

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
July 25, 2011 - 6:00 PM

On July 25, 2011, the Board of Selectmen held a meeting at 6:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Olivier at 6:00 PM. Selectmen present were: Selectman Olivier, Selectman Maksy and Selectman Belliveau. Also present were: Rita Garbitt, Town Administrator. No one was recording the meeting at this time.

Possible Executive Session to discuss strategy with respect to litigation

Larry Ashley and John Olivieri from the Regional Transitional School Committee were present for the discussion. Chairman Olivier announced that he would allow guests to speak to the Board of Selectmen before they went into Executive Session. Larry Ashley stated that he and Mr. Olivieri wanted the Selectmen to know that they were committed to a greater use of GRAIS, and with the support of the Towns next year, they could do that. They don't have the funds to do that this year, but we want to use it better than it is. Our Educational Sub-Committee is meeting to come up with a model. Chairman Olivier said he has heard that story before. He has been to a lot of meetings, and the Superintendent keeps coming up with other uses for the \$120,000. That was not how full regionalization was presented to us. We were duped by the Superintendent. Every time he made a presentation, Lakeville's fourth grade was moving to GRAIS. Mr. Ashley agreed, but said the timing was wrong. He just wanted the Selectmen to know the Regional Transitional Committee was not digging in their heels. Selectman Maksy stated that the Lakeville Board of Selectmen has lost credibility, and they want assurances. Mr. Ashley said that is why they are waiting for the Educational Sub-Committee to make their recommendation on a model. After further discussion, the Chairman allowed other guests in the audience to comment on the issue.

Executive Session

At 6:35 PM, upon a motion made by Selectman Maksy and seconded by Selectman Belliveau, the Board unanimously:

VOTED: To enter into Executive Session to discuss strategy with respect to litigation regarding the GRAIS Agreement because an open meeting may have a detrimental effect on the litigating position of the Board and to return to Open Session.

Polled vote: Selectman Maksy –aye, Selectman Olivier – aye, and Selectman Belliveau – aye.

The Board of Selectmen came out of Executive Session at 7:41 PM and entered Open Session. 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 of the Middleboro Gazette and James Cosgrove from Comcast were taping the meeting.

Discuss legal opinion regarding GRAIS Agreement

Chairman Olivier said that the Board had been meeting with the Town's Special Counsel, James Lampke, to help decipher what all the legal opinions mean. According to Attorney Lampke, the Lakeville School Committee, as of June 30, 2011, voted that they were no longer in existence, but according to the Full Regionalization Agreement, they actually do exist until the November 4th special election. Attorney Lampke stated that under the terms of the Agreement, there is a Transitional Committee that is administering the Regional School affairs. This Committee consists of the Freetown and Lakeville School Committees and the Regional School Committee until such time as the permanent Regional School Committee is elected. Then the Lakeville and Freetown Local School Committees, as well as, the former Regional School Committee cease to exist. That is set forth in the new Regionalization Agreement between both Towns and the Regional School Committee. The special election has not taken place as of yet, so until then, the original three (3) committees still exist. Chairman Olivier said so they cannot vote themselves out of existence though they have taken a vote. Attorney Lampke said correct, they still have a fiduciary responsibility.

Chairman Olivier said the Selectmen will hold a public meeting at the Library and ask the Lakeville School Committee to attend and get a facilitator and have a discussion about the overcrowding of Assawompset School and other issues between the Board of Selectmen and residents. We are doing it because of our fiduciary responsibility to the Town. We hear what the people are saying, and we acknowledge that the people want the 4th grade at GRAIS. Ms. Garbitt will contact Aaron Burke as soon as she finds out the availability of the Library.

Upon motion by Selectman Maksy, seconded by Selectman Belliveau, it was:

VOTED: That Chairman Olivier contact Aaron Burke to discuss a date for the meeting.
Unanimous approval.

