

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
August 12, 2015 – 7:00 AM

On August 12, 2015, the Board of Selectmen held a meeting at 7:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Burke at 7:00 PM. Selectmen present were: Selectman Burke, Selectman Powderly and Selectman Hollenbeck. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. William Abrahamson from the Standard Times was recording the meeting and LakeCAM was recording for public broadcast.

7:00 PM Meet with Conservation Commission to discuss the vacant seats on the Conservation Commission and to discuss the 25' "no touch" buffer

Present for the discussion were: Conservation Commission Members Robert Bouchard, Joseph Chamberlain, Derek Maksy, Linda Grubb, Martha Schroeder, and Sarah Kulakovich; Nancy Yeatts, Conservation Agent and Nathan Darling, Building Commissioner. Mr. Bouchard called the Conservation Commission Meeting to order at 7:01 PM.

Chairman Burke stated that main reason for meeting with the Conservation Commission (Commission) was to discuss the 25' No Touch Buffer Policy of the Commission and the vacant seats on the Commission. The Commission had interviewed three (3) people at their previous meetings and discussed the vacancies on the Commission. Mr. Bouchard stated that the Commission had also discussed last night the letter submitted by Ms. Kulakovich requesting to be moved up to a full member and will endorse her application in the event that there is an additional opening. Ms. Craig noted that Ms. Kulakovich's Associate Membership had been tabled at the previous meeting of the Selectmen, so she has not been reappointed as Associate Member.

Chairman Burke stated that in the past, the Board of Selectmen has changed the number of members on the Conservation Commission. Originally there had only been three (3) members. Town Counsel has recommended that if a change of membership is to be done that it needs to be done through Town Meeting, since the Selectmen should not change it unilaterally. It should be decided by the residents.

Chairman Burke stated that he had approached John LeBlanc, when a vacancy became available on the Commission. Mr. LeBlanc understands the Wetlands Protection Act and it is felt that Mr. LeBlanc will bring a balance that will be beneficial to the Commission. Chairman Burke added that he knows Mr. LeBlanc personally. He is a level headed, reasonable, objective person that would be well suited for that position. Selectman Hollenbeck stated that the Selectmen did meet with applicants Mark Knox and Katherine Robinson; however, she had not had the opportunity to speak with Mr. LeBlanc, and before making a decision, she would like that to take place. She added that she would like to ask him the same questions, and would like to know why the Conservation Commission is recommending him as an Associate Member versus a full membership. Chairman Burke stated that he knows Mark Knox as well, and he is excited to be appointing him to the Commission. He does not know Katherine Robinson. If Selectman Hollenbeck would like to meet with Mr. LeBlanc, this could be tabled, and Mr.

LeBlanc can be invited to the next meeting. The other option is Selectman Hollenbeck could just vote no.

Selectman Powderly stated that he does not want to stack the Commission with pro-builders and anti-builders. If the Conservation Commission feels he would be good as an Associate, then he should become a full member. Selectman Hollenbeck explained that asking to speak with Mr. LeBlanc was not a rejection of him as a member. She asked if Katherine Robinson would then become an Associate Member. Chairman Burke welcomed Selectman Hollenbeck to make that motion. He added that Ms. Robinson appears to want to get involved with Town Government. She has a great resume and brings a lot to the table; however, he had reached out to John LeBlanc, since he knew him.

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

VOTED: To appoint John LeBlanc as a Member of the Conservation Commission with a term to expire July 31, 2018.
Unanimous in favor.

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

VOTED: To appoint Mark Knox as a full Member to the Conservation Commission with a term to expire July 31, 2018.
Unanimous in favor.

Chairman Burke asked how many Associate Members could be appointed to the Commission? Ms. Garbitt responded that there is nothing outlined in the statute regarding the number of Associates. The practice has been that Associate Members attend meetings and sit on the Commission for a while, and then when an opening comes up, they would ask to be appointed as a full member. That has been the practice for several years. Chairman Burke asked if Ms. Kulakovich was still interested in being an Associate Member in the interim. Ms. Kulakovich responded that she would, however, if another position becomes open, then she would like to be considered for it. She added that she brings balance to the Commission. Ms. Kulakovich stated that she is committed and attends basically all of the meetings. She will continue to attend and help in any way that she can.

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

VOTED: To appoint Sarah Kulakovich as an Associate Member to the Conservation Commission with a term to expire July 31, 2016.
Unanimous in favor.

