

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
July 14, 2015 – 9:00 AM

On July 14, 2015, the Board of Selectmen held a meeting at 9:00 AM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Burke at 9:00 AM. Selectmen present were: Selectman Burke, Selectman Powderly and Selectman Hollenbeck. Also present were: Rita Garbitt, Town Administrator and Christine Weston, Recording Secretary. LakeCAM was recording the meeting.

9:00 AM Meet with State Representative Keiko Orrall for an update on the APC Legislation

State Representative Keiko Orrall was present for the discussion. Representative Orrall stated that the meeting today is to hear Lakeville's concerns and to let the Selectmen know that there will be the opportunity to discuss the APC Legislation as a group at a later date. September 22, 2015 is the tentatively scheduled date for the Environmental and Joint Committee hearing. The legislation came about as a mechanism to secure money from the bond bill for a study of the Assawompsett Pond Complex. The Department of Environmental Protection (DEP) helped write the legislation based on what is taking place in other areas in the State. She understood that there may be concerns about financial implications to the Town, and that is certainly noteworthy. However based on what has been set up, it does not seem that there will be financial effects to the Town. The topic will be provided to municipalities in the setup of the Request for Proposals (RFP) process. It will come up with who in the group is to develop the RFP. The monies will be awarded to those who meet the criteria for the project. Everything is transparent and moving forward. There will be minutes from the meetings and a chair person, which is important, when speaking of financial issues. Representative Orrall said this is being looked into for other solutions, so that may not have to go through the Legislature regarding which agency will issue the RFP. It would be a mechanism through the Legislature and the RFP for getting money through the bond bill.

Selectman Hollenbeck asked who the full time person in charge of the APC would be. Representative Orrall responded that would be determined by the Committee. The State was aware that the question was going to be coming up with the APC member communities regarding the resources that they have. The Legislature is not set in stone. The State is willing to amend and address any concerns; the matter is not on a fast track. Chairman Burke explained that the Selectmen were responding to a request from Middleborough Selectman Allin Frawley to meet to discuss the legislation. His Board was not necessarily interested in meeting, but he wanted to have discussion on the common ground between both Towns. Representative Orrall stated that the Middleborough Selectmen believed that Selectman Frawley would be meeting with the Lakeville Selectmen, unless Lakeville wanted to meet with the whole Board. Chairman Burke stated that there would be a better understanding of where both Boards are at, if everyone met. It is hoped to collaborate on the issues that affect these communities. The APC is in our "back yard" and we should have a different expectation than the City of Taunton or the City of New Bedford.

Selectman Hollenbeck commented that at the recent Dam Meeting, people were struggling with the Legislation. There were concerns since there was no formal documentation. Lakeville would like to be allowed to have discussions on the proposed Legislation, and what it would ultimately be. Representative Orrall stated that at the Water Management Meetings that were taking place on a quarterly basis, it was only management, not any fiscal issues. It is problematic that there are not any minutes on that. Selectman Hollenbeck explained that was why a meeting was proposed between the Towns of Middleborough, Freetown and Rochester, then to speak with the Cities of New Bedford and Taunton, before it goes to the hearing. Representative Orrall responded that it was her intent to have that meeting, before it goes to the Legislature to allay everyone's fears, but that has not happened yet. Hopefully, before the end of July that can be done.

Ms. Garbitt mentioned that there is a minor issue with the timelines and the RFP. Can they change when they go out to bid, since people were concerned on the tight timelines. Representative Orrall responded that she will be having a hearing next week at the State House to hammer out concerns and bring forth the language to go before the Committee. The objective is to make sure what is done is what the communities want to do. To be clear, this is a Commission which will go after money appropriated in the bond bill to study the APC flooding and management issues. This is not a safe yield study. There is the barebones Federal Emergency Management Agency study skeleton that was done only for informational purposes. Selectman Hollenbeck explained that was a concern, to make sure that the money was also for the mitigation, not just for the study. That is why it was felt that it might be a burden to the Towns. The money for the actual implementation would be available from the bond bill.

Selectman Powderly stated that he welcomed the process in the Legislation so that there are meeting minutes, and the Legislation will make sure that meetings are properly held and documented. The reluctance of meeting with just Middleborough is that all the stakeholder Towns are protective of their taxpayer assets. It is important to make sure that everyone's rights are not violated. It is important to make sure that those on the ponds who sustained damages are protected. It is also important to protect the herring and the water supply, but the language and some of the attachments to it were somewhat biased. 50% of all dams in Massachusetts are being taken down. Yet there are alternatives to building fish ladders and dredging out streams. We need to protect the assets of the Lakeville residents. Each Town has a different take on it. Representative Orrall stated that the removal of the Middleborough Wareham Street Dam is just a possibility. That will not be able to be considered without a computer model to show the impacts of that decision. That is why it is important to flush out the impacts at all aspects along the system. Meeting with one Town is fine, but it is important to realize that there are parts in other communities that are parts of the Legislature. It is not intended to have people feel left out.

