

SELECTMEN'S MEETING
Monday, May 22, 2006

On May 22, 2006, 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 LaCamera at 7:00 PM. Selectmen present were: Selectman Evirs, Chairman LaCamera and Selectman Yeatts. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

Meet with Park Commissioners (delayed from 7:00 PM)

Present for the meeting are Park Commissioners Daniel Hopkins, Darryl Bernier, Alton Linton and Barry Evans. The Park Commissioners entered at 7:43 PM. Chairman LaCamera stated that two (2) names were received for consideration for the vacancy on the Park Commission: Michael Smith and Dana Raposo. Park Chairman Daniel Hopkins stated that the Park Commissioners had reviewed both letters of interest, and they were recommending that Michael Smith fill the term on the Park Commission since he had shown interest in running for the position in the election.

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

VOTED: To appoint Michael Smith to the Park Commission with a term to expire April 2, 2007.

Unanimous in favor

This vote was also unanimously favored by the Park Commission.

Chairman LaCamera stated that each year the Town puts together a list of priorities that they would like to address. One of the items that have been on the list is the Clear Pond restrooms. There was an initial proposal last fall to move forward with this project; however, the Park Commission had a different proposal. The Board is trying to find out the status of their proposal. The Town now has funding (through Town Meeting, May 8th) for a new septic system at Clear Pond, however, with the upcoming season, this may need to be put on hold to be addressed in September.

Mr. Hopkins stated that the Park Commission has put several plans together for the electrical, plumbing and handicap needs for Clear Pond. It would cost approximately \$28,000. Chairman LaCamera stated that the Lions Club had volunteered their labor to put the cinderblock building up and that Eastern Bank had donated \$25,000 to build the new facility. However, the Park Commission had stated that they would like a steel building rather than a cinderblock building so the project was put off. The present building is thirty plus years old, and there are concerns with mold in the building. It could be used for storage and an office, but no serious money put towards it for the bathrooms. A walkway would be put between both buildings. The Town had many aspects of the project organized and set up so that the work could all be done. Mr. Hamilton would perform the site work. There was a plumber, electrician, roofer and cinderblock person all lined up. It was discussed that if the Town could still get the work done to provide restrooms and handicapped facilities, that the Park Commission would not mind if the

building was made from cinderblock. A structural engineer had also done a survey on the old building, and it was provided to the Town. Chairman LaCamera stated that he would like to then meet again with the Park Commission to revisit the project and determine who would do what, and once this is all decided and organized the Park Commission could take over the project. The Park Commissioners agreed and stated that they would inform Ms. Garbitt when they would be discussing the project at one of their upcoming meetings.

Chairman LaCamera stated that another priority on the list was the Commissary Building at Ted Williams Camp, which is a community building. It has been determined that the Town will have funding to renovate this building and would like to set up a committee, or regroup those who had been on the previous renovation committee, to provide input and recommendations on how the building would be utilized. It is anticipated that it would be a community center where organizations like the Mother's Club, Boy Scouts, etc., would use the building. This could be set up during the summer. Estimates for the various work needed have been put together, but probably need to be revised since costs have increased. It would have a new septic system, heating, the water connected, bathrooms, windows, etc. John Miranda, who presently rents out a portion of the building has stated that he would like to present a proposal to add an addition onto the end of the building at mostly his own expense and rent it out. The rest of the building could be divided into smaller areas for various organizations to use.

Chairman LaCamera explained that the need for additional football fields has also been discussed. One area has been cleaned up with the trees and stumps removed. Chairman LaCamera asked if the Park Commission has had the area surveyed and determined a plan? He mentioned there will be loam available from the Lakeville Hospital site work which should begin in early August which could be provided. Mr. Hopkins stated that Jon Paun Park would also need loam; however, it would need gravel first to build up the area. Mr. Hopkins will get in touch with the football league representatives during the week.

Mr. Bernier stated that the Park Commission just received the John Deere tractor, and it has cut the man hours in half. The Park Commission thanked the Town for providing that to them.

7:15 PM Class II license transfer hearing-Elite Auto

Robert Darling, Building Inspector, Linda and Jason Bury were present for the discussion.

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

VOTED: To open the Class II license transfer hearing for Elite Auto.
Unanimous in favor

Chairman LaCamera read the public notice into the record. It was noted that Mr. Bury did not have all of the certified postcards with him (seven of eleven were returned) but would provide them to the Town Administrator at a later date.

