

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
September 24, 2012 - 7:00 PM

On September 24, 2012, 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 Maksy at 7:00 PM. Selectmen present were: Chairman Maksy, Selectman Belliveau and Selectman Powderly. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Cindy Dow of The Middleborough Gazette and Alan Russel from LCAM were recording the meeting.

7:00 PM Meet with Lynne Foster from Unibank to discuss Refinancing of Bond

Lynne Foster of Unibank was present for the discussion. Ms. Garbitt stated that the purpose of refinancing one of the Town's long term bonds was to lower the interest expense. The next call date is January of 2013. Ms. Foster needs to know by November 15, 2012 in order to prepare the bond issue. The total bond issue is \$2,290,600 for the construction of the Senior Center, the purchase of Betty's Neck, Tamarack Park, and the 636 acres on Howland Road, the installation of the water line for residents on Daniel Road, and the purchase of non-conforming lots in shore front communities. The cost of the refinancing is approximately \$40,000 and the overall savings will be \$50,000 over the life of the issue assuming interest rates stay at the current level.

Ms. Foster explained the details of refinancing the bond. She noted that the new bond cannot exceed the original schedule of the bond. When the market yields were done, benchmarked on the original run, they were slightly lower, so the Town is in a very good position to have a good refunding. The principal amount is \$980,000, then, the issuance cost bumps it up roughly \$40,000. Total estimated savings is \$51,000 over nine (9) years and that is an all-inclusive amount overall. Ms. Garbitt stated that she had wanted to keep the payments close to what is presently being paid over the remaining nine (9) years. Selectman Belliveau asked why couldn't the same payments be made to just retire the debt early. Ms. Foster responded that she cannot run it for principal payments more than what the Town is willing to pay. The numbers are run for the most optimal savings. Ms. Garbitt noted that the Board had been provided a sheet depicting the old debt vs. the new debt. Ms. Foster added that this is a fixed rate and locked in place once done. Ms. Foster suggested that this be done as soon as possible in case things change with the market and economy. Ms. Foster stated that she will run the figures again for Ms. Garbitt to see if the bond can be taken off the books even sooner with additional savings.

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

VOTED: To authorize the Treasurer to notify Unibank that the Town would like to refinance the Town's bond issue dated July 15, 2002.
Unanimous in favor.

7:15 PM Meet with Christopher Peck, Superintendent of Streets, to discuss:

Invoice settlement with A.W.Martin for compactor

Christopher Peck, Superintendent of Streets, was present for the discussion. Mr. Peck explained that the Town had been sending out its light iron to A.W. Martin, and there were outstanding invoices that A. W. Martin owed the Town. Presently they owe the Town \$4,905.48. However, they have been allowing the Town to use one of their compactors for several years. It has been inspected and assessed at a value of \$7,000. A.W. Martin has offered the Town the option to purchase the compactor at a cost of \$7,000. That would leave a balance due from the Town of \$2,094.52. For the Town to purchase a new compactor, the cost would be over \$18,000. Mr. Peck would like to purchase the compactor from A.W. Martin.

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

VOTED: To purchase the compactor from A. W. Martin at a cost of \$7,000, less the \$4,905.48 leaving a balance due from the Town of \$2,094.52.
Unanimous in favor.

FY13 Snow Plow Contractor Rates

Mr. Peck stated that based on a survey of surrounding towns conducted by the Plymouth County Highway Association, Lakeville is the lowest paying town for snow plow contractor rates of the 20 towns that participated in the survey. Over the past couple of years, the Town has lost several contractors because of the low rate and rising gas prices. It has been hard to replace the contractors due to these issues. If the Town continues to lose snow plow contractors, it will not be able to provide the same level of service as it has in the past. The contractor shortage will lead to increased wear and tear on Town equipment as the Town will have to cover additional plow routes with its own equipment.

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

VOTED: To increase the rate of the $\frac{3}{4}$ ton 8' plow to \$56 per hour from \$50, and to increase the rate of the 1 ton 9' plow to \$63 per hour from \$50.
Unanimous in favor.

Taunton Street Bridge

Mr. Peck stated that he had recently done some roadwork on Taunton Street and while prepping the road, it was noticed that there was a large washout that had undermined the roadway and guardrails. He had an engineer come out and inspect the area to determine if the bridge had failed and to give an estimate of the culvert itself. This is actually a ten (10) foot wide structure and not classified as a bridge. It is the responsibility of the Town to repair it. The engineer stated that the stone structure, which bears a lot of traffic, needs to be replaced. He is not sure what the cost will be to complete this project. Mr. Peck explained that the structure is

on a curve. There is also a gas main there that Columbia Gas just replaced last summer. Mr. Peck asked for the inspection to be done to determine the safety of the structure.

