

SELECTMEN'S MEETING
Monday, June 1, 2009

On June 1, 2009, the Board of Selectmen held a meeting at 7:00 PM at the Lakeville Library. The meeting was called to order by Chairman Maksy at 7:07 PM. Selectmen present were: Selectman Maksy, Selectman Yeatts and Selectman Evirs. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

Mr. Olivier called the Finance Committee meeting to order at 7:00 PM. Members present included Michael Petruzzo, James Hanlon, Steve Olivier, and Melissa Hopkins. Gary Mansfield, Chairman, was absent.

Request for car wash – Lakeville Softball

Chairman Maksy read a request from Lakeville Softball for the use of the Town Office Building to hold a fundraiser car wash.

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

VOTED: To approve the car wash on June 6, 2009 for Lakeville Softball at the Town Office Building with the understanding that they will abide by any policies that may be enacted and that they use biodegradable soaps.
Unanimous in favor.

Request for One Day Liquor License – Park Commission

Chairman Maksy said he had received a One Day All Alcohol Liquor License request from the Park Commission.

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

VOTED: To allow the One Day All Alcohol Liquor License at Ted Williams Camp for the Holly Roderiques Fundraiser on June 13, 2009 from 6:00 PM to 11:00 PM.
Unanimous in favor.

Meet with Finance Committee to review FY10 Budget

Ms. Garbitt told the Board that State aid was cut mid-year in the amount of \$99,000. The School Department is giving back \$60,000, the Park Commission is giving back \$10,000 and the rest will be made up from the other Town Departments. This is Article 2 of the Town Meeting warrant. Under Article 1, the Town has a Snow and Ice Deficit of \$177,245.00 and Health Insurance Benefits Deficit of \$56,000.00. The Town is still short \$57,700. Non-essential spending has been frozen, and there is only one (1) month left to the Fiscal Year. The budgets will all have to be reviewed again to see if there are any more available funds.

Selectman Evirs said we were considering whether or not to open Clear Pond Park, and it is my opinion not to open it. The State is not opening some of their parks. Clear Pond Park only benefits a few people, and it is recreational spending. We need to look at that. At one of the meetings that we had with the Park Commissioners, they stated that the bulk of their money is used for Clear Pond for staff and to purchase supplies. It would behoove us to send a suggestion to the Park Commissioners to not open Clear Pond. That \$25,000 would help us.

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

VOTED: To resend the memo that the Board of Selectmen previously sent out that only non essential items be purchased until the end of this Fiscal Year, and if anyone has any questions to contact the Town Administrator.
Unanimous in favor.

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

VOTED: To endorse the memo being sent to Department Heads to freeze any spending on non-essential items.
Unanimous in favor.

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

VOTED: To recommend to the Park Commission to not open Clear Pond Park for FY10 and to return unspent monies from FY09.
Unanimous in favor.

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

VOTED: To recommend to the Park Commission that they do not Open Clear Pond for the FY10 year and to return any unspent monies from FY09.
Unanimous in favor.

Selectman Yeatts said the last time that we met we had a balanced budget; however we have received more cuts. The total reduction for FY10 in State Aid is \$447,236, 9C cuts were \$99,233. There is an increase in Net School Spending (NSS) Region of \$390,000, and an increase in Regional transportation of \$234,740. There is \$1,171,209 in cuts that the Town will be looking at for FY10. We have to go to Town Meeting with a balanced budget. This last round of cuts put us \$200,000 behind again. For a balanced budget we will be using \$200,000 out of the Stabilization Fund, since there is no place else to take it. Already we have cut 20% for Police, Board of Health, COA, Library and School Department. There is no place else to find \$200,000 to have a balanced budget and that is with no override. We do not know how this will affect our bond rating. We will have a balance of \$260,000 left in our Stabilization Account and that is dangerously low for a Town our size. We did raise Estimated Receipts to \$300,000 since, due to the construction of Kensington Court, the Town receives \$3,000 for each occupancy permit issued. So we have used \$300,000, which equals 100 units @ \$3,000 apiece. Selectman Evirs said with the \$25,000 that we take back from the Park Department; we can

spread it out to other groups or put back into Stabilization. Selectman Yeatts recommended it being put into Stabilization. We are going to be going out to bond soon also. Ms. Garbitt said that will take place in July.