Chairman Bouchard asked for some clarification on a few issues. First, what is the status of Hugh Rogers, Jr.'s seat, and if it is open, would the Selectmen advertise it, and would Ms. Kulakovich and Ms. Robinson be eligible for that position? Chairman Burke responded that Mr. Rogers submitted his resignation to the Selectmen. He said the State Ethics Commission had

been contacted, and that will be addressed at the next meeting of the Selectmen, then the vacancy will be advertised. Ms. Kulakovich and Ms. Robinson are both eligible for that seat. The Selectmen's Appointment Policy states that an Associate Member gets preferential treatment. Mr. Bouchard stated that of the three (3) applicants, Ms. Robinson was the Commission's first choice as a full member.

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

VOTED: To appoint Katherine Robinson as an Associate Member to the Conservation Commission with a term to expire July 31, 2016.
Unanimous in favor.

Chairman Burke then asked Mr. Bouchard if the Commission had discussed the number of members on the Commission. Mr. Bouchard stated that the Commission did discuss the five (5) vs. seven (7) members on the Commission, but did not take a vote. Experience has shown that a seven (7) member Commission has worked a lot better, and that is the preference of the Commission. Chairman Burke stated that he felt that the Commission would get to the same results with five (5) or six (6) members rather than seven (7), nine (9) or even ten (10) members now with two (2) Associate Members. Mr. Bouchard explained that the Commission is made up of volunteers. At times members are needed to go out with the Agent for a site visit, and it is helpful to have those additional people on board. It does not seem that anyone has suffered as a result.

Derek Maksy stated that the Commission has felt that the seven (7) Member Commission works, however, it was not considered from the applicant's perspective. Chairman Burke stated that he would like that brought forward, but if the Commission does not want to, that is fine. Mr. Maksy stated that the Planning Board needs four (4) members to approve a Special Permit. It is not known if the Conservation Commission needs to have four (4) also. Chairman Burke stated that for regular business, the Commission requires a regular quorum. For matters concerning the Wetlands Protection Act, four (4) members are needed.

Ms. Yeatts, Conservation Agent, distributed handouts regarding the 25' No Touch Zone and explained what is in the Submittal Requirements. Basically the 25' is a line on the plan as is the 50' and the 100'. The Commission has jurisdiction over the 100' buffer zone and looks at how the 25', 50', and 100' relates to the topography. Chairman Burke conveyed that there is a huge harm in having it. It is deceptive, and the Commission has an advantage in the applicants Order of Conditions. Ms. Yeatts explained that having this in place is what is best for the environment and the Town, and that is what is said to applicants. Chairman Burke stated that the Commission's Charge is to enforce the Wetlands Protection Act. This is promoting a policy that exceeds that authority, which is unacceptable. Ms. Yeatts explained that the policy is on new construction only. Chairman Burke explained that he didn't disagree with the logic; however, without the authority to enforce it, it should not be promoted. Ms. Yeatts stated that the Commission is charged with protecting the wetlands and has jurisdiction over 100'. Chairman Burke stated that the Commission doesn't have that control within the Town bylaws. This cannot take place without Town Meeting vote. Town Counsel has sent a letter in response to this question. It is up to the people of Lakeville to make this decision. Ms. Yeatts asked what

she should respond when people come to her asking, “what is the best thing to do”? Chairman Burke responded that since the Commission doesn’t have the authority to enforce it, it cannot be asked to be done or enforced.

Mr. Bouchard explained that the Commission doesn’t enforce it. It is not a bylaw or the Wetland Protection Act. Chairman Burke stated that it is expected to take place with engineers. Mr. Bouchard stated that the Commission has never denied a project on that basis. Chairman Burke stated that is coercing people in a direction that they may not want to go. Mr. Bouchard pointed out that the Board of Selectmen has their own policies. Chairman Burke responded that is not the point. Town Counsel has stated that until there is a bylaw, the Commission cannot do this. Mr. Bouchard explained that there are 100 Towns with this in place in Massachusetts. Chairman Burke added that they all went to Town Meeting to put it in place. This is not a discussion or debate, but a settled matter of law that Town Counsel has advised. Ms. Yeatts stated that Town Counsel did not say that an opinion couldn’t be provided. Chairman Burke stated that this is not a debate. If the Commission wants to have a policy, fine, bring it to Town Meeting to pass. He asked that the Commission look at this from the eyes of the applicant. They need to understand clearly the laws. If the Commission feels strongly about it, they should try to sell it at Town Meeting. Then the Commission will have the authority to work with people for the benefit of this. Right now it needs to be clear for the applicant with no ambiguity. Ms. Yeatts explained that when people come to the Commission, many want to know what is the best thing to do for the environment when moving forward with their project.