Chairman Maksy stated that if the cost is \$500,000 to repair it, it will not happen anytime soon as the Town does not have these funds available. Selectman Powderly stated that the Town needs to know if the structure can tolerate the weight limit and/or if traffic needs to be restricted. Mr. Peck stated that they cannot make that determination since it is a stone structure, not concrete or metal. Ms. Garbitt asked if Mr. Peck should get additional estimates. Chairman Maksy stated that he would like to know what work is going to be done. This seems to be a complete replacement, not a repair. Some options are needed or the street will have to be closed down.

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

VOTED: To have Mr. Peck move forward and get three (3) estimates on the work needed for the Taunton Street Bridge over Poquoy Brook.
Unanimous in favor.

FY12 Proposed Roadway Improvements

Mr. Peck stated that some of the proposed roadway improvements on his memo dated September 4, 2012 have already been completed. Chairman Maksy mentioned that he had received a few complaints about the work since the people in the neighborhood did not know it was taking place. Mr. Peck stated that he had received a call from the contractor stating that they could come a few days earlier than expected. A memo was put into residents' mail boxes notifying them of the construction. The street signs will be replaced, and the lines painted on the roads. Crack sealing will soon begin on various roadways throughout Town. The only road on the list which will be taken off is Betty's Neck. Line striping has been taking place; however, the amount done has had to be reduced due to the budget. Only the main roads could be done, and only a single line instead of double lines that are typically done. The Town cannot use Chapter 90 monies for line striping.

Discuss Sanding of Private Roads

Ms. Garbitt stated that over the past few years, letters were sent out to the Heads of the Associations regarding the Town's policy on the sanding of private roads. She would like to do that again this year. Mr. Peck explained that essentially the Town ceased sanding of all private roads a few years ago. It is only done based on direction from the Police and/or Fire Department and in safety issue areas. If a resident needs sand, they can go to the Highway Department for a sand and salt mix.

Discuss Highway Department Personnel Needs

Mr. Peck stated that the Foreman retired back in July, and he was looking to see if the Board wanted to move forward and fill the Foreman position. Also, he wanted to know if the Board was still in favor of hiring an ASC certified Mechanic, who could also do maintenance on the

Police and Fire vehicles. To date, nothing has been done to change any job descriptions or rates. Would the Board want to post the Foreman position, and is it to be an internal or external hire? Mr. Peck stated that he would prefer it to be an hourly position. Mr. Peck expressed his concern with hiring someone externally, mainly that an external candidate would not know what an internal candidate would know regarding the needs of the Town and the present equipment.

Mr. Peck spoke about the Mechanic's position. He would want this to be a Mechanic/Laborer position so that the person would be able to work in the field, when they are not fixing the vehicles. At this time, the Police and Fire Departments are sending out their vehicles for routine maintenance. Selectman Powderly noted that the Police and Fire Departments are spending approximately \$16,000 a year for that maintenance. That amount of money should be transferred into Mr. Peck's budget. Ms. Garbitt mentioned that the health insurance for additional employees would not come out of Mr. Peck's budget. Chairman Maksy asked if Mr. Peck could obtain a job description for the Mechanic, so that it can be presented to the Union. Mr. Peck responded that he could do that. Basically all Departments of Public Works have a Mechanic, however, for Lakeville this is new territory.

Selectman Belliveau asked then if the position would be posted in Town for the Foreman. Mr. Peck stated that he did not see why someone should be brought in externally when internally there is a person that knows all that is necessary. Discussion took place on the positives and negatives of hiring internally versus externally.

Chairman Maksy stated that Mr. Peck will have to post the position, and interview all qualified people. The position has to be looked at in this way due to the union, which the Town is bargaining with right now. Ms. Garbitt stated that she will present this to Labor Counsel and ask them what the next steps should be. Chairman Maksy stated that the reasons why the position is changing from salary to hourly need to be explained. A salary range and job description needs to be provided for the Mechanic since it is a new position. This will also need to be advertised, since the Town advertises all new positions.

