

**TOWN OF LAKEVILLE**  
**Selectmen's Meeting Minutes**  
**June 6, 2011 - 6:30 PM**

On June 6, 2011, the Board of Selectmen held a meeting at 6:30 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Olivier at 6:30 PM. Selectmen present were: Selectman Olivier, Selectman Belliveau and Selectman Maksy. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Cindy Dow was recording the meeting for The Middleborough Gazette, and James Cosgrove was recording the meeting for Comcast.

**7:00 PM Discuss application for Permit to store Unregistered/Un-garaged Vehicles-1 Fern Avenue**

*Michael Norris, Esquire, representing Affordable Towing was present.* Chairman Olivier asked if Attorney Norris had met with the Zoning Board of Appeals (ZBA) yet. Attorney Norris responded that he had. The ZBA voted to allow 16 vehicles on the site. Chairman Olivier asked why the plan shows more than 16 vehicles. Attorney Norris explained that a plan has been prepared so that if in the future they wanted to increase the amount of vehicles, they would know what the maximum could be. The applicant is not asking for more than 16 spaces, though it shows 23 spaces, not including daytime parking spaces and a space for the wrecker. There is a towing license, which has been approved by the State. The applicant is approved by the Lakeville Police Department to do Police towing in Town and that allows him to store vehicles on the premises.

Darlene Donnelly asked if the property was located in a Business zoned area. Chairman Olivier stated that it is in a Residential zone with a pre-existing non-conforming use. A garage is utilized for the business, and it is a towing operation mostly. The applicant wants to get a license to house unregistered vehicles. The Selectmen will act on that, based on the conditions placed on the property by the ZBA. Attorney Norris noted that the applicant does not have a license to sell vehicles. There is a constant turnover in the vehicles. There is no long term storage at his site. Mr. Foster stated that each time he has driven by the business, it appears to be neat, organized and well run. The ZBA did stipulate that at night, the only truck allowed to be outside the fence is a ramp truck facing out so that it would not make noise when he gets called out in the middle of the night. Chairman Olivier read the ZBA conditions that were approved at their December 15, 2010 hearing. Attorney Norris noted that is all he is requesting.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve no more than 16 vehicles, registered and unregistered, including the owner and employee vehicles to be on the site at any one time.  
Unanimous in favor.

**7:30 PM Meet with representatives of Clark Shores Water Corporation regarding an access easement from the Town**

Chairman Olivier read the request into the record.

*Rosemary Walsh, Patricia Welch, Justin Graham, and Brett Hawes were present for the meeting.* Ms. Walsh explained that the land they are purchasing for a community well is approximately 22 acres. This would meet the current regulations set forth by the Department of Environmental Protection. Ms. Walsh said this has been a work in progress for ten (10) years. The land abuts Route 140 and is located behind Susan Lane, abutting Clark Shores. She said the Town has foreclosed on a tiny parcel of land for back taxes a few years ago. The property that the Town owns is small and on a dead end street. There is no frontage to the parcel and could not be buildable for anything. Ms. Walsh said that they are looking for an access easement across the Town owned property. She said that the purchase of the 22 acres is being funded by the United States Department of Agriculture (USDA). If the corporation is not able to obtain access over the Town owned property, they will not be able to accept the funds from the USDA. The Clark Shores Water Corporation (Corporation) has already invested \$85,000 into the project. The property has been surveyed, engineered and flagged. The Corporation needs to cross over the Town's property for the water route. Otherwise, the water would have to go through wetlands, if the easement is not allowed. Ms. Walsh estimates that the water project is a \$600,000 project to this point. At one point it was a \$4 million project, but the State tailored it back since they did not have enough funding. Further information was provided on the history of the efforts to provide water to the Clark Shore residents.