Ms. Garbitt asked what if the Lakeville School Committee will not meet with the Selectmen. Selectman Maksy said they need the pressure put on them to meet with us. They work for the residents, and they still exist. We need to meet with them. Laura Graham asked if the Board could put a deadline for the meeting. Attorney Lampke said there has to be 48 hours notice for the posting. The Board will do what they can to schedule it as soon as possible. They should share the concern about the community and students. Selectman Belliveau said there are other issues as well that we have to go over, not just the 4th grade. Kim Borges asked what the purpose of meeting with the Lakeville School Committee was. Attorney Lampke said generally the School Committee has the authority and responsibility to oversee the education of the students in the community. This is in the province of the School Committee, and the Town has rights in the 2001 GRAIS agreement. The most effective way is to start with the Lakeville School Committee to address the concerns. Ms. Borges said she thought that the Lakeville School Committee did not want to move the students and the purpose of going this legal route is to find out if you have the authority to do that legally. Chairman Olivier said the Lakeville School Committee has the authority over where the children will go to school and the authority to hire and fire the Superintendent of Schools. That is still the case in this Regional Agreement, so they need to make the decision.

Chairman Olivier said he has gotten a ton of emails thanking him for bringing this to light. The parents should be at the Library to let the Selectmen and the School Committee know what way they want to go. They are a valid committee right now and need to step up and make that decision. There are also safety issues with Assawompset. We have some authority about that. It is rated for 550 students and will have 650 students this year. We want to work with the Lakeville School Committee to come to the right decision and would rather come to a reasonable conclusion of the best educational model for the students. We need to try this again, even though it seems that we have been down this road before.

Attorney Lampke said the Regional and Transitional Committees are certainly welcome to attend this meeting. Right now, we should start with the Lakeville School Committee since they have the direct fiduciary responsibility for the students of Lakeville. We would welcome other groups input as well. Maria Martin asked what the validity of the GRAIS agreement is. Selectman Belliveau said that is something else to talk about. Attorney Lampke said the 2001 Amendment to the Agreement is a valid document that sets forth obligations, rights and responsibilities, and the Board is taking steps to protect Lakeville under that agreement.

7:00 PM Meet with Celeste Misodoulakis to discuss Greg's Run Road Race

Celeste Misodoulakis was present for the discussion. Ms. Misodoulakis told the Board that she was asking permission to hold the first annual Greg's Run Road Race in memory of her son, Greg, who passed away in September of 2010 while working at The Back Nine Club. Greg graduated from Apponequet in 2010. Money raised from the run would go towards a scholarship in Greg's name open to seniors at Apponequet. The Scholarship Committee hopes to award this scholarship for many years to come for. A road race was chosen since Greg was on the Track and Cross Country Team. They have a dedicated committee, and it will be a legitimate road race. Ms. Craig noted that both the Police and Fire Chief have approved the route.

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

VOTED: To approve the request of Celeste Misodoulakis to hold the first annual 5K Greg's Road Race on October 8, 2011 at 10:00 AM.
Unanimous in favor.

Acknowledge Marilyn Mansfield's Unsung Hero Award

Chairman Olivier stated that Marilyn Mansfield was awarded the Annual Unsung Hero Award by the Massachusetts Commission on the Status of Women. The Commission chose 100 women in Massachusetts in 2011 for this honor. No one from the Board attended the ceremony since the Town did not learn about the award until it was noticed in The Middleborough Gazette.

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

VOTED: To send a congratulatory letter to Marilyn Mansfield regarding her award as Unsung Hero by the Massachusetts Commission on the Status of Woman for 2011, from the Board of Selectmen.
Unanimous in favor.

Acknowledge donation to Animal Shelter

Chairman Olivier stated that the Animal Shelter had received a donation from Carol DeMoranville in the amount of \$1,000 in memory of her parents, John and Edna Fidler. Mr. and Mrs. Fidler were animal lovers and donated the stainless steel cat cages at the Animal Shelter.