Chairman Burke stated that that is antidotal; the Town has to operate with a bylaw. Ms. Schroeder stated that Chairman Burke did not understand the Wetlands Protection Act. It says that it is up to the applicant who is doing the project to show that the project will not be detrimental to the Act. She added that she will back off on the idea of a policy. However, if the Commission says that they feel by clearing within 25’ of a wetland will damage the wetlands, then the Commission should let the applicant know this. This is a case by case basis and is something the Town should do. There should be an opinion, if not a policy. Backing away and leaving natural vegetation and natural terrain is the right thing to do. The reason for establishing this as a policy was to give the applicant an expectation of what would pass easily with the Commission. This is a guideline; we don’t enforce it like a law is enforced.

Selectman Hollenbeck asked what the history was of the failure of the Wetlands bylaw in Town. Ms. Yeatts explained that it had been included as a policy the second time the Conservation Commission brought some matters forward at Town Meeting. It failed in 2006. In 2005, McGee Chevrolet had a project encompassing property in both Taunton and Lakeville. Taunton stated that they had a 25’ No Touch Zone, so the Commission did this to match Taunton. It was done for all the reasons of it being a good idea. Selectman Powderly further explained that the 25’ No Touch Zone was only one (1) component of the bylaw. The whole thing was intrusive to people that others could be coming onto their property uninvited, so it was shot down at Town Meeting.

Kevin Donnelly of 19 Brookside Drive stated that he is listening to both sides. The Wetlands Protection Act is in place. Chairman Burke is saying to put it to the people and if it does not pass, then you cannot influence your opinion. Since the Commission feels it is best, it then

exposes the Town to a lot of risk, which is very simple and clear. Linda Grubb stated that the Commission has authority over 100' of the buffer zone and can make decisions whether or not things will be detrimental to the Wetlands Protection Act, if done. It is not understood why people are so upset over 25' when the Commission controls 100'. The Commission has, since 2013, been working on a bylaw through a Study Committee, which a member of the Selectmen is on, knowing that the Town needs a bylaw. Some people are against establishing a bylaw. Ms. Kulakovich stated that the State of Massachusetts has set up the Conservation Commission to do this within the Wetlands Protection Act. It embraces all of that. The reason why things like this do not pass is that people are scared about losing control. It is all about educating the voters. It is not a threatening thing; these are just ways to enforce it. 90% of the time the Commission has not had to enforce it. It has just been in a few instances that people do not care about it. It is a tragedy that we do not have what we need to do the job that is already written into our role. It is about educating people, not taking control.

Mr. Maksy stated that he has been asking about this since he has been on the Commission. He added that he is a proponent of Town Meeting. It doesn't matter if it is 200'; let the people at Town Meeting decide. The people have a right to use their property. Another point is, this is not coming from Ms. Yeatts. The Commission directs her of what to do. This is not all on Ms. Yeatts to take the heat. Chairman Burke stated that he would just ask that it be considered from the position of the applicant. If they ask what the best way is, then educate them. If they do not ask, then this should not be part of the conversation until this is a bylaw. Selectman Hollenbeck stated that if this is costing the applicant money to put in a 25' marker in concrete, then that is a significant cost to the applicant. When someone is trying to get a project approved, they may feel like they have to do this to get their project approved and they are in a vulnerable position. Ms. Schroeder stated that it is only for new construction, where there would not be a lawn.

Mr. Bouchard stated that the Commission has never asked for permanent markers for this. The Commission does for other wetland boundaries and the 100' mark. Mr. Maksy stated that the Commission did ask for permanent markers on Highland Road, maybe it was due to the stream. Ms. Yeatts explained that the Commission has authority 200' feet within a stream, which is contiguous to a drinking water supply. Mr. Bouchard stated that it has never been the intent of the Commission to deceive anyone. The Commission will continue to enforce the 100' and the Commission can regulate activities in a 25' zone on a case by case basis and that is what Ms. Schroeder and Ms. Grubb have stated. Mr. Chamberlain asked what then has changed. Chairman Burke responded that what Mr. Bouchard stated is different than what the Agent stated initially. The issue is from the point of the applicant. People shouldn't feel that they are giving up something that they don't have to, and they need to understand their rights. It has been happening in advance through establishment of a policy that may or may not make sense, but if the Commission is going to apply it from the onset, there should be a bylaw in place. Mr. Chamberlain stated that the Town Wide Survey of what residents want for the Town is to maintain its rural character.