Selectman Maksy stated that the assessed value of the lot is \$7,800. Chairman Olivier stated that the Town could sell the parcel for the lien on the taxes. Ms. Garbitt stated that the Town could sell it at a public auction or grant an easement if it was less than \$2,000 in value, subject to a Town Meeting vote. Ms. Welch noted that the Corporation has limited time to accept the funds. Ms. Garbitt suggested that maybe the State would accept a commitment that the Board has authorized this to be on the next Town Meeting Warrant. A public auction may be a quicker way to do it, but there is the outside chance that someone else would win it during the bidding process. Ms. Walsh explained that the Corporation has to notify USDA that the Town had granted access to the property. The Corporation cannot begin the next phase until they get the funding. There is a considerable amount of money that has been put into the project so far by the Corporation. The paperwork is currently with the closing attorney, and they have to show that they have access. This is a unique position since there is no other water company structured like this in all of Massachusetts. Ms. Garbitt explained that the earliest a Special Town Meeting could be held is 45 days. Selectman Maksy suggested that possibly Ms. Garbitt could speak with the USDA. Ms. Walsh added that the seller is also pressuring the Corporation as well since they are eager to sell. Ms. Garbitt stated that she could call the USDA tomorrow.

#### **Discuss 4<sup>th</sup> Grade at GRAIS**

*Laurie Hunter, Assawompset School Principal, John McCarthy, Superintendent of Schools, Lorraine Carboni, David Davenport, John Olivieri and Aaron Burke were present for the discussion.* Chairman Olivier mentioned that a letter had been received from the Superintendent of Schools dated June 6, 2011. Darlene Donnelly stated that she thought when full regionalization was sold to the residents that the 4<sup>th</sup> graders were going to go back to GRAIS. If that was the case, then why are they not going back to GRAIS? Chairman Olivier explained that it comes down to money. It was touted that the 4<sup>th</sup> grade would be returning to GRAIS during discussions, and it was a great idea. However, the Selectmen have been told that the transition

from one school to the next for only a year's duration is a disruption to the students. There have been a couple of rounds of cuts made to the School budget, but this was not expected to come up. John Olivieri said speaking as a resident of Lakeville and as a Lakeville School Committee member, he was at the meeting when the School Committee had voted for having the 4<sup>th</sup> grade return to GRAIS. He would like the Selectmen to exercise their option to move the 4<sup>th</sup> grade to GRAIS. Mr. Olivieri presented a petition of 170 signatures asking to put the 4<sup>th</sup> grade students back at GRAIS. Mr. McCarthy has said that it could work. Mr. Olivieri said he was confident that the students will get a better education at GRAIS. The Town is paying \$250,000 a year for that school with only 5<sup>th</sup> grade there. GRAIS is a much better facility for the kids.

Lorraine Carboni stated that when the School Committee was looking to fully regionalize, moving the 4<sup>th</sup> grade was a definite priority. A budget was built and a recommended budget came before the School Committee. Through discussions with the Selectmen of both towns, the School Committee had to take a hard look at the budget. After the budget was funded, there was still some opportunity to come up with funds for the difference, but there was still \$869,000 that needed to be brought forward. The School Committee stepped back to look at options to raise revenue, such as School Choice, and directed the Superintendent to cut that entire amount out of the budget. That is a substantial amount of money. Since the School Committee has an Educational Role Model Sub Committee in place, the School Committee feels that they can now have the opportunity to look at what the best educational plan could be for the students. We will support the recommendation of the administrative team.

David Davenport, resident and School Committee member, stated that we may not be having this type of discussion had it not been the second effort for Regionalization. The Selectmen were told that this issue is more important than class sizes when it came down to crunch time. Freetown is having its Town Meeting tonight, and they will be getting smaller class sizes for their Elementary School and about \$500,000 off their assessment. Ms. Hunter will do the task at hand, but we are looking at using resources, such as that of a half time principal at GRAIS. Mr. Davenport would like Ms. Hunter to focus on less students at Assawompset. He knows it has been a tough budget season. We have to take what we can right now and make the best of it. Things could not have changed that much in four (4) months. Ms. Donnelly stated that what is more important to her is the capacity. She does not think it is safe to have that many students at Assawompset School. If we have the space at GRAIS, then we should use it. What is the real number to move the students? Is it \$120,000? Phil Oliveira stated that this is not about Mr. McCarthy. It is about 2009 and the decision that was made then and how it has been so difficult since. He is against Regionalization for a number of reasons; it is a financial stress. He was happy that the Selectmen attended the last School Committee meeting about moving the 4<sup>th</sup> grade back to GRAIS. This is very important to the citizens of the Town. Now the \$35 million budget cannot find \$30,000 to move the students back?