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

VOTED: To send a letter of thanks to Carol DeMoranville for the \$1,000 donation received by the Animal Shelter in memory of her parents, John and Edna Fidler.
Unanimous in favor.

Discuss Health Insurance Reform Act (refer to Kopelman & Paige memo)

Chairman Olivier briefly went over the Health Insurance Reform Act. He stated that the Board needs to make a determination to move forward and to establish an Insurance Advisory Committee. Ms. Garbitt stated that State statute requires that every community have an Insurance Advisory Committee in place. Ms. Garbitt said that she would like to attend an upcoming seminar and find out about the 30-day time frame before the Board votes tonight, since there is a lot to the Reform Act.

Review Preliminary Definitive Form C Plan for Quail Hollow, LLC – 149 County Road

Chairman Olivier stated that the Planning Board is looking for any comments or concerns that the Board may have regarding the Preliminary Definitive Form C Plan for Quail Hollow, LLC. Ms. Craig stated that the Open Space Committee did receive the information, but has not had the opportunity to review it. Selectman Maksy explained that this is just information to make sure everyone involved has received a copy of it. Ms. Garbitt explained that this is the Doherty's property, which was a 61A property that the Town did not exercise its right to purchase. They are proposing three (3) house lots. Ms. Craig stated that there is a Form A lot that is considered as their Lot 1, so the subdivision is actually two (2) lots, and they factored out their existing house. Selectman Maksy stated that the Board would like to reserve its comments and will just acknowledge that the information was received.

Discuss amendment to Intermunicipal Agreement with City of Taunton

Chairman Olivier explained that Mark Reich of Kopelman and Paige wrote the original agreement together with the City of Taunton. Ms. Garbitt stated that in the proposed amendment, Kopelman and Paige said that the Town would start master metering right away,

however, the Town may not be ready to do that. Right now the Town would like to have the Agreement signed and start collecting the connection fees. Selectman Maksy stated that the Town needs the software and the staff and needs to determine who will go out and read the meters, etc. We need to send the amendment to the City of Taunton. The Water Advisory Board is working on the regulations to present them to the Selectmen. Selectman Maksy said the master meter will kick in when the Selectmen decide how the Town will bill. Ms. Garbitt said the software has not been purchased yet since we are not sure what software we want to purchase. Mr. Maksy said the Water Advisory Board will meet again on Wednesday, August 3rd.

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

VOTED: To send the Amendment to the Intermunicipal Agreement to the City of Taunton.
Unanimous in favor.

Review and vote to sign Annual GATRA Agreement

Ms. Garbitt explained that this is the Town's annual contract for GATRA service. The State was a bit late in sending this out this year.

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

VOTED: To approve the Annual GATRA Contract, which will be in place from July 1, 2011 through June 30, 2012.
Unanimous in favor.

Request from Fire Chief for additional Call Firefighters

David Goodfellow, Deputy Fire Chief, was present for the discussion. Deputy Chief Goodfellow said that the Fire Department is requesting six (6) additional positions in total. There are four (4) Call Firefighters and two (2) Junior Call Firefighters. He noted that the Junior Firefighter program has been successful, and the students taking part have come up and joined the Fire Department and went on to serve the Town well. Ms. Craig stated that Michael Teague is a Call Firefighter Paramedic, the rest are Call Firefighters and EMT's.

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

VOTED: To appoint Pamela Bailey DeCastro, Derek Haimaidi, Amanda Morra as Call Firefighters/EMT's and Michael Teague as Call Firefighter/Paramedic contingent upon completing a Department approved physical, successful completion of a PAT test, and a one year probationary period. These appointments will expire July 31, 2012.
Unanimous in favor.

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

VOTED: To approve Vincent Patti and Nathaniel Young as Junior Call Firefighters.
Unanimous in favor.

