

**TOWN OF LAKEVILLE**  
**Selectmen's Meeting Minutes**  
**May 16, 2007**

On May 16, 2007, the Board of Selectmen held a meeting at 6:35 PM at the Town Office Building in Lakeville. The meeting was called to order by Chair Yeatts at 6:35 PM. Selectmen present were: Selectman Yeatts, Selectman Evirs and Selectman Maksy. Also present: Rita Garbitt, Town Administrator, and Christine Weston, Recording Secretary.

The Finance Committee called their meeting to order at 7:10 pm. In attendance were: Chair Martha Weeks-Green, Rick Velez, Jim Hanlon, Robert Hill and Gary Mansfield (enter 7:50 pm).

Selectman Yeatts reviewed the warrant article for the Sewer Construction Project for the shorefront communities on the Western side of Long Pond. There are 600 households which will need to take part in this program. The residents would need to pay \$3,000 a year, but this is not affordable to them at this time. The amount needs to be decreased to about half of that amount to make it an affordable project. It will also cost about \$2,000 per household to tie in. The Town was approved for the funds through the Massachusetts Water Abatement Trust and is on the CY 2007 Project Priority List. However, the Town will not be able to proceed at this time since it was not anticipated that the funds would be approved so quickly. There are State and Federal grants available. The article will need to be voted down at Town Meeting since the Town is not ready to proceed. It will take place in a few years though. We thought that it would take a few years to get on the List, however, the Town must have been considered a priority to get this funding approved in the first year. The D.E.P. (Department of Environmental Protection) did help the Town through the process as well. However, there is more that needs to be done and applied for before this aspect can be done. The Town will have to re-apply to stay on the List.

Upon a motion made by Selectman Evirs and seconded by Selectman Maksy the Selectmen

VOTED: To include the following Article on the Annual Town Meeting Warrant:

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 to take any other action relative thereto.

Unanimous in favor

The Town Administrator distributed the invitation to the June 3, 2007 Old Colony Graduation Ceremony and asked if any of the Selectmen were interested in attending.

The Town Administrator then distributed a copy of the revised FY 08 Budget Summary. The revenue summary was explained to the Board Members by Ms. Garbitt. It appears we are on target meeting Estimated Receipts for FY 07 in the amount of \$2,450,000 which includes \$55,000 from National Development and a Police Grant for a Police Officer and \$117,990 from the LDC (Lakeville Development Corporation) for the debt service on the Ted Williams. For FY 08, Estimated Receipts will remain at \$2,450,000. Then Ms. Garbitt reviewed the expense summary which included changes in the Highway Department and the Landfill budget because of a transferred employee. Instead of replacing a full-time Highway Department employee who

resigned, a full-time Landfill employee is going to fill the position. All of the expenses for that employee such as health insurance, medicare, workers compensation, laundry, longevity, vacation buyback, totaling \$56,143, have been included in the Highway budget. The total Landfill Budget has been reduced to \$375,000. The Landfill will still need someone to drive the truck two (2) days a week and the Highway Department will need a laborer just for the mowing season (five (5) months). Two (2) part-time employees will be hired (without benefits) and that has been included in the budget.

The Town Administrator explained that she had been concerned about reducing the Health Insurance by \$28,000, but with the latest revisions it does not have to be reduced. The Fire Department budget did have to be reduced by \$8,000 and this is a concern. The Police Station needs their air conditioning system fixed on the former COA (Council of Aging) side. If New Growth does come in at the anticipated amount, then it would be in the best interest to put the \$8,000 in the Town Office Fire Department portion. All the changes to the Highway Department, Landfill, and Health Insurance are reflected in this summary. The Landfill is totally self supporting now.

With respect to the Debt Service/Capital Projects Stabilization Fund, there will be an article on the Special Town Meeting warrant to establish the account with the funds received from the Priority Development Fund for the 40R project at the MBTA station (\$350,000) and the mitigation funds from Walgreens for water (\$25,000) less the cost of legal fees for the 40R Smart Growth District (\$25,000). The total of \$360,000 will be used to offset debt service the next few years because the SBA reimbursements end in FY 08. The mitigation funds received from the two projects for MDC Development (Marcus Baptiste) (\$25,000 each) should also be transferred into the Debt Service/Capital Project to be used for future Capital Projects such as a Water Master Plan for the Town. Then there is the Project Manager and Design Services costs for the Police Station. Town Counsel is working on the language to fit all of this into one article. New regulations are; for any building project that is \$2 million or more, it has to have a Project Manager, beginning at the design phase, previously it was at the beginning of the construction phase of a project. There will be approximately 20 articles on the Annual Town Meeting warrant.

