

SELECTMEN'S MEETING
Monday, April 28, 2008

On April 28, 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 Chairman Evirs at 7:07 PM. Selectmen present were: Selectman Evirs and Selectman Maksy. Selectman Yeatts was absent. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

Meet with Eric Averill-Discuss Patriot Triathlon and Cranberry Triathlon

Eric Averill was present for the discussion. Mr. Averill took the floor and discussed the two (2) triathlon events. The Patriot Triathlon will be held on July 5, 2008 and the Cranberry Triathlon will be held on August 24, 2008. The route for the Patriot Triathlon, which originates in Freetown, has been changed so that it avoids Highland Road. The routes have been discussed with the Chief of Police. When Sun Multisport Events mark the roads, they mark it with chalk so that in time the chalk will wash and wear away. The Naragansett Bay Bicycle Club uses something a little more permanent. Mr. Averill will still meet with the Chief of Police a week or so before the event to make sure that there are no roads having work done or if anything else is going on that is within the routes of the triathlon. Also, the group is considering involving the youth from the Town and may have a mini triathlon for the kids. Biking is an Olympic sport now, and the sport is really maturing. The USA is sending a group to the Olympics this year. The Cranberry Triathlon originates from the Ted Williams Camp. The group will be making a \$500 contribution to the Park from the Patriot Triathlon, as well as, from the Cranberry Triathlon. Chairman Evirs suggested that the group bring this up with the Park Commission. The Town really appreciates what they are planning on doing. Gary Mansfield noted that he feels this is a very well run event since he had the opportunity to attend the event last year. Mr. Averill stated that the deficiency that took place in Lakeville last year happened due to a change in the route in Freetown.

Upon a motion made by Selectman Evirs; seconded by Chairman Evirs stepping down and then stepping up to vote it was:

VOTED: To approve the Patriot Triathlon on July 5, 2008 and the Cranberry Triathlon on August 24, 2008 to be held by Sun Multisport Events.
Unanimous in favor.

Meet with Board of Assessors & Board of Health regarding Stipends and Insurance Contribution Rates for Part-Time Elected Officials

Paul Meleedy and Dana Lucas, members of the Board of Assessors were present for the discussion. Also present was Gordon Goodfellow, Town Moderator. Chairman Evirs updated those present regarding the previous meeting of the Board of Selectmen concerning stipends and contribution rates for part-time Elected Officials. The Board had recessed from that meeting to ask Town Counsel a few questions. One of the questions was to see if the part time Elected Officials could be considered a group of employees that could voluntarily or by vote of the

Board of Selectmen, have their contribution rate for health insurance increased from 90-10% to 75-25%. Town Counsel has responded that the part-time Elected Officials cannot be considered a separate group. The long and short of this is, MGL Law, Chapter 32B only allows you to recognize three (3) groups of employees. One is the retirees, then the bargaining units, then everybody else. That is the non union, non collective bargaining employees. Part-time Elected Officials fall into the last category. You cannot ask if they would voluntarily be singled out. If the Board of Selectmen was to vote no health insurance benefits for part time Elected Officials, then that is within their realm of responsibilities or they could vote to grandfather them, which a lot of towns have done. Towns have grandfathered their current Elected Officials so that they maintain that aspect of the health insurance and when the term runs out, their successor would not be eligible for health insurance. The Selectmen could also vote that if a part-time elected official was re-elected, then they would no longer be eligible for health insurance. Chairman Evirs said the Town would never or even consider taking away the health insurance benefit immediately. However, it needs to be looked at down the road.