Ms. Kulakovich stated that the Commission has now heard from one side, however, there are people that complain that the Commission is not doing enough, especially after damages have happened. They ask what the Commission is doing, and why they are not enforcing things. Ms. Kulakovich added that she has also listened to people with very small lots being allowed to build

so much in very small areas. How can it be allowed within the buffer zones, but the grandfathering is what allows it. People need to build and repair their homes and properties, but it has been to the point of too much. The Selectmen are not hearing from the other residents who want protection. The Commission is in the middle and is trying to listen to the homeowners. The grandfathering has protected a lot of homeowners. That should make homeowners feel better and give a balanced picture. Selectman Powderly stated that he did not share in Chairman Burke's comment that a Wetlands Bylaw should be presented to Town Meeting. The Town doesn't build a lot of new houses, only about 20 a year, and not many in the wetlands. Ms. Grubb explained that the language of the bylaw was such that people would understand it. Ms. Schroeder stated that it seems that people misinterpret it. One cannot go onto someone's property without permission. That is not in there, and one cannot do that anyway. Ms. Garbitt pointed out that the Submittal requirements read for all Notice of Intent's and ANRAD's. Ms. Yeatts responded that delineation is to give points of reference and topography information for engineers and builders.

Mr. Chamberlain stated that for the 37 + years that he has been on the Commission, the amount of denials have been about ½ of a percent. It is very rare that the Commission completely denies a person. Ms. Yeatts stated that the Commission had a case last night about a house being demolished and a new one being built. The Building Commissioner would say that is new construction, but the Commission doesn't look at it like that. Ms. Kulakovich stated that there are a lot of conditions, and it is the conditioning of the projects where the value is. Everything becomes okay during the conditioning. People have not been denied; they have been conditioned. Mr. Chamberlain stated that the builder is not doing his client a favor by building a house with three (3) sump pumps in the cellar. Ms. Kulakovich added that when trees are cut down, the surrounding property will have more water, since the trees would otherwise absorb the water. This matter is also about education. It is the law that the applicant has to attend and discuss their project in an open meeting. Often it is difficult for people to come and discuss their personal business in front of everyone.

Upon a motion made by Mr. Maksy; seconded by Ms. Grubb it was:

VOTED: To adjourn the Conservation Commission meeting at 8:13 PM.
Unanimous in favor.

Request from Fire Chief to Appoint a Full Time Firefighter-Kelsey Donnelly

Daniel Hopkins, Fire Chief, was present for the discussion. Chairman Burke stated that the Fire Chief is requesting that the Selectmen vote to appoint Kelsey Donnelly as a Full Time Firefighter. Mr. Hopkins explained that two (2) outside Fire Chiefs and the Deputy Chief interviewed candidates. Selectman Powderly stated that he felt that this is a great opportunity for the Town and for Ms. Donnelly. It is important that Ms. Donnelly becomes a paramedic within the year. Selectman Hollenbeck asked if all Firefighters are EMTs. Mr. Hopkins responded yes. Ms. Donnelly stated that she has completed Paramedic School and is waiting on the test date from the State.

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

VOTED: To appoint Kelsey Donnelly as a Full Time Firefighter contingent upon the successful completion and passing of the Massachusetts Career Fire Fighting Academy and passing the Paramedic Exam within one (1) year from the date of appointment. The appointment is also contingent upon the completion of a one (1) year probationary period.
Unanimous in favor.

Meet with Fire Chief to discuss the Ladder Truck and Generator for the Town Offices/Fire Station

Daniel Hopkins, Fire Chief, was present for the discussion. Chairman Burke stated that the Selectmen have received a memo regarding the ladder truck needs repairs, because the engine has failed. They had requested certain information from the Fire Chief, which was received. Chairman Burke asked if the ladder truck could be sold for parts and scrapped. Chief Hopkins responded that he did not how much could be received for scrapping it, but it could be traded in. An independent company came in and examined the truck. This information has all been provided in a report to the Selectmen. Chairman Burke stated that he is not ready to make a decision tonight, but suggested that the Chief talk about the best course of action. Chief Hopkins stated that it has been recommended not to sink any more money into it. Replacing the engine alone costs approximately \$50,000. The pump also needs work, since the last time it was tested it did not pass the test. The truck is usable, but the ladder is not certified. Though the pump has failed, the pumps work for the Town's needs. However, that would need to get fixed as there are a lot of leaks. It also did catch on fire from a short circuit, and the insurance money was put into it. It is recommended that no more money be invested into it.