Chairman Burke stated that he believes that the Water Tower has been sold. Now the Town needs to coordinate with Town Counsel and Ms. Garbitt to coordinate the Legislation that will be needed in conjunction with the City of Taunton. Ms. Garbitt explained that Town Counsel stated that both communities need to pursue special legislation. Chairman Burke stated that he and Ms. Garbitt had met with Taunton City Council, and they voted unanimously to acquire the Water Tower, pending special legislation for July 1, 2015. The Town received the price it was looking for.

Ms. Garbitt stated that the State Aid 40S Reimbursement was reduced. Is there any hope for the supplemental budget? Representative Orrall stated that there will be a meeting in September, but she did not know how much hope there was for funding. She has reached out to the Governor's Office to let them know how critical these funds are to the Town. The Smart Growth Program is not as welcomed in the communities for these receiving funds in the Commonwealth. It is always a challenge to get it into the House Budget. It does not seem that there is money that can be counted on. Since there are only a small amount of communities participating in the program, the budget is tight, and it came down to that one being cut. The good news is with the Baker Administration, they understand the importance of Local Aid and are trying to send money back from Boston to the communities.

9:30 AM Liquor License Transfer Hearing: Joseph R. Starr, d/b/a Starr's Country Market to Aarav Liquors, Inc. – 78 Main Street

Arthur M. Pearlman, Esquire and Ramila A. Patel were present for the discussion. Attorney Pearlman provided the affidavit regarding the public notice that was published in the Middleboro Gazette. Chairman Burke then read the legal notice into the record.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To open the Liquor License Transfer Hearing for Joseph R. Starr, d/b/a Starr's Country Market to Aarav Liquors, Inc. for the property located at 78 Main Street.
Unanimous in favor.

Attorney Pearlman stated that Ms. Patel is seeking transfer of the All Alcoholic Beverage Package Store License. It was noted that abutter notification is not required in this situation. Ms. Patel currently owns three (3) other package stores. During that time Ms. Patel has never incurred a violation in regards to liquor laws. Ms. Patel will be at the store 40 hours a week initially to get it going. The hours of operation are currently 8:00 AM to 11:00 PM, Monday through Friday and then 10:00 AM to 6:00 PM on Sunday. She will maintain those hours of operation. They do not intend to change the store layout, but they may make cosmetic changes. Ms. Patel is Training for Intervention Procedures (TIPS) Certified, and she will familiarize the employees with Lakeville's rules. The landlord on the lease provided is not the current owner of the property; A & D Realty Trust wants to purchase the property from them. The lease has been revised with the seller as the client and landlord; however, they would never be the landlord, but would act as the current owner. The assignment of the lease was to be attached at the closing to assign to the new owner. However, if the Board of Selectmen and ABCC approve the transfer, then we will arrange the closing on the real estate and the business simultaneously. A & D Realty Trust will buy the real estate, and then Ms. Patel will buy the business. When Ms. Patel picks up the license, she will provide the bill of sale for the business and a copy of the deed to A & D Realty Trust, which will be recorded at the closing. Then the Town will know that they are giving the license to someone who bought the license and has a lease with the owner of the property.

Selectman Hollenbeck asked about the matter invalidating any authority by the Selectmen should there be a default in the assignment. Attorney Pearlman explained that if the Selectmen

find this unacceptable, then it does not happen. However, this process gives them a little more than a lien. This has the matter continue saying that they have to come in and seek your approval to transfer, so that helps the bank. Ms. Craig stated that the sale of the property must be completed before the Town can physically transfer the license. Chairman Burke said that Ms. Craig had done a great job in processing the entire matter, since there was a significant amount of work to do.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To close the Liquor License Transfer Hearing for Joseph R. Starr, D/B/A Starr's Country Market to Aarav Liquors, Inc. for the property located at 78 Main Street. Unanimous in favor.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: That the Board of Selectmen approves the transfer of the license currently held by Joseph Starr d/b/a Starr's Country Market to Aarav Liquor, Inc. d/b/a Starr's Country Market, subject to the condition that the license shall not issue until Aarav Liquors, Inc. provides the Board with proof that the fee interest in licensed premises has been transferred to A&D Realty Trust and that Aarav Liquors, Inc. has executed a lease with A&D Realty Trust, said lease to be in the form provided in connection with the transfer application, for use of the premises in connection with the licensed business.

If approved by the ABCC, the license shall be held by the Board and no business shall be conducted until the Board signs an acknowledgement that said condition has been completed, and further, that upon compliance with the conditions stated in this approval and issuance of the license, a security interest in the license may be pledged to Rockland Trust, provided that the applicant supplies the Board with a duly executed promissory note and pledge agreement. Unanimous in favor.