Chairman Evirs said the Town is waiting to have an actuarial done regarding health insurance costs, including retirees and anyone else eligible for health insurance benefits. The Town is going to be required to fund that responsibility before the person retires and starts collecting that benefit. A part-time Elected Official serving for six (6) years is eligible for a health insurance benefit at retirement age 55 for as long as they live. If their spouse lives longer than them, their spouse is entitled to that benefit. That could possibly cost the Town \$20,000 per year. The Town already pays \$16,000 per year for a family plan. If the consultant doing the actuarial say that the life expectancy of a male is 85 years old, then the Town will have to fund 30 years of that benefit, which is approximately \$600,000. The Town will have to fund it ahead of time. So if there are 30 people eligible, then that will have to be funded well before they start to take it. Last year the Town's health insurance went up over \$300,000. This year the Town is trying to get people to switch to HMO's. This will help the Town save money. The HMO plan is actually better since it has a dental rider and people would save money along with the Town saving money. It appears that the Town will not be able to ask for a different contribution rate from the part-time Elected Officials for health insurance at this time. Each union can make the change, but the Town cannot take groups within the non union and switch them without switching everyone. The Board cannot ask for a different contribution rate from the part-time Elected Officials and the Board is not ready to cut the health insurance for them at this time. However, the Board will have to take a different look at it once the actuarial is received. It was suggested that the Board of Health and the Board of Assessors be included in those discussions when that time comes. Chairman Evirs responded they would be. Chairman Evirs then asked Ms. Garbitt to explain the requirements of GASB 45.

Ms. Garbitt explained that GASB 45 establishes new accounting and reporting practices for post employment benefits for life and health insurance. Public sector employees will be required to account for these expenses in a method similar to pension benefits. The compliance deadline for Lakeville's actuarial is June 30, 2009. The cost was budgeted in FY08, and we anticipate receiving the actuarial this summer. Some communities have had Special Legislation passed so that they can start funding this liability. Now that communities have started receiving their acturials, it has been a huge wake up call. Selectman Maksy asked if this is something that the Town will put in some kind of investment fund. Ms. Garbitt responded yes. Selectman Maksy

said this would be better for us so that the money can be invested. Ms. Garbitt stated that sick days are also a liability. That is already included on all the communities' financial statements. It will not be surprising if funding that is the next requirement, and that includes the schools. Paul Meleedy said that at the last meeting, this was discussed. We do not like it, but we know it is not in this year's budget cycle. When it comes up again, we would like to be included in the discussions. We have heard that the Board of Health and the Town Moderator have agreed to reduce their stipends. None of us are thrilled about the idea, knowing the education we all will have to have. Being a part-time Elected Official takes time away from our businesses, and we are all individual business owners. However, the Board of Assessors has voted to take a 50% reduction in our stipend for the upcoming year. Chairman Evirs said it is only for one (1) year, and it is a very difficult year. We have people talking about contingency budgets and that will be discussed during warrant review. There just isn't that much money to go around this year. The 75-25% change in health insurance could be a big step. The Board of Health and Selectmen did vote to accept the 75-25% health insurance percentage, but we cannot do that unfortunately. Ms. Garbitt said if that was allowed, the 15% difference would amount to \$2,050 more for a family plan that the part-time Elected Officials would have to pay.

Chairman Evirs said that he knew this was not an easy thing. However, it is important that the part-time Elected Officials see that the Town needs help and wants to give a little help. We will revisit the health insurance percentages when the actuarial comes in this summer. Gordon Goodfellow, Town Moderator, said he was in support of the Finance Committee and the Board of Selectmen's recommendation to remove the \$150 stipend from the Town Moderator, which would automatically remove the insurance eligibility as well. He would not object to having the stipend removed from here on out. Chairman Evirs said this would be discussed again next year. It is a budget item and Town Meeting votes the budget. Mr. Goodfellow said he is not Town Moderator for the money.

Chairman Evirs said the Selectmen have amazing leeway and authority on how they can handle the health insurance issue. By having a stipend and not a separate vote by the board, part-time Elected Officials are eligible for health insurance. The Board can also allow a stipend, but vote that position is no longer eligible for health insurance. There are a lot of things that can be done. One can also buy into the group, but they would have to buy it at 100% contribution. Ms. Garbitt said Town Meeting did vote a section of Chapter 32b that allows call firefighters to buy in at the 100% rate. Debra Kenney, Treasurer/Collector said most towns are doing this. Chairman Evirs said Town Counsel did supply us with examples from other towns on what they are doing. They did grandfather Elected Officials through the end of their term, and then when they completed their terms, they were no longer eligible. Ms. Kenney said there are all types of scenarios. Selectman Maksy said this was done in Boston and we have to be careful since some of this has to go through special legislation. Ms. Garbitt said we were all under the misconception that if there was a stipend, you had to offer health insurance. Chairman Evirs thanked all the officials for their efforts regarding the stipend reduction.