Chairman LaCamera explained that the current license is for 4 Tamett Brook Road. Jason and Linda Bury have purchased another property, 431 Bedford Street, and would like to transfer

the license to that property. One of the concerns at this time is the condition of the property itself. The Board should have a site visit at the property to determine what will be done. The property should be cleaned up before it is opened for business. There is a lot of debris, vehicles and trash around the property. A member of the Board of Health (or Health Agent), Fire Chief, Building Inspector and Board members should conduct the site visit. Brian Reynolds, Chairman of the Lakeville Historical Commission, asked what would be taking place at the site as far as landscaping, signage and buildings. Chairman LaCamera stated that if Mr. Reynolds was available, he was invited to attend the site visit. A site visit was scheduled for Tuesday, May 23rd, 2006 at 2:00 PM.

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

VOTED: To continue the Class II License Hearing for Elite Auto to Monday, June, 12, 2006.
Unanimous in favor

7:30 PM Bradshaw kennel license

Present for the hearing were Sandra Horton, Town Clerk and David Frates, Animal Control Officer. The applicant, Richard Bradshaw, was not present. The Board waited for Mr. Bradshaw until 7:42 PM, at which time the Animal Control Officer and Town Clerk exited. Selectman Evirs stated that he felt the kennel license would come under the grandfathering clause of the bylaws. Unless the use is abandoned for two (2) years or more, an application just needs to be made for the license. Ms. Garbitt stated that a kennel would need to be in a business zone since it is not permitted in a residential zone any longer. Mr. Bradshaw could still have four dogs on the property; he would just need four (4) licenses. He is not being disallowed anything at this time.

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

VOTED: To deny the renewal of a kennel license to Richard Bradshaw for 8 Malbone Street.
Unanimous in favor

Vote to issue warrant to Animal Control Officers

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

VOTED: To waive the reading of the Warrant to the Dog Officers and to issue the Annual Dog Warrant to: David Frates, Jared Darling, Laurice Ingargiola and Harold Marshall of the Town of Lakeville and Frederick Bohning of the Town of Middleborough.
Unanimous in favor

Request for renewals of temporary trailer storage permits

Chairman LaCamera noted that three (3) temporary trailer storage permits had expired and needed to be renewed. All three (3) permit holders had applied for renewal. They were Gerald White, d/b/a Lakeville Auto Sales, 35 Taunton Street; Mullein Hill Christian Academy at 1 Christian Way and Paul Hunt, d/b/a Two Acre Berry Company at 8 Race Course Road.

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

VOTED: To approve a temporary trailer storage license to Gerald White, d/b/a Lakeville Auto Sales; Mullein Hill Christian Academy and Paul Hunt, d/b/a Two Acre Berry Company to expire May 22, 2007.
Unanimous in favor

Discuss request to hold triathlon at Ted Williams Camp-Bay State Triathlon

Chairman LaCamera read the request from Eric Averill of Bay State Triathlon to hold their fifth annual triathlon at the Ted Williams Camp on August 27, 2006. It was noted that the Police and Fire Chiefs are satisfied with the staff on hand.

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

VOTED: To approve Sun Multisport Events, and the Bay State Triathlon Team to hold a Cranberry Country Triathlon at the Ted Williams Camp on August 27th, 2006. The Park Commission has approved the event.
Unanimous in favor

Review letter from Mass Lottery regarding keno request-Orchid of Hawaii

Chairman LaCamera stated that a letter had been received from MassLottery notifying the Board that Orchid of Hawaii had applied for a Keno license for their restaurant at 201 Bedford Street. If the Board had any objections, they should forward them to the Lottery Commission.

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

VOTED: To recommend that the Lottery Commission approve a Keno license for Orchid of Hawaii Restaurant.
Unanimous in favor

Request for car wash-Apponequet Junior Class

Chairman LaCamera read a request from the Apponequet High School Junior Class to hold a fundraiser car wash.