Further discussion ensued regarding the process of taking possession of the liquor license.

Upon a motion made by Selectman Hollenbeck and seconded by Selectman Powderly, it was:

VOTED: To amend the motion that no business shall be conducted until the Applicant provides the required documentation that has been signed (Promissory Note, Pledge Agreement, Lease, Deed, and Bill of Sale. Unanimous in favor.

Ms. Craig stated that the ABCC sends back the Form 43 signed, and then the Selectmen would come in and sign the license. She would hold the license in the office until all the documentation is brought in. She will notify Attorney Pearlman when the license comes in.

Meet with Mark Walter-Sun Multi Sports to discuss the upcoming Cranberry Trifest on August 22-23, 2015 and the Patriot Triathlon held in June of 2015

Mark Walter of Sun Multi Sports was present for the discussion, along with Sergeant Sean Joyce from the Lakeville Police Department. Chairman Burke said the purpose of the meeting was to discuss issues with the various triathlon events that have taken place in Town and to try and mitigate the impact of these events as we continue forward. Chairman Burke invited Sergeant Joyce to speak first. Sergeant Joyce came forward and stated that with the Patriot Triathlon that was held in June, there had been several issues of the cyclists riding abreast along the roads and there was one (1) serious incident. As much as we try to explain that they cannot ride in that fashion, they continue to do so. Mr. Walter provided an email that will be sent out for the upcoming Cranberry Trifest to hopefully alleviate those problems. Chairman Burke stated that public safety is the big issue. Ideally it is the intent for those participating in the race or bystanders watching the event or those just going about their day to not get injured. He was glad that Mr. Walter was present to have this discussion. Sergeant Joyce explained that he and Mr. Walter discuss the event every year and ways to make it safer. The route has even been modified for safety purposes. Mr. Walter does all that he can to make it safe for all involved, as does the Police Department.

Mr. Walter stated that he has always been extremely appreciative of the support of the Town, Chief Hopkins and Sergeant Joyce. This is a job that he takes seriously. There have been some instances, but he tried to make each year better. Typically the race is capped so that there are not too many bikers participating. This year was the largest number of participants ever. He will cut back the amount of participants next year. It will also be drummed into the athletes about not having multiple riders across the road. This is addressed with them when the rules are covered before the event. There will be signage placed on the course, and they will be told when they check in and when they begin the course. There will be more officials on the course, and they will be threatened with disqualification if they do not abide by the rules. It will be made clear that they are straining the relationship with the Town, and they need to understand that if they want the race to continue, they need to abide by the rules.

Chairman Burke remarked that there is a great relationship with Mr. Walter of Sun Multi Sports. It was just necessary to have a conversation and raise awareness about the event that will be taking place in August. Selectman Hollenbeck mentioned that she had received comments from residents who live on South Kingman Street and Pierce Avenue that they had not been notified that the event was to take place. They were not able to get out of their driveways in a timely fashion when the cyclists were coming by. Mr. Walter stated that he puts a sign out along Long Point Road regarding the fact that a bike race is underway. He has also sent out a mailer to the homes along Old Powderhouse Road, since it is densely populated there. He will look to do more of that type of awareness and is open for other venues to advertise the event. Sergeant Joyce stated that the Police Department can put it on their Facebook page. Ms. Craig explained that a notice will be put in the Gazette, posted on the Town Sign, and any other media outlet that is available to help boost the visibility of the event. Another option might be to have a Police presence at the beginning to reiterate the rules, and to let them know that they will be stopped if they are found breaking the rules.

Mr. Walter stated that he will make a strong announcement to make it known the importance of following the rules. He offered to return before the Selectmen, once the race has been completed, to discuss how the event went. Selectman Hollenbeck stated that she appreciated the cooperation from last year in mitigating the noise at the Ted Williams Camp. Selectman Powderly encouraged Mr. Walter to add a swim race for the young kids. Selectman Powderly added that he will be attending the event, and Selectman Hollenbeck will be participating. Mr. Walter stated that at one of his events that takes place in Westboro, a member of their Selectmen attend to say a few words in tandem with all the messaging that takes place at the onset of the race. He welcomed Selectman Powderly to do so. The pre-race announcements usually take place about a half hour before the start of the race, so he would need to arrive about 7:00 AM.

Review request from Police Chief for appointment of Bethia Dwyer as Special Police Officer and Raymond Meleski as Reserve Police Officer/Constable

Chairman Burke said a request has been received from the Police Chief regarding the appointment of Bethia Dwyer as Special Police Officer and Raymond Meleski as Reserve Police Officer/Constable.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To appoint Raymond Meleski as a Reserve Police Officer/Constable for a term to expire July 31, 2016. The appointment is contingent upon successful completion of a physical and physical abilities test and to appoint Bethia Dwyer as Special Police Officer with a term to expire July 31, 2016.
Unanimous in favor.