Upon a motion made by Selectman Maksy, seconded by Chairman Evirs stepping down and then stepping up to vote it was:

VOTED: To reduce the stipends for the Board of Assessors and Board of Health by 50% and the Town Moderator's stipend by 100% for a period of one (1) year, for an amount of \$10,150 total.
Unanimous in favor.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To vote the money from the stipend reductions (\$10,150) back into the health insurance expense budget.
Unanimous in favor.

Meet with Library Trustees regarding use of Meeting Room

Nancy LaFave and Elizabeth Walters, Library Trustees, were present for the discussion. Ms. LaFave stated when the Town was designing the Library, the lack of community meeting room space was discussed. When the Library was built, a large meeting room was incorporated into the plans. However, the hours of operation of the Library may not have been considered. There have been issues with the locking up of the building and setting off the alarm. The Library staff is trying to make sure people are being responsible. The building needs to be locked at night, and the staff needs to know they are the only ones in the building if come in to work in the morning. Also, the Library Trustees have items of value from the community that are being held there, and they need to make sure that those items are safe. The Trustees want the community to be able to use the meeting room, but also needs to know who is responsible for locking up and setting the alarm. It was discussed about when the staff leaves at 8:00 PM, they shut the gate and slide the sliding glass doors so that there can still be an open meeting. It is important that the staff can go home, since they have stayed late in the past. It is unknown who would be responsible to lock up. Ms. Walters said that in the meeting room, there is an art gallery now and there are valuable items in there on a monthly basis. The Library has had incidences where people have walked in and surprised staff and that is unnerving. Ms. LaFave said there is still access to the bathrooms, kitchen and bubblers. The children's room is locked. Further discussion took place on the topic, including lighting issues to override the 8:30 PM shut off for the parking lot.

Ms. LaFave said they are also going to look at moving one of the street lights on Precinct Street so that it is closer to the Library driveway. Dan Hopkins asked if anyone has checked the exterior door which leads to the gazebo. Sometimes it does not latch when people exit and others have gotten blamed for not locking it. It needs to be pushed closed. Ms. LaFave said the person who is shutting that door is responsible, since it will be an access. They will have to make sure it is locked from the inside. They will still be able to go out the main doors. There is a hand latch, so if there was a fire, people can get out through the double doors. When the person who is reserving the room signs the application form. This makes them responsible. This form can be down loaded from the website, and copies will be provided on this policy.

Upon a motion made by Selectman Evirs; seconded by Chairman Evirs stepping down and then stepping up to vote it was:

VOTED: To accept the recommendation of the Library Trustees regarding security at the Library.
Unanimous in favor.

8:00 PM Warrant review – Special & Annual Town Meeting

Present for the discussion were: the Finance Committee: Gary Mansfield, Melissa Hopkins, Steve Olivier, Michael Petruzzo and James Hanlon; Stephen Furtado, Superintendent of Schools; and members of the Local School Committee: David Goodfellow and Charlene Shea.

Finance Committee Chairman Gary Mansfield called the Finance Committee to order at 7:07 PM. Members present included: Gary Mansfield, Melissa Hopkins, Steve Olivier, Michael Petruzzo and James Hanlon.

Ms. Garbitt reviewed the transfers for Article 1 of the Special Town Meeting Warrant. It was noted that there are a few big deficits in gasoline, special education costs, etc. There is usually \$50,000 in the Reserve Account, but the Town had to use \$1,800 this year. The Police and Fire usually have money for transfers, but now it is not looking too hopeful. There may be \$20,000 from the Fire Department, but antennas are needed to go on the cell towers for public safety. The \$42,000 in Debt Service will be offset by balances in old borrowing articles for vehicles and equipment. Some employees changed their health benefits so there may be some money available there. The Department heads were consulted and most were able to find some small amounts to cut. Right up until the day of Town Meeting these numbers could change. For the most part, they are all here. There is over \$2,000 in the VNA account. Unemployment for the School Department is \$6,700. The moderator will look to the Finance Committee for their recommendation.