7:30 PM Meet with Board of Health to discuss Clerk's additional duties

Robert Poillucci and Terry Flynn, Members of the Board of Health, were present for the discussion. Mr. Poillucci stated that when the Board of Health (BOH) Supervisor retired, the BOH Office was restructured. A part time Clerk was hired, along with a part time Health Inspector. The present Clerk has not been provided a raise due to the fact that the Town is in negotiations with the new union. Mr. Poillucci hopes to give her a temporary raise for doing additional work that the Supervisor used to do, which union people say she cannot be doing without getting paid for? The BOH voted to give her an additional \$1.25 an hour. This is not the full amount of what the position should be provided. It is also hoped to make the \$1.25 retroactive, since the new Clerk has been doing the work for a period of time.

Chairman Maksy made it clear that it is not the individual; it is the position, since the Town is now dealing with the union. The Clerk is performing more duties due to the Supervisor's retirement. The BOH should create a new position or fill the old position. This is a position that was not in the unions hands at that point. This could cause a grievance, so it needs to be handled

accordingly. Mr. Flynn asked if the Board could vote to reclassify the current position. Chairman Maksy responded that a new position can be created, and the BOH can appoint who they want in that position. However, reclassifying the present position could take months. At this time, the BOH can say that since she is working out of her grade or title, she should be compensated more. Selectman Belliveau pointed out that there are a lot of employees working in the Town Hall that are doing additional work. Mr. Poillucci stated that the Clerk is now managing people, and the position is at a whole different level, requiring a higher level of work.

Ms. Garbitt mentioned that Town Meeting did not approve the position, but did approve the BOH budget. The union has not agreed to this position yet. This could be done as an interim measure since there may be someone else qualified for the position with more seniority. Ms. Garbitt stated that this can be presented to the Union. The position is currently classified as a Grade 5 wage scale position and they are recommending Grade 2, Step 2. Chairman Maksy stated that a job description will be needed. Ms. Garbitt stated that she has the job description for a BOH Administrative Assistant; that is what was presented to the Wage and Personnel Board.

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

VOTED: To approve a temporary pay increase of \$1.25 per hour for the Board of Health Clerk, retroactive to July 30, 2012.
Unanimous in favor.

Review revised Kennel By-law from Building Commissioner

Selectman Powderly recused himself from the discussion. Ms. Garbitt updated the Board regarding the status of the Kennel By-Law. At the last meeting of the Board, the Building Commissioner came forward with some recommendations to be provided to Town Counsel to make sure that the definitions were satisfactory. Town Counsel responded that there seemed to be no problems. However, since that time we have received a notice from the Animal Control Officers Association of Massachusetts regarding changes to the State's Laws governing Animal Control. The State has talked about rewriting the Animal Control laws for some time. This might change some of what Mr. Iafrate is looking to do with the Kennel License Bylaw. Mr. Iafrate has looked into these changes, but has not received any notice from Town Counsel about how the changes will affect the Town.

Ms. Athanasuis Poulas of 46 Montgomery Street asked for a copy of the proposed by-law. She stated that she did not know what the revisions were since it seems pretty similar to what was tabled in the spring. She stated that it seems that there was an attempt to stop confusion. However, she did not feel that it is yet where it should be, which would be fair for all involved. It needs to be studied and worked on more. Chairman Maksy asked Ms. Poulas to write down any ideas that she had, and the Board will forward them to the Planning Board. He added that the Building Commissioner would like to go to the Planning Board with the conceptual changes; however, this could also change. The Building Commissioner will be meeting with the Planning Board on October 9th.

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

VOTED: To authorize the Building Commissioner to forward the revised Kennel By-Law to the Planning Board.
Unanimous in favor.

Discuss SRPEDD's FY13 Municipal Assistance Program

Ms. Garbitt stated that she would like to use the Selectmen's allotted hours for Economic Development. Don Sullivan of SRPEDD has said he would like to meet with the Economic Development Committee to speak with them regarding a few points. Ms. Garbitt stated that she has asked the Planning Board Secretary to see if they need their planning hours this year. Ms. Grubb noted that there may be other boards or committees in Town that may need to use the planning hours. Chairman Maksy stated that the Board has not done that previously, but it is a good idea.

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

VOTED: To use the Selectmen's 20 hours of planning time with SRPEDD for the Economic Development Committee for Economic Development Planning.
Unanimous in favor.