Selectman Yeatts said we talked about how the assessment went up \$390,000 at the Regional level. We have written a letter and have gone to a meeting of theirs and asked for this money back. They have finally voted not to return the money. We have called the Division of Local Services (DLS) regarding a waiver from NSS and it will not help us this year. It will help in the future and lower our NSS in the future. This is quite a bit to go up for just one student being added. Also, when we talked to the DLS on the phone, we found out that because we spent \$1.7 million over NSS for the Local School, that affects the NSS at the Regional level. Therefore, we are changing from a 20% to a 10% cut for the Local School. It is a better thing to do and we need to balance that more since they are suffering more at Assawompset than at the Regional level. Transportation got an additional \$18,000 from the Excess & Deficiency (E&D) since the original amount was already in the article. They have to make that up.

Chairman Maksy asked from a balanced budget to where we were for a maintenance budget, where are we? Selectman Evirs said two (2) weeks ago, we were at a \$2.5 million deficit and last week we found out we lost another \$425,000. Now we are up to almost \$3 million. Another caveat to that is that from FY08 to FY09, we lost \$295,000 from the State. We have taken almost \$1 million out of Stabilization just to balance the budget. Selectman Yeatts said a maintenance budget means we go on with steps and raises and we just are not in that place. We cannot go forward with business as usual. We need to make some changes. That is why we are excited about the waiver. We do not like how the formula works right now. Chairman Maksy said so we agree on the balanced budget numbers. Selectman Yeatts said there are not a lot of choices on this. The Local School Committee has already voted on the 10% cut for the Local School and we are looking at 20% for a balanced budget.

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

VOTED: To approve the balanced budget as amended.
Unanimous in favor.

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

VOTED: To accept the balanced budget for FY10 as presented and discussed.
Unanimous in favor.

Selectman Yeatts said if a \$1million override was passed, the Town Clerk, Treasurer & Collector and Town Accountant are now level funded. The Police Department went from a 20% cut to a 5% cut and the Fire Department went from a 10% cut to a 5% cut. The Animal Shelter went from a 12% to a 10% cut. The Highway Department goes from a 15% to a 10% cut. The Board of Health went from a 20% to a 10% cut, Council on Aging from a 20% to a 10% cut and the Library goes from a 20% to a 10% cut. This still does not keep the Library certified, but they are looking into a waiver also.

Selectman Evirs said to maintain our services, the \$2.5 million deficit we had two (2) weeks ago is almost \$3 million now for a maintenance budget. Then we are taking into consideration the \$300,000 we had to take out going in FY09, so it is really a \$3.3 million deficit. We seem to be going backwards, but the whole State is stepping backwards. To level fund the budget, it is \$1.70 million. Two (2) weeks ago we talked about choices, and he thought we should have choices. The \$1 million we are talking about replaces the \$560,000, but we did not know we were going to get cut another \$400,000. That made the \$560,000 deficit \$1 million. \$1,754,241 is a Level Funded Budget Override. So, at a minimum we should have two (2) amounts for the election. We should also offer two (2) contingency budgets at Town Meeting.

Mr. Olivier said when we first started these discussions; we stated we needed to change how we do business. Without talking about the 4th grade move, he had not really seen the changes, like the wage freezes, etc. The townspeople in Lakeville are all hurting too. So, if we are going to have choices we should put on a lesser amount, like the \$500,000. So we should have the zero amount, \$500,000, \$1 million and \$1.7 million available. Selectman Yeatts said if we have that many choices, how do we show a united front to go forward. She thought we needed one (1) number that we can all agree on. Chairman Maksy asked if there is a number that would work. Selectman Evirs' number is the one we really need at this point, but the \$1 million will barely get us by. Mr. Olivier said this is not the end; this is just the beginning of a new road that we will have to forge. We are not getting the revenue that we need, and we are not getting the new growth that we need, so we cannot increase the expenses as we have in the past. We cannot continue to put the burden on the ratepayers. We need to change the way we are doing business.

Chairman Maksy said he personally did not think this day would come. We need to come up with a very sincere honest number so that we do not look at this next year and see where we failed. He would like to see one (1) number. Selectman Yeatts said the School Department set the standard for the 10% cut. 10% will not devastate us, but it shows we are making some changes. If we go for a waiver and NSS is down a little bit, we will be in a little bit better shape. A maintenance budget is out since it does not show that we are doing without. She has been speaking to seniors that have to sell their homes, since they cannot afford to live in Lakeville anymore, and they have lived here all their lives. Selectman Evirs said even with \$1.7 million, we are still making \$1.3 million sacrifices in cuts. We still have to have a wage freeze. This is still a great sacrifice being made with a level funded budget. We are not maintaining. We are only using the same amount of money from this year for next year. We are all making cuts; we are all trying to feel a little pain. We believe the revenue next year will be better. The 40R will add another \$300,000 for the units. There is also a 56 unit building going in at the Residences at Lebaron, which will be adding revenue. Ms. Garbitt said we are underfunding Out-of-District Special Education by \$70,000, and we did not fund any additional funds for health insurance. Further discussion occurred.