Selectman Hollenbeck asked if a new ladder truck needs to be purchased. Chief Hopkins responded that that would be the best way to go. There are other ways to go about the process, such as buying used, but someone with more knowledge than the Chief needs to go through it to determine if it is worth it. The Department could lease one. The Town and the Fire Department should sit down and come up with a plan of what is wanted and needed. Mr. Garbitt stated that the Town did a lease purchase on the 1997 engine ten (10) years ago. Selectman Powderly asked if the Chief had the opportunity to research how many calls that the ladder truck has been needed on. The Chief responded that he has begun working on that report. There is also Mutual Aid through the Town of Middleborough. They would respond quicker to the areas that would need a ladder truck in Lakeville. It would be preferable not to obtain a ladder truck over ten (10) years old. The Fire Department doesn't put on more than 400 miles a year. A busy Department puts on 1,000 miles. Selectman Hollenbeck asked if Middleborough has been informed that the ladder truck is down. Chief Hopkins responded that they have been made aware. Selectman Powderly asked when the Chief would have some other options. The Chief responded that he will work on a plan, since the Town could buy just a straight ladder truck with no pump on it and then hook up water. Whatever type of truck is purchased though, we will need to make sure that it fits into the Fire Station with length, width and height. The doors are only ten (10) feet wide. Chief Hopkins stated that he will work on getting prices and look at used trucks from ten (10) years and forward. Selectman Hollenbeck stated that she would like to see the Capital Plan for

when the Fire Department will need another truck. Could the Town get a multi duty truck vs. one that goes out only once or twice a year?

Doug Mills of 334 Bedford Street stated that he supported the Fire Chief 100%. The ladder truck was put together in Middleborough in 1988. Only two (2) of those models were built. To depend on Middleborough for Mutual Aid is fine, but the Town of Lakeville has to take care of themselves. If a new truck is purchased and well cared for, it will last 20 years. Do you want to buy someone else's problems? Look at how much the Town is paying for cruisers. Chairman Burke stated that the comparison for Police Cruisers and Fire Trucks does not relate.

Chief Hopkins provided an update on the present generator. The quote he had received for repairs was for \$3,100. It is also not the final answer for the generator; it needs additional work such as a battery charger, solenoid, battery and filters. The company will be providing a price on the battery charger. The generator is up and running, yet there are no guarantees. It was necessary to return the rental since it was getting too expensive. The company has suggested doing a full load test every other week. The Chief will check out with Ms. McRae if this is something that can be done before everyone comes to work in the morning. Selectman Powderly asked whose duty is it to keep the generator running. Chief Hopkins responded that he believes that it is himself through his position under Emergency Management. The Chief is also waiting to hear back from a consultant about what size generator the Town needs or if can be split up to two (2) generators. This item has been on the Capital Plan for approximately four (4) years. Initially, it had been budgeted for \$30,000, however, it seems that a larger generator is needed and that may cost about \$84,000. Mr. Mills asked about having an automatic start generator, since the present one isn't. Chairman Burke responded that that is standard with the new style.

Discuss establishing the Study Committee for Town Facilities

Chairman Burke explained that the Selectmen had discussed in May about putting together a Study Committee for Town Facilities. The Town has certain needs. It was hoped that the building next door would have worked out to be an annex to the Town Office Building, however, that did not work out. The proposed Study Committee would review space needs to recommend to the Selectmen. The necessary building needs appear to be the Police Station and Highway Barn. The Assessor's Building is being underutilized. However, in order to have it be more useful, there may need to be some work done to it and that could be done under Capital Planning. That building could possibly be used for the Board of Health, Building and Conservation bringing the Assessors back to the Town Office Building. Selectman Powderly suggested putting the Assessors in the conference room and changing the window to a walk-up window. The manpower for the Town for the next ten (10) years needs to be determined to make sure that the buildings will be able to tolerate additional staff, if necessary. Another consideration is the population. If it does not change, will additional manpower be needed?

Ms. Garbitt stated that additional positions that could be considered are a Town Planner/Economic Development position, a full time IT person, full time Clerk for the Highway Department and a full time Clerk for the Fire Chief over the course of the next five (5) years. There could possibly be another part time clerk. Chairman Burke stated that he was looking at this differently. He would like to look at how the rooms/offices can be reconfigured to be

utilized better. He would like the Town to utilize its assets to deliver services better to the community. This may be a topic for discussion at a future agenda. Chairman Burke suggested that possibly the Assessors Building could be sold and the Town Office Building expanded in order to have everything under one (1) roof. Yet, there may be accessibility problems if offices are located in the upstairs of the Town Office Building. Ms. Garbitt mentioned that the Town does need meeting room space. It was then the consensus of the Selectmen to add this topic to a future Selectmen agenda.