Discuss Telecommunication Antennas to be located on Water Tower

Ms. Garbitt stated that she had spoken with Mark Reich of Kopelman and Paige, who is the Town's procurement specialist. He does not feel that the Town needs to bring in a marketing firm. Currently he is working with the Town of Rockport on a lease with AT&T, and he has contacted that attorney about our location. Chairman Maksy stated that the water tower location went for out bid, and the Town has been trying to promote it, however, no bids have been received. Ms. Craig mentioned that in reading the SBA marketing proposal, they are proposing to do other things as well. They have engineers and attorney on staff to help and handle any bill loads, plans and they work with the tank builder and engineers regarding this. They will not charge anything until they have an actual tenant. Selectman Belliveau stated that the Town will then pay a percentage for someone that has the expertise. The Town either hires someone to do this or do nothing and collect 100% of nothing.

Selectman Powderly suggested that the Town try sending it out to bid one more time. People subscribe to the Central Register, and there are also online purchasing groups that receive it. However, the Town needs to be in the building cycle or we will not even get a response. Chairman Maksy suggested to try going out to bid one more time, notifying the five (5) major carriers, and also speak with the marketing consultant after the bid closes, to see what they have to offer. Ms. Craig stated that if she gets the notice in the Central Register tomorrow, it will publish October 3rd and be in The Middleborough Gazette on October 4th. The bids will open October 19th since there has to be a 14 day period after the publication.

Discuss Health Insurance Benefits for Elected Officials

Chairman Maksy stated that the Board has had several conversations regarding the Health Insurance for Elected Officials since some elected officials are eligible to receive health insurance. It was thought that the ten (10) officials were going to come in to discuss it with the Board previously, however, the Board voted on the matter. Chairman Maksy stated that he was opposed to the process, since he felt that the elected official should be here to have the opportunity to discuss it. Selectman Belliveau stated that his concern had been that the conversation was taking place during an election cycle. The vote was taken on February 7, 2011. Chairman Maksy stated that prior to February 1, 2011; an elected official was eligible for health insurance while in office. If they reached retirement age in office or had nine (9) years credible service (it used to be six (6) years credible service), under M.G.L.'s section 32b, elected officials are entitled to the same benefits as employees. Elected officials do not punch a clock, so it is hard to know how much they work. If an elected official is paid a stipend, the stipend has to be \$5,000 or more annually now, the base amount has changed. Ms. Garbitt stated that while there is no one that makes that amount now, there may be one (1) official eligible due to length of time served.

Chairman Maksy stated that there is no such thing as a full time or part time elected official, but Lakeville has created that. The people in these positions schedule their own hours, and the Board has no control over that. Selectman Powderly stated that he had attended the discussions on the matter prior to becoming a member of the Board. If someone was with the Board of Health over ten (10) years and does not make \$5,000, but is at age 55, they should get benefits. The newly elected official will not. Chairman Maksy stated that the elected officials did not have the opportunity to come in to speak on the matter. There was to be a meeting scheduled to bring them all in to have this discussion, and they did not get to come in.

It was decided to schedule this topic for discussion at a Board meeting in November for further discussion. Ms. Dow asked how many people were affected by this right now. Chairman Maksy stated that he is grandfathered in, but does not have health insurance. If the Board voted to take an all out vote, it would be ten (10) positions. Ms. Garbitt stated that there are eight (8) people that are currently eligible. Ms. Grubb asked if any cost analysis was done if health insurance was brought back for all elected officials. You need to have all the scenarios lined up with the answers to all of it.

Revisit and vote to award bid for #2 Fuel Oil

Ms. Craig explained that East Coast Petroleum is on the State bid list. That was the confusion over their bid. The Town would though have to go out for a separate bid for maintenance. They also decided to submit a separate bid based on our Request for Proposal. Ms. Garbitt recommended that the bid be awarded to Standish Oil.

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

VOTED: To approve the bid for #2 Heating Oil to Standish Oil with the delivery fee of \$.174 per gallon, \$80 per hour for a/c work and \$102 for cleaning and maintenance/heat.
Unanimous in favor.

Discuss Interview Process for the Conservation Commission Agent/Planner Position

Ms. Garbitt stated that five (5) applications were received for the Conservation Agent/Planner Position. How does the Board want to proceed? Selectman Belliveau stated that he felt that it should be the same panel as listed with the Town Administrator facilitating the interviews.

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

VOTED: To set into place the interview process for the Conservation Commission Agent/Planner Position as proposed.
Unanimous in favor.

Review Revised Job Descriptions for Council on Aging Director and Veterans' Agent and discuss the posting of the positions.

