

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
April 7, 2015 – 7:00 PM

On April 7, 2015, 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 Chairman Powderly at 7:05 PM. Selectmen present were: Selectman Powderly, Selectman Burke and Selectman Hollenbeck. Also present were: Rita Garbitt, Town Administrator and Christine Weston, Recording Secretary. William Abrahamson of the Standard Times was present at the meeting and LakeCAM was recording the meeting.

Reorganization of the Board of Selectmen

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

VOTED: That Selectman Burke be appointed as Chairman to the Board of Selectmen and Selectman Hollenbeck be appointed as Vice Chairman.
Unanimous in favor.

The handout was reviewed regarding the positions that are typically voted on for reorganization and those that the Selectmen are appointed to. Minor changes were made and the list was amended.

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

VOTED: To appoint the following Members of the Board to following positions:

Building Feasibility Study Review Committee – Selectman Powderly
Capital Expenditures Committee – Selectman Powderly
Casino Advisory Committee – Selectman Powderly
Economic Development Committee – Selectman Burke
Emergency Planning Committee – Selectman Powderly
Energy Advisory Committee – Selectman Powderly
Middleborough G&E Commission Ad Hoc Member – Selectman Powderly
Master Plan Committee – Selectman Burke
Parking Clerk – Selectman Burke
Project Review Committee for 43 D – Selectman Burke
Regional Finance Committee - Selectman Hollenbeck
Technology Committee – Selectman Burke
Water Advisory Board – Selectman Burke
DEP Subcommittee: Pond Level & Dam Management – Selectman Hollenbeck
DEP Subcommittee: Nemasket River Flow & Analysis Committee – Selectman Hollenbeck
Park Commission Liaison – Selectman Powderly
ZBA Review Subcommittee – Selectman Burke
Budget FY15 – Selectman Hollenbeck
School Department Liaison – Selectman Hollenbeck

Highway Barn/Gasoline cleanup – Selectman Burke
BOS Representative for new Unions – Selectman Burke
Lakeville Hospital Redevelopment – Selectman Powderly
IMA's – Selectman Burke
Middleborough Rotary – Selectman Hollenbeck
Community Development Committee – Selectman Hollenbeck
Unanimous in favor.

The Ted Williams Camp Renovation Committee was stricken from the list. The Director of Veterans Services and American with Disabilities Act Coordinator will continue to be Chairman Burke through April 2016. The Representative for the Plymouth County Advisory Board will continue to be Selectman Powderly through April 2016.

Vote to authorize a Member of the Board of Water Commissioners to sign Water Enterprise Invoices

Chairman Burke said the Board needs to appoint a member to sign the Water Enterprise Invoices.

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

VOTED: To appoint Selectman Burke to sign the Water Enterprise Invoices.
Unanimous in favor.

Review and vote on Job Description and Reclassification for Town Clerk Full Time Clerk Position

Chairman Burke said the Board was asked to review and vote on a Job Description and reclassification for a full-time Clerk in the Town Clerk's Office.

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

VOTED: To approve the Job Description for the Full-time Clerk in the Town Clerk's Office and classify the position to a Level IV, effective July 1, 2015.
Unanimous in favor.

Review and vote on Job Description and Reclassification for Council on Aging Part Time Clerk

Chairman Burke said the Board was asked to review and vote on a revised Job Description and reclassification for a part time Clerk at the Council on Aging. The employee will move to Step 4 from Step 5.

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

VOTED: To approve the revised Job Description for the Part Time Council on Aging Clerk and reclassify the position from Level IX to Level X, effective July 1, 2015. The current employee will move to Step 5.
Unanimous in favor.

Review and vote on amended Job Description for Principal Assessor Position

Chairman Burke said the Board was asked to review and vote on an amended Job Description for the Principal Assessor Position. Currently there is a temporary person working for the Assessor's office. He is an independent contractor, and he is available to answer any questions, but the position is not really filled. Chairman Burke stated that he did not know enough about the position and what it entails, and that is why he had not voted on it the last time it had come before the Board. Selectman Hollenbeck stated that perhaps a consultant may be enough right now. Ms. Garbitt explained that the full time clerk handles the motor vehicle excise, but it is not known if she has experience at all with real estate. Selectman Hollenbeck stated that she thought the temporary position had been voted on so that the Board would have the opportunity to evaluate the position. Ms. Garbitt explained that the Assessor's Office had indicated that they would have Molly Reed in on Fridays to temporarily help them through this time period.

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

VOTED: To table the request to amend the Job Description for the Principal Assessor until Chairman Burke has a further discussion with Paul Meleedy and/or the Board of Assessors.
Unanimous in favor.