Special Town Meeting Warrant Articles

Article 1: To see if the Town will vote to transfer and/or appropriate from available funds, certain sums of money in order to defray unanticipated costs for fiscal year 2008 for various accounts in the General Fund, the Park Enterprise and Landfill Enterprise, or take any action relative thereto. The Finance Committee recommends approval.

Article 2: To see if the Town will vote, to transfer a sum of money from the Special Revenue/Reserve for Appropriation Account to the Debt Service/Capital Projects Stabilization Fund, or take any action relative thereto. The Finance Committee recommends approval.

Annual Town Meeting Warrant Articles

Article 1: To determine the salaries of all elected officers, and to make appropriation, or take any action relative thereto.

Tentatively the figure to be used is \$134,042.00. The Finance Committee recommends approval.

The budget for Article 2 was explained in detail by the Town Administrator. At this time, the Park Commission has not voted on the proposed budget. They will vote on the budget Wednesday evening to take more from retained earnings, due to making repairs and only having Clear Pond open for five (5) days a week.

Upon a motion made by Mr. Olivier; seconded by Ms. Hopkins it was:

VOTED: To approve the budget contingent on the \$6,771.00 increase for the Park Department.
Unanimous in favor.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To approve the budget contingent upon the Park Commission voting its budget on April 30th.
Unanimous in favor.

Article 2: To raise such sums of money as may be necessary to defray town expenses for the fiscal period July 1, 2008 to June 30, 2009, inclusive, and to make appropriation, or take any action relative thereto.

Upon a motion made by Mr. Olivier; seconded by Mr. Petruzzo it was:

VOTED: To approve the budget in the amount of \$14,039,323.00.
Unanimous in favor.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To approve the budget in the amount of \$14,039,323.00.
Unanimous in favor.

Town Moderator Goodfellow asked if this was the final budget then. Selectman Maksy stated that it was. Chairman Evirs stated that a contingency budget cannot be discussed until a balanced budget is voted on. Ms. Garbitt stated that at Town Meeting, the Finance Committee will make a motion on the budget and will recommend it. Then, someone could amend the motion on Town Meeting floor and then the contingency budget can take place. David Goodfellow, Chairman of the Local School Committee, stated that they have been looking for a budget since the Town requested the budget in October. The Town was told many times that the school would not have the revenue to meet their budget. The school has continued to keep on track of meeting the needs and it is not known when everyone else got off that track. Chairman Goodfellow stated that the School Department is now in a situation that it does not have the revenue to support the needs of the school. There is concern about opening Assawompset School in September without sufficient funds. The option of a contingency budget needs to take place. Chairman Evirs stated that the Town can give only \$179,000 more. Dr. Furtado stated

that the fixed cost budget was \$288,000 higher than this years' allocation. There are some concerns. Special Education was decreased by \$25,000 for out of district students for next year and the school was not consulted by the Town that they were doing this. Ms. Garbitt explained that the Town did talk about under funding special education; it was under funded and and in FY08 and will be made up from other budgets at the Special Town Meeting.

Selectman Maksy stated that at Town Meeting someone can propose a contingency budget, then it is voted on at Town Meeting. Whether the Selectmen put it out to ballot is the next step. Town Moderator Goodfellow stated that the contingency budget is not on the warrant. A contingency budget will not be allowed if it is not in the warrant. It has to be planned for, it has to be published and the amount needs to be known. Otherwise, all the articles on the warrant can be up for a contingency budget on Town Meeting floor. If Town Counsel says this can be done, then it will take place. However, Town Counsel needs to be contacted on this matter first. Chairman Evirs stated that the School Department will have to determine where the money will come from for the contingency budget. The Selectmen also cannot prevent someone from putting an article on the Town Meeting warrant when it is open for articles. Further discussion took place regarding having a contingency budget being proposed at Town Meeting. It was mentioned that there is a circulating petition that could warrant a Special Town Meeting in the fall and that additional money could be considered for the schools at that time with an override.