Richard LaCamera stated that putting the politics aside, we were told as taxpayers that the 4<sup>th</sup> grade would move. He was upset also to read two (2) months later that Assawompset would be closed. If that were a question, why was that not done last fall? Why are we taken by surprise now? The Selectmen should get some of these answers. We talked about the benefits of Regionalization; Freetown's educational costs are going down. They are using our funds basically since our assessment went up. Mr. McCarthy said this will not affect the High School

and the Middle School, but it did. 20 positions were eliminated and class sizes changed as well. There was also \$1 million less to Freetown in their school budget costs, and they received five (5) to six (6) teachers. He thought that the Town needs to put all the differences aside and ask if this was really the right thing for Lakeville. If you really look at it, Lakeville is not benefitting from this at all. We have to come up with \$1 million, and that will cost a lot to the local tax payer. Norman Orrall, Finance Committee Member, said he read a comment from the Superintendent in a memo today that it would cost \$120,000 to move the 4<sup>th</sup> grade. In the memo, it also stated that both 4<sup>th</sup> grades would move. In the latest plan, Freetown was not being discussed moving to GRAIS. Chairman Olivier agreed. He stated that right now Freetown has exceeded their allotment at GRAIS. 109 students were agreed to with the agreement.

Selectman Maksy stated that Freetown has a renovated Elementary School, and they are not maxed out there for space. Selectman Belliveau stated that the Towns are supposed to be fully regionalized, and to be fully regionalized the 4<sup>th</sup> grade should be combined, regardless of the cost. Is it the cost driving them not to move their students over? The chart received the other night did not include moving the 4<sup>th</sup> grade from Freetown. Mr. Oliveira stated that he fully agreed about the transition. It is kind of odd that when pressed for what the best educational model is to the School Committee, their answer was never an educational answer. It was always about the budget. Freetown does have the money this year to move their 4<sup>th</sup> grade over. Selectman Maksy stated that if we move the 4<sup>th</sup> grade over, they will only come back again. We are treating these kids as ping pong balls. Mr. Davenport stated that if the move was made and a model is done, then it would be a one (1) year grandfathering to get the kids through. There would be a geographical situation for one (1) year, and they would keep a bus. He understands what the Educational Role Model Subcommittee is working on. He does not feel comfortable though that any solution they come up with Wednesday will come into play anytime soon, since they will have to do contract bargaining to implement any changes. Ms. Donnelly stated that she thinks an answer or response to Freetown should be if Lakeville is not voting to move their 4<sup>th</sup> grade students, why should they. Mr. Olivieri said it was his understanding that the Educational Role Model Subcommittee is going to come up with a recommendation to just study a K-5 configuration. We know the way these processes work. This is not something that is going to happen in a few months.

Selectman Maksy stated that is his point. We are here doing this tonight, and we have no idea what is going to happen next year. He is being asked tonight to make a decision to move the 4<sup>th</sup> grade. He was not thinking that making a decision tonight is the right thing. If we make a hasty decision tonight, we would have to live by it. Mr. Olivieri stated that not knowing where we will be next year or the year after is our concern for the students who will be in 4<sup>th</sup> grade. We have to give them the best educational scenario that we can. Selectman Maksy stated that everyone is asking the Selectmen to make the decision. He was not comfortable making the decision without having all the facts. Robert Marshall stated that he remembers meetings that took place in the Library in the fall, and the issue of money was raised. We were told over and over again that issue would not be raised. He has no doubt that everyone has the best interest of the kids in mind. In his opinion, for an issue of this importance, there has not been anywhere near enough discussion. A lot of this information should have been discussed and researched a year ago. He was confused about a line in the Superintendent's letter talking about the agreement. He did not understand how or why that would be the case. Chairman Olivier explained that the Town

would get rid of the agreement and go back to the per capita percentage. Mr. LaCamera stated that would require both towns approval to change and for Freetown to accept more debt. Their answer would probably be no. Mr. Marshall stated that he thought, under the existing circumstances, we are heavy in curriculum leadership. If we are looking for a way to pay for this, he would suggest that the School Committee look at eliminating some curriculum leadership.