Review and vote on Annual Reappointments

Discussion took place regarding some of the Selectmen appointments that are typically done after the Town Election at a Reorganizational Meeting. Chairman Burke stated that he will be scheduling a meeting for the Master Plan Implementation Committee to close out the previous Master Plan and to begin a new one. The Selectmen will delay the appointment of the Conservation Commission members until the next meeting, since the Conservation Commission is meeting with three (3) candidates this evening for the two (2) vacancies. Ms. Garbitt mentioned that the Selectmen will also meet with the Conservation Commission applicants. Chairman Burke asked why a Performance Review was never done on the Conservation Agent. There is an expectation that this will happen on an annual basis. Mr. Bouchard will be asked about that. Ms. Garbitt mentioned that previous Chairmen of the Conservation Commission have done them.

Chairman Burke mentioned that there were also some comments made by the Conservation Commission Members that were distressing. This needs to be discussed at some point also. No matter what the circumstances are, members of the public will be treated with objectivity, and in a courteous manner. This is to take place with every Town Department. This expectation will be communicated to that Commission in particular. Selectman Powderly suggested that a letter be sent to all Boards, Departments and Committees letting them know that the Selectmen expect

courtesy to applicants and taxpayers. The Selectmen may want to reiterate what the expectations are, since it seems that there is a need to state the laws and move on from this. There has been a lot of discourteousness and disrespect.

Selectman Hollenbeck explained that the Conservation Commission has a specific rule to interact with residents in Town, to make determinations in Town as opposed to many other committees. Chairman Burke agreed that the Commission has a distinct set of obligations with their interaction with the public. That is a very specialized function, and that increases the need for the courteousness. When one is dealing with making a decision on how someone uses their property, it is very personal. One does not want to make comments that may be misconstrued by the applicant. The Selectmen are not looking for a big change, just to have people frame their comments in a different way. Selectman Hollenbeck stated that the Wage and Personnel Handbook Policies are received by all Board, Committee and Commission Members. Selectman Hollenbeck stated that there is language in the handbook regarding how personnel act. She would like to focus on going forward to adopt a code of conduct with all appointed positions. That would give the Selectmen something to go from if discourteous conduct is seen, and if it is felt that someone was not conducting themselves in the best interest of the Town. Chairman Burke stated that something like that should be provided to anyone who is appointed. Selectman Powderly added that he felt that it was important that the Selectmen let people know that they may be right, however, they are not saying it the right way. As Selectmen, if this is seen, the person should not be reappointed to the position. Chairman Burke agreed and added that it should be put in writing what the Board's expectation is. Selectman Hollenbeck stated that there needs to be a way to remove someone, if they are not adhering to the code of conduct that is expected by someone who is working on behalf of the Town.

Police Department

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following Police Department appointments with terms to expire July 31, 2016:

Emiliann Melo	Police Officer & Constable
Jonathan Pare	Police Officer & Constable
Erik McNeice	Police Officer & Constable
Patrick Curneen	Special Police Officer
Thomas Robinson	Special Police Officer
John McGinn	Special Police Officer
John Vickery	Special Police Officer
David McGinn	Special Police Officer
Anthony Keaney	Reserve Police Officer, Constable
Nicholas Wade	Reserve Police Officer, Constable
Harold Marshall	Reserve Police Officer, Constable
Thomas Higginbotham	Reserve Police Officer, Constable
Daniel Vareika	Reserve Police Officer, Constable
Robert Stephanian	Reserve Police Officer, Constable

Kristen J. Campbell	Matron
Judith DeMoura	Matron
Lori Wrightington	Matron
Jaunna Adesso	Matron
Robin Bellows	Matron
Karen Lima	Matron
Amy Dowler	Matron
Lisa Podielsky	Matron
Frank Alvilheira	Keeper of the Lockup
Steven Leanues Driver	Surveyor of Wood, Bark & Lumber, Fence Viewer & Field
James Bowles Driver	Surveyor of Wood, Bark & Lumber, Fence Viewer & Field

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following Police Department appointments with terms to expire July 31, 2018:

Matthew Perkins	Lieutenant, Constable
Steven Leanues	Sergeant, Constable
Sean Joyce	Sergeant, Constable
Antonio Amaral	Police Officer, Constable
James Bowles	Police Officer, Constable
Valerie Bartholomew	Police Officer, Constable
Ryan Maltais	Police Officer, Constable

Fire Department

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments for the Fire Department with terms to expire July 31, 2016:

