:00 AM at the Lakeville Senior Center. Ms. Garbitt distributed the PowerPoint presentation and stated that Selectman Hollenbeck will do most of the presentation. The presentation will consist of FY17 Highlights; Revenue by Source; Revenues; Property Tax Levy; State Aid; Free Cash; Stabilization Fund; FY17 General Fund Appropriation; Percentage of FY17 General Fund Appropriation Lakeville Committed Debt; Initiatives; Proposed new Police Station Site Options and Funding for new Police Station; School Budget; OPEB (Other Post-Employment Benefits); and the Capital Plan. The reduction of the School Budget by \$1.7 million has been included, and additional information will be explained on Saturday. Selectman Powderly asked that Ms. Craig make sure LakeCAM is at that meeting. Chairman Burke stated that he will do the portion regarding the Police Station. He would like the presentation to go rather quickly in order that there be time for people to ask questions. Ms. Garbitt stated that the presentation will be on the Town's website after the meeting.

Discuss Livery Licenses and establishing Rules and Regulations

Chairman Burke stated that currently the Town has two (2) Livery Licenses in residential zones. Ms. Garbitt and Mr. Darling have spoken to Town Counsel on the issue and he is re-working the rules and regulations for this. Ms. Garbitt explained that Livery License Regulations from other Towns have been reviewed to develop draft regulations for the Town. A piece has been incorporated about them being located in a residential zone, and they will have to apply for a Home Occupation Permit. Ms. Craig explained that Livery Vehicles are licensed in the Town where the vehicle is housed and where the business is being run. The Town presently has Taxi Cab Licenses, but those rules and regulations also need to be updated. Ms. Craig stated that she and Mr. Darling had many conversations about this type of license and home business. Mr. Darling equates it to a plumber with two (2) vans in a driveway or an electrician with a box truck or a panel truck. There will not be foot traffic coming to the house. Livery drivers pick up their clients off site. Mr. Darling wants to make sure that only the property owner has the license.

Selectman Hollenbeck stated that the Town does limit three (3) vehicles to a residence with a Home Occupation. Ms. Garbitt added that the current zoning does not allow this type of business in a residential location, unless the person has a Home Occupation Permit. Ms. Craig explained that regulations would allow the Town to request certain things, like a CORI check. Since Livery Uses are not addressed in the Town's Zoning By-law, having regulations in place would be helpful. Selectman Hollenbeck asked about the people that work for them. Ms. Garbitt stated that it is in the Rules and Regulations that background checks can be done. Chairman Burke

suggested that the Livery Licenses be done as people come forward requesting them, since there have only been a few people in the past 20 years requesting them, and this would be creating a regulation for this small amount of applicants.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To table establishing Rules and Regulations for Livery Licenses.
Unanimous in favor.

Discuss and vote on proposed Warrant Articles for an Agricultural Commission and Right-To-Farm By-Law

Iain Ward and David Thomas were present for the discussion. Chairman Burke stated that the Board received a letter from the Agricultural Commission Steering Committee about providing both the Lakeville Agricultural Commission and the Lakeville Right to Farm By-Law to the Board in advance of the Town Meeting to review. Mr. Ward stated that he did not know that they were on the agenda this evening, but the Committee had an ad hoc meeting in the hall. Ms. Garbitt mentioned that John Goldrosen from Town Counsel could not red line the document that had been provided through email, but he did have some suggestions. The Committee has provided changes from the way the petition was worded when it was originally submitted to the Town Clerk. However, Town Counsel has stated that nothing can be changed on a petition once it has been submitted. Petitions are typically at the end of Town Meeting, and the Committee can ask to have the proposed By-law tabled indefinitely. Chairman Burke offered other ways for the Committee to proceed. You can shape the proposed By-law for the Selectmen to put on the Warrant or move forward with the petition, understanding that there is no flexibility with it on Town Meeting floor. Chairman Burke explained that the Selectmen did receive information from Town Counsel questioning what in particular of the proposed By-law conflicted with the Board of Health (BOH) regulations. Mr. Ward stated that it is his understanding that any BOH regulations supersede the By-law.