Ms. Donnelly pointed out that ethically and morally, the Selectmen should be thinking about the safety issue at Assawompset. The 4<sup>th</sup> graders belong up at GRAIS. Selectman Maksy asked Ms. Hunter what the capacity of Assawompset was. Ms. Hunter responded that there are 22 classrooms with 590 students. The school is over that right now. The school has had as many as 740 students, but enrollment is steadily coming down. Mr. Burke stated that one of the roots of the problem is that the GRAIS agreement is not equitable in full regionalization. Maybe there is a way to get Freetown back to the table in an effort to try and resolve these issues. The School Committee and the Boards of Selectmen need to use this opportunity to try and get that conversation started. Chairman Olivier did not think that the School Committee voted for the benefit of the quality of education for the children. Yes, the one (1) year transition is a hurdle. He wanted a guarantee from Town Counsel that the GRAIS agreement would still be in place and supersede the new Regional agreement. Look at where we are today, the Selectmen have to make the decision. He was not happy or impressed with some of the members of the School Committee, in fact, he was kind of disappointed. Only a few of them have been working hard to put the 4<sup>th</sup> grade back.

Colleen Roy stated that she would ask that any decision the Selectmen make tonight, that they put a lot of thought into. About 15 years ago many, including herself, were on the committee discussing the need for a school for the fifth grade and made the decision to build a new middle school. There was a problem with overcrowding at Assawompset. A conscious decision was made at that time to renovate GRAIS and bring the 4<sup>th</sup> grade there. It was a good plan, and we went ahead with it. The 4<sup>th</sup> grade was there for five (5) years. Then the economic problems came up, and one of the first things that was decided was to move the 4<sup>th</sup> grade back to Assawompset. It was the decision of Lakeville to move them back. Yes they are getting a different educational experience, but they are still getting a good education. So, again, think long and hard on the decisions that you make. If the Educational Role Model Subcommittee has some good recommendations, let us take a close look at them, make a long term plan, and stick to it. Bringing the 4<sup>th</sup> grade back to Assawompset was not a good decision. Mr. Davenport stated that the movement of the 4<sup>th</sup> grade back was part of a long term decision, and it stayed as is for only four (4) months. We need to respond to this goal.

Mr. Oliviera stated that the Towns have been through five (5) Superintendents since the school has been built and it continues to change and go back and forth. You do not have to specify the grade, only the amount of students, and then the administration can figure the rest out. Selectman Maksy agreed with Mr. Oliviera. He toured Assawompset last year and it was horrendous. The hardest part that he is having is that he does not know what the outcome is going to be. He just wants to make sure that it is a decision that he can live with. He is on the fence with this issue and wants to make sure that the students get taken care of. Mr. Marshall added that he felt that the plan for what should have been transpiring should have been in place

long, long before this. Kim Borges agreed with Selectman Maksy about not moving the students for just one (1) year. She would like to have them there for 4<sup>th</sup> and 5<sup>th</sup> grade, rather than just 5<sup>th</sup>. However, it is a great choice to move the 4<sup>th</sup> grade over to GRAIS for next year and unless someone can guarantee us a K-5, then we should not feel bad to move them over there. Mr. LaCamera stated that the taxpayers are paying \$250,000 for our kids to go there, and we were under the understanding that the 4<sup>th</sup> grade was moving back. As the Superintendent stated, there is overcrowding at Assawompset. He feels misled. Regionalization was a bad idea; he has been against it. But besides the GRAIS issue and people talking about K-5, where is the money going to come from? You may not want to talk about it now, but when you talk about it next year, this decision should have been made by the School Committee, not the Selectmen.

John McCarthy, Superintendent of Schools, entered from the Freetown Town Meeting. Mr. McCarthy stated that we got into this position by having to cut over \$2.5 million from the budget. We are keeping class size where it needs to be in the Elementary School, and that was the primary goal. We got the flexibility to address the greatest educational need, and we have addressed that in the budget. We are in a position now to keep the educational program moving forward. Let the committee that is in place do its work and come to you with a recommendation. Sherry Barron stated that the voters voted to move the 4<sup>th</sup> grade to GRAIS. We cannot lose sight of that; do what the people voted you to do.