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

VOTED: To allow the Junior Class at Apponequet High School to hold a car wash at the Fire Station on Saturday, June 10, 2006 from 9:00 AM to 2:00 PM.
Unanimous in favor

Schedule Selectmen meeting dates-June, July, August and September

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

VOTED: To schedule the Selectmen's meetings as follows: Monday, June 12th, Monday June 26th, Monday July 10th, Monday July 24th, Monday August 14th, Monday August 28th, Monday, September 11 and Monday, September 25th.
Unanimous in favor

Review contract with Town of Carver for boarding of stray dogs

Chairman LaCamera read a letter from the Carver Selectmen, asking that their agreement with Lakeville for the boarding of stray dogs be extended until December 31, 2006.

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

VOTED: To extend the Agreement between the Towns of Lakeville and Carver regarding the boarding and adoption of dogs that are relinquished to the Carver Animal Control Officer from June 30, 2006 to December 31, 2006.
Unanimous in favor

Request for one-day liquor license-Mitchell Memorial Club

Chairman LaCamera read a request from the Mitchell Memorial Club for a one-day liquor license for their annual chicken barbeque.

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

VOTED: To approve a one-day liquor license for the Mitchell Memorial Club to hold a Chicken BBQ on July 9th from 12:00 PM to 5:00 PM at the Ted Williams Camp.
Unanimous in favor

The Park Commission had turned in an application for an additional one-day liquor license for a graduation party.

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

VOTED: To approve a one-day liquor license to Mr. Dellarocco for a graduation party to be held on June 3, 2006 from 6:00 PM to 12:00 AM at the Ted Williams Camp.
Unanimous in favor

Review and approve Selectmen's minutes from March 9, 2006; March 27, 2006; April 10, 2006; April 13, 2006; April 24, 2006

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

VOTED: To waive the reading of and approve as presented the Selectmen's meeting minutes of April 10th, 2006, April 13th, 2006 and April 24th, 2006.
Unanimous in favor.

Upon a motion made by Selectman Yeatts; seconded by Chairman LaCamera stepping down to vote it was:

VOTED: To waive the reading of and approve as presented the Selectmen's meeting minutes of March 9th, 2006 and March 27th, 2006.
Two in favor with one abstention.

Any other business that may properly come before that meeting.

Chairman LaCamera read a request from Police Chief Mark Sorel to proclaim the week of May 22, 2006 as Buckle Up Lakeville Week in regards to use of seatbelts.

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

VOTED: To designate the week of May 22, 2006 as Buckle Up Lakeville Week.
Unanimous in favor

Chairman LaCamera thanked the Lakeville Arts Council for sponsoring the Open Studio held the weekend of May 20th and 21st. It was very well attended though the weather had not been very good.

Ms. Craig stated that Nancy LaFave from the Historical Commission had inquired if a member of the Board would be speaking at the Memorial Day Observance on Monday? Selectman Evirs stated that he would speak at the Observance.

Luke Leonard stated that he had had concerns regarding how the vote had been taken at the Town Meeting regarding the proposed wetlands by-law. However, he has since spoken with the Town Administrator and the matter will be re-presented in the fall. Selectman Yeatts stated that some members of the community have joined to help increase the information about the matter. Mr. Leonard stated that the last article on the Town Meeting Warrant (acceptance of Margeux Drive) came and went very quickly and he did not have the opportunity to speak on it since people were exiting the meeting. He stated that problems with the road were not a new issue, it has gone on for a number of years and that he had some material available for the Selectmen to review. Chairman LaCamera stated that Mr. Hamilton, Highway Surveyor and Nicholas Lanney, the Town Engineer did examine the road and felt it should get approved. The road is in good condition, it was the wall that had areas of concern. Those areas were cracks that were hammered out and repaired. Mr. Leonard stated that he had other concerns about the road and

wanted to ask for reconsideration on the road. Also, it seems that roads are accepted in the town after 10-15 years and then the townspeople have to pay for them as a matter of convenience. Chairman LaCamera stated that since the Town requires the developer to put in the road according to specifications, once it is done the Town has an obligation to approve and accept the road after it meets those specifications. Mr. Leonard stated that he felt some errors had been made and would like the opportunity to revisit the matter. Ms. Garbitt stated that she would forward his information to the Planning Board and Mr. Leonard can attend their meeting to discuss this. Mr. Leonard stated that he would be happy to articulate the matter with them.