There is also a warrant article being put on as requested by the Town of Freetown. The DPW Director for Freetown, Charlie Macomber, estimates the cost for the boundary markers will be \$4,000 which he would like to split with the Town of Lakeville. It is anticipated the Developer, Gene Bartlett, not the Towns, will pick up the cost on this.

The Town Administrator stated that there are only six (6) students who will be attending Bristol Agricultural School. The total tuition will be \$81,762.00. Ten students attended last year. The Regional School Department is looking for over \$5.5 million and the amount recommended at this time is \$4,902,417. The Superintendent has asked if the Board of Selectmen would consider approving funding over the Net School Spending figure. He was asked if Freetown was recommending any increase over Net School Spending. He said he was not sure, but it did not seem likely. The warrant will be provided to the newspapers on May 22<sup>nd</sup>. Once it is printed, the amounts cannot be changed. Ms. Weeks-Green discussed the matter of the pool at GRAIS and how the schools would be doing considerably better if the pool was left out of the equation. Based on the necessary \$800,000 needed, the Principals have come up with \$600,000 in identifiable cuts.

The Town Administrator then discussed various details regarding Article 2 for raising and appropriating \$400,000 from the Stabilization Fund to fund the FY 08 budget. A transfer from the Stabilization Fund requires a 2/3's vote. So, a transfer from the Stabilization Fund is needed for the Region to meet Net School Spending. There will most likely be a lot of support to keep the pool open. The Moderator, Gordon Goodfellow, typically asks what the Finance Committee recommends. If the Finance Committee does not recommend the article and moves to amend the article, this will have to be coordinated with the Moderator. If the amendment fails, then it reverts back to the original article. However, if the transfer of the \$400,000 does not pass, then there are no other available funds because we are at the levy limit. Other Department budgets would have to be cut. The Regional School Committee has voted a \$23 million budget, but the revenues come in at \$22 million. Discussion will need to take place with the Superintendent on this. Ms. McRae pointed out that even if the money is appropriated, the School Department does not have to apply it to Net School Spending. They can put it towards Com Rec. Chairman Yeatts stated that concerned her. Unless the amount is voted down, it is still out there. Ms. Weeks-Green suggested reviewing the matter the night prior to the Town Meeting since there seems to be a lot of individuals in support of the keeping the pool open. A rally was just held on the matter last week.

Selectman Maksy pointed out that there are not a lot of Zoning Articles on the warrant, so there might not be a lot of representatives of the Town present at the Town Meeting. There may be more supporters of the School causing this to go their way. Ms. Weeks-Green stated that the Finance Committee needs to begin the budget process next year. Discussion has already taken place with members of the Local School Committee regarding preparing a timeline with deadlines for the School Department to meet. The Town was promised to have a zero based budget from the School Department. They would take everything out and build the budget from the ground up. They would not just increase every line with a percentage on what is already there. It does not seem as if the School Department numbers are absolutely accurate. The choices are: wiping out stabilization while they have a \$1.2 million dollar bond and the E&D (Excess and Deficiency) account. The School Department will be asking for an override next year. The wiping out of the accounts just cannot be done and will not be supported. The Town Administrator noted that the E&D account was \$1.339 million prior to the \$400,000 being taken out for FY08. Chair Yeatts stated that this is not fiscally sound, and the Town cannot be put at risk.