Review and vote on Board of Selectmen Priority List

Chairman Burke stated that it appears that the Selectmen have accomplished everything on the Priority List that they had set out to do. At this time, the Town is finalizing the sale of the Water Tower, the over assessment from the Region has been resolved, and the Howland Road property has been sold. The new Employee Performance Evaluations have been developed; the Town has prepared its FY15 Green Communities Grant Submittal, and has gone out to bid for the design of Rhode Island Road.

Selectman Hollenbeck stated that under high priority, she had the Highway Complex once the giant hill is removed, so that the designers can evaluate the area. She would like to look at employee policies and reviews, which may be a medium priority. Also what is taking place with the exit interviews? Ms. Garbitt responded that a lot of Towns are now recommending against doing the exit interviews right after Lakeville developed one. Selectman Hollenbeck stated that the Town should adopt policies regarding Stabilization Fund, Reserve Funds, with exceptions for a terrible economic time, and not to be so restrictive for the Town that it is stuck within a policy. The Conservation Preservation Act could be moved into medium priority. Regarding updating the Master Plan, it is happening in bits and pieces with the subcommittees. It is ten (10) years old and needs to be updated. The GIS for the overview of the Town should be a medium priority. Though it is expensive, it should be evaluated as to what the impact might be. There is typically a full time employee who is responsible for it. Ms. Garbitt suggested adding in the financial software for all Departments. Selectman Hollenbeck added that a financial projection of the Town and a flow chart of personnel should be developed. Ms. Craig noted that the flow chart for the individual Department had been done.

Selectman Hollenbeck stated that another consideration is the Assawompsett School. Ms. Garbitt explained that the process with the Massachusetts School Building Authority has changed. A Letter of Interest needs to be submitted first, and then the feasibility study is done. A feasibility study was done for the School several years ago, and the cost was \$8-\$9,000,000. It is also up to the Superintendent of Schools to get on the list. Chairman Burke stated that eventually the school will need work done, assuming it does not get closed.

The Selectmen felt that the Housing Authority could be removed from the list. Ms. Garbitt noted that there is a Board of Trustees and the Trust Fund contains \$27,000 at this time. It is hoped that at some point the funds could be used to build an affordable home. Ms. Garbitt will update the Priority List and put it on another agenda for further discussion. Selectman Powderly stated that he wants to look at what it costs to run the Town. At this time, it costs the Town \$65,000 a year for Betty's Neck, \$25,000 for the Howland Road Property, which has now been

sold, and \$5,000 a year for the Tamarack Park. That adds up to \$95,000 a year that those areas are costing the Town. Ms. Grubb pointed out that the townspeople voted for those things, and they have been beneficial for the townspeople. There are people at those places all the time. The Town needs to have resources in Town for the people. Selectman Powderly stated that he wants to see what the Town spends its money on, and determine what it should be spending its money on in the future. He added that the Town should get its buildings in order.

Discuss SRPEDD Municipal Assistance Hours for FY2016

Chairman Burke explained that the Planning Board and Selectmen each receive 20 hours a year of Municipal Assistance from SRPEDD. The Selectmen have some suggestions on how to use this time. It would be good to have a sounding Board for the Zoning By-Law and Green Communities. Ms. Garbitt noted that there will be 29 contracts for this most recent grant. Ross Perry will be checking to see if he can review all the bid documents that will be going out to bid. Also, when the Zoning Bylaw Review Advisory Committee begins, they will need assistance and the hours could be utilized by them.

Discuss Amending the Selectmen's Policy and Procedures for Appointments to Town Boards, Committees and Commissions to exclude the Council on Aging Board of Directors

Chairman Burke explained that he and the Town Administrator have had a conversation about amending the Selectmen's Policy and Procedures for Appointments. He noted that the Council on Aging Board of Directors has been following their own procedure, and it is a good procedure. It is felt that the Selectmen should exempt them from following the process in place by the Selectmen.

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

VOTED: To amend the Selectmen's Policy and Procedures for Appointments to Town Boards, Committees and Commissions to exclude the Council on Aging.
Unanimous in favor.

Vote to accept resignation of Francis Brogan from Council on Aging Board and discuss appointment of a replacement member

Chairman Burke explained that a letter of resignation had been received by the Council on Aging from Francis Brogan, whose term would have expired July 31, 2017. The Council on Aging has met to discuss the vacancy and recommends that Rita Gouveia be appointed to fill the vacancy. They are also requesting that Louise Dube be appointed as an Alternate Member.

