

SELECTMEN'S MEETING
Monday, August 10, 2009

On August 10, 2009, the Board of Selectmen held a meeting at 6:45 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Maksy at 6:50 PM. Selectmen present were: Selectman Maksy, Selectman Yeatts and Selectman Evirs. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

6:45 PM Meet with John McCarthy, Superintendent of Schools

John McCarthy, Superintendent of Schools, was present for the discussion. Selectman Yeatts welcomed Mr. McCarthy. She said everyone is very optimistic about the change in administration, and we would like to keep the lines of communication open with your office. Mr. McCarthy stated that he understands the need to keep the lines of communication open between the Region and the Towns. This is a difficult situation. The override failed in Lakeville, which means class sizes at Assawompset of over 30 students per classroom. That is one of the last things that he would have happen in a school district. That situation will be extremely challenging moving forward. There will be children that fall behind and not get the educational instruction that they need, and it will catch up to you down the road in special services and MCAS scores. Kindergarten through third grade is a very critical time. He would rather see a High School honors class with that many students than at the elementary level. Mr. McCarthy spoke about a letter he wrote to the Board regarding the possibility of finding money to bring back at least three (3) teachers. The cost of that would be \$137,000 for salaries alone. The teachers would be eligible for benefits, which would have to be taken into consideration as well. Bringing back the three (3) teachers would bring class sizes down to about 25 students or under, which is currently the class size of the first grade. Optimal size would be about 22 students per classroom, but we are playing with fire here with the class sizes that large. Mrs. Hunter is still receiving enrollments. Often there are late registrations about a week before school starts. Assawompset will be a school with over 700 students and only one (1) principal. We would like to look for the Selectmen to try to address this since the future of the school is at stake here.

Chairman Maksy agreed that we all need to be on the same page, stressing the "we". Selectman Evirs stated that the Townspeople overwhelmingly voted to get by this year and see what we can do next year. They do not want increased spending, and they knew the ramifications. We are in a terrible position with the Police Department. There is only one (1) cruiser on at night. A few weeks ago the Police Chief was actually on patrol. This year will be a very tough and telling year. Mr. McCarthy stated that the challenge is working with three (3) entities. He has no opinion at this moment on full Regionalization. However, one (1) entity versus three (3) would give greater flexibility. Educationally you would not have class sizes at that number at those grade levels. If we have to go forward with those class sizes for this year, we need to work for a better solution for next year. We need to keep our eye on education long range going forward. It will have ramifications with Special Education costs. You will not make the kind of progress educationally that you want to make with class sizes at that number.

Chairman Maksy stated that the Board has been looking at conservation issues, since saving money is like earning money. Mr. McCarthy stated that he will be meeting with a company next week about energy savings. However, after only a month, he has observed things that the Region can be more efficient on. Mr. McCarthy said that the Region and Town should share resources whenever possible. Chairman Maksy stated that anything that he could do to help the Town would be welcome. Mr. McCarthy said we should use technology to be more efficient and to work together. There is a need to pay close attention to the class sizes at Assawompset. He understood that the voters had spoken, and he understood the situation with public safety, but he asked if anything could be done regarding bringing back the three (3) teachers. Mr. McCarthy stated that he knew the Board was working on a future prize that they cannot lose sight of. Often you become short sighted in times like these, but you cannot lose sight of that long term goal. He said he wanted to come here in person and express the need to work together to solve this problem.

7:00 PM Meet with Joshua Freedman to discuss regionalization

Joshua Freedman was present for the discussion. Mr. Freedman said he was a Taunton resident. He wanted to speak to the Board about forming a regional government within the MassHighway District V. He has spoken with officials from SRPEDD and Town Managers and Boards of Selectmen from surrounding towns. He was proposing a new regional government system which would include the Towns of Raynham, Taunton, Berkley, Bridgewater, Middleborough and Lakeville. Selectman Yeatts stated that she would get Mr. Freedman a telephone number for Representative Canessa so he could discuss this with him. Chairman Maksy suggested that he poll the representatives and senators for the various Towns regarding his idea. Selectman Evirs stated that he was intrigued about the thoughts of regionalizing governments and services. However he did not think that any individual Town that would be willing to give up their autonomy. Mr. Freedman stated that his idea was to consolidate the Towns into a common land area and build a common government. Chairman Maksy stated that if Mr. Freedman does form a meeting with all these groups, to put the Board of Selectmen on his mailing list.