Chairman LaCamera referred to the list of priorities that the Town has in place for 2006. There is the funding that is in place for the septic system at the old library, which needs to be done, the work with the State to make the area near the T-Station a 40R district and the major priority of going out to bid on a Town Office/Public Safety Building. Two (2) years ago, an amount of \$35,000 was approved at Town Meeting to do a feasibility study of the needs of a fire station, police station, public safety building, town office or any combination thereof going out twenty years into the future and to come up with preliminary costs and options. The Town Administrator has put together a preliminary proposal. It is anticipated that the Board will review them by the next meeting and approve it so that they can be published in the Central Register and then during the summer determine what steps to take next.

Chairman LaCamera stated that an engineer needs to be hired to do the preliminary design work to bring the Taunton water line down to the Town Office Building, then it needs to be put out to bid. This was funded at the last annual Town Meeting. This should be done during the summer or early fall. Chairman LaCamera explained that the Town has about \$500,000 in Chapter 90 monies to get road repairs done. Mr. Hamilton is presently getting the estimates for ten (10) to fourteen roads to be done. About 46-48 roads have been done out of 62 roads. One major road, Precinct Street, will need to wait since it will probably cost about a million dollars to do as it stands. Selectman Yeatts asked that the Water Overlay District be moved up to medium from low priority. Chairman LaCamera mentioned that there was to be landscaping done at Tamarack Park yet there has been a lot of rain during the past year. Selectman Yeatts stated that she would address this at the next Conservation Commission meeting. Selectman Evirs stated that he would like to keep the Main Street and Bridge Street water matter on the front burner and not refer to it as an IMA at this time.

Chairman LaCamera stated that Ms. Craig has worked hard to get the Town's website up and running and kept as current as possible. The goal of the website was to provide information to the community. There are several Boards that do keep current with their agendas and minutes, however, more need to do the same. Ms. Craig will train the secretaries to the other Boards and Committees so that they can also put up their agendas and minutes.

Other Items

1. Notice of reorganization: Board of Assessors and Park Commission
2. Memo to Robert Darling from Historical Commission regarding demolition hearing-Sts. Martha's & Mary's Rectory
3. Letter from Middleborough/Lakeville Herring Fishery Commission

4. Letter from Dr. Furtado regarding donation of Ford tractor to Highway Department
5. Letter from Old Colony Regional regarding status of collective bargaining contracts
Chairman LaCamera stated that he did talk with Bob Marshall about the status. It is a representative from one of the towns not from each of the towns.
6. Memo from Town Counsel regarding USA Patriot Act
7. Memo from Town Counsel regarding water runoff onto private property
8. Grant notice from DEP-Drinking Water Supply Protection Grants
Chairman LaCamera stated that the Town should be able to access a portion of these grants since there is \$500,000 available. Selectman Yeatts responded that she would look into this. The money can be used for land improvements along Long Point Road.
9. Notice from Plymouth County Commissioner regarding Annual Meeting
10. Plymouth County Commissioners agendas-May 3, May 10, and May 17, 2006
11. Information from Plymouth County Cooperative Extension regarding winter moth caterpillars
Chairman LaCamera asked that the winter moth caterpillar information be sent to the Board of Health.
12. Information from Department of Public Health regarding service zone planning update
13. Notice from EOEA regarding conservation restrictions on Gene Bartlett and Gladu/Morton properties
14. Meeting notice-SRPEDD Commission-May 24, 2006
15. Joint Transportation Planning Group meeting notice-May 17, 2006
16. Middleborough Gas and Electric agenda-May 9, 2006
17. Letter from Welcome Home Veterans Housing
18. MMA Action Bulletin
19. MMA notice-new selectmen's training seminar
20. MMMA notice regarding by-law amendments
21. Notice from Dept. of Telecommunications & Energy-Comcast Cable
22. Bulletin from DOR-new officials finance forum
23. Bulletin from DOR-notification of acceptance-MGL Chapter 32B, Section 18
24. Informational Guideline Release from DOR-Chapter 77 of the Acts of 2006
25. Letter from American Red Cross-2006 Heroes of Plymouth County
26. Woodard & Currans Directions
27. Massachusetts Bay Commuter Railroads 2006 Vegetation Control Program
28. Comcast MA Overview 1st quarter 2006
29. Financial information from Comcast
30. Letter from Comcast regarding changed to services

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

VOTED: To adjourn the Selectmen's meeting at 8:30 PM.
Unanimous in favor