Mr. Olivier said when he was on the Finance Committee five (5) years ago, we had just completed the Library, and we were looking at the bond and thought it would taper down. We continued our shopping spree so it has not come down, it has continued to go up. We have been taking care of the capital items that we needed, but we are now on this road that the State is hammering us, new growth is down, etc. At first, he was getting used to the \$500,000 override, but now we are at the point of warming up to the \$1 million override. Mr. Olivier said he would

not support an override higher than that. Mr. Hanlon said talking about the \$1.7 million, if we had not been cutting over the past few years, he would agree with Mr. Olivier. He has seen all the cuts that have taken place over the past three (3) years, so the cuts we are looking at now are devastating, since there is nothing left to cut. Unfortunately to get things changed, we need to open contracts. The Fire and Police Department Unions have set a precedent for which others should follow. The State will most likely cut again next year. With the anticipated revenue coming in next year, it will probably only cover our expenses for next year. Mr. Hanlon said he does not see this going away. Selectman Evirs said we have been cutting and cutting over the past few years. This is apparent when we are trying to do a housekeeping item for Town Meeting and we cannot even find \$200,000. That is not even 1% of the budget. Usually, we get money back from the Departments, but for the four (4) years that he has been a Selectman, we have been trimming everyone, and they have no cubby holes to find this money. Mr. Olivier said we will get a certification of free cash of \$200,000 so you had that much more you could have taken. Ms. Garbitt said that fluctuates depending on tax title payment. It is not what is left over from everyone's expense budget.

Chairman Maksy said it would be nice to settle the override question tonight and then work on the distribution. Chairman Maksy opened the floor to questions. Mr. McQueeney said as much as would like to see the \$1.7 million, level funding for the School would allow us to leave 4th grade at GRAIS. He believed that Selectman Yeatts' statement of having one (1) number that we can all support was correct. The \$1 million override would be a 10% cut at the School. If we have two (2) numbers, then the \$1 million would be the enemy of the \$1.7 million override. He would strongly recommend the \$1 million, which would allow the School to be cut 10% and move the 4th grade back and keep class sizes at a bearable level. Scott Sweeney of 20 Cedar Pond Road said the Selectmen and Finance Committee members understand all of this, but the average person does not. He did not think the \$1 million is enough. The General Government cuts have been going on for a number of years, so we need to look at the \$1.7 million and consider that the leaders of the Town are saying this is where we need to be and this is why. Maria Perrone-Martin of 207 Cedar Drive said the State is saying that we are able to be paying for ourselves and that burden has to be on the whole Town. So we should be looking at the \$1.7 million. Paul Watkins of 57 Lakeside Avenue said how much is it saving to keep the 4th grade at Assawompset. Mr. McQueeney said it is about \$500,000. Chairman Maksy said this is a temporary fix at Assawompset since the enrollment numbers are low right now, but they will be overcrowded again in a few years. Mr. Hanlon said his issue of moving the 4th grade back is the general inefficiency of it all. So for a \$1 million override, why do that with the amount of insufficiencies that it will give? Mr. McQueeney said he agreed that the amount might not be enough, but could not see asking taxpayers for more than \$208 additionally a year. Mr. Hanlon asked if it is in the best interest of going for the \$1 million and moving the students back. Mr. Olivier said he understood about the \$208, but we cannot lose sight of the 2.5% increase also. You cannot say \$208 increase in taxes since you have a built in number of \$90 additionally for Proposition 2.5. It will be an additional \$208. That is for an average home value of \$357,000, which was obtained from the Assessors. They said it is .61 cents per \$1,000 of value. Ms. Martin said she agreed about the 4th grade going back to Assawompset, but it is not good to have a classroom in a cafeteria. Further discussion on the value of a home and the amount per taxpayer occurred.