Selectman Hollenbeck asked about how the By-law works with other Towns. Mr. Ward explained that it varies from Town to Town. Some Towns have commercial agriculture, but commercial use was taken out. Chairman Burke explained that any changes may affect the character of the community. It is important that there is an aspect of BOH authority with the By-law. Chairman Burke stated that he didn't want chickens next to him in a residential neighborhood. He would like the By-law to be limited to parcels that can absorb the strains that animals put on them. There are people that value peace and quiet, while others value their rights to have these animals. An analysis needs to be done so that it is known what is being put forward. Selectman Hollenbeck stated that she researched the problems and issues that other communities have had. There is no ill will intended, but she did not want the Town to get stuck in a position where there is a stalemate with a situation and money has to be spent on a legal interpretation. The By-law should not violate other ordinances in Town.

Chairman Burke stated that the By-law would create another layer of government. The Committee would have certain rights under State law, but later on down the road others may interpret the By-law differently, so there is the potential for conflict. That is an important

consideration, since this By-law is creating another layer of bureaucracy. Chairman Burke acknowledged that the Board prefers to have everything ironed out initially, and that all potential scenarios are considered upfront. Mr. Ward stated that the State may, or has, lowered the five (5) acre requirement to two (2) acres, and the group would like it to be lowered even more. The intent was to do the right thing and not be in conflict with Town regulations. Selectman Powderly stated that he is for the safety of the animal and the appropriate lot size. Chairman Burke suggested that this may be taken then on a case by case basis, rather than any sized parcel. There are advantages if the Town conforms with State law, but also it would be good to give relief to people with smaller lots. The integration of the By-law within the existing framework of the Town, especially with the BOH, is important in order to make sure that this all fits together. Ms. Garbitt will send the BOH regulations to Town Counsel so that he can see if there are any potential conflicts. Selectmen Powderly said perhaps the BOH will hold a public hearing on this. Definitions have to change, so that there is no conflict. The main concern should be with the health and safety of the animals.

Chairman Burke stated that the Selectmen will work with the Steering Committee in order to develop the best By-law possible and advocate for this at Town Meeting. In order for the By-law to succeed at Town Meeting, any potential for conflict needs to be resolved. Mr. Ward stated that he appreciated there being a placeholder for the By-law and the Selectmen working with the Committee. Chairman Burke stated that the Selectmen will find out from Town Counsel about potential issues. The Steering Committee should find out about the definitions and meet with the BOH and the Planning Board and set up Public Hearings to inform the public. Mr. Ward suggested that possibly the Farm Bureau attorney could speak with Town Counsel to help clarify various points.

Discussion then took place on the formation of the Agricultural Commission. Selectman Hollenbeck stated that she would like clarification on the mutual appointment aspect, how alternates are appointed, whether they can vote, and how the Commission might be dissolved. The Commission would be comprised of seven (7) members, whereas the Selectmen only appoint three (3) members. The Selectmen do not want to blindly appoint people. It is important to make sure that those who are appointed are optimizing things for the Town to work better. This is not to undermine anyone. Chairman Burke stated that alternates can vote in the absence of members in order to have a quorum. Mr. Ward asked if his group needs to specifically address alternates and voting. Ms. Garbitt responded that they did if they wanted for them to vote. There is also no limit on the number of alternates specified. Selectman Powderly suggested that there be someone from the BOH on the Steering Committee.

Discuss and vote on proposed Warrant Article for a Transit Oriented Housing (TOH) Zoning By-Law

Jonathan White was present for the discussion. Chairman Burke stated that the Economic Development Committee (EDC) met on March 14, 2016 and voted to recommend moving the article for a Transit Orientated Housing (TOH) Zoning By-Law forward. Attached to the proposed TOH Warrant Article is Grant King's (SRPEDD) comments. Mr. King is working with the Town on the Route 105 Corridor Study, which goes from Middleborough's Town line to Starr Market/Andrews Family Automotive. Mr. White handed out some information. The

proposed location is in the back section on Riverside Drive. Selectman Powderly stated that though he is pro-building, looking at Sterling and Kensington Court and the amount of tax dollars spent, it goes from \$1.4 million to \$2.4 million buildings. If he had a choice of building a \$3 million building vs. a 24 unit complex, he would go with the building, since the tax drain is not there, particularly with Police calls. Looking at the tax dollars and the services to that facility, though the tax dollars look to be a wash; however, the amount of Police calls has increased. There are 200 more calls than before the apartment complex was built. It seems that having commercial business vs. homes is sounder and provides the same tax revenue to the Town.