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

VOTED: To appoint Rita Gouveia to the Council of Aging with a term to expire July 31, 2017 and to appoint Louise Dube to the Council on Aging Board of Directors Alternate Member with a term to expire 7/31/16 as requested by the Council on Aging.
Unanimous in favor.

Review Letter of Interest from Nathan Darling for the Town Forest Committee

Chairman Burke stated that he will waive the reading of the letter of interest submitted by Nathan Darling to serve on the Town Forest Committee.

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

VOTED: To appoint Nathan Darling to the Town Forest Committee with a term to expire on July 31, 2017.
Unanimous in favor.

Discuss letter from Lakeville Arts & Music Festival Committee regarding placement of signage

Selectman Powderly stated that the signs throughout the Town promoting businesses and services need to be taken down. The yard sale and realtor signs seem to come down, but not these others.

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

VOTED: To approve the request by the Lakeville Arts Council to place lawn signs on private properties and to place a sign at the intersection of Pickens and Precinct Streets advertising the 2015 Lakeville Arts & Music Festival.
Unanimous in favor.

Review and vote on the Acceptance of Easement for Woodland Ridge Drive and Village Road

Chairman Burke said the Selectmen needed to vote to accept the easements for Woodland Ridge Drive and Village Road.

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

VOTED: To approve the Acceptance of the Easements for Woodland Ridge Drive and Village Road and to sign the Easements.
Unanimous in favor.

Discuss Request for Taunton Water Allocation Connection from Marcus Baptiste for 7 Main Street

Chairman Burke said the Selectmen had received a request to connect to Taunton Water for the property located at 7 Main Street.

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

VOTED: To approve the request to connect to Taunton Water for the property located at 7 Main Street.
Unanimous in favor.

Review and vote to approve Board of Selectmen Meeting Minutes of May 20, 2015; May 25, 2015; June 8, 2015 and August 4, 2015

Selectman Hollenbeck noted a correction on page 4 of the June 8th Selectmen Meeting Minutes.

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

VOTED: To approve the May 20, 2015, May 25, 2015, and August 4, 2015 Selectmen Meeting Minutes as presented and the June 8, 2015 with one (1) correction on page 4.
Unanimous in favor.

Review and vote to approve Board of Selectmen Executive Session Meeting Minutes of July 29, 2015

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

VOTED: To approve the Executive Session Meeting Minutes of July 29, 2015 as presented.
Unanimous in favor.

New Business

Ms. Garbitt stated that the Council on Aging Director, Vicki Souza, asked if the Selectmen would announce the GATRA Transportation Needs Survey. Chairman Burke explained that the survey being done by GATRA is to define the long-distance transportation needs of seniors and people with disabilities in the Towns of Carver, Lakeville, Middleborough and Wareham. The survey can be found on the Town's website Home Page or on GATRA's website. It is also available at the Town Clerk's Office, Library and Senior Center.

Ms. Garbitt stated that there is a request from Sarah Kulakovich asking for permission to use the fold up tables and chairs from the Town House on August 22 and September 20, 2015 on the lawn at Somethin's Brewin' for the Farmers' Market. Selectman Hollenbeck stated that she was

not comfortable approving the request until it is discussed at the Community Development Committee Meeting on August 13, 2015.

Old Business – Update from Selectman Hollenbeck regarding her meeting with Superintendent Medeiros and Fred Baker on August 4, 2015

Selectman Hollenbeck provided a handout and an update regarding her meetings with Superintendent Medeiros and Fred Baker, Director of Business & Finance for the Regional Schools, on August 4, 2015 concerning her calculations on the Transportation and Debt Adjustments for the Regional Schools. There are three (3) components of the school calculation. The first is the 9C cuts and what the actual Transportation amount is. \$284,000 was put aside into Stabilization, and the actual receipts show a shortfall of \$187,751. Lakeville has been over assessed on the George R. Austin Intermediate School (GRAIS) by \$87,919, while Freetown has been under assessed. Selectman Powderly noted that Mr. Baker's figures and Selectman Hollenbeck's figures differentiate significantly. Selectman Hollenbeck said Mr. Baker will be providing her figures to UniBank when he meets with them. There will be a Regional meeting to discuss the adjustments. The third piece is still ongoing, which is developing a concept of what to do to make sure that the Town is not overcharged for transportation year after year. The School Committee votes how much to put in the fund, and it would only be used for transportation, but it was voted down. So what does the Town do with estimates when going to Town Meeting? The funding aspect is another piece for the Regional Finance Budget Sub-Committee. The Town has the original assessment, then the final Governor's budget, and she is still looking at that calculation. Does the Town "true" it up twice? If there is an overage, it goes into the Transportation Fund, and then when the Region receives anything different, it goes in and out of that fund as well. This would provide a clearer picture and isolate the money from the Excess & Deficiency account. She said discussions need to take place with Freetown, and the Regional School Committee needs to be informed. Then the matter should go to the Regional Finance Budget Sub-Committee and then back up to the Regional School Committee. Basically it seems that Lakeville only needs \$18,000.