Review and discuss letter from Mass Housing regarding 40B project for Water Street

Chairman Burke recused himself from the topic. Selectman Hollenbeck explained that the Town received a letter from Mass Housing on March 30, 2015 regarding the 40B Project for Water Street. They are soliciting comments from the Town of Lakeville, which may include any issues or concerns raised by other Town Boards, Officials, or other interested parties. Selectman Powderly stated that his only comments were with the idea of traffic, which could be up to 28 vehicles or more coming out of a dead end street to Route 79. That is not under his purview, but others will ask that question. It is too early for him to comment to the State. He would rather go through the process with the Zoning Board of Appeals. Ms. Garbitt stated that she had called Jessica Malcom, the 40B Specialist for the Comprehensive Permit Program. She was told that the process has changed, and the Town was invited to a site visit. The Board and the Building Commissioner are not available to attend the site visit meeting scheduled for Wednesday, April 8, 2015 at 10:00 AM. Ms. Garbitt had also spoken with Mr. Poillucci about this. Selectman Hollenbeck asked if later in the process, the Board will have the ability to make comments.

Ms. Garbitt suggested writing a letter explaining that the Board reserves its right to comment. Selectman Hollenbeck stated that it seems that they want to know more, since they are going to have third party consultants and apply for the grant. Ms. Garbitt explained that that was also new. Typically the developer pays the consultant fees. Selectman Hollenbeck stated that this may be a good opportunity to put in a plug for the Affordable Housing Inventory of the Town to get it certified since Sterling Place and Kensington Court are not included. She sees a density issue putting that many units on a dead end street. Water Street is a public road, and the Town is responsible for the maintenance of it. Ms. Garbitt stated that the Building Commissioner recommended sending this to Kopelman & Paige for review.

Discuss scheduling Special Town Meeting on June 15, 2015

Chairman Burke read the memo from Ms. Garbitt regarding scheduling the Special Town Meeting.

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

VOTED: To schedule a Special Town Meeting at 6:30 PM at the Apponequet High School Auditorium on Monday, June 15, 2015 and to open the Warrant.
Unanimous in favor.

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

VOTED: To close the Warrant on Thursday, April 16, 2015 at 5:00 PM.
Unanimous in favor.

Discuss invitation to attend meeting with Lieutenant Governor – Wareham Town Hall – May 14th at 10:00 AM

Chairman Burke said that the Town received an invitation to meet with the Lieutenant Governor, on Thursday, May 14, 2015 at the Wareham Town Hall. Ms. Garbitt and Selectman Hollenbeck were planning on attending. Chairman Burke will wait to see what takes place with his schedule. It was asked that if there is an agenda or any information that it could be forwarded to the Board. Selectman Powderly stated that his concerns were Chapter 90 monies and reimbursement to the schools. He stated that he may also attend.

Request for change of operating hours – Lakeville Eagles

Chairman Burke said the Board had received a request from the Lakeville Fraternal Order of Eagles, Aerie #3994 to change their hours on Sundays to open at 12:00 PM.

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

VOTED: To approve the change of hours for the Lakeville Eagles to open on Sundays at 12:00 PM.
Unanimous in favor.

Request for renewal of Auctioneer, Junk Dealer and Junk Collector Licenses

Chairman Burke said the Board received a request from the Town Clerk for renewal of the Junk Dealer, Junk Collector and Auctioneer Licenses. Selectman Powderly asked about Danielle Fee's license. Ms. Craig said that Ms. Fee is going out of business, so she will not be renewing.

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

VOTED: To renew the following Junk Dealer, Junk Collector & Auctioneer Licenses with an expiration of May 1, 2016: Anthony and Dorita Morris – 33 Myricks Street (all three); Hugh and Judy Rogers – 201 County Street (Junk Dealer and Collector); and Robin Marques and Donald Bernier, Jr. – 61 Rhode Island Road (Junk Dealer and Collector).
Unanimous in favor.

Review and vote on Letter of Services for Polaris Consultants LLC for Assessors Mapping project

Selectman Powderly expressed his concern with approving something when the person who recommended the approval of this is no longer on the Board of Assessors. He preferred that someone who currently is a member of the Board of Assessors makes the recommendation.

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

VOTED: To table the vote on the Letter of Services for Polaris Consultants LLC for Assessors' Mapping project until the next meeting of the Board.
Unanimous in favor.

Discuss award of loam bid for Ted Williams Camp Earth Removal Project

Chairman Burke explained that the Town went back out to bid for the excess loam from the Ted Williams Earth Removal Project. One bid was received in the amount of \$2.00 per cubic yards from Read Custom Soils, LLC. The Park Commission voted to recommend that the Selectmen accept the bid at \$2.00 per cubic yard. Selectman Powderly stated that this is the best bid we have received after four (4) formal bids. Discussion ensued regarding the original bid, which clearly outlined the process. The Town is still waiting to have retained earnings certified and to discuss the budget of the Park Commission. Selectman Powderly recommended that the loam pile be measured to find out how many cubic yards are there.