7:15 PM Meet with Staples Shores residents to discuss flag pole

Robert F. Dunn was present for the discussion about the flagpole. Also present was Christopher Peck, Superintendent of Streets. Selectman Yeatts read Mr. Dunn's letter to the Board dated August 5, 2009 into the record. Mr. Dunn stated that he fully recognizes the Town's position regarding the flagpole being located in the Town's road layout. However, there is no history about the flagpole being an interference to anyone or the Town. As far as resources to care for it, if Mr. Cosini does not want to care for it, he and his neighbors would pick up that responsibility. Chairman Maksy said the Board requested that Mr. Peck hold off removing the flagpole based on Mr. Dunn's letter. Mr. Peck stated that the flag pole is inside the layout of Staples Shore Road. Selectman Evirs asked if the school buses can turn around. Mr. Peck responded that he did not think the busses went down that street. Selectman Evirs asked if Mr. Peck could get down the street and maneuver with a plow and could a fire truck get in there. Mr. Peck responded that he could send a plow truck in, and when the plantings are taken out, that will increase the size of the area. Mr. Dunn noted that there are other things in front of the

flagpole like plants and rocks. Mr. Peck stated that the 14 days that Mr. Corsini was given has expired, and the Highway Department was going to move the plantings and the rocks, but that was placed on hold.

Selectman Evirs stated that he was thinking about asking the Historical Commission about relocating the flagpole to the Town House with a plaque regarding the flagpole's significance. Mr. Dunn stated that he would prefer that rather than just having it removed, but he would defer to the Gaudette sisters since their father took care of it, and their brothers built it. Selectman Evirs added that it would become a part of Lakeville history. Regina Gaudette said she was not opposed to the idea, and she thought her father would be happy to know that the flagpole was protected. Selectman Yeatts added at the Town House, it would be more visible and appreciated during Historical Commission events. Mr. Dunn stated that it means a lot to many of the residents on Staple Shore Road. Selectman Evirs stated that the Board would have to speak with the Historical Commission since they would then be charged with the responsibility of taking care of the flagpole. Selectman Yeatts asked if the Board wanted to request that Mr. Peck remove everything else but the flagpole right now. Selectman Evirs stated that the flagpole can stay there temporarily. Ms. Gaudette said she would have liked to see the flagpole remain on Staples Shore Road, but if it cannot stay there, she would appreciate it being relocated. Selectman Evirs suggested that a 48 star flag be placed on the flagpole since that was the number of States in existence at the time the flagpole was erected.

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

VOTED: To have Mr. Peck remove everything but the flagpole from the Town's road layout. Selectman Evirs will meet with the Gaudettes, the Historical Commission and any other interested residents to discuss the relocation of the flagpole to the Town House.
Unanimous in favor.

7:30 PM Meet with Animal Control Officer regarding request from Curtis Velazquez

David Frates, Animal Control Officer, was present for this discussion. Chairman Maksy stated that this discussion is not opening up the hearing process. Mr. Frates stated that the Rescues that he contacted will not take Diesel due to the attack. He was seeking guidance from the Board what to do next. Chairman Maksy stated that Mr. Velazquez sent a letter to the Board regarding Diesel going to his friend in Marion. The Board has issued a decision and cannot change it now. Chairman Maksy stated that the Board needs to give Mr. Frates direction. Selectman Evirs said the appeal period has expired. Mr. Frates said that if Diesel goes to another Town, they have to be notified about the dog's history. Discussion occurred regarding who the letter should be addressed to. Chairman Maksy stated that the Board is not opening the hearing again. A decision has been made. Ms. Garbitt said she spoke to Town Counsel and that the Board has to make the final decision. Selectman Evirs read from the minutes stating the Board's decision. Mr. Frates stated that the Selectmen have to make the decision of whether to put the dog down. Mr. Frates said there is one (1) rescue in Maine that he will call regarding Diesel. Selectman Evirs stated that if the shelter does not take the dog, then the Board would have to reopen the hearing to order the dog destroyed. This is a lesson learned for the Board. We cannot

leave these decisions open ended. Chairman Maksy said if Mr. Frates considered the friends of the Velazquezs competent to take the dog, then they could. Chairman Maksy stated that if Mr. Frates cannot find a rescue place for the dog, then there is no next step for Mr. Frates under the Board's order. Chairman Maksy stated that Mr. Frates needs clarification. He will try one (1) more rescue and if that does not work out, then the Board will have to consider reopening the hearing to make a final decision.