Mr. White stated that the property has been marketed for commercial use. He stated that he was curious about the amount of Police calls at Kensington and Sterling Court. The apartments would be for sale, so the revenue stream is a lot greater. Chairman Burke stated that this is just a portion of the overall Corridor Study being discussed. This is being brought forward, since it is not known if the rest of the Study will be ready in time for Town Meeting. It is important to revisit the zoning in that area in order to optimize that portion of Town. Selectman Powderly stated that it needs to be thought about the sale vs. rental. Unless the 24 units become condos, he was opposed, due to the service needs. Mr. White stated that this is a different animal that he is proposing. It does not seem that the Town could absorb or has the demand for that many more apartments. Selectman Powderly stated that he did not want rentals, unless they are \$2,000 a month. Mr. White stated that he will be presenting this to the Planning Board and needs that range to get the project off the ground. He will provide that information to the Selectmen to work backwards with the tax revenue. There would be eight (8) units per acre. The duplexes and houses do not look much different than the multi floor at 24 per acre. Selectman Powderly stated that he wants to know prices, so that he knows who is coming to Town.

Selectman Hollenbeck mentioned that with the Master Plan surveys coming in, one of the biggest concerns is density with housing. Mr. White stated that the location is somewhat tucked away, but is an ideal spot. Chairman Burke added that this is an ideal place for a little more intense development, due to its location relative to the Train Station. Selectman Hollenbeck stated that she wants to be sensitive to the survey and how the Master Plan is being retooled. Presently School enrollment is declining and an increase in students would allow for additional State funding for the schools, but a \$375,000 home might be a bit much. Mr. White stated that people like new construction. Some people just do not want to cut their own lawns. Selectman Hollenbeck stated that looking at the Housing Production Plan, the biggest need for the Town is housing that the elderly can afford. The Town has an aging population, and people cannot afford to live here. Mr. White stated that there would be some bedrooms on the first floor, which would allow for more first floor living. It would provide housing to people that might want to downsize, but stay in Lakeville. Selectman Powderly stated that he was agreeable with the price being north of \$375,000 and would buy into that idea. Ms. Garbitt asked if the intent was to have this as an article for the Annual Town Meeting. Chairman Burke responded that it was; it is to be provided to the Planning Board and Town Counsel for review.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To recommend the Transit Oriented Housing Zoning By-Law to go forward to the Planning Board and for it to be included on the Annual Town Meeting Warrant after Town Counsel's review.
Unanimous in favor.

Review and vote to amend HIPPA Policy

Chairman Burke said the Board had been given the amended HIPPA Policy for review.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To amend the HIPPA Policy privacy requirements and to adopt the proposed HIPPA policy dated March 9, 2016.
Unanimous in favor.

Review and vote on Board of Assessors' Recommendation for Assessment Specialist Position

Chairman Burke stated that the Board of Assessors has recommended an Assessment Specialist position. The Selectmen/Wage & Personnel Board approved the proposed Job Description with the requirement of an Appraiser's License. The amended Job Description has been provided. Chairman Burke stated that his concern is that the person in the position may never get the necessary license. Then the additional \$1 an hour stops, so how long will it take for a grievance to be filed? Selectman Hollenbeck asked if the position should be posted rather than promoting the person currently in the position. The job description says that the person is to have an active Real Estate License and the current person does not. Selectman Hollenbeck stated that the Selectmen should be advertising the position and allow people to apply. Based on the job description, the current employee is not qualified for the position.

Upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To table the vote on the Board of Assessors' Recommendation for an Assessment Specialist Position.
Unanimous in favor.

Review Site Plan for Lakeville Country Club – 44 Clear Pond Road

The Board of Selectmen reviewed the Site Plan provided for 44 Clear Pond Road, and no comments were provided.

Request from Town Clerk to send letters to the Town Democratic and Republican Committees regarding appointment of Election Workers

Chairman Burke reviewed the memo from the Town Clerk regarding sending letters to the Town Democratic and Republican Committees regarding the appointment of Election Workers.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To approve the request of the Town Clerk to send letters to the Town Democratic and Republican Committees regarding the appointment of Election Workers.
In favor 2, Against 1 (Chairman Burke)

Discuss recommendation from the Economic Development Committee regarding New Members

Chairman Burke said the Board received a recommendation from the Economic Development Committee (EDC) to fill the vacancy created by the resignation of Sandra Martini-Gamache.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To accept the resignation of Sandra Martini-Gamache from the Economic Development Committee and to send her a letter of appreciation for time served.
Unanimous in favor.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To promote Timothy Fletcher as a full member of the Economic Development Committee.
Unanimous in favor.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Hollenbeck it was:

VOTED: To appoint Joan Moran and Sharon Christian as Associate Members of the Economic Development Committee with terms to expire July 31, 2016.
Unanimous in favor.