Ms. Garbitt stated that Ms. Mansfield did have First Aid and CPR certifications, since she used to also fill in as bus driver and the drivers are required to have it. This is something that is not in the job descriptions of other researched communities. It was agreed to leave those requirements in. Ms. Garbitt stated that the Senior Center was closed one day a week as other Town buildings were a few years ago. The person in the position had meetings and trainings on Fridays and it is hoped that the Board would consider opening back to five (5) days a week. This is a salary position. Selectman Belliveau stated that it is his understanding that there is really no savings for the building to be closed on Fridays. Originally it was done to save energy. Further discussion took place on the topic.

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

VOTED: To change the Council on Aging Director position to Grade D.
Unanimous in favor.

Ms. Garbitt stated that the position will be posted tomorrow; the next meeting of the Board is October 9, 2012. The Board may have to do something on an interim basis. The present Director will have everything in order with the checks for the Veterans for the month of November. The Veterans' Agent position required a little more research. Ms. Garbitt said she looked to other communities to see if they wanted to share an Agent. The Board agreed with the job description that the Town Administrator had developed. She will add language about supervising personnel since the Veterans' Agent did not have a Clerk helping her. Visiting hospitalized veterans and nursing homes will be left in. Arranging or providing transportation for hospitals and or clinics was not done. Chairman Maksy stated that if the new person can do

that, it should be in the description. Ms. Garbitt stated that the emboldened page text will be taken out. Under working conditions, it takes approximately 10-15 hours to do the clerical work. If the Veterans' Agent had clerical assistance, it might only be five (5) hours a week. Chairman Maksy suggested leaving that in. Ms. Garbitt mentioned that when the Town's population reaches 12,000, other requirements come into effect. Further discussion took place on the job description/posting. Ms. Garbitt stated that the Veterans' Agent needs to have office hours. This will be a non-union, Level 5 position and additional hours for the clerical work. Most of the work is initially when the veteran first comes home. If the position is advertised, there could be a salary range, based on qualifications; it could be up to \$16.00 per hour. Ms. Garbitt asked who on the Board wants to sit in on the interviews when the applications come in. Selectman Powderly volunteered to sit in on the interviews.

Discuss draft Lease for Apponequet Elementary School

Ms. Garbitt stated that the Town of Freetown still does not even have a draft lease from the Region, therefore the topic will go onto the next agenda of the Board.

Vote on amended Charge for Economic Development Committee

Ms. Garbitt discussed the amended charge of the Economic Development Committee with the Board.

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

VOTED: To approve the revised charge for the Economic Development Committee as dated September 10, 2012.
Unanimous in favor.

Discuss designating a Selectman to the Regional School Superintendent Search Committee

Chairman Maksy stated that the Regional School District Committee is hiring a consultant for the Superintendent Screening Committee. The Screening Committee will whittle the applications down to three (3), then the School Committee will make the final decision. There are to be two (2) Town government representatives, one from Freetown and one from Lakeville.

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

VOTED: To appoint Selectman Belliveau to the Regional School Superintendent Screening Committee.
Unanimous in favor.

Discuss sending letter to Gaming Commission regarding Casino surrounding communities

Chairman Maksy suggested to send a letter to the Gaming Commission letting them know that the Town would like to be part of the Local Community Mitigation Advisory Committee. Chairman Maksy would like to serve on behalf of the Town.

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

VOTED: To appoint Chairman Maksy to the Local Community Mitigation Advisory Committee.

In favor 2, Abstain 1 (Chairman Maksy).

Discuss Reserve Fund Transfer Request from Town Clerk for Debt Exclusion Election

Ms. Garbitt explained that the transfer request was for the Town Clerk's time, Police Detail and Custodians in regards to the Debt Exclusion Election. The Town Accountant will research to see if the School Department can be billed for these expenses.

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

VOTED: To recommend to the Finance Committee to approve a Reserve Fund Transfer Request from the Town Clerk in the amount of \$5,200.00.

Unanimous in favor.

Request from M/L Herring Fishery Commission for Annual Appointment of Wardens and Volunteer Observers

Chairman Maksy read the letter from the M/L Herring Fishery Commission requesting appointments of volunteer observers and wardens.

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

VOTED: To approve the following as Volunteer Observers for a one-year term ending September 30, 2013: Allin Frawley, Harold Atkins, Kristen Chin, Luke Leonard, Sylvester Zienkiewicz, and Cynthia Gendron and to approve the following as Fish Wardens for a three-year term ending September 30, 2015: Ronald Burgess, Bryant Marshall and Tom Barron.