Ryan Barratt	Call Firefighter
Charles Bunker	Call Firefighter
Christopher Carmichael	Call Captain
David DeBest	Call Captain
Thomas Donahue	Call Firefighter
Kelsey Donnelly	Call Firefighter
Nicholas Drew	Call Firefighter
Patrick Dunlevy	Call Firefighter
Christopher Emswiler	Call Firefighter
Joshua Faherty	Call Firefighter
Michael Farias	Call Firefighter
Samuel Finney	Call Firefighter

Kyle Gerrior	Call Firefighter
Corey Holmes	Call Firefighter
Lindsey Hopkins	Call Firefighter
Valerie Machado	Call Firefighter
Brandin McClay	Call Firefighter
Michael McCullough	Call Captain
Patrick McDonald	Call Firefighter
Alexander Mitchell	Call Firefighter
John Parlatore	Call Firefighter
Brien Perkins	Call Firefighter
Patrick Perkins	Call Firefighter
Zachary Rogers	Call Firefighter
Brandon Rubeski	Call Firefighter
Caleb Savard	Call Firefighter
London Spain	Call Firefighter
Zachary Trocki	Call Firefighter
Justin Wilbur	Call Firefighter
Nathaniel Young	Call Firefighter

Miscellaneous appointments

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To appoint Robert Whalen, Jr. as Alternate Building Inspector with a term to expire July 31, 2016.
Unanimous in favor.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To appoint Nancy Yeatts as Assawompset Pond Complex Representative with a term to expire July 31, 2016.
Unanimous in favor .

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Board of Appeals:

Eric Levitt	Member	Term Expires July 31, 2018
James Gouveia	Associate Member	Term Expires July 31, 2016
Janice Swanson	Associate Member	Term Expires July 31, 2016

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Board of Registrars:

Barbara Rose	Member	Term Expires July 31, 2018
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Lillian Drane	Member	Term Expires July 31, 2018
Jennifer Jewell	Assistant Registrar	Term Expires July 31, 2016
Elaine Couto	Assistant Registrar	July 31, 2016

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Cable Television Committee with terms to expire July 31, 2016: David J. Curtis; James Longo and Robert Marshall.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Capital Expenditures Committee with terms to expire July 31, 2016: John Powderly; Rita Garbitt; David Morwick; Michael Petruzzo; and Ryan Trahan.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Casino Advisory Committee with terms to expire July 31, 2016: Joseph Chamberlain; Linda Grubb; John Powderly; Nelson Pratt; Robert Dunn; Mark Downing; Maureen Candito; and Daniel Cooney.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Community Development Committee with terms to expire July 31, 2016: Miriam Hollenbeck, Jessica Bradley, Sarah Kulakovich, Sandra Martini-Gamache, Marybeth MacKay, Maria Perrone-Martin, Associate Member and Stephen Allard, Associate Member.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Council on Aging Board of Directors with terms to expire July 31, 2018: James Gouveia, Emily Sparkman and Catherine Sankus.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Economic Development Committee with terms to expire July 31, 2016: Robert Chestnut, Lorraine Carboni, Aaron Burke, Laurie Driscoll, John Olivieri, Jr, Sandra Martini-Gamache, Associate Member and Timothy Fletcher, Associate Member.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Emergency Planning Committee with terms to expire July 31, 2016: Daniel Hopkins; Frank Alvilheira; Jr., Jeremy Peck; Rita A. Garbitt; Robert Souza; John Powderly; Terrence Flynn; Vicki Souza; Richard May; David Goodfellow; and Richard Medeiros.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Daniel Hopkins as Emergency Response Coordinator with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Energy Advisory Committee with terms to expire July 31, 2016: James Kenney; John Powderly; Donald Foster; Nathan Darling; Richard Velez; Joseph Chamberlain; Larry Simpson, Ex Officio and Richard Benard, Ex Officio.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint John Powderly to the Gas and Electric Commission as Ad Hoc Representative with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the GATRA Advisory Board with terms to expire July 31, 2016: James Gouveia , Delegate and Robert Brady, Alternate Delegate.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Daniel E. Hopkins as Hazardous Waste Coordinator with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint C. Robert Canessa as Inspector of Wires and Mellio Gazza as Assistant with terms to expire July 31, 2016 under M.G.L. Ch. 166, Sec. 32A.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Albert Mason as Labor Counsel with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Janice Lyons to the Lakeville Arts Council with a term to expire July 31, 2018.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Lakeville Emergency Management Agency with terms to expire July 31, 2016: Daniel Hopkins, Director and Nancy Yeatts, Deputy Director.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Master Plan Implementation Committee with terms to expire July 31, 2016: James F. Rogers, II; Rita Garbitt; Rodney Dixon; Robert Mello; Aaron Burke; Sylvester Zienkiewicz; and Edward Bunn.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Daniel E. Hopkins as the Municipal Coordinator Right to Know with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Frank Alvilheira, Jr. as Municipal Hearings Officer with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Daniel Hopkins as NIMS Coordinator with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Old Colony Planning Council Area Agency on Aging Advisory Committee with terms to expire July 31, 2016: James Gouveia, Delegate and Robert Brady, Alternate Delegate.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Open Space Committee with terms to expire July 31, 2016: Brian Reynolds, Martha Schroeder, Linda Grubb, Patrick Marshall, Joan Gladu Morton, and Michael Levreault.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Aaron Burke as Parking Clerk with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Jon Catalano as Plumbing Inspector, Frederick A. Parmenter as Assistant Plumbing Inspector and Charles Pina as Alternate Plumbing Inspector with terms to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Marybeth MacKay as Production Liaison with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Project Review Committee for 43D with terms to expire July 31, 2016: Brian Hoeg, Robert Poillucci, David Goodfellow, Matthew Perkins, Nathan Darling, Aaron Burke, John Olivieri, Jr., and Joseph Chamberlain.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Rent Control Board with terms to expire July 31, 2016: Maureen Candito; Donna Glidden and Miriam Hollenbeck.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint David Enos as Sealer of Weights & Measures with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Rita Garbitt as Smart Growth Reporting Officer with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Linda Grubb to the SRPEDD Regional Open Space Committee with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Jeremy Peck as Storm Water Management Coordinator with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Technology Committee with terms to expire July 31, 2016: Aaron Burke; Rita Garbitt; Cynthia McRae, Frank Alvilhiera, Jr.; Daniel Hopkins; Debra Kenney; Lillian Drane; Jeremy Peck; Nathan Darling; Lawrence Perry; Vicki Souza; and Richard Velez.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Kopelman & Paige as Town Counsel with a term to expire July 31, 2016.