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

VOTED: To table the award of the loam bid for the Ted Williams Camp Earth Removal Project until the next meeting of the Board.
Unanimous in favor.

Discuss appointment of Terrence Flynn to Lakeville Emergency Planning Committee

Chairman Burke said that the Board of Health did not have a representative on the Lakeville Emergency Planning Committee.

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

VOTED: To appoint Terrence Flynn as the Board of Health representative with a term to expire July 31, 2015.
Unanimous in favor.

Request to appoint Robert Marshall to Cable TV Advisory Committee

Chairman Burke said the Board received a request to appoint Robert Marshall to the Cable TV Advisory Committee.

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

VOTED: To appoint Robert Marshall to the Cable TV Advisory Committee with a term to expire July 31, 2015.
Unanimous in favor.

Request for extension of Road Cut Permit-171 Rhode Island Road

Chairman Burke said the Board had received a request from Columbia Gas for an extension of the Road Cut Permit for 171 Rhode Island Road.

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

VOTED: To approve the extension of a Road Cut Permit to Columbia Gas for 171 Rhode Island Road with the same conditions.
Unanimous in favor.

Request for Road Cut Permits – 10 Taunton Street, 77 Rhode Island Road and 11 Taunton Street

Chairman Burke said there were three (3) requests from Columbia Gas for Road Cut Permits.

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

VOTED: To approve the three (3) Road Cut Permits for 10 Taunton Street, 77 Rhode Island Road and 11 Taunton Street, subject to the typical conditions as set into place by the Highway Superintendent.
Unanimous in favor.

Further discussion occurred about the fact that Jeremy Peck, Superintendent of Streets, was not being notified when Columbia Gas was making emergency road cuts to fix gas services.

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

VOTED: To send a letter to Columbia Gas requesting that they contact Mr. Peck when they are planning to do an emergency repair to make sure that the work is completed to Town standards.
Unanimous in favor.

Request for Temporary Storage Trailer Permit – 16 Lakeside Drive

Chairman Burke said the Board had received an application for a Temporary Storage Trailer Permit to be located at 16 Lakeside Drive.

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

VOTED: To approve the request for a Temporary Storage Trailer at 16 Lakeside Avenue with an expiration of November 7, 2015.
Unanimous in favor.

Schedule May & June meetings

The following dates were agreed upon for the May and June Board of Selectmen meetings: May 11 and May 26, 2015 and June 8 and June 15, 2015.

Review and vote to approve Board of Selectmen Meeting Minutes of January 5, 2015 and January 10, 2015

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

VOTED: To approve the Board of Selectmen Meeting Minutes of January 5, 2015 and January 10, 2015 as presented.
Unanimous in favor.

Review and vote to approve Board of Selectmen Executive Session Meeting Minutes of March 9 2015 and March 23, 2015

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

VOTED: To approve the Board of Selectmen Executive Session Meeting Minutes of March 9, 2015 and March 23, 2015 as presented.
Unanimous in favor.

New Business

Ms. Garbitt stated that the Animal Shelter received a check in the amount of just over \$17,000 from the Estate of Geraldine Moskoff. They are holding back \$50,000 until the final estate transactions have been completed. There may be another check in the amount of \$15,000. The Animal Shelter needs to be painted inside and out and repairs need to be done. Mr. Frates has received a price in the amount of \$8,600 to do the work. Mr. Darling has also reviewed what needs to be done. If the Town's carpenter performed the work, it would cost \$65.00 an hour.

Ms. Garbitt provided an update regarding Howland Road. The plans have been provided from the Department of Conservation & Recreation (DCR) and Shawn Provencher will be in contact with Ms. Garbitt on Monday. The Planning Board will have to approve an Approval Not Required Plan. The plan is taking out the 23 acre parcel that has the Conservation Restriction on it. It is hoped to receive the funds before Town Meeting so that a warrant article can be put on the warrant. If not, it can be withdrawn.

Ms. Garbitt said a letter has been received from FEMA that the flood maps have been approved. The Town has until July 15th to approve them at Town Meeting. She asked if she should place this on the Special or the Annual Town Meeting Warrant. Presently, there is only one article on the Special Town Meeting Warrant, and that is the housekeeping article.

Old Business – FY16 Budget

Selectman Powderly asked to make sure that meetings are being scheduled to discuss the FY16 budget. The Town is waiting on some numbers, but there are other things that the Town can proceed on without having exact numbers. It is not intended to wait until the last second to finalize the budget process. Maybe this can also be a topic on the next agenda. Ms. Garbitt stated that she has all the Selectmen budgets, so maybe the Selectmen could meet with the Finance Committee again. Chairman Burke stated that a cursory sweep has taken place with Department Heads; that should now be dug into deeper. Ms. Garbitt stated that there is a meeting scheduled with Department Heads for Thursday, April 23rd and the Capital Expenditures Committee at 7:00 PM. Another meeting will be scheduled to meet with the Finance Committee on Wednesday, April 29th at 7:00 PM. It is hoped to have Bristol Agricultural's enrollment and other numbers by then.