Discuss recommendation from Insurance Agent regarding coverage for future claims

Chairman Olivier explained that the Town's premium has been reduced by approximately \$3,000 by removing the school exposure from the General Liability and the Excess Liability, and by also deleting the School Board Legal Liability and the School Board Employment Practices Liability coverage (EPLI). Chairman Olivier said the Town's Insurance Agent strongly recommends that the Town purchase at least 36 months tail coverage for the School Board Legal Liability and the School Board EPLI. The premium for each tail is \$1,500. Tail coverage allows the Town to report claims after the policy has expired for alleged wrongful acts that occurred while the policy was in force. This will protect the Town from the unexpected sting of future claims. The net premium difference with all changes will be a credit of approximately \$68 based on an effective date of July 1, 2011. A claim made means that it has to be reported in the policy coverage period.

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

VOTED: To approve the recommendation by the Insurance Agent to purchase 36 months of Tail Coverage for the School Board Legal Liability and the School Board EPLI coverage.
Unanimous in favor.

Review and vote to make Annual Reappointments

Chairman Olivier noted it was time to make the annual reappointments. The Police Chief had requested a new appointment of Daniel Varieka as a Special Police Officer.

Upon a motion made by Selectman Belliveau; seconded by Chairman Olivier stepping down and stepping back up to vote, it was unanimously:

VOTED: To approve Daniel Varieka as a Special Police Officer with a term to expire July 31, 2012.

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

VOTED: To appoint Michael Dwyer as Police Officer & Constable with a three-year term to expire July 31, 2014.

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

VOTED: To appoint the following with a term to expire July 31, 2012:

Ryan Maltais	Police Officer & Constable
Richard Pacheco	Police Officer & Constable
Patrick Curneen	Special Police Officer
Susan Conway	Special Police Officer
Joseph Crowninshield	Special Police Officer
Katie Farrell	Special Police Officer
John Vickery	Special Police Officer
John Taylor	Special Police Officer
Nicholas Wade	Special Police Officer
Kristen J. Campbell	Matron
Corrine Darling	Matron
Judith DeMoura	Matron
Katie Farrell	Matron
Christine Whenal	Matron
Lori Wrightington	Matron
Frank Alvilheira	Keeper of the Lockup
Steven Leanues	Surveyor of Wood, Bark & Lumber, Fence Viewer & Field Driver
Thomas Robinson	Surveyor of Wood, Bark & Lumber, Fence Viewer & Field Driver

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

VOTED: To appoint the following with a term to expire July 31, 2012:

Christopher Carmichael	Call Firefighter
Wayne Morse	Call Firefighter
Edwin Harkey	Call Firefighter
David DeBest	Call Captain
Michael McCullough	Call Captain
Kyle Gerrior	Call Firefighter
John Parlatore	Call Firefighter
Richard Nolan	Call Firefighter
Robert Porazzo	Call Firefighter
Joseph Sargo	Call Firefighter
Thomas Long	Call Firefighter/EMT
Brandon Rubeski	Call Firefighter/EMT
Danielle Poole	Call Firefighter/EMT
Kathleen Denneen	Call Firefighter/EMT

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

VOTED: To appoint the following as Alternate Building Inspectors with terms to expire July 31, 2010: Paul R. Bourgeois and Robert Whalen Jr.

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

VOTED: To appoint Nathan Darling as Assistant Building Inspector with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Board of Appeals: Donald Foster and Davis Curtis as members with terms to expire July 31, 2014 and Carol Zimmerman and Joseph Urbanski as Associate Members with terms to expire July 31, 2012.

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

VOTED: To appoint Lillian Drane as Associate Registrar with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Building Feasibility Study Review Committee with terms to expire July 31, 2012: Cindy Dow; Kevin St. George; Joseph Simas; Jr.; John Catalano; Robert Iafrate; Stephen Olivier; David Morwick; Norman Orrall.

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

VOTED: To appoint the following to the Cable Television Advisory Committee with terms to expire July 31, 2012: Donald A. Foster; David J. Curtis; James Longo; Sheri Colucci and Jose Invencio as members and Robert Marshall and James A. Curley as alternate members

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

VOTED: To appoint the following to the Capital Expenditures Committee with terms to expire July 31, 2012: Scott Belliveau; Rita Garbitt; David Morwick; and Michael Petruzzo.