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

VOTED: To utilize the seats at GRAIS with 289-325 children from the Assawompset School. Students will be brought over to the GRAIS School, and it is further recommended that it be the 4<sup>th</sup> grade for the FY12 school year, so that the 4<sup>th</sup> and 5<sup>th</sup> grade Lakeville students are at GRAIS.  
Unanimous in favor.

Selectman Belliveau stated that he would have preferred the Local School Committee to have made this decision. Unfortunately, the Selectmen had to do something for the voters of Lakeville. He did not think the Regionalization vote would have passed, if we said that we were not going to move the 4<sup>th</sup> grade.

### **8:00 PM Warrant Review-Special and Annual Town Meeting – June 13, 2011**

*Present for the discussion were Michael Petruzzo, Norman Orrall, Edward Bunn and Melissa Hopkins of the Finance Committee.*

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To waive the reading of the warrant.  
Unanimous in favor.

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

VOTED: To approve Article 1 subject to the numbers as based on the information from the Town Administrator.  
Unanimous in favor.

Ms. Garbitt reviewed Article #2, which was submitted by the Park Commission. Further discussion ensued.

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

VOTED: To approve Article 2.  
Unanimous in favor.

John Pytel, full time fire fighter, was present to speak on the petition for Article 3. Mr. Pytel said the article is regarding the Fire Department becoming Civil Service. Discussion occurred regarding the positive and negative aspects of Civil Service.

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

VOTED: To not recommend Article #3.  
Unanimous in favor.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To not recommend Article #3.  
Unanimous in favor.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To waive the reading of the Annual Town Meeting Warrant.  
Unanimous in favor.

Ms. Garbitt reviewed the Articles with the Selectmen and Finance Committee.

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

VOTED: To recommend approval of Article 1.  
Unanimous in favor.

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

VOTED: To pay Article #2 when the final figures are known.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #3.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #4.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #5.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #6  
Unanimous in favor.

Ms. Garbitt explained that Michael Ward had not broken out transportation costs from the figures and recommended that the Selectmen request that the figures be broken down. The amount should be \$160,000. Freetown is going to go with their full amount of \$551,959. The amount of \$293,887 is based on enrollment.

Upon a motion made by Mr. Orrall; seconded by Mr. Bunn it was:

VOTED: To recommend approval of Article #7.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #8.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #9.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #10.  
Unanimous in favor.



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

VOTED: To recommend approval of Article #11.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #12.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #13.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #14.  
Unanimous in favor.

Upon a motion made by Mr. Orrall; seconded by Mr. Bunn it was:

VOTED: To recommend approval of Article #15.  
Unanimous in favor.

Upon a motion made by Mr. Orrall; seconded by Mr. Bunn it was:

VOTED: To recommend the tabling of Article #16.  
Unanimous in favor.

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

VOTED: To recommend approval of Article #17 in the amount of \$50,000.  
Unanimous in favor.

Upon a motion made by Mr. Orrall; seconded by Mr. Bunn it was:

VOTED: To recommend Article #18 with no amount at this time.  
Unanimous in favor.

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

VOTED: To not recommend approval of Article #19.  
Unanimous in favor.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To not recommend approval of Article # 20.  
Unanimous in favor.

Upon a motion made by Mr. Orrall; seconded by Mr. Bunn it was:

VOTED: To not recommend approval of Article #20.  
Unanimous in favor.

Upon a motion made by Ms. Hopkins; seconded by Ms. Winters, it was:

VOTED: To recommend approval for Articles 21 through 26.  
Unanimous in favor.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve Articles 27 through 29.  
Unanimous in favor.

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

VOTED: To recommend approval of Articles 27 through 29.  
Unanimous in favor.

### **Discuss Open Space Survey with Linda Grubb**

*Linda Grubb, Chair of the Open Space Committee, was present for the discussion.* Ms. Grubb stated that SRPEDD held an Open Space Plan seminar in March. During that seminar, the question was asked when was a survey's results too old to be in an Open Space Plan. The presenter felt that a survey done three (3) years ago may be border line out of date. Lakeville's Open Space Survey was done in 2008. Discussion then took place with the Board regarding the possibility of performing a new survey. Ms. Grubb felt if the survey is distributed at Town Meeting, there will be a good response from those in attendance. The Open Space Committee would like to hand out the survey at the June 13<sup>th</sup> Town Meeting. It is a short survey and should be able to be completed easily and quickly. The previous survey, including results, is online at the website.