Selectman Evirs noted that there is still the matter with 20 retiring teachers and the hiring of new ones for the same amount or more. New teachers should be hired at an amount lower than those who are retiring. The Town Administrator stated that she would call the Superintendent to see if the School Department would be changing their operating budget amount. The Town of Freetown will be called first to determine if they are going with the Net School Spending amount, and if they have included transportation. It does not appear to be in the \$4 million figure. The Region is receiving \$370,000 from the State, so does Lakeville have to provide transportation to the Region, is another question to be looked into. Lakeville did contribute an additional \$513,745.00 last year. Ms. Weeks-Green stated that the School Department may not be aware of how the transportation figure is applied and if it is taken out of the amount that they are anticipating, the figures may fall short for everyone. The Town Administrator stated that with all the discussions she has had with the Superintendent, nothing was discussed about transportation. Ms. Weeks-Green added that depleting the entire \$1.2 million bond in one (1) year, when it could last for at least two (2) years, is not fiscally responsible. The bond also generates interest. Selectman Maksy stated that he hopes the School Department has a revised warrant article which includes the \$207,000 for transportation.

The Town Administrator stated that she was hopeful that New Growth might come in a little over \$190,000 so that only an additional \$7,000 will be needed. Building permits fees are one time revenue and will not effect Net School Spending, however all the cuts made to the Town's budget this year will effect Free Cash next year. The problem is the \$75,000 from National Development (for the police officer) and the SBA reimbursement will not be available next year. This is the last year for both of these revenue sources. Ms. Weeks-Green noted that the School Department will have the opportunity to show why they need the money in their operating budget for moving the third grade over to the GRAIS, so that Kindergarten can grow into full day at Assawompset which will cause the need for the override. The money needs to be put in the operating budget and not towards keeping the pool open, especially if they are to ask for the override.

The Town Administrator stated that she and the Building Commissioner added up the revenue from the current projects, CVS, Walgreens, Chili's, Stop & Shop, Target, MDC Development, etc., and it is close to \$100 million with \$860,000 being added to the tax levy after first being added to new growth. It will take two (2) years though to get these projects into the tax levy. There are many one (1) time revenues taking place which will not repeat next year so spending still has to be curbed. It is recommended to put the \$400,000 from National Development back in the Stabilization Fund when that project gets permitted. Oxford Development and the State Crime Lab will be coming "on-line". There will be a lot of inspections fees which will increase Estimated Receipts. An increase to Earth Removal fees will be discussed at the next Board of Selectmen's meeting since they have not been raised in a long time. Discussion then took place regarding the Town of Freetown and the Town of Lakeville being in agreement on the Regional School budget.

The Town Administrator stated that GASB-45 is another expense that will have to be funded every two (2) two years due to post employment health benefits. There is a possibility that the Fire Department budget could be reduced a little more since there was some money left over last year in the wages for the call-firefighter drills. Also, if the Fire Chief reduces the number of trainings next year, then that would help with an additional \$10,000. Selectman Maksy noted that basically everything has been reduced since the budget was printed. All the Departments, not just the Fire Department, should be looked at again, out of fairness.

The Town Administrator stated that she would contact Sherry Clancy, the Project Manager for National Development, to see where the three (3) projects stand. Hopefully we will have a little more confidence in some of the figures that we are basing the budget on. Oxford Development will need to pull their permits all at one time which should help the Town go over the necessary \$2.4 million in Estimated Receipts. The Cell tower is under construction. The estimated revenue will be \$15,000-\$20,000 a year. The previous Board of Selectmen had discussed using that revenue for repairs at the Ted Williams Camp. That was prior to the reductions in State Aid and the commercial projects stalling.

The Town Meeting is scheduled for June 11<sup>th</sup>. Warrant review could be held on June 4<sup>th</sup> to give the Finance Committee enough time to further review the budget. On May 29<sup>th</sup>, after the Kaestle-Boos presentation at the COA, the Finance Committee will be able to again review and vote on their recommendations of the budget.

At 8:57 PM, upon a motion made by Selectman Evirs and seconded by Selectman Maksy, the Board

VOTED: To enter Executive Session and not return to Open Session for the purpose of discussing strategy regarding potential litigation and pending litigation.  
Polled vote: Selectman Yeatts—Aye, Selectman Maksy—Aye, and Selectman Evirs—Aye.

At 8:58 PM, upon a motion made by Gary Mansfield and seconded by James Hanlon, the Finance Committee

VOTED: To enter Executive Session and not return to Open Session for the purpose of discussing strategy regarding potential litigation and pending litigation.  
Polled vote: Martha Weeks-Green—Aye, Gary Mansfield—Aye, James Hanlon—Aye, Richard Velez—Aye, and Robert Hill—Aye.