Chairman Olivier noted that letters of interest will be accepted for the vacancy on this committee. The Middleboro Gazette will advertise that there is one opening available on the committee.

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

VOTED: To appoint Pamela Rasa as a Member of the Conservation Commission with a term to expire July 31, 2014 and Sarah Kulakovich as an Associate Member with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Council on Aging: Marjorie Cleverly; Francis Brogan and Patricia Bessette with terms to expire July 31, 2014.

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

VOTED: To appoint the following to the Emergency Planning Committee with terms to expire July 31, 2012: Daniel Hopkins; Frank Alvilheira, Jr.; Christopher Peck; Rita A. Garbitt; Robert Souza; Scott Belliveau; William Garvey, Jr.; Cindy Dow; Marilyn Mansfield; John McCarthy; Richard Velez; David Goodfellow; Robert Iafrate; and Richard May.

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

VOTED: To appoint Daniel Hopkins as Emergency Response Coordinator with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Energy Advisory Committee with terms to expire July 31, 2012: Derek Maksy; Donald Foster; Robert Iafrate; Michael Nolan; Pamela Rasa; Kathleen Barrack; Larry Simpson; Richard Velez; James Marot; Rita Garbitt; Terrence Flynn and Tara Martin.

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

VOTED: To appoint Derek A. Maksy to the Gas and Electric Commission as Ad Hoc Representative with a term to expire July 31, 2012.

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

VOTED: To appoint Robert Brady as Delegate and Carl Asbury as Alternate Delegate to the GATRA Advisory Board with terms to expire July 31, 2012.

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

VOTED: To appoint Daniel E. Hopkins as Hazardous Waste Coordinator with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Historical Commission as members with terms to expire on July 31, 2014: Nancy LaFave and Joan Gladu Morton and Delia Murphy and Felicia Carter as Associate Members with terms to expire on July 31, 2012.

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

VOTED: To appoint C. Robert Canessa as Inspector of Wires and Mellio Gazza as Assistant Inspector of Wires under M.G.L. Ch. 166, Sec. 32A, both with terms to expire July 31, 2012.

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

VOTED: To appoint Albert Mason as Legal Counsel with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Lakeville Arts Council: Joanne Corrieri-Upham; David Kraemer; Ann Oliveira El-Khoury; Jacqueline Kennedy; and Gail Fish with terms to expire July 31, 2014.

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

VOTED: To appoint Daniel Hopkins as Director and Nancy Yeatts as Deputy Director of the Lakeville Emergency Management Agency with terms expiring July 31, 2012.

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

VOTED: To appoint the following to the Master Plan Implementation Committee, all with terms to expire July 31, 2012: James F. Rogers, II; Rita Garbitt; Rodney Dixon; Robert Mello; Derek Maksy; Robert Iafrate and Edward Bunn.

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

VOTED: To appoint Daniel E. Hopkins as Municipal Coordinator Right to Know with a term to expire July 31, 2012.

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

VOTED: To appoint Frank Alvilheira, Jr. as Municipal Hearings Officer with a term to expire July 31, 2012.

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

VOTED: To appoint Daniel Hopkins as NIMS Coordinator with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Old Colony Planning Council Area Agency on Aging Advisory Committee: Robert Brady as Delegate and Carl Asbury as Alternate Delegate with terms expiring July 31, 2012.

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

VOTED: To appoint the following to the Open Space Committee with terms to expire July 31, 2012: Michael Renzi; Donald Foster; Brian Reynolds; Martha Schroeder; Linda Grubb; Daniel Hopkins; and Joan Gladu Morton.

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

VOTED: To appoint Derek Maksy as Parking Clerk with a term to expire July 31, 2012.