Ms. Grubb explained that the original survey was multiple pages and had questions that might have been too elaborate. Mr. Foster stated that about 130 responses were received on the original survey. Middleborough Gas and Electric may allow a survey to be placed in their bills, but they do not serve all Lakeville residents. Ms. Garbitt added to put something in with the tax bills, the Selectmen will have to vote their approval. The Department of Revenue needs to approve it as well.

Selectman Maksy stated that he is curious to find out how townspeople feel about the Town being property owners. Should property be held or liquidated? Ms. Grubb stated that if a property was a small residential lot, the Open Space Committee would most likely agree that it would be fine if a neighbor wanted to purchase the parcel. If the land is considered valuable; historical; has archeological significance; contains particular endangered species; or has aquifer significance, then the Open Space Committee would choose to hold onto it.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To allow the survey from the Open Space Committee to be distributed and completed at the June 13, 2011 Town Meeting.  
Unanimous in favor.

### **Discuss reprecincting of Town Boundary Lines with Town Clerk**

*Janet Tracy, Town Clerk, was present for the discussion.* Selectman Maksy explained that the Town Clerk has stated that none of the Town's boundary lines have changed, so no one will be changing voting districts. Ms. Tracy then distributed to the Board the boundary map. She pointed out some discrepancies with the map. There was an area above Fern Avenue that did not have a description. Poquoy Brook was also not located there, but it used to be used as a boundary. The State has now approved the Town Boundary lines. If there was a change, it would be due to a population increase.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To accept the Town Boundary Lines as presented by the Town Clerk for 2011.  
Unanimous in favor.

### **Review request from Gerald Masaitis regarding water connection for 336 Bedford Street**

Ms. Garbitt stated that Dr. Masaitis called her last Wednesday and asked how the water connection process for his property would take place. The Department of Environmental Protection (DEP) wants him to install a filtering system for his well, so he would like to at least sign a betterment agreement with the Town to show DEP. Ms. Garbitt said the preliminary discussions were \$15,000 for a one (1) inch pipe and \$20,000 for a two (2) inch pipe. She explained these fees to Dr. Masaitis. She told him that the Town was looking to amend the Inter-municipal Agreement with the City of Taunton so that connection fees would come to Lakeville, instead of Taunton. Robert Marshall asked what would happen if someone paid for the water line to come down to their property. Selectman Maksy responded that the Town cannot charge someone for a betterment then. The Town can charge a hook up fee in that case.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve the request from Gerald Masaitis to connect the property located at 336 Bedford Street to Taunton water, subject to the betterment charge.  
Unanimous in favor.

### **Vote to issue Annual Warrant for Dog Officers**

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To waive the reading of the Annual Warrant for Dog Officers and to approve the Annual Warrant for the Dog Officers.  
Unanimous in favor .

### **Request for signage for Annual Strawberry Festival Tuesday Club**

Chairman Olivier read the request into the record. Ms. Craig explained that The Tuesday Club usually requests a sign be placed at the Town House. However, in previous years, the Selectmen have allowed the sign at the intersection of Precinct and Pickens Street. Ms. Craig attempts to post their event on the Community Sign, depending on upcoming Town events. They have already placed a sign at Sedell's and Rousseau's.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To allow The Tuesday Club to place a sign for their Annual Strawberry Festival at the Precinct/Pickens Street intersection.  
Unanimous in favor.

### **Request for car wash at Town Office Building-Cub Scout Pack 14-July 17, 2011**

Chairman Olivier read the request into the record.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve the request of Cub Scouts Pack 14 to use the Town Office Building for a fund raising car wash on July 17, 2011, provided they use bio-degradable soap.  
Unanimous in favor.

### **Request from Lakeville Garden Club to issue a Proclamation for National Garden Week**

*Renee Blaschke, President was present for the discussion along with Nancy LaFave.*  
Chairman Olivier read the request of the Lakeville Garden Club to declare June 5-11, 2011 as National Garden Week and read the proclamation into the record.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve the request of the Lakeville Garden Club to proclaim the week of June 5-11, 2011 as National Garden Week.  
Unanimous in favor.