Article 3: To see if the Town will vote to raise and appropriate for the use of the Trustees for the Plymouth County Co-operative Extension Service the sum of Two Hundred Dollars (\$200.00), and to determine the length of the term of Town Director, as provided in Sections 41 and 42 of Revised Chapter 128 of the General Laws, or take any action relative thereto.

The Finance Committee recommends approval of Article 3.

Article 4: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Six Hundred Twenty One Thousand Four Hundred Seventy Three Dollars (\$621,473.00) as the share of the Town of Lakeville in the Plymouth County Retirement Association, or take any action relative thereto.

The Finance Committee recommends approval of Article 4.

Article 5: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Six Hundred Sixty Six Thousand Four Hundred Ninety Five Dollars (\$666,495.00) as the Town's share of the 2008-2009 maintenance and operating budget for the Old Colony Regional Vocational High School District, to be used in conjunction with an appropriation for the same purpose by the Towns of Acushnet, Carver, Mattapoisett, and Rochester, or take any action relative thereto. Old Colony Regional Vocational Technical High School Committee

The Finance Committee recommends approval of Article 5.

Article 6: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Six Million One Hundred Ninety Seven Thousand Eight Hundred

Sixty Two Dollars and Thirty One Cents (\$6,197,862.31) as the Town's share of the 2008-2009 maintenance and operating budget for the Freetown-Lakeville Regional School District, consisting of the Non-excluded Debt Assessment of Eighty Five Thousand Eight Hundred Eighty Seven Dollars and Seventy Eight Cents (\$85,887.78), the Excluded Debt Assessment of Seven Hundred Fifty Thousand Thirty Three Dollars and Fifty One Cents (\$750,033.51), and the Operating Cost Assessment of Five Million Three Hundred Sixty One Thousand Nine Hundred Forty One Dollars and Two Cents (\$5,361,941.02) to be used in conjunction with an appropriation for the same purpose by the Town of Freetown, and/or to take any action relative thereto.

Freetown-Lakeville Regional School Committee

Ms. Garbitt explained that Article 6 was submitted originally by the Regional School Committee and the figure has now changed based on the last meeting that they had. The operating budget for Lakeville is \$5,190,776.00 with \$85,888.00 for non-excluded debt. The Excluded Debt figure has not been received as of yet from Unibank. When they receive the figures, they will generate a debt schedule which is then provided to the Department of Education. This can be voted on contingent upon receiving the debt schedule.

Upon a motion made by Ms. Hopkins; seconded by Mr. Hanlon it was:

VOTED: To approve Article 6 in the amount of \$5,190,776.00 with \$85,888.00 for non-excluded debt, contingent on the debt schedule being presented by Unibank to determine the excluded debt.

Unanimous in favor.

Article 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the payment of vocational education tuitions and related transportation for students enrolled in vocational educational programs other than at Old Colony Vocational School and/or to take any action relative thereto.

Lakeville School Committee

The Finance Committee recommends approval of Article 7 in the amount of \$89,940.00.

Article 8: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Seven Hundred Sixty Two Thousand Six Hundred Forty Six Dollars (\$762,646.00) to cover the cost of tuition for special education students enrolled in out-of-district placements, or to take any action relative thereto.

Lakeville School Committee

Upon a motion made by Mr. Olivier; seconded by Ms. Hopkins it was:

VOTED: To under fund the cost of tuition for special education students enrolled in out-of-district placements.

Unanimous in favor.

The Finance Committee recommends approval of Article 8 in the amount of \$737,328.00.

Article 9: To see if the Town will vote to raise and appropriate and/or transfer from available funds Twenty Thousand Dollars (\$20,000.00) for the purpose of funding the Fiscal

Year 2011 Recertification of Values as mandated by the Massachusetts Department of Revenue,
or take any action relative thereto. Board of Assessors

The Finance Committee recommends approval of Article 9.