Review and vote to sign Memorandum of Understanding with the Southeast Homeland Security Regional Advisory Council and SRPEDD regarding Emergency Traffic Control Trailer and Equipment

Mr. Peck stated that the Town of Lakeville has been selected to be the recipient of an Emergency Traffic Control trailer and equipment. The trailer contains equipment to be used for traffic emergencies. As part of the Memorandum of Understanding (MOU), the Town has to make the trailer available to other communities in Plymouth County. After two (2) years, the trailer becomes the property of the Town. The trailer will have to be maintained and if another Town damages any of the equipment, they will have to replace that. Selectman Evirs asked where the trailer will be garaged. Mr. Peck responded that it would be at the Highway Barn. Selectman Evirs asked if the Town has to deliver the trailer where it is needed. Mr. Peck will look into this. Mr. Peck stated that he is still trying to work out some of the details. Registration for the Town is free, but the Town would have to pay for the insurance. Chairman Maksy stated that he would like to make sure that the Town is not maintaining the trailer for 20 years. Mr. Peck stated that the Town was selected since this is an item that the Town does not have funding to purchase. Selectman Evirs asked if the list of options is the inventory of what is in the trailer. Mr. Peck stated that he felt this was a good opportunity for the Town, but he will look into the questions the Board has raised. Mr. Peck stated that they are looking for comments from the Selectmen for the MOU. Selectman Evirs stated that there is a 6500 watt generator and 60 gallons of fuel. Mr. Peck stated that the Town does not have a generator right now. That is a plus right there. Selectman Yeatts suggested that Mr. Peck try to get the Board's questions answered and place it on the next agenda.

Review Building Commissioner's request for an Alternate Building Inspector

Ms. Garbitt stated that the Board had had requested additional information regarding this appointment. This position would not pay into the County Retirement System. Chairman Maksy stated that salaries under \$5,000 do not qualify an employee to join the retirement system. So as long as Mr. Darling's salary does not exceed \$4,999, he did not have a problem with it.

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

VOTED: To appoint Nathan Darling as an Alternate Building Inspector for a term to expire July 31, 2010.
Unanimous in favor.

Review Town Department hours of operation

Chairman Maksy stated that he and Ms. Garbitt had been discussing the various hours of operation for the Town Departments. Ms. Garbitt had put together a summary of the hours of operation for all Town Departments. He felt that since the Board of Selectman is responsible for Town buildings, the Board should have input on the hours of operation. Selectman Evirs noted that if some Departments are closed and some open, it is more difficult for the average citizen to get several matters accomplished during one (1) day. Selectman Yeatts stated that keeping the heat on in those areas that are staying open while others are not is not efficient. Selectman Evirs noted that if the building is closed on Fridays, then salaries would need to be adjusted or employees would need to work longer days. Discussion took place about which day would be best to close and how this would affect employees during a holiday. Chairman Maksy stated that he personally would prefer to close on Fridays and for them to have longer days on the days that they do work.

Ms. Garbitt asked the Board for direction regarding the hours for the Selectmen's office, the Building Department and the Town Accountant. Ms. Garbitt stated that she would at least like to close at noon on Fridays. Selectman Evirs stated that come winter, it is silly to open the building for only three (3) hours. Why have the Highway Department plow the parking lot during a storm for only three (3) hours. He thought that programmable thermostats should be installed. Ms. Garbitt stated that Friday tends to be the slowest day of the week and Monday the busiest. Chairman Maksy said the Board is responsible for all the Town buildings. If the Board feels that it will save money by closing one (1) day during the week, the employees and Elected Officials still need to do their jobs. Selectman Evirs stated that offices still need to be open 40 hours. The Board also does not want to heat the building for one (1) person. He would suggest closing on Fridays and see what the savings are for two (2) months. People will need some time to adjust. Selectman Yeatts stated that Ms. Garbitt should present this to the Department Heads to see how to make this work. Selectman Evirs stated that the building can open at 7:00 AM, but office hours can be different in each Department. Employees would need to get the number of hours in on a weekly basis that their salary is based on. Selectman Evirs suggested a start date of September 1st. Ms. Garbitt stated that she will schedule a meeting with the Department Heads and then the Board can revisit this on their August 31st meeting. Ms. Garbitt stated that the Highway Department, Landfill, Animal Shelter, Library and Council on Aging would not be affected by the change of hours.