Unanimous in favor.

Request from Lorraine Carboni to be appointed to the Lakeville Economic Development Committee

Chairman Maksy read the letter of interest from Lorraine Carboni to serve on the Economic Development Committee.

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

VOTED: To accept Lorraine Carboni's request to be on the Lakeville Economic Development Committee with the expiration of the term July 31, 2013.

Unanimous in favor.

Review and vote to approve Meeting Minutes of September 13, 2012

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

VOTED: To approve the Selectmen's Meeting Minutes of September 13, 2012 as presented.
Unanimous in favor.

Review and vote to approve Executive Session Meeting Minutes of September 10, 2012

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

VOTED: To approve the Selectmen's Executive Session Meeting Minutes of September 10, 2012 as presented.
Unanimous in favor.

New Business

Ms. Garbitt stated that today the bids were opened for the sprinkler system for the Ted Williams Camp. The low bid was Yankee Sprinkler in the amount of \$53,000. This is for the old section and the new section of the building.

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

VOTED: To award the bid to Yankee Sprinkler Co., Inc. subject to the references being checked, in the amount of \$53,000.
Unanimous in favor.

Old Business

Update from Selectman Maksy on CHAPPA

Chairman Maksy stated that the CHAPPA organization takes care of 40B housing projects. Recently a property was listed for \$155,000 and sold for \$145,000, however there is a requirement of CHAPPA that they cannot sell the house for less than 95%. However, the mean in Lakeville is \$174,000. It is a backwards system. Right now, no one bids, the 90 days goes by and the owner sells the home however they want. These rules need to be changed. The Town could take its money and work this a little differently. The Town could subsidize and keep it under affordable since it has \$28,000. Then, in the future that property would always remain as an affordable unit.

Update from Selectman Powderly on Quarterly Dam Meeting

Selectman Powderly stated that the pond levels should not be a problem in the near future based on the recent readings. They set the culvert approximately one (1) foot higher than they did years ago so that the road would not flood. Representative Keiko Orrall is trying to raise \$5,000 for a study to be done by Camp Dresser and McKee on the ponds.

Other Items

1. Letter from Attorney Daniel Conroy regarding foreclosure sale on 156 County Street
Ms. Garbitt stated that a foreclosure typically does not go that far, it is a 61A. Chairman Maksy asked if this is the Town's 90 day notice. If so the Town needs to send this to other Boards to see if they have any interest. If a foreclosure happens, does it take the 61A designation off for the bank to sell it?
2. Letter from Architectural Access Board regarding LeBaron Hills Country Club
3. Notice from Town Counsel regarding New Alcoholic Beverages License for Caterers
4. Middleborough Gas and Electric Commission meeting agenda-September 19, 2012
5. Notice of MMA Legislative Breakfast meeting-October 12, 2012-Wareham
The MMA Legislative Breakfast meeting will be at Makepeace on Friday at 10:00 AM. Selectman Belliveau and Selectman Powderly will attend.
6. Funding announcement for Community Innovation Challenge Grants
7. Notice from SRPEDD regarding upcoming seminars
8. Notice from SRPEDD of SRPEDD Commission-September 26, 2012
9. Notice from SRPEDD regarding Creating Walkable Communities Seminar-September 20, 2012
10. Meeting Notice-Regional Economic Strategy Committee – September 18, 2012
11. Letter from Columbia Gas regarding Natural Gas Service
12. Notice from Verizon regarding Retirement of Verizon Select Services
13. Letter from Comcast regarding change in Channel Lineup
14. Wright-Pierce Insights Newsletter
15. Woodard & Curran Directions Newsletter
16. Letter from the Animal Control Officers Association of MA regarding changes to State laws governing Animal Control
17. Notice from States Ethic Commission regarding 2011 Amendment to the Conflict of Interest Law
18. Notice from SRPEDD Council on Sustainability regarding upcoming Seminars
19. Notice from Cape Cod Cranberry Growers Association regarding Workshop on October 19th

At 10:13 PM, upon a motion made by Selectman Belliveau; seconded by Selectman Powderly it was:

VOTED: To enter into Executive Session discussions pursuant to M.G.L. c.30A, subsection 21(3) to discuss strategy with respect to Collective Bargaining with the new Unions because an open meeting may have a detrimental effect on the bargaining position of the Board on a polled vote, and not to return to open session. Selectman Maksy – aye, Selectman Belliveau – aye, and Selectman Powderly – aye.