A brief discussion occurred regarding a member of the Town Forest Committee being unable to fulfill his term of appointment. Selectman Powderly said he would be willing to serve out the balance of Mr. Bartlett's term. It was noted that there is would still be another vacancy on the Committee. Linda Grubb volunteered to fill the vacancy.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to remove Gene Bartlett from the Town Forest Committee, contingent upon the legal ability to do so.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint John Powderly to the Town Forest Committee with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Linda Grubb to the Town Forest Committee with a term to expire July 31, 2016.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to appoint Jeremy Peck as Tree Warden with a term to expire July 31, 2016.

A brief discussion ensued regarding the dissolving of the Water Advisory Committee.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to dissolve the Water Advisory Committee.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: Unanimously to make the following appointments to the Zoning By Law Review Advisory Committee with terms to expire July 31, 2016: Aaron Burke; Peter Conroy; Nathan Darling; Derek Maksy; Robert Mather; and John Olivieri, Jr.

Request from Ian Daley to be reappointed as a Constable

Chairman Burke said the Ian Daley has requested to be reappointed as a Constable as his appointment expires July 25, 2015.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To reappoint Ian Daley as Constable with a term to expire July 25, 2016.
Unanimous in favor.

Update from Selectman Hollenbeck regarding the Debt Allocation for GRAIS

Selectman Hollenbeck provided an update regarding the Debt Allocation for the George R. Austin Intermediate School (GRAIS). A mistake had been found on the Debt Schedule for GRAIS dating back to FY14. The Town has been over assessed in the amount of \$47,806.03, and Freetown has been under assessed by the same amount. Both communities had agreed, prior to GRAIS being renovated, that the previously bonded debt for the High School Library in the amount of \$83,870 would be apportioned to both Towns, until the GRAIS debt was paid off. According to the attached Debt Schedule, the \$83,870 stopped being applied in 2014, and it has been since then that Lakeville has been over assessed. Selectman Hollenbeck has been meeting with Fred Baker, Director of Finance for the Regional School System, and Rick Medeiros, Superintendent of Schools, to review the entire original agreement, and how it is being interpreted. She is also working with Lisa Dickinson of Unibank, who had originally been part of setting up the financial aspect, to recalculate and reassess the figures. Another matter is the “true-up” of the Regional Transportation figures for FY15 of which there should be a figure of what the schools received in actual reimbursements so that can be closed out, based on the 9C cuts. There could be a replacement budget on that in September. The third piece is during the allocations of the School Assessment for Lakeville and Freetown that we recalculated for Town Meeting, we used the House figures for Regional Transportation, when those numbers are finalized, they will be another component that is owed to the Town from the school. Lakeville had made a pledge to restore the 9C cuts, if that took place. The Town of Freetown took a vote. There will be a three (3) piece component on that. Right now the split is about 58%. A little over \$100,000 should be coming back, then other adjustments from the schools. This will all be calculated, and the figures provided to the Board.