### **Vote to accept resignation of Suzanne Amos from Energy Advisory Committee**

Chairman Olivier read the resignation letter of Suzanne Amos from the Energy Advisory Committee.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To accept the resignation of Suzanne Amos from the Energy Advisory Committee and to send her a letter thanking her for her time served.  
Unanimous in favor.

It was decided to ask the press to publish the vacancy and a deadline for letters of interest was established at June 23, 2011.

### **Vote to accept resignation of John Veary, Jr. from Zoning Board of Appeals**

Chairman Olivier read the resignation letter of John Veary, Jr. from the Zoning Board of Appeals.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To accept the resignation of John Veary, Jr. from the Zoning Board of Appeals and to send him a letter thanking him for his years of service.  
Unanimous in favor.

Chairman Olivier read a letter from Donald Foster, Chairman of the Zoning Board of Appeals, requesting that Associate Member John Olivieri, Jr. be appointed to fill the vacancy from Mr. Veary's resignation. He also requested that the Selectmen look to fill the Associate Member position.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau, it was:

VOTED: To appoint John Olivieri, Jr. as a full member of the Zoning Board of Appeals and to advertise for an associate member of the Zoning Board of Appeals, letters of interest to be received by June 23, 2011.  
Unanimous in favor.

Selectman Maksy asked to change Item #8 on the Selectmen's appointment policy for new appointments, so that the first option will be provided to current Associate Members.

### **Request to reappoint Paul Columbo as Constable**

Chairman Olivier read the letter from Paul Columbo requesting to be reappointed as a Constable.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To reappoint Paul Columbo as Constable with an expiration date of June 12, 2012.  
Unanimous in favor.

**Request from Police Chief to appoint Sean Joyce as Sergeant**

*Frank Alvilhiera, Police Chief, was present for the discussion.* Chief Alvilhiera stated that Sean Joyce has been a Police Officer for 13 years in Lakeville and five (5) years before that in Rochester. He has been a member of the Regional Drug Task Force. Chief Alvilhiera said Officer Joyce has done an excellent job both as a patrolman and as a detective. Ms. Craig noted that Officer Joyce's present appointment expires on July 31, 2012.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To appoint Sean Joyce as Sergeant as recommended by the Police Chief until July 31, 2012.  
Unanimous in favor.

**Discuss request for appointment of Delegate to Old Colony Elders Service Board**

Chairman Olivier noted that the Board was being requested to appoint a Delegate to the Old Colony Elders Service Board. Marilyn Mansfield is the current Delegate.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To appoint Marilyn Mansfield as Delegate to the Old Colony Elders Service Board with a term to expire June 30, 2012.  
Unanimous in favor.

**Request for One Day All Alcohol Liquor License-The Bartending Service of NE-June 18, 2011 for 12 Hill Street**

Chairman Olivier read the application for a One Day All Alcohol License for The Bartending Service of NE for a wedding reception to be held June 18, 2011 at 12 Hill Street.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve the One Day All Alcohol Liquor License for The Bartending Service of NE for a wedding reception on June 18, 2011 from 4:30 PM to 11:30 PM at 12 Hill Street.  
Unanimous in favor.

### **Request for Outdoor Music Permit-12 Hill Street-June 18, 2011-Harry Fisher**

Chairman Olivier said the Selectmen had received an application for an Outdoor Music Permit for the wedding reception on June 18, 2011 at 12 Hill Street. The music will be provided by a disc jockey.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve the request of Harry Fisher for outdoor music on June 18, 2011 at 12 Hill Street from 4:30 PM to 11:30 PM during the reception.  
Unanimous in favor.

### **Request for renewal of Temporary Trailer Permit-4 Moulton Street- Silva**

Chairman Olivier read the request for the renewal of the temporary trailer permit at 4 Moulton Street.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve the six (6) month extension for a Temporary Trailer Permit at 4 Moulton Street, having an expiration date of December 20, 2011.  
Unanimous in favor.