Review Selectman Yeatts request for money for repairs-Peach Barn-Betty's Neck

Selectman Yeatts stated that there was another break-in at the Peach Barn at Betty's Neck. The windows have already been replaced. The screens also had to be fixed since they got bent. A resident said they had a phone that could be donated to set up an alert system that would call the Police Station if the area is breached. There would probably be a monthly charge for that. She will get an estimate to bring electricity to the Peach Barn. Ms. Garbitt stated that the Town has the volunteers to dig the trench. Selectman Yeatts stated that only a few poles would be necessary to go from Decas' last barn up to the Peach Barn, and there is a transformer there that they might be able to connect. Ms. Garbitt suggested that Selectmen Yeatts still check about an

underground connection since there is money left in the Gift and Grant Account. Selectman Yeatts stated that she would look into it again.

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

VOTED: To take \$315 from the Gift and Grant Account to pay Emery Orrall for repairs at the Peach Barn at Betty's Neck.
Unanimous in favor.

Selectman Yeatts stated that she thinks she has found someone to hay the fields. He would pay \$2,500 for the year, which is the same price as before. Because the first cutting went by, she gave him a price of \$2,000 for this year and then \$2,500 for the next year starting January 1st.

Review amendment to CDM contract for Design Services for Water Storage Tank and Pump Station

Selectman Yeatts reviewed the amendment to the CDM Contract for Design Services for the Water Storage Tank and Booster Pump Station. Selectman Yeatts said Natural Heritage signed off on both the water tower and the booster pump station. It was noted there was a typographical error that needed to be corrected.

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

VOTED: To authorize Ms. Garbitt to sign the CDM contract for Design Services for Water Storage Tank and Pump Station subject to the change from \$210,000 to \$215,000 which was a typographical error.
Unanimous in favor.

Review draft contract for Field Engineering for the Design of the Water Main Extension to the Town Offices

Selectman Evirs stated that he went over the contract with Ken Motta from Field Engineering. If you look at the original contract with Tibbetts Engineering, Mr. Motta is fixing things from that contract. The scope of services is the same, and it will go right through plan design and close of the project.

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

VOTED: To authorize Ms. Garbitt to sign the contract for Field Engineering for the Design of the Water Main Extension to the Town Offices, subject to Town Counsel approval.
Unanimous in favor.

Review draft of the conditions for the Earth Removal Permit for 28 Precinct Street (Ted Williams Camp)

Chairman Maksy said this item has been tabled.

Revisit final draft Town House/Town Office Building Use Policy and Request to Use Form

Chairman Maksy said that the Board was reviewing a final draft of the Town House/Town Office Building Use Policy. Ms. Garbitt stated that she is checking into how the Apponequet Boosters were originally formed. One of the members of the Regional School Committee when the Boosters were formed said they were appointed by the Regional School Committee and should be covered by the Region's insurance. Selectman Yeatts said that she agreed with the previous discussion about not allowing the use of chainsaws. Maybe the policy should say that no power tools of any kind are allowed. He noted that some of the car washes he has observed there were no adults in sight. That was a concern for him. Selectman Evirs said that athletic team members would be covered under the school's insurance policy. Why should the Town of Lakeville be the first layer of insurance for these groups with no insurance? Selectman Yeatts responded that since these locations are public property, residents are already paying for the insurance through their taxes. Selectman Evirs stated that people could go through their home owners insurance to get a rider.

Selectman Evirs said the Town owns these buildings, and the Board is granting permission for them to be used. Does anyone inspect the property before or after use in case something has been broken? The Town should consider a user fee in case cleaning or repairs need to be made that are determined to be the result of the user or the event. Ms. Garbitt stated that Nancy LaFave of the Historical Commission usually inspects the Town House after any function. It was decided that the items that Selectman Evirs suggested will be added to the policy, and this will be placed on the next agenda for additional review.

Discuss request from COVANTA for support letter regarding Sustainable Materials Recovery Program

Ms. Garbitt stated that the meeting she went to on July 22, 2009, COVANTA asked all of the communities to send in a letter to our legislators regarding the Sustainable Materials Recovery Program.

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

VOTED: To authorize Ms. Garbitt to send the letter on behalf of the Board of Selectmen regarding the Sustainable Materials Recovery Program to the State Legislators.
Unanimous in favor.