Selectman Hollenbeck said it is hoped to then have a meeting with the Regional Finance Subcommittee for them to discuss these matters. It is not known if the School Committee has been apprised of this. Their next meeting is scheduled for Wednesday, August 12th. It is anticipated to have the Regional Budget Subcommittee meeting after that meeting takes place. Selectman Hollenbeck further added that the enrollment figures need to also be taken into

consideration regarding whether they increase or decrease dramatically. Selectman Powderly stated that there should have been a letter from either the Superintendent or the Finance Director to the School Committee, so that they can provide some insight regarding these matters. Chairman Burke stated that the important part of this is that the Town of Lakeville has a credit. That figure needs to be determined and both sides need to agree to it.

Vote to sign Bond Anticipation Note Renewal

Chairman Burke provided an explanation on the Bond Anticipation Note (BAN) Renewal. The Town's one (1) year BAN in the amount of \$778,700.00 matures on July 17, 2015. After the principal pay-downs of \$286,900.00 are applied, the balance is \$491,800.00.

Upon a motion made by Chairman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To approve and sign the Bond Anticipation Note (BAN) in the amount of \$491,800 for various purposes to be issued on July 17, 2015 and due July 15, 2016 payable to Unibank for Savings with an interest rate of .75%
Unanimous in favor.

Vote on End of Year Departmental Transfers for FY15

A list was provided and reviewed by the Board that showed the transfers and the accounts that they were being appropriated from.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To approve the transfers from/to in the amount of \$6,480.00 for the Park Enterprise Wages and Landfill Enterprise Expenses account, and the regular account transfers in the amount of \$69,610.00 from Wage Accounts to Expense, Benefit, and Fees accounts.
Unanimous in favor.

Review and vote to approve agreement with Sitec Environmental, Inc. for Landfill monitoring

Chairman Burke explained that the Town works with a company that monitors the Landfill. Selectman Hollenbeck asked if the cost was paid out of the Enterprise Account. Ms. Garbitt responded that it was. The DEP has also changed the type of forms that need to be completed each year. The cost had been \$30,000 a year and has increased by \$2,750. The Town contacted DEP and asked for the amount of testing that they do to be reduced. They have to monitor the landfill for 30 years. The Town is approximately 10 years into the 30 year monitoring course. The Town has already expensed a portion of the cost. Selectman Powderly suggested that the costs not flow through the current Enterprise Account. Discussion then took place regarding alternatives. Chairman Burke asked what the consequences were if the Town did not have the contract in place. Ms. Garbitt responded that the Town would be in non-compliance with DEP, and that may mean extensive fines.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To approve the contract with Sitec Environmental, Inc. in the amount of \$32,750 for Landfill Monitoring through December 31, 2016 and to authorize the Chairman to sign the contract.
Unanimous in favor.

Review and vote to approve agreement for Beneficial Use Determination regarding the disposal of street sweepings with Weston & Sampson

Selectman Powderly asked what the cost is after the disposal of the street sweepings is completed and if it agreed with the budget. Ms. Garbitt responded that the project had been part of the Capital Plan and the amount is \$8,625 for the testing. The amount for the removal is about \$12,000 annually. There is a process that the Town has to accomplish with DEP, and this company (Weston & Sampson) will do it. The project is budgeted at \$18,000.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To enter into the contract with Weston & Sampson regarding the engineering consultant work for the street sweepings and basin cleaning stockpiles at the Highway Department and to authorize the Chair to sign the contract.
Unanimous in favor.

Review and voter to approve contract extension with GATRA until August 31, 2015

Chairman Burke explained that GATRA is still reviewing the FY16 Contract and plans to have that completed by September. The Selectmen need to vote to extend the contract for July and August.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To authorize the Chairman to sign the extension of a two (2) month FY15 contract extension with GATRA.
Unanimous in favor.

Review letter from Mass DOT and vote for Chairman to sign Title VI Nondiscrimination Assurance Requirement

Chairman Burke explained that Mass DOT has sent in a Title VI/Nondiscrimination Assurance Requirement from the Federal Highway Administration that they need to have signed by the Chairman. By signing this Assurance, MassDOT will have a clear record of the community's commitment not to discriminate in any program, service or activity supported by federal financial assistance. MassDOT is required to sign this same Assurance as a condition of their receipt of federal funds from the FHWA, and must secure municipally signed Assurances as a prerequisite for state and local collaboration on the development of federally funded transportation projects.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To authorize the Chairman to sign the MassDOT Title VI/Nondiscrimination Assurance Requirement from the Federal Highway Administration.
Unanimous in favor.

Revisit Curb Cut Revisions

Chairman Burke stated that he would like to table the discussion on the Curb Cut Revisions since the language on the page regarding Procedures #4, about a \$300 violation was unclear and also the highlighted yellow portion does not seem to be accurate.