### **Revisit request for renewal of Auctioneer License, Junk Dealer License & Junk Collector License-33 Myricks Street**

Chairman Olivier stated that Robert Iafrate, Building Commissioner, had inspected the site and initially did not approve the renewal of the licenses. He has been working with the property owners and they have been making modifications and cleaning up under Mr. Iafrate's direction. Mr. Iafrate feels that a renewal can now take place.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve the Auctioneer License, Junk Dealer License & Junk Collector License for Anthony and Dorita Morris with an expiration date of May 1, 2012.  
Unanimous in favor.

### **New Business**

*Glenn Chistolini was present for the discussion.* Mr. Chistolini is requesting a permit for live outdoor music for an outdoor church revival at 1 Elliot Way. The Board approved this permit last year and the event went very well. Mr. Chistolini has the necessary liability coverage. Ms. Garbitt noted that last year's event had no traffic issues or complaints.

Upon a motion made by Selectmen Maksy; seconded by Selectman Belliveau it was:

VOTED: To approve the request for a permit for live outdoor music for an outdoor church revival at 1 Elliot Way from July 8 through July 24, 2011, subject to police and EMT details on the recommendation of the Police and Fire Chiefs and to include liability insurance.  
Unanimous in favor.

**Any other business that may properly come before the meeting**

Ms. Garbitt then distributed to the Board the information regarding the School Building Authority Agreement.

Upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To authorize the Town Administrator to sign the School Building Authority Agreement.  
Unanimous in favor.

Chairman Olivier then read a Press Release into the record from Anna Navalenko of the Office of Economic & Community Development of Middleborough. This is part of the grant that Lakeville and Middleborough applied for jointly for low to moderate income homeowners to receive 0% interest loans to make repairs to their homes. There will be an informational workshop on June 23, 2011 at the Lakeville Library from 5:00 to 7:00 PM.

**Other Items**

1. Notice of Reorganization – Library Board of Trustees
2. Notice of appointment of Jared Darling – Inspector of Animals
3. Copy of letter from Board of Health regarding 328 Bedford Street
4. Copy of letter from Board of Health regarding 7 Shore Avenue
5. Letter from Senator Scott Brown regarding Clean Water and Drinking Water SRF
6. Letter from Q-Star Technology regarding FlashCAMS
7. Letter from SEMASS regarding questions from April 6, 2011 Council of SEMASS Community meeting  
Ms. Garbitt has scheduled a meeting with the Superintendent of Streets to meet with SEMASS to renegotiate the Town's contract.
8. Letter from Field Engineering regarding Route 79 relocation – Change #6
9. Letter from Division of Fisheries & Wildlife regarding South Coast Rail Project DEIS/DEIR
10. Memo from Town Counsel regarding Who May Participate in an Executive Session
11. Letter from Blue Cross of Massachusetts regarding Municipally Owned and Operated Ambulance Providers  
Selectman Maksy explained that the Town is exempt.
12. Newsletter from Covanta Energy regarding Town of Braintree Agreement
13. Chapter 40B Training Course-June 15, 2011



14. Meeting notice-Council on Sustainability-June 16, 2011
15. Letter from Comcast regarding Schedule Changes
16. Comcast Connections Newsletter-First Quarter 2011
17. Wildlands News Publication
18. Letter from SRPEDD regarding election of two (2) Selectmen to serve on the Southeastern Massachusetts Metropolitan Planning Organization (MPO)
19. Thank you letter from the United States Department of Commerce regarding the 2010 Census
20. Letter from the Executive Office of Public Safety and Security regarding the deadline to comply with a Federal Communications Commission mandate related to public safety communications
21. Notification from Verizon that contact information has changed
22. Joint Transportation Planning Group Agenda and material for June 8, 2011
23. Notice from Cranberry Country Chamber of Commerce regarding Annual Golf Tournament

At 10:20 PM, upon a motion made by Selectman Maksy; seconded by Selectman Belliveau, the Board unanimously:

VOTED: To enter Executive Session to conduct strategy sessions in preparation for negotiations with non-union personnel, to discuss strategy with respect to the collective bargaining agreements with the Fire and Police Unions because an open meeting may have a detrimental effect on the bargaining position of the Board, and to investigate charges of criminal misconduct or to consider the filing of criminal complaints and not return to Open Session.  
Polled vote: Selectman Maksy-Aye, Selectman Olivier-Aye, and Selectman Belliveau-Aye.