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

VOTED: To appoint Jon Catalano as Plumbing and Gas Inspector and Frederick A. Parmenter as Assistant Plumbing & Gas Inspector with terms to expire July 31, 2012.

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

VOTED: To appoint the following to the Police Station Design Committee with terms to expire July 31, 2012: Frank Alvilheira, Jr.; Matthew Perkins; Christopher Peck; Robert Iafrate; David Morwick; Jon Catalano; Rita Garbitt; Daniel Hopkins; Kevin St. George; Stephen Olivier; Tim LaChapelle; Paul Bourgeois; and Gary Mansfield.

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

VOTED: To appoint the following to the Rent Control Board with terms to expire on July 31, 2012: John Cataldo, Paula Beech and Donna Glidden.

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

VOTED: To appoint David Enos as Sealer of Weights and Measure with a term to expire July 31, 2012.

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

VOTED: To appoint Robert Iafrate as Smart Growth Reporting Officer with a term to expire July 31, 2012.

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

VOTED: To appoint Linda Grubb to the Southeastern MA Commuter Rail Task Force with a term to expire July 31, 2012.

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

VOTED: To appoint Rita Garbitt as Storm Water Management Coordinator with a term to expire July 31, 2012.

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

VOTED: To appoint Linda Grubb to the SRPEDD Regional Open Space Committee with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Ted Williams Commissary Renovation Committee with terms to expire July 31, 2012: Darryl Bernier; Daniel Hopkins; Curtis Richmond; Richard Fickert; Linda Grubb; William Garvey, Jr.; Rita Garbitt; Derek Maksy; and Robert Poillucci

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

VOTED: To appoint Cynthia McRae as Town Accountant with a term to expire July 31, 2014.

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

VOTED: To appoint Kopelman & Paige as Town Counsel with a term to expire July 31, 2012.

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

VOTED: To appoint Gene Bartlett to the Town Forest Committee with a term to expire July 31, 2014.

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

VOTED: To appoint Christopher Peck as Tree Warden with a term to expire July 31, 2012.

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

VOTED: To appoint the following to the Water Advisory Committee with terms to expire July 31, 2012: Douglas Mills; Sylvester Zienkiewicz; James Gouveia and Derek Maksy.

Letters of interest will be accepted for this position. The Middleboro Gazette will advertise that there is one opening available on the Committee.

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

VOTED: To appoint the following to the Water Study Board with terms to expire on July 31, 2012: Patricia Welch; Robert Bouchard; Nancy Yeatts; Terrence Flynn; William Garvey, Jr.; Colleen Sheerin and Edward Barrett, Jr.

Review and vote to award bids –Asphalt, Crack sealing, Catch Basin Cleaning and Road line Painting

Chairman Olivier told the Board that the bids had been opened for asphalt, crack sealing, catch basin cleaning and road line painting. Ms. Craig said she had contacted any company that received the bid package from the previous year in regards to this year's bid.

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

VOTED: To award the crack sealing bid to Sealcoating, Inc. in the amount of \$28,526.
Unanimous in favor.

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

VOTED: To award the road line painting bid to Markings, Inc. in the amount of \$.0345 per linear foot for water based and \$.0395 per linear foot for chlorinated rubber.
Unanimous in favor.

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

VOTED: To award the bid for Catch Basin Cleaning to Truax Corporation in the amount of \$14.45 per basin (price does not include police detail).
Unanimous in favor.

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

VOTED: To award the Bituminous Concrete bid to PJ Keating on street at \$74.00 per ton.
Unanimous in favor.

Request for car wash fundraiser-Town Office Building-August 13, 2011-Class of 2014

Chairman Olivier read the request from the Apponequet Class of 2014 to hold a fundraising car wash on August 13, 2011. Ms. Craig stated that the Board had previously voted to charge a fee of \$20 per car wash. Ms. Garbitt stated that the Town had just received the water bill and it was \$35 for the month. She asked if the Board would like to reduce the \$20 charge. Selectman Maksy stated that the amount is a token amount and not unreasonable. Mr. Belliveau suggested reducing the amount to \$15. The rest of the Board wanted to let the amount remain and to revisit this next year.