Review revised Conservation Commission Administrative Fee Schedule

Selectman Yeatts stated that the Conservation Commission rescinded the policies and the one fee that the Board of Selectmen were not in favor of. Chairman Maksy stated that the

Conservation Commission did a great job. Ms. Garbitt noted that the last page shows the policies the Conservation Commission has passed. She will have them reviewed by Town Counsel.

Request from Town Clerk for appointment of Election Officers

Chairman Maksy said the Board has received a request from the Town Clerk asking for the appointment of Election Officers.

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

VOTED: To appoint the following as Election Officers until August 15' 2010: Douglas Young, Martha Vigers, Marilyn Hunt, Eleanor Gamache, Diana Slocombe, Joseph Chamberlain, Susan Lynch, Rebecca Wood, Margaret Gross, Melissa Fitzgerald, Beverly Ingraham, Edwin A. Bollesen, Marion Bollesen, Pauline Ashley, Shirley Fernandes, Joan Morton, Leanne Cataldo, Jean Douillette, Kristen Main, Robert Brady, Joan E. Newcomb, Patricia R. Bessette, Arleen M. Bowles, Marjorie E. Cleverly, Vivian Lee, Gary E. Mansfield, Catherine T. Sankus, Debra Martin, Shirley Healey, Evelyn C. Bumpus, Patrick R. Fitzgerald and Elizabeth St. George.
Unanimous in favor.

Vote to accept resignation of Joseph Carboni as Assistant Animal Control Officer

Selectman Yeatts read the letter of resignation into the record. Ms. Garbitt said there are only three (3) Assistant Animal Control Officers on call on now and there is no one to cover on Saturdays so she will be posting the position.

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

VOTED: To accept the resignation of Joseph Carboni and send a letter of appreciation.
Unanimous in favor.

Sign memorandum of Understanding with Middleborough regarding the Maintenance of Route 79

Chairman Maksy recused himself from the discussion.

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

VOTED: To approve and sign the Memorandum of Understanding with Middleborough regarding the Maintenance of Route 79 as written and provide a copy to MassHighway.
Unanimous in favor.

Review additional Annual Appointments

Selectman Yeatts read the list of additional Annual Appointments.

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

VOTED: To approve the following Appointments to the Ted Williams Commissary Renovation Committee with terms to expire July 31, 2010: Darryl Bernier, Daniel Hopkins, Curtis Richmond, David Fisher, Richard Fickert, Linda Grubb, William E. Garvey, Jr., Charles E. Evirs, Jr. and Rita Garbitt.
Unanimous in favor.

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

VOTED: To appoint Linda Grubb as Lakeville's representative to the SRPEDD Regional Open Space Committee until July 31, 2010.
Unanimous in favor.

Request from Lakeville Arts Council for signage for Lakeville Arts & Music Festival

Selectman Evirs read the letter from the Lakeville Arts Council regarding signage for the Lakeville Arts & Music Festival on October 3, 2009.

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

VOTED: To approve the signs for the Lakeville Arts Council for their Arts & Music Festival on October 3, 2009. The 29 wire lawn signs are to be placed on private property. They will be removed by the Highway Department if they are placed on public property.
Unanimous in favor.

Request from Eric Averill regarding alteration of short sprint course – Cranberry Trifest

Selectman Yeatts stated that Chief Sorel has indicated that the alteration makes for a better route public safety wise.

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

VOTED: To approve the alteration of the short sprint race route for the Cranberry Trifest on August 29, 2009.
Unanimous in favor.

Ms. Craig said when she took the pictures for the Board to show them the alteration, she noticed a large shrub had overgrown onto the walkway. Ms. Garbitt stated that she would call Nancy LaFave to see if it can be trimmed back.

Discuss scheduling Board of Selectmen meetings

Chairman Maksy said the suggested dates for upcoming meetings were September 14th and 28th, October 19th, November 9th and 23rd, December 7th and 21st. Ms. Garbitt stated that the Town will need a Special Town Meeting in the fall. The Board agreed on the suggested dates.

Review Zoning Board of Appeals petition-38 Shore Avenue

Chairman Maksy stated that the Board had one (1) petition to review for the Zoning Board of Appeals (ZBA). The petitioner is looking to renovate the existing home, including removing the existing block foundation and constructing a new foundation. The petitioner is seeking a Special Permit under 6.1.3. Selectman Evirs asked if there was a bylaw that someone cannot petition if back taxes are owed. Ms. Garbitt responded that they can petition, but would be denied. Selectman Evirs said this is a typical demolition and replace. The lot is less than 20,000 square feet, so it would fall under 6.1.2. It appears to be the same size and satisfies the 5% increase in area. Selectman Evirs said that the Selectmen are making recommendations, not approving the petition.