Mr. Hanlon asked if we would be back here again next year doing the same thing if we vote for the \$1 million. Selectman Yeatts said the water tower will bring in future revenue. Chairman Maksy said we are talking about taking out \$175,000 from stabilization for the balanced budget, so do we really need to be looking at \$1.2 million. Selectman Yeatts said we might be fine. Chairman Maksy said we are taking one time revenue and then putting Stabilization money back. That will leave us with \$825,000 to really spend and that will really hurt. What he is hearing from Selectman Evirs and Mr. Hanlon is we should not put ourselves in a situation of more pain next year like we have this year. There was further discussion regarding going with two (2) numbers to the ballot. Mr. Olivier said the Finance Committee was going to hold off on their vote until either later on tonight or possibly Wednesday night. Ms. Garbitt said the election can be held 35 days from when you vote the question, starting tomorrow. That would be July 6th, but the Town Clerk is on vacation then. Selectman Yeatts said if we do not make a decision until Friday, then we could have the election on July 13, 2009. Brian Rose of 209 Cedar Drive said he would like to see a choice on Town Meeting. If the \$1 million is a band aid as you explained, then give people the choice to vote on the \$1.7 million. Mr. Olivier said he would like to take a brief recess so that the Finance Committee members could have a discussion. The meeting was recessed at 8:58 PM.

The Finance Committee returned to the meeting at 9:01 PM and said that they had voted to unanimously recommend the \$1 million dollar override. Discussion took place regarding the date of the election. Ms. Garbitt said historically override elections have been on a Saturday. Chairman Maksy said there would be more people there on a Saturday. The date decided on was July 18, 2009.

Upon a motion made by Selectman Yeatts; seconded by Selectman Evirs the following vote was discussed:

Shall the Town of Lakeville be allowed to assess an additional \$1 million in real estate and personal property taxes for the purpose of operating the municipal government and the public schools for the fiscal year beginning July 1, 2009?

Selectman Evirs said \$1 million is not enough. We will still cut the daylights out of everything and go through this again next year. Before he would agree to the \$1 million, he wanted to see a choice. Selectman Yeatts said that she did not think a larger amount would pass. The Finance Committee agreed on \$1 million, and she would hold to that. She would not fight that hard for a \$1.7 million override. The people that are going to be voting on the override are not here. Her biggest fear is that we get nothing. Chairman Maksy said he agreed that this is not enough, but he is also on the fence of what will fly at the ballot. He thought that two (2) numbers will confuse people. He wanted to be unified with the Finance Committee. Selectman Yeatts said she wanted to see how we do with \$1 million. We might be able to make it work. We will be looking at a little more revenue next year. We will continue to do things to save money and find new ways rather than put the burden on the backs of the taxpayer. Selectman Evirs said the difference is another \$140 a year from \$1 million to \$1.7 million. We should offer a choice.

VOTED: Shall the Town of Lakeville be allowed to assess an additional \$1 million in real estate and personal property taxes for the purpose of operating the municipal government and the local public school for the fiscal year beginning July 1, 2009.
In favor 2, Against 1 (Selectman Evirs)

Upon a motion made by Selectman Evirs; with Selectman Yeatts seconding for discussion, the following vote was discussed:

Shall the Town of Lakeville be allowed to assess an additional \$1.7 million in real estate and personal property taxes for the purpose of operating the municipal government and the local public school for fiscal year beginning July 1, 2009?

Ms. Garbitt checked to see if an override question had to be a unanimous vote by the Board of Selectmen. The guidelines state that a majority vote is needed to place an override question on a ballot. Further discussion occurred on this matter. Mr. Olivier said he was still confused on how this would work with two (2) numbers on the ballot. One (1) number is less confusing. Residents who do not watch the meetings on cable or do not go to meetings do not know what it means for the \$1 million or the \$1.7 million override. He felt we should go unified with one (1) number.

VOTED: Shall the Town of Lakeville be allowed to assess an additional \$1.7 million in real estate and personal property taxes for the purpose of operating the municipal government and the local public school for the fiscal year beginning July 1, 2009.
In favor 2, Against 1 (Selectman Yeatts)

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

VOTED: To hold the Override Election on Saturday, July 18th from 12:00 PM to 8:00 PM at the Ted Williams Camp, pending availability of the Camp.
Unanimous in favor.

Any other business that may properly come before the meeting.

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

VOTED: To adjourn the Board of Selectmen's meeting at 9:25 PM.
Unanimous in favor.

The Finance Committee will stay in session until June 3rd when they continue their meeting at the Town Office Building.