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

VOTED: To approve the request for a car wash fundraiser by the Apponequet Class of 2014 at the Town Office Building on August 13, 2011.
Unanimous in favor.

Request for signage for Annual Arts and Music Festival-Lakeville Arts Council

Chairman Olivier read the request for signage for the Annual Arts and Music Festival on October 1, 2011.

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

VOTED: To approve the request by the Lakeville Arts Council to erect signs with the same conditions as last year for their Annual Arts and Music Festival to be held on October 1, 2011.
Unanimous in favor.

Vote to accept resignation letter from William Elliot-Water Advisory Committee

Chairman Olivier read the letter into the record. Ms. Garbitt asked for letters of interest for the position to be advertised in The Gazette with a deadline of submittal two (2) weeks from today, which is August 8th.

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

VOTED: To accept the resignation of William W. Elliot from the Water Advisory Committee and send him a thank you letter for his time.
Unanimous in favor.

Meet with Ian Daley regarding request to be Constable in Lakeville

Ian Daley was present for the discussion. Chairman Olivier noted that there was a letter of reference submitted. This would be an annual appointment and will expire one year from today

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

VOTED: To appoint Ian Daley as Constable with an expiration date of July 25, 2012.
Unanimous in favor.

Meet with Police Chief to discuss Sex Offender Residency By-law

Norman Orrall and Frank Alvilhiera were present for the discussion. Chief Alvilhiera stated that he submitted some sample by-laws to Ms. Garbitt. There are some different versions, such as what the Town of Rockland has. There are different variations, loitering in a school or a park that you can come up with, and the Town might need the advice of Town Counsel to see where to go with this. Chief Alvilhiera is waiting for a call back from the Massachusetts Chiefs Association to find out what they have dealt with in terms of bylaws and sex registry registration. The Town wants to make sure it is on the same page before a by-law goes to Town Meeting for a vote by the voters, so that the Town is not in violation of anyone's rights.

Chairman Olivier explained that the Town recently had a potential situation of someone moving into the Town. Chief Alvilhiera stated that they should be able to find and come up with something that makes sense for the Town. Mr. Orrall stated that the Town of Plymouth just had a by-law fail. It is not an easy bylaw to get into place. Chief Alvilhiera stated that the fine could be challenged, as well as the bylaw. The Town needs to look at the bylaws that towns have of ones that have been successful.

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

VOTED: To have Ms. Garbitt contact Town Counsel to word with the Police Chief to draft a reasonable Sex Offender Residency By-law for the Town.
Unanimous in favor.

Other Items

1. Letter from Thomas Murphy regarding Middleborough Cable Broadcasts
Discussion took place on the letter. Selectman Maksy asked to send a letter to Middleborough requesting that they respond to this.
2. Board of Health Notice of Appointment
3. Memo from Kopelman and Paige regarding Enforcement of Marijuana Fines
4. Meeting notice-JTPG-July 20, 2011
5. MassWildlife News Advisory
6. Notice from Department of Telecommunications and Cable
7. Letter from Senator Kerry
Selectman Maksy asked if the Board had just received a similar letter. Ms. Garbitt responded that the Board had received a similar letter from Barney Frank.
8. SRPEDD Commission meeting notice-July 27, 2011

At 9:20 PM, upon a motion made by Selectman Maksy; seconded by Selectman Belliveau it was:

VOTED: To enter into Executive Session to discuss strategy in preparation for negotiations with non-union personnel, specifically the Fire Chief's contract, and to discuss strategy with respect to the Collective Bargaining Agreements with the Police and Fire Unions, because an open meeting may have a detrimental effect on the bargaining position of the Board and not to return to Open Session.
Polled vote of Selectman Maksy – aye, Selectman Belliveau – aye and Selectman Olivier - aye