Request from Arts Council to hold 2016 Arts and Music Festival

Chairman Burke reviewed the request from the Lakeville Arts Council to use the Town House and Dickran Diran Square for its annual Arts Festival to be held on October 1, 2016.

Upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To approve the request from the Lakeville Arts Council to use the Town House and Dickran Diran Square on September 30 and October 1, 2016 for their annual Arts Festival to be held on October 1, 2016.
Unanimous in favor.

Request for sign at the intersection of Precinct/Pickens Street for Powderly Meadows Breast Cancer Fundraiser

Selectman Powderly recused himself from the discussion. Chairman Burke reviewed the request from Tracy Powderly to place a sign at the intersection of Precinct/Pickens Streets for a Breast Cancer Fundraiser. Ms. Garbitt explained that the Town sign would not be available as the Town Clerk's voter registration notice would be on the sign. It was suggested that she contact the Park Commission regarding the sign at the Ted Williams Camp.

Upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To approve the request of Tracy Powderly to place a sign at the intersection of Precinct and Pickens Street for a Breast Cancer Fundraiser, which will be held at Powderly Meadows on May 14, 2016.

Two (2) in favor, One (1) abstention (Selectman Powderly).

Review and vote to approve Board of Selectmen Meeting Minutes of December 2, 2015, December 14, 2015, January 6, 2016 and January 20, 2016

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To approve the Selectmen's Meeting Minutes of December 2, 2015 as amended (correction to spelling of Harold Scheid's name), and December 14, 2015, January 6, 2016 and January 20, 2016 as presented.

Unanimous in favor.

Review and vote to approve Board of Selectmen Executive Session Meeting Minutes of March 2, 2016

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To approve the Executive Session Meeting Minutes of March 2, 2016 as presented.

Unanimous in favor.

**Meet with Fire Chief/Park Commission Chairman to discuss;
Request from Fire Chief for appointment of John Pytel to Lieutenant**

Update on Purchase of 1998 Ladder Truck

Discuss FY17 Rates for Call Firefighters

Discuss Memo from Park Commission regarding Proposed Location of Police Station

Daniel Hopkins, Fire Chief/Park Commission Chairman, was present for the discussion. Chief Hopkins stated that a vacancy opened up due to the retirement of Lieutenant Dunlevy, so he is recommending promoting John Pytel to Lieutenant to fill the vacancy. The Department will then have a full complement of Lieutenants.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To appoint John Pytel to the rank of Lieutenant, effective immediately.
Unanimous in favor.

Chairman Burke stated that the Fire Chief had the opportunity to go to New York and inspect the 1998 Seagrave 100' Straight Stick Ladder truck. Chief Hopkins stated that the truck is in good shape. He is waiting to get answers to a few questions he asked of the company selling the truck. Once the questions have been answered, the Fire Chief will return to further discuss the truck.

Chairman Burke stated that the Fire Chief provided information regarding the increased pay rates for Call Firefighters to review. Ms. Garbitt stated that up until 2013, the Call Firefighters were on the same Wage Scale with the Town employees. At the recommendation of the Chief, they were put on a separate Wage Scale. Chairman Burke noted that a \$.50 hourly increase is being proposed for Call Firefighters and a \$1.00 hourly increase for Captains.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To approve the Call Firefighter wage rates as presented, effective July 1, 2016.
Unanimous in favor.

Chairman Burke stated that the Park Commission met to discuss the proposed Police Station at Ted Williams Camp. They voted that the Town should investigate all other possible areas for the Station before considering the Camp as a location. Chief Hopkins stated that it may be difficult to get permission from Natural Heritage to build as they did not want additional building to occur. The Park Commission also feels that looking at the back of a Police Station would take away from the Park feel. The area off Precinct Street next to the Senior Center would have access to Taunton Water, and would not interfere with any future fields as the Soccer Club has talked about building another field in the future. Ms. Garbitt stated that all of Ted Williams Camp is located on the Natural Heritage Map. She was not aware that there was not to be any additional building on the rest of the property. She thought that there was not to be any building in the gravel removal area and the ten (10) acres next to it. Chairman Burke asked if Ms. Garbitt could check on that. Chief Hopkins asked about another piece of property that the Town owns at the corner of Routes 105 and 18 (next to Assawompset School). Ms. Garbitt explained that Mr. Darling put the building footprint on it, and he found that the site was too small. Chairman Burke explained that the Town has been looking at different options for a while and will continue to explore its options.