Article 10: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide Two Hundred Thirty Four Thousand Five Hundred Dollars (\$234,500.00) for capital improvements and equipment as follows: Equipment and Technology for Town Network; Two (2) Defibrillators for the Fire Department; Two (2) new Sanders for the Highway Department; Used Tractor with new Sander for the Highway Department; Two (2) new Cruisers for the use of the Police Department; Replacement of Laptops for the Police Department; One (1) new Van for the use of the School Department for special education students, or to take any action relative thereto. Capital Expenditures Committee

Ms. Garbitt explained that she had contacted the Director of Special Education, Anne St. Pierre, regarding the fact that the Capital Expenditure Committee approved the van for the Special Education Department, contingent upon receiving a list of all the vehicles, what vehicles are registered and insurance so that a five-year plan can be developed. It is not felt that a van needs to be replaced every year. This article should be approved contingent upon receiving the requested information from the School Department.

The Finance Committee recommends approval of Article 10.

Article 11: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money and/or borrow a sum of money for the purpose of leasing and/or purchasing for a term of five (5) years one (1) new Administrative Vehicle for the use of the Office of the Assessors, or take any action relative thereto. Capital Expenditures Committee

The Finance Committee recommends approval of Article 11 in the amount of \$2,711.00, which is the payment of the second year of the lease of the Assessor's vehicle.

Article 12: To see if the Town will vote to accept under the provisions of General Laws, Chapter 90, Section 34, an apportionment in the amount of Two Hundred Seventy Nine Thousand Thirty Nine Dollars (\$279,039.00), or take any action relative thereto. Superintendent of Streets

The Finance Committee recommends approval of Article 12.

Article 13: To see if the Town will vote to raise and appropriate and/or transfer from appropriated and/or unappropriated available funds in the treasury a sum of money for the purpose of adding to the Stabilization Fund pursuant to the provisions of General Laws Chapter 40, Section 5B, or take any action relative thereto.

This article will be moved to be tabled since there is no funding available to be put into the Stabilization Fund.

Article 14: To see if the Town will vote to raise and appropriate or transfer from unappropriated available funds in the treasury a sum of money to the Reserve Fund, or take any action relative thereto.

Upon a motion made by Mr. Hanlon; seconded by Mr. Petruzzo it was:

VOTED: To approve Article 14 in the amount of \$50,000.00.
Unanimous in favor.

Article 15: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, as well as take any other action necessary to carry out the projects, or take any action relative thereto. Board of Health

The Finance Committee recommends approval of Article 15.

Article 16: To see if the Town will vote to appropriate a sum of money for a Sewer Construction Project for the shorefront communities on the Western side of Long Pond, to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; or take any other action relative thereto. Board of Selectmen

The Finance Committee does not recommend approval of Article 16.

Article 17: To see if the Town will vote to amend the General By-Law regarding Outdoor Lighting as follows, or take any action relative thereto:

Amend Section 3.5.1 by changing the word “Ordinance” to “By-Law;”

Delete Section 4.1 in its entirety. Section 4.1 currently states:

This ordinance shall take effect immediately upon approval by the voters of the Town of Lakeville at an Annual or Special Town Meeting.

Renumber Section 4.2 to Section 4.1 and amend it to read as follows:

4.1 Luminaries that direct light toward streets or parking lots that cause ~~disability~~ glare to motorists or cyclists should be either shielded or re-directed so as not to cause glare or otherwise create a potential hazard to motorists or cyclists on streets or parking lots within 120 days of notification to the owner or occupant by the Code Enforcement Officer., ~~or so that the luminaries do not cause a potential hazard to motorists or cyclists.~~

Delete Section 5.3 in its entirety. Section 5.3 currently states:

Lamp or Fixture Substitution. Should any outdoor light fixture, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the building official (or his designee), together with adequate information to assure compliance with this code, which must be received prior to substitution.

Renumber 5.4 to 5.3; and

Amend Section 6.2 by changing the word “Ordinance” to “By-Law.”

This is a bylaw change.