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

VOTED: To send a memo to the ZBA to be aware of 6.1.2 and 6.1.3 when considering this petition.
Unanimous in favor.

Review and vote to approve Selectmen's Meeting Minutes: April 13, 2009, June 5, 2009, June 15, 2009, July 16, 2009, July 30, 2009

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

VOTED: To approve the Selectmen's Meeting Minutes of April 13, 2009 as presented.
Two in favor, one abstention.

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

VOTED: To approve the Selectmen's Meeting Minutes of June 5, 2009 as presented.
Unanimous in favor.

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

VOTED: To approve the Selectmen's Meeting Minutes of June 15, 2009 as presented.
Unanimous in favor.

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

VOTED: To approve the Selectmen's Meeting Minutes of July 16, 2009 as presented.
Two in favor, one abstention.

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

VOTED: To approve the Selectmen's Meeting Minutes of July 30, 2009 as presented.
Unanimous in favor.

Review and accept Executive Session Meeting Minutes: March 23, 2009, April 13, 2009, April 27, 2009, June 1, 2009, June 5, 2009, June 22, 2009, July 20, 2009, and July 30, 2009

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

VOTED: To approve the Executive Session Meeting Minutes of March 23, 2009 as presented.
Unanimous in favor.

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

VOTED: To approve the Executive Session Meeting Minutes of April 13, 2009 as presented.
Unanimous in favor.

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

VOTED: To approve the Executive Session Meeting Minutes of April 27, 2009 as presented.
Unanimous in favor.

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

VOTED: To approve the Executive Session Meeting Minutes of June 1, 2009 as presented.
Unanimous in favor.

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

VOTED: To approve the Executive Session Meeting Minutes of June 5, 2009 as presented.
Unanimous in favor.

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

VOTED: To approve the Executive Session Meeting Minutes of June 22, 2009, subject to changing Fire to Police.
Unanimous in favor.

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

VOTED: To approve the Executive Session Meeting Minutes of July 20, 2009
Unanimous in favor.

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

VOTED: To approve the Executive Session Meeting Minutes of July 30, 2009.
Unanimous in favor.

Any other business that may properly come before the meeting.

Selectman Evirs asked that a letter be sent stating that Lakeville is interested in being part of the Regional 911 study. Selectman Yeatts stated that Chief Sorel was opposed to a Regional 911 center. She thought this needed to be revisited and the Town should be part of the study. Selectman Evirs agreed that the Town should be included in the study.

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

VOTED: To send a letter that Lakeville would like to be included in the Regional 911 study.
Unanimous in favor.

Ms. Garbitt stated that the Board asked her to check on options if someone wanted to donate money to the Town. She checked with the Town Accountant. The School Department has a little bit more latitude than the Town. The Town has to collect the money in a revolving fund, and then go to Town Meeting to get approval to spend it. The School Department does not have to do that. Ms. Garbitt stated that some Departments have Gift and Grant Accounts. Selectman Yeatts suggested that residents could be provided with a list of the various Gift and Grant Accounts. Further discussion occurred. Selectman Yeatts stated that the Orralls just wanted to know if a resident voted yes on the override and wanted to donate, how could they do it. Ms. Garbitt stated that they would specifically indicate where the money should be placed. Selectman Yeatts stated that she would like to send a letter to the Orralls with the information. Ms. Garbitt stated that she would send the letter.

Selectman Yeatts stated that she would like to attend the Planning Board meeting tomorrow night and ask if they would authorize \$7,000 from their account to bring back Pauline Ashley as a part time clerk in the Selectmen's Office. Selectman Yeatts stated that the Planning Board has the funds and it is very helpful for Pauline to be in the office to answer questions on Planning Board business.

