

SELECTMEN'S MEETING
Wednesday, July 8, 2009

On July 8, 2009, the Board of Selectmen held a meeting at 4:15 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Maksy at 4:16 PM. Selectmen present were Selectman Evirs and Selectman Maksy. Selectman Yeatts joined the meeting at 4:20 PM. Also present were: Rita Garbitt, Town Administrator and Tracie Craig, Executive Assistant.

Request for appointment of Reserve Patrolman

Chairman Maksy read the letter from Police Chief Mark Sorel to appoint John J. Taylor as a Reserve Patrolman.

Upon a motion made by Selectman Evirs, with Selectman Maksy stepping down to second, it was:

VOTED: To appoint John J. Taylor as a Reserve Patrolman with an expiration date of July 31, 2009.
Unanimous in favor.

Request for car wash-Apponequet Volleyball Team

Chairman Maksy read the request from the Apponequet Volleyball Team to hold fundraiser car washes on July 12, 2009 and July 26, 2009 at the Town Office Building. Chairman Maksy stated since his daughter is a member of the team, he would recuse himself.

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

VOTED: To approve the request of the Apponequet Volleyball Team to hold fundraiser car washes on July 12, 2009 and July 26, 2009 from 9:00 AM through 3:30 PM. They must use biodegradable soap.
Two in favor with Chairman Maksy abstaining.

Review and award bids for Highway Department supplies

Christopher Peck, Superintendent of Streets, was present for the discussion. Mr. Peck said he had gone out to bid for road salt, washed sand, road line painting, propane gas, catch basin cleaning and bituminous concrete. He has reviewed all of the bid results. The low bid for salt was Eastern Minerals at \$69.75 per ton delivered. They are the same supplier as last year and bid the same price.

Upon motion made by Selectman Yeatts, seconded by Selectman Evirs, it was:

VOTED: To accept the bid and sign a contract with Eastern Minerals for road salt at a price of \$69.75 per ton delivered. The contract shall be from July 1, 2009 through June 30, 2010.
Unanimous in favor.

Mr. Peck said the low bidder for washed sand was A.D. Makepeace with a bid of \$10.00 per ton delivered. They are the same supplier as last year and bid the same price as last year.

Upon motion made by Selectman Yeatts, seconded by Selectman Evirs, it was:

VOTED: To accept the bid and sign a contract with A.D. Makepeace for washed sand at a price of \$10.00 per ton delivered. The contract shall be from July 1, 2009 through June 30, 2010.
Unanimous in favor.

Mr. Peck said HiWay Safety Systems was the low bidder for road line painting at \$.0295 per linear foot. John Powderly from Montgomery Street asked if this was the same firm as last year that did not paint straight lines. Mr. Peck said the lines were repainted at no cost. It should not be a problem this year.

Upon motion made by Selectman Yeatts, seconded by Selectman Evirs, it was:

VOTED: To accept the bid and sign a contract with HiWay Safety Systems for road line painting at a price of \$.0295 per linear foot. The contract shall be from July 1, 2009 through June 30, 2010.
Unanimous in favor.

Ms. Craig spoke about the bid for propane gas. Roby's Propane was the lowest bidder at \$.47614 per gallon with a maintenance cost of \$57.50 per hour.

Upon motion made by Selectman Yeatts, seconded by Selectman Evirs, it was:

VOTED: To accept the bid and sign a contract with Roby's Propane for propane gas at a price of \$.47614 per gallon with a maintenance cost of \$57.50 per hour. The contract shall be from July 1, 2009 through June 30, 2010.
Unanimous in favor.

Mr. Peck said that Vigeant Equipment Co., Inc. was the low bidder at \$7.83 per basin for catch basin cleaning. Ms. Garbitt asked if the Truax bid included police details. Ms. Craig said the bid did not note whether it was included or not. Chairman Maksy asked if the Highway Department inspects the catch basins. Mr. Peck said they do spot check them, but a lot of them are broken.

Upon motion made by Selectman Yeatts, seconded by Selectman Evirs, it was:

VOTED: To accept the bid and sign a contract with Vigeant Equipment Co., Inc. for catch basin cleaning at a price per basin of \$7.83. The contract shall be from July 1, 2009 through June 30, 2010.
Unanimous in favor.

Mr. Peck noted that his budget was cut, so he eliminated this item for FY10. If he had funds restored by the override, he would be able to go ahead with the catch basin cleaning.

Mr. Peck said that the low bidder for bituminous concrete was Aggregate Industries. He said that Aggregate's closest plant is in Plainville. A discussion occurred regarding if Mr. Peck would be able to purchase small amounts of bituminous concrete at Rochester Bituminous, which is close to Lakeville. It was decided to send the bid specifications to Town Counsel for review to see if the bid could be split to "on the street" and "at plant". Selectman Evirs suggested perhaps on the next bid, we should take the wording "at plant" out. This will be discussed again at the July 20, 2009 meeting regarding splitting the bid.

Upon motion made by Selectman Yeatts, seconded by Selectman Evirs, it was:

VOTED: To accept the bid and sign a contract with Aggregate Industries for bituminous concrete at a price of \$58.80 per ton on street and at the plant at \$61.45 per ton. The contract shall be from July 1, 2009 through June 30, 2010.
Unanimous in favor.