Ms. Garbitt explained that there may be a slight change in the budget with State Aid. There are some year end budget transfers for the Finance Committee and the Board of Selectmen to approve before the Special Town Meeting. One transfer is the longevity for the Assistant Town Clerk. Then with the Board of Health and Board of Assessors, longevity was also missed. The difference came from vacation buybacks. Dues and subscriptions for the Town clerk was short. Then, the Police Department, the Chief’s expense budget is in a deficit. They need \$11,000 for electricity, \$6,000 for their telephone budget, and ammunition in the amount of \$3,000. The transfer will come from contracted wages and career incentives in the amount of \$20,000. However, this does not address the shortfall in the gasoline budget. Usually, the Town depends on the Police and Fire Departments to give back funds for Free Cash, which is then used to make up for the Snow and Ice deficit. However, that will not be taking place, so the Town is looking for the Board of Selectmen, then the Finance Committee to vote on these three (3) budget transfers.

Upon a motion made by Mr. Olivier; seconded by Ms. Hopkins it was:

VOTED: To approve the three (3) transfers as presented by the Town Administrator.
Unanimous in favor.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote it was:

VOTED: To approve the three (3) transfers as presented by Ms. Garbitt.
Unanimous in favor.

The Finance Committee then adjourned their meeting at 9:58 PM.

Review and award Request for Proposals – Water Line Extension for the Town Offices

Chairman Evirs stated that the Town received three (3) bids for engineering regarding the Taunton water line extension to the Town Office Building. The amounts were: \$34,600, \$32,500 and \$21,500. The Board asked that the Taunton Water Superintendent review the bids

since it was an extension of the Taunton water line. It was reported that all three (3) companies are equally qualified. The Superintendent of Streets, Christopher Peck, reviewed the three (3) bids and offered his recommendation. He only questioned Tibbetts, if they have the proper insurance. It has since been determined that they do, so it is recommended that the bid should be awarded to Tibbetts Engineering

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To award the bid to Tibbetts Engineering based on the recommendations of the Superintendent of Streets and the Town Administrator in the amount of \$21,500.00.
Unanimous in favor.

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

Chairman Evirs read a request from the Town Clerk for the renewal of Auctioneer, Junk Dealer and Junk Collector Licenses.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To renew the Auctioneer License, Junk Dealer License and Junk Collector License to Anthony and Dorita Morris with a term to expire April 30, 2009.
Unanimous in favor.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To approve the Junk Dealer License and Junk Collector License for Hugh and Judy Rogers with a term to expire on April 30, 2009.
Unanimous in favor.

Request to use Town House-Sampson Cemetery Association for Annual Meeting

Chairman Evirs read the request from the Sampson Cemetery Association to use the Town House for their annual association meeting.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To allow the Sampson Cemetery Association to use the Town House for their Annual Meeting on May 7, 2008.
Unanimous in favor.

Request from Municipal Coalition for votes for Annual Meeting-May 2, 2008

Chairman Evirs stated that Nancy Yeatts is the representative on the Municipal Coalition for Affordable Housing. The Town is a member of this organization. This letter is in regards to their business meeting convening on May 2, 2008 at the Boxborough Library in Boxborough from 8:30 AM to 10:30 AM. These Core Principals and Platform Planks will be the basis of legislation that MCAH will propose for adoption. The Steering Committee has been exploring these items and would like to make sure that it has support of its membership. Selectman Yeatts is in agreement, so this would be ratifying them.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To approve the Core Principals for the Municipal Coalition for Affordable Housing.
Unanimous in favor.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To approve the Platform Planks for the Municipal Coalition for Affordable Housing.
Unanimous in favor.

Request for storage trailer permit renewal-Lift & Care Systems

Selectman Maksy asked about the amount. Is it two (2) trailers at \$25 each? Ms. Craig responded that traditionally the Town only charges \$25 for the permit, not for each trailer, so they will be asked to send a new check.

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To approve the storage trailer permit for Lift & Care Systems, upon receiving the proper fee of \$25.
Unanimous in favor.

Review and vote to approve Selectmen's meeting minutes: July 9, 2007, March 10, 2008 and March 24, 2008th

Upon a motion made by Selectman Evirs with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To waive the reading of and approve the Selectmen's Meeting minutes of July 9, 2007, March 10, 2008 and March 24, 2008 as presented subject to Selectman Yeatts' final approval.
Unanimous in favor.

Any other business that may properly come before the meeting.