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To table the Curb Cut Revisions until a later meeting.
Unanimous in favor

Announce Lakeville's Green Community Grant Award

Chairman Burke stated that the Town has received a grant award of \$140,825 from the Department of Energy Resources Green Communities Division. The money will be used for improvements and projects at the Town Hall, Fire Department, Police Department and Council on Aging. He acknowledged and thanked the Energy Committee for their work in helping to make this happen.

Request for Outdoor Entertainment Permit – 103 Howland Road – August 1, 2015

Chairman Burke said the Board has received an Outdoor Entertainment Permit for August 1, 2015 at 103 Howland Road.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To approve the request from Diane Mello for a permit for outdoor entertainment at her home at 103 Howland Road on August 1, 2015 from 4:00 PM to 9:00 PM.
Unanimous in favor.

Review and vote to approve Board of Selectmen Meeting Minutes of March 16, 2015, April 22, 2015 (2 sets) and May 7, 2015

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To approve the Board of Selectmen Meeting Minutes of March 16, 2015, April 22, 2015 (2 sets) and May 7, 2015 as presented.
Unanimous in favor.

Review and vote to approve Board of Selectmen Executive Session Meeting Minutes of April 22, 2015 (2 sets); April 27, 2015; May 13, 2015; May 26, 2015 and June 24, 2015

Upon a motion made by Selectman Powderly; seconded by Selectman Hollenbeck it was:

VOTED: To approve the following Executive Session Meeting Minutes of April 22, 2015 (2 sets); April 27, 2015; May 13, 2015; May 26, 2015 and June 24, 2015 as presented.
Unanimous in favor.

Other Items

1. Letter from MassHousing regarding Water Street Crossing
2. Email from Mass DOT regarding Reconstruction of Route 79
3. Email from Joseph Urbanski regarding Nemasket River Herring Counts
4. Notice from Conservation Commission regarding 213 County Street
5. Notice from Prime Engineering regarding Board of Health waivers regarding 213 County Street
6. Notice of Chapter 91 License Application – 19 & 22 Beechtree Drive
7. SRPEDD Commission meeting notice – June 24, 2015
8. Notice from Verizon FiOS regarding channel changes
9. Notice from Conservation Commission regarding 4 Montgomery Street
10. Copy of letter from the Region and copy of certified vote from the Town Clerk regarding borrowing for tennis court and running track
11. Invitation to attend Entrepreneurship for All Event – July 17th
It was noted that Selectman Hollenbeck will attend this event, however, Ms. Garbitt, Chairman Burke and Selectman Powderly be unable to attend.
12. Invitation to attend Municipal Leaders Roundtable Discussion with Senate President Stan Rosenberg – July 22, 2015

At 12:00 PM, upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To enter Executive Session and not return to Open Session pursuant to M.G.L. c.30A, §21(a) (3) to conduct strategy sessions in preparation for negotiations with union personnel, specifically the Lead Operator at the Transfer Station.
Polled vote: Selectman Burke-Aye, Selectman Powderly-Aye, and Selectman Hollenbeck -Aye.

List of documents provided at the July 14, 2015 Selectmen's Meeting

1. Affidavit from Arthur M. Pearlman, Attorney for Ramila A. Patel
2. Liquor License transfer documentation from Joseph Starr, application for transfer, ABCC application, Rockland Trust loan information, Commercial Promissory Note, Certificate of vote of the Board of Directors of Aarav Liquors, Inc.
3. Letter from Mark Walter of Sun Multisports Events, maps of alternate cycling routes, communication from the Police Chief, incident letter from Alicia Vanlanger
4. Request from Police Chief for appointments for Special Police Officer and Reserve Police Officer
5. List of annual reappointments
6. Request from Ian Daley to be reappointed as Constable with letter of approval from Police Chief
7. Communication from Fred Baker, UniBank, Lisa Dickinson, debt service analysis spreadsheets, correspondence from the Town Administrator and a copy of the agreement for the establishment of the Freetown-Lakeville Regional School District.
8. BAN Renewal information, Municipal purpose loan spreadsheet, Certificate from the Town Clerk of the Town Treasurer's Record, UniBank Loan information
9. FY15 End of Year Transfers List
10. Agreement with Sitec Environmental, Inc. for landfill monitoring.
11. Agreement with Weston & Sampson for BUD (Beneficial Use Determination) regarding the disposal of street sweepings.
12. Extension agreement with GATRA for two additional months from FY15
13. Letter from MassDOT to sign Title VI Nondiscrimination assurance requirement
14. Curb Cut Revision information from Jeremy Peck
15. Letter from Department of Energy Resources regarding grant award
16. Application from Diane Mello for outdoor entertainment on August 1, 2015 at 103 Howland Road from 4 PM to 9 PM
17. Meeting minutes of March 16, 2015, April 22, 2015 (2 sets), May 7, 2015 and May 14, 2015.