Review Zoning Board of Appeals petitions

Chairman Maksy said the Board had received two (2) petitions from the Zoning Board of Appeals. The first petition was for 8 Montgomery Street, the Highway Barn. This is for the booster pump facility for the water tower. Selectman Yeatts said the Board of Health has not signed off on the application. Selectman Yeatts said the engineer is moving the building back out of the setbacks to make it compliant, so the petition will most likely be withdrawn. Selectman Evirs said it is always best to do whatever you can do not to seek a variance. There was additional discussion regarding the City of Taunton's easement for their water lines.

Upon motion made by Selectman Evirs, seconded by Selectman Yeatts, it was:

VOTED: To recommend that the booster pump facility be relocated on the site so that a setback variance is not required.
Unanimous in favor.

Chairman Maksy said the second petition is for a Special Permit for the water tower on Rhode Island Road. The Special Permit would be for the height of the tower, which is over 45'. The second part of the petition is a variance for setbacks. Selectman Evirs asked why the variance was needed. Selectman Yeatts said we need the variance from the Talbot's property sidelines. The soil starts to degrade as you go towards the landfill. Mr. Peck said there is also a fall zone position. Selectman Evirs said the petition is asking for the variance for the fall zone. Selectman Yeatts said water towers don't fall over; they fall down due to the weight of the water. Selectman Evirs said the taller the tower, the more fall zone you need. A discussion occurred regarding Town properties being exempt from local zoning by-laws.

Upon motion made by Selectman Yeatts, seconded by Selectman Evirs, it was:

VOTED: To send a memo to the Zoning Board of Appeals that based on the review of all Town owned properties and the water plan review, this site is the only site that has been deemed suitable for the water tower, and the Board is in support of this petition.
Unanimous in favor.

Other Business

John Powderly of Montgomery Street asked if the Teacher's contract was a public record yet. He had read in the paper that the Teachers had foregone raises for the first year. He asked were there raises in the contract and did they forego raises like the other Town employees. Selectman Evirs said there were no raises in the three (3) year contract. Mr. Powderly asked why it was alluded to that after the first year, raises would be negotiated. Selectman Evirs said the agreement was that there would be no raise in the first year, and we would reopen the contract at the end of the first year to discuss raises only. If a contract is not agreed to, we would have gone ahead with the contract in effect. There would have been no raises, but there would have been steps. There are no step increases in the first year of the contract. By waiving the step increase, that money was used to offset their increased contribution rate for health insurance. Mr. Powderly asked if the override passed, would there be raises in the second and third year. Selectman Evirs said there could be. Mr. Powderly said that is why you sign three (3) year contracts so you don't have to battle over it year to year. Selectman Evirs said they did sign a three (3) year contract, leaving that it would be reopened at the end of the first year. Selectman Evirs said there was another bargaining that some of the teachers were eligible to change their levels, for instance if they received a degree. They are not taking those level increases for the first eight (8) weeks of the contract. Mr. Powderly said it would be a tragedy if we pass a large override and the raises are higher because we now have money. Selectman Evirs said the override budget has been set. The thing that prevents another group from asking for more money is the question where does the money come from. Even with the override, there are no raises for this fiscal year. Chairman Maksy said next year that money goes into the General Fund and is not designated for anything specific.

Mr. Powderly said if we did a 20% reduction by Department, it would be nice if the people have a choice where the money goes from the override. Selectman Yeatts said we didn't take the same percentages for each Department. Mr. Powderly said it is what will be in the 2011 and 2012 budgets is what concerned him. Selectman Yeatts asked how many days ago did they actually vote on the contract, since it is not signed. Selectman Evirs said they are still trying to sort out some of the language issues out. Selectman Yeatts said she would like it to be signed before the override election. Mr. Powderly said you are voting on the wages for the teachers, which is the largest wage line, and there is an unsigned contract. Selectman Evirs said they are working with the bullet items. Mr. Powderly said if an override fails, there is not a lot of confidence in the Teachers' approach. It should have been ready for the Town meeting. Mr. Powderly said the civil servants of the Town have suffered enough during the years. He wanted to make sure the suffering is evenly allocated, including the schools.

Selectman Yeatts said she was still going to push for a waiver for Net School Spending going forward. The Department of Education has said we may be able to get a \$100,000 Net School Spending waiver going forward. We need to do things to make communication better and hold them accountable. Selectman Yeatts said she would like a policy that the Town Administrator keeps a spiral bound notebook for a log of conversations with the School Department for clarification purposes.

Chairman Maksy said the Board has been invited to the Freetown Selectmen's Office to discuss full regionalization of the schools. He will put together a punch list of items to discuss.

Chairman Maksy discussed some of the Town Offices being closed on Fridays. He wanted all Departments to be on the same page. Selectman Evirs said everyone should be closed for the same hours. Ms. Garbitt said she would like to have a Department Head meeting regarding the hours. Selectman Evirs said we don't want people coming in saying they can get a dog license but can't pay their taxes. Selectman Evirs said the first step should be Ms. Garbitt meeting with Department Heads. Ms. Garbitt said she would wait until after the override election.

Other Business

Upon motion made by Selectman Yeatts, seconded by Selectman Evirs, it was:

VOTED: To adjourn the meeting at 5:36 PM.
Unanimous in favor.