Chairman Evirs noted that Mass Housing, in a letter dated April 22nd, has approved the official action status for the Fairways Housing to be located in Lakeville. This would be located in The LeBaron Hills complex and is the same as the project the Board visited in Mashpee. It will take nine (9) months from start to finish. They can apply for the financing now.

Ms. Garbitt explained that in a letter from the Department of Revenue, the Governor is taking his meetings on the road and will be at the Braintree Town Hall on May 9th in the afternoon. Would any of the Board members like to attend? This is the Friday before Town Meeting. Ms. Garbitt stated she cannot attend. Chairman Evirs said he may be able to go.

Other Items

1. Memo from Board of Health regarding reorganization
2. Letter from Linda Grubb regarding Assonet Cedar Swamp Tour
3. Letter from Verizon regarding donation to the Council on Aging
Chairman Evirs explained that the letter to Ms. Garbitt from Verizon is about the fact that they will be making a philanthropic grant to develop a digital photography class in the amount of \$5,000.
4. Memo from Historical Commission
Chairman Evirs asked that this memo be forwarded to the different groups that need to know about this. Ms. Garbitt mentioned that the Historical Commission also invited the Board of Selectmen to the Memorial Day events. Chairman Evirs asked that the turtle information gets to Chris Peck, the Superintendent of Streets, about the turtle signs. Ms. Garbitt mentioned that they are also working on the Tamarack Park. Middleborough Gas & Electric is working with them.
5. Bridge Inspection report-Bridge Street/Nemasket River
6. Notice from CEA regarding 79 Main Street
7. Letter from SEMASS regarding Material Separation for the Diversion of Mercury
8. Letter from SEMASS – Material Separation Plan Program Community Recycling Costs Reimbursement
9. Letter from US Department of Commerce regarding Census
10. Notice from SouthCoast Rail regarding Anniversary Event
11. Letter from Attorney General regarding new Municipal Liaison
12. Information from MEGA regarding changes in their Workers' Compensation Program
13. Memo from Elections Division regarding vacancy-Clerk of Courts of Plymouth County
14. Plymouth County Cooperative Extension letter
15. Plymouth County Commissioners Meeting-April 22, 2008
16. Plymouth County Commissioners memo regarding County Administrator
17. Invitation from SRPEDD-52nd Annual Meeting-May 21, 2008

Ms. Garbitt asked if any of the Board members would like to attend SRPEDD's Annual Meeting. Chairman Evirs indicated that he may be able to go, if not Selectman Maksy will attend.

18. Cranberry Country Chamber of Commerce Perspective

19. SEED Corporation notice

20. Information regarding Unsung Heroines for 2008

Chairman Evirs noted that there was a very nice article in the local paper and on behalf of the Board; he would like to recognize Elizabeth St. George for all that she has done for the Town. Ms. Garbitt noted that there is a ceremony at the State House for those that have obtained this award on May 14th. Chairman Evirs asked for the Town Administrator to send her a congratulatory note on behalf of the Board.

21. Letter from EOEA regarding Salmon Fry Stocking

22. MassWildlife News

23. Wildlands News-Wildlands Trust

24. City & Town – April

25. Memo from Energy Facilities Sitting Board regarding Regulatory Changes

26. Letter from EOEA regarding FY2009 CCS Annual Grant Round

27. Notice from Department of Telecommunications & Cable regarding public hearing

28. Executive Office of Housing & Economic Development announcement of Infrastructure Grants

29. Information from Horsley Witten Group regarding Taunton River Watershed meeting

30. MMA State Budget Action Alert

31. Updates from STAR regarding PILOT funding

32. MMA Regionalism Conference Notice

Ms. Garbitt stated that Selectman Yeatts will attend the conference on May 16.

Upon a motion made by Selectman Maksy, with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To have Selectman Yeatts attend the MMA Regionalism Conference on May 16, 2008.
Unanimous in favor.

33. Letter from Narragansett Bay Wheelmen regarding ride on March 30, 2008

Adjournment

Upon a motion made by Selectman Maksy with Chairman Evirs stepping down to second and stepping back up to vote, it was:

VOTED: To adjourn the meeting at 10:25 PM
Unanimous in favor.