Any other business that could possibly come before the Board of Selectmen

Ms. Grubb asked if the Selectmen were going to appoint someone to the Open Space Committee. Ms. Craig stated that the opening had been advertised in the Middleboro Gazette. Chairman Burke explained that so far only Sarah Kulakovich has submitted a letter of interest. Don Foster will continue serving on the Open Space Committee as a hold over until an appointment is made.

Other Items

1. Letter from Martha Schroeder regarding the Conservation Commission
2. Letter from Martha Schroeder regarding Fund for Open Space Preservation
3. Memo from the Conservation Agent regarding denials by the Conservation Commission over the past two (2) years
4. Letter from the Tuesday Club of Assonet
5. Letter from MassHousing regarding Water Street Crossing

6. Invitation from the Cardinal's Office to a Special Mass in Thanksgiving to God on October 4, 2015

At 9:48 PM, upon a motion made by Selectman Powderly; 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) (4) to discuss the deployment of or strategy regarding security personnel or devices, e.g. a sting operation. Polled vote: Selectman Burke-Aye, Selectman Hollenbeck-Aye, and Selectman Powderly -Aye.

List of Documents provided at the August 12, 2015 Selectmen's Meeting

1. Letter of interest from Sarah Kulakovich to serve as full member on the Conservation Commission
2. MGL Chapter 40, Section 8C Conservation Commission' establishment; powers and duties.
3. Establishment of the Conservation Commission at Town Meeting Article 20 3-12-62.
4. Appointment letter to Neil Ingraham July 26, 2001 for the Conservation Commission.
5. Confidential letter from Michele Randazzo, Esq., dated July 24, 2015
6. Request from the Fire Chief to appoint a full time firefighter
7. Memo from the Fire Chief to discuss the ladder truck and generator for the Town Offices/Fire Station.
8. List of costs spent on the 1989 Ladder Truck
9. Inspection Report from AJL Associates, Inc., regarding the Quint Aerial Ladder Truck
10. Copy of BOS meeting minutes of 5-26-15 regarding formation of a Study Committee for town Facilities
11. Priority List for the Board of Selectmen
12. Copy of Selectmen Meeting Minutes of 7-14-14 regarding the Priority List for FY15
13. Letter from SRPEDD regarding municipal assistance allocation of 20 hours and request forms
14. List of Municipal assistance services
15. Copies of forms previously submitted by the Town requesting allocation of hours.
16. Board of Selectmen Ambulance Service Billing and Collection Policy and Procedures amended January 27, 2014.
17. Resignation of Francis Brogan from the Council on Aging Board
18. Letter from the Council on Aging Director asking to appoint Louise Dube as Alternate Member and Rita Gouveia to the Council on Aging Board
19. Special Town Meeting June 26, 1972 Article 2, Section 3 specifically
20. Letter of interest from Nathan Darling to serve on the Town Forest Committee
21. MGL Chapter 45, section 21 City or town forests; management
22. Letter from Lakeville Arts & Music Festival Committee regarding placement of signage for their annual arts & music festival
23. Letter from Kopelman & Paige regarding the grant of the easement for Woodland Ridge roads and letter of acceptance to be signed by the Selectmen; also public way easement agreement and certificate of title to easement.
24. Request for Taunton Water connection from Marcus Baptiste for 7 Main Street and City of Taunton water connection application.
25. Selectmen Meeting Minutes of May 20, 2015, May 26, 2015, June 8, 2015 and August 4, 2015.
26. GATRA Transportation Needs Survey from Vicki Souza, Council on Aging Director.
27. Letter from Sarah Kulakovich requesting permission to use Old Town House folding tables and chairs for the Lakeville Farmer's Markets on August 22 and September 20th.
28. Calculation paperwork from Selectman Hollenbeck regarding the 9C cuts, transportation and debt adjustments concerning the Regional Schools.