Other Items

1. Letter from Division of Fisheries & Wildlife regarding water line installation
Selectman Yeatts stated that there are no turtles on Bedford Street that this would affect.
2. Thank you letter to Fire Department

3. Letter from City of New Bedford regarding closing of White Banks area for the summer
4. Letter sent to DHCD regarding Chapter 40R Smart Growth Zoning District 2009 Annual Update
5. Notification to Abutters from Conservation Commission regarding 6 Montgomery Street
6. Letter from Robert Malcolm regarding Edgeway and Twin Coach Estates
Chairman Maksy asked if this letter should be sent to any Town entities. Ms. Garbitt responded it would go to the Rent Control Board.
7. Letter from NSTAR regarding new Emergency Response Protocol
8. Letter from Senator Menard regarding An Act Promoting Consumer Choice and Competition for Cable Service
9. Letter from Town Counsel regarding annual reappointment
10. Memo from Department of Health regarding rabies information for Police Officers
11. Memo from Town Counsel regarding Amendments to the Americans with Disabilities Act
12. Meeting notice-Plymouth County Commissioners – August 4, 2009
13. Information regarding Governor Patrick's Municipal Cabinet
14. Cranberry Country Perspective newsletter – July and August
15. Notice of Cranberry Country Great Pumpkin Auction – October 20, 2009
16. Information from SEMASS COSC meeting – July 22, 2009
17. Information from SEMASS Stakeholder meetings
18. SEED news releases
19. Information from Regional Sustainability Council regarding upcoming sessions
20. Quarterly report-HOME Consortium
21. Information from Verizon regarding FIOS rate increases
22. Notice of Compliance with Ground Water Rule mentoring Session
Ms. Garbitt responded that Fred Parmenter takes care of the paperwork for this.
23. Mass Wildlife Newsletters – July 17th and August 3rd
24. Information from DLS regarding regionalization of the Towns of Hamilton & Wenham and Regionalization Conference September 3, 2009
25. DLS Bulletin – Municipal Law Seminar
Ms. Garbitt stated that usually she and the Town Accountant attend every October.
26. DLS Bulletin – Local Option Excise Revenues
Selectman Yeatts stated that the Town would receive \$38,000 if this is voted on by August 31st. This will be revisited closer to Town Meeting.
27. DLS Bulletin – Abatement, Exemption & Deferral Applications & Certificates
This will be sent to the Council on Aging Director.
28. DLS Informational Guideline Release – FY10 Payment Schedule for Cherry Sheet Programs
29. DLS Informational Guideline Release – FY10 Waivers to Education Reform Spending Requirements & Minimum Required Local Contributions
Selectman Yeatts noted that this is how you apply for waivers from Net School Spending. We need to apply for a waiver. The Town has to close its books, and then we can apply.
30. Letter from Tata & Howard regarding upcoming Grant Opportunity
31. Letter from Tata & Howard regarding Regulatory Update
32. letter from Renewable Energy Trust regarding Clean Energy Choice grant

Selectman Yeatts questioned what the \$87 could be used for. Discussion occurred on the best use of the funds. Chairman Maksy explained that we received this money since some residents are supplied electricity by NSTAR.

33. Letter from DEP regarding Notice of Public Hearing-Proposed Revisions to 310 CMR 22: Drinking Water
34. Information from MMA regarding National League of Cities National Summit on Your City's Families – October 11-13, 2009
35. Letter from DEP regarding notice of available financing for projects-Drinking Water State Revolving Fund
36. Letter from DEP regarding notice of available financing for projects-Clean Water State Revolving Fund
37. Notice from Verizon – 2nd quarter 2009 PEG fee
38. Letter from Division of Fisheries & Wildlife regarding the Water Storage Tank Project
39. Letter from Board of Health regarding Twin Coach Estates
40. Letter from Board of Health regarding 38 Shores Avenue
41. South Coast Rail Economic Development and Land Use Corridor Plan
42. Letter from Executive Office for Administration & Finance regarding the Stimulus Program (ARRA)
43. Letter from CEA regarding the Notice of Phase IV Field Activities at 79 Main Street
44. Notice of Meeting of the Executive Board of the Plymouth County Advisory Board on August 12, 2009
45. Letter from the U.S. Department of Justice regarding the COPS Hiring Recovery Program
Selectman Yeatts asked where the Town was on this. Ms. Garbitt responded that if you visit the website, it gives a list of communities. Chairman Maksy said that Chief Sorel said that the Town was way down on the list.
46. Mass Department of Public Health Situation Report H1N for July 31, 2009
Selectman Yeatts suggested that this should go to David Goodfellow.

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

VOTED: To adjourn the Selectmen's meeting at 10:30 PM.
Unanimous in favor.