Ms. Garbitt stated that it was rumored that Donald Healy was doing a write in campaign for the Finance Committee; however, he did not, so there is a vacancy on the Finance Committee. The Selectmen and Finance Committee will need to do a joint appointment to appoint another member. Richard LaCamera did not accept the position on the Finance Committee, since he was elected to the Board of Library Trustees.

Other Items

1. Memo from Board of Health regarding Annual Rabies Clinic
2. Letter from Bristol County Agricultural High School Regarding anticipated enrollment and tuitions – 2015/16 School Year

Selectman Hollenbeck asked how many students were currently attending. Ms. Garbitt responded that there are 11 and seven (7) seniors graduating. The budget was done anticipating 13, since that was the amount anticipated last year. The State sets the tuition, which is \$18,000 plus.

3. Notice from Old Colony Regional Vocational Technical High School regarding assessment amount
4. Letter from United Way of Greater Plymouth County regarding donation of trash bags Ms. Garbitt stated that she has forwarded the letter to Joanne Corrieri-Upham of the Litter Lifters. Chairman Burke read the letter into the record. Selectman Hollenbeck stated that if the Community Development Committee met, she was going to speak with them about doing this with the Middleborough Mess Movers. Ms. Garbitt stated that she will put this on the agenda for the April 27th meeting.
5. Letter from Archdiocese of Boston regarding Mass for Public Safety Personnel – October 4, 2015
6. SRPEDD Commission Meeting – March 25, 2015
7. Notice from TEC Associates regarding Keolis Commuter Services, LLC 2015 Vegetation Control Program
8. Notice from TEC Associates regarding Massachusetts Coastal Railroad 2015 Vegetation Control Program
9. Notice from Verizon FiOS regarding Suncoast News network

At 8:29 PM, upon a motion made by Selectman Powderly, seconded by Selectman Hollenbeck it was:

VOTED: To enter Executive Session and not return to Open Session pursuant to M.G.L. c.30A, §21(3) to discuss strategy with respect to collective bargaining, specifically the Police Union, the Fire Union and the Teachers Union, if an open meeting may have a detrimental effect on the litigating position of the public body, and the Chair so declared; pursuant to M.G.L. c.30A, §21(2) to conduct contract negotiations with non-union personnel, specifically the Building Commissioner; pursuant to M.G.L. c.30A, §21(6) to consider the purchase, exchange, lease or value of real estate, if an open meeting may have a detrimental effect on the litigating position of the public body, and the Chair so declared; pursuant to M.G.L. c.30A, §21(1) to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual.
Polled vote: Selectman Burke-Aye, Selectman Hollenbeck-Aye, and Selectman Powderly -Aye.

List of Documents Provided at the April 7, 2015 meeting

1. List of positions to be voted on for reorganization
2. Information regarding authorizing a member of the Board of Water Commissioners to sign Water Enterprise Invoices
3. Proposed job description, classification and compensation plan for Full Time Clerk in Town Clerk's Office
4. Amended job description and re-classification for the Council on Aging Part Time Clerk; Council on Aging's Director Goals for FY16
5. Amended job description for the Principal Assessor/Appraiser, classification and compensation plan for FY16
6. Letter from Mass Housing regarding the 40B project for Water Street, Chapter 40B Technical Assistance Program Guidelines for 2013 and the ZBA's Comprehensive Permit Rules amended February 19, 2004.
7. Vote to schedule special town meeting and to open and close the warrant.
8. Invitation to attend meeting with the Lieutenant Governor at the Wareham Town Hall on May 14, 2015.
9. Letter from the Fraternal Order of Eagles to request to change their liquor license operating hours on Sunday.
10. Renewal requests from the Town Clerk for Auctioneer, Junk Dealer and Junk Collector Licenses through May 1, 2016.
11. Bid for loam at Ted Williams Camp Earth removal project
12. Memo from Board of Health regarding appointment of Terrence Flynn to Lakeville Emergency Planning Committee
13. Email from Cable TV Advisory Committee and letter from Robert Marshall
14. Letter from Columbia Gas regarding extension of Road Cut Permit for 171 Rhode Island Road
15. Road Cut Permit Applications from Columbia Gas for 10 Taunton St, 77 Rhode Island Road and 11 Taunton St.
16. Application for Temporary Storage Trailer Permit for 16 Lakeside Drive
17. Proposed dates for May and June Selectmen's meetings.
18. Selectmen Meeting Minutes of January 5, 2015 and January 10, 2015.
19. FEMA letter regarding the National Flood Insurance Program
20. Letter from Firefighter John Pytel