New Business

Ms. Garbitt stated that Mike Schroeder and Linda Grubb both dropped off identical petitions for the Town Meeting Warrant for a Wetlands By-law. The Town Clerk has certified the votes. Chairman Burke asked for the proposed By-law to be put on the next agenda for discussion. Ms. Garbitt stated that it is not required to hold a hearing for a General By-law. Selectman Powderly suggested that there be an opportunity so that the public might be able to provide input. It would

also be beneficial for the Building Commissioner to review the By-law and offer input. Ms. Grubb suggested that the By-law be read. There are exceptions to it; most of the conferring is done at Town level through negotiations. It is planned to have some informational meetings at the Library. Chairman Burke stated that he would want to know how the By-law will integrate with the present framework, and if there is loss of rights for a person to be able go to DEP when they appeal or will they need to go to court instead. Ms. Grubb stated that anything stricter than the State's By-law would have to go to court. The whole point is to have the discussion. The By-law is very clear; it just puts it on the table for discussion. The majority of the Conservation Commission is aware of this. Ms. Garbitt suggested that Town Counsel review the By-law ahead of time in order to answer any questions that may arise at Town Meeting.

Ms. Garbitt stated that a letter had been received from Robert Mello stating that he was resigning from the MPIC.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To accept the resignation of Robert Mello from the Master Plan Implementation Committee and to send him a letter of thanks for time served.
Unanimous in favor.

Old Business

Selectman Hollenbeck provided a brief update regarding the Regional Finance Budget Subcommittee Meeting and stated that the next meeting will be held on March 31st.

Selectman Hollenbeck stated that the Mass Gaming Commission met in Mashpee yesterday, and they had a live web streaming. The Tribe is completely shovel ready and plan to build a Casino in Taunton in the spring.

Other Items

1. Thank you letter from John Pytel
Chairman Burke read the letter from John Pytel into the record.
2. Pond levels from the City of Taunton for December, January and February
3. Public Notification from VHB regarding South Coast Rail Improvements Project
4. Letter from DEP regarding 44 Clear Pond Road Release
5. JTPG Meeting Notice – March 9, 2016
6. GATRA Transit Plan Breakfast Meeting – February 29, 2016
7. Comcast Connections Newsletter
8. Miscellaneous Notices from Comcast

At 11:15 PM, upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To adjourn the Selectmen's meeting.
Unanimous in favor.

List of documents provided at the March 16, 2016 Selectmen's Meeting

1. Request from Ms. Kulakovich to use the Town seal on signs for the Vigers Conservation Land, petition for the Community Preservation Act (CPA) for the Annual Town Meeting
2. Presentation by BETA on pavement management plan, discussion on amendment to Weston & Sampson contract for beneficial use determination, discussion on alternatives for Route 79 & Route 18 intersection
3. Charge for the Police Station Design Review Committee
4. Letters of interest and appointment of members to the Police Station Design Review Committee
5. Request from the Police Chief of commendation for Officer Thomas Norcross
6. Budget workshop Powerpoint presentation for FY17 Budget
7. Applications for Livery Licenses, proposed Livery rules and regulations and discussion about establishing rules and regulations.
8. Warrant articles for establishing an Agricultural Commission and a Right to Farm By-law
9. Warrant article for a Transit Oriented Housing (TOH) Zoning By-law
10. Current and amendment to HIPAA Policy
11. Recommendation from the Board of Assessors regarding the Assessment Specialist Position, job description with the requirement of an appraiser's license
12. Site plan for Lakeville Country Club – 44 Clear Pond Road
13. Request from the Town Clerk to send letters to the Town Democratic and Republican Committees regarding appointment of Election Workers
14. Letters of interest to fill a vacancy and serve on the Economic Development Committee
15. Request from the Lakeville Arts Council to use Town House and Dickran Diran Square for the Annual Arts Festival
16. Request from Tracy Powderly to place a sign at the intersection of Precinct/Pickens Streets for a Breast Cancer Fundraiser in May 2016
17. Selectmen Meeting Minutes of December 2, 2015, December 14, 2015, January 6, 2016, and January 20, 2016.
18. Request from Fire Chief to appoint John Pytel to Lieutenant, update on purchase of 1998 ladder truck, FY17 rates for Call Firefighters, memo from Park Commission regarding proposed location of Police Station.
19. Resignation of Robert Mello from the MPIC, effective March 13, 2016.