

SELECTMEN'S MEETING MINUTES

Monday, November 9, 2009

On November 9, 2009, 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: Selectman Maksy, Selectman Evirs and Selectman Yeatts. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

7:00 PM Meet with Lakeville Development Corporation to discuss Economic Development

Present from the Lakeville Development Corporation (LDC) were: William Garvey, Gary Mansfield, Linda Grubb, Neil Ingraham, Richard Fickert, and Steve Olivier. Mr. Garvey stated that when people are looking for land to build on for commercial/industrial use or to relocate their business, they usually contact Town Hall. He felt that these calls should be given to LDC as they are actually business prospects for the Town. The LDC has done a good job for the Town on the Industrial Park. There is still a vacant lot near Talbots and across from Thompson Box. Also, there are two (2) buildings for sale, and the LDC should be involved in these properties. There are other industrial lots in the Town as well. Chairman Maksy stated that it would be good to get the opinion of the LDC on any future zoning changes regarding business or industrial properties. He asked how Mr. Garvey felt the Selectmen should go about working with the LDC on calls for potential businesses. Mr. Garvey suggested a subcommittee of the LDC that works with the Board of Selectmen. Chairman Maksy stated that he wanted to get the LDC together with the Board of Selectmen since someone coming into the Town does not know who to talk to.

Mr. Garvey stated that at the last meeting of the LDC, discussion took place about the Bartlett property on Route 18. There is about 150 acres there, and the LDC spoke about rezoning that property. Chairman Maksy talked to Middleborough about that, since some of the property extends into Middleborough, and they would be willing to do that. The Town needs places for business to locate to. Selectman Yeatts stated that she likes working with the LDC, but the Selectmen are elected to lead the Town. The Selectmen would welcome the help of the LDC. Chairman Maksy suggested that if a call comes in, Ms. Garbitt could let one of the Board members know, and then they could sit down with the LDC as a group to discuss the matter. Selectman Evirs stated that the LDC has done a lot of good for the Town. We are new to the LDC as members since we automatically became a member when we became a Selectman. The people on the LDC have been there for a long time and have a lot of useful advice. It would be wise to listen to them. It is not a bad thing to call them in to be part of any of our meetings on potential development opportunities. Selectman Evirs suggested that it would be best if a Selectman is not on the subcommittee. Mr. Garvey agreed, since the Board would already be informed of the potential interest.

Ms. Garbitt stated that she has standard answers for developers, but when the calls come in from interested companies, they want answers right away. She is glad to speak with the people and give them a list of properties, but it might be better that the Board vote on who from the LDC she should refer calls to. Mr. Mansfield asked what group would be heading the economic

development of the Town. Will it rest with the Selectmen or will the LDC's role be redefined to take some of the burden off the Selectmen's shoulders? It is important for the LDC to get an understanding of how it will interact with the Town and the role it will play. Chairman Maksy suggested that maybe the LDC can identify properties that are candidates for economic development. Selectman Evirs stated that an inventory of available land would be a great start. Right now, we do not even know what we have. Mr. Garvey agreed on the importance of having an inventory done. Ms. Garbitt stated that the Master Plan Implementation Committee (MPIC) is supposed to be looking at rezoning properties for business and industrial use. Perhaps identifying other properties for economic development could be a part of the MPIC's mission. Also, as part of the Green Communities Act, we will be appointing a Green Committee and maybe the LDC could be a part of that.

7:30 PM Meet with Historical Commission regarding establishment of a Historic District

Present for the discussion were: Joan Morton and Nancy LaFave of the Historical Commission. Ms. LaFave told the Board that the Historical Commission would like to establish a study committee to consider establishing a Historic District at the intersections of Route 18, 105 and Precinct Street. The Town properties would include Dickran Diran Square, the Town House, the Steam Roller Barn, and the Historic Library. Ms. LaFave stated that a Study Committee may want to expand the area. The Historical Commission has only considered Town owned properties at this point. Chairman Maksy asked who would be doing the appointment. Ms. LaFave responded that it would be the Board of Selectmen. She said the brochure that the Board had received in their agenda explains the differences between a Local Historic District and a National Historic District. Selectman Yeatts stated that she is curious about the Historic Library potentially being placed on the National Historic District. Ms. LaFave stated that some work would need to be done to the Historic Library, such as the changing of the cement, since the Portland cement used to do some of the repairs is not the right cement that should have been on the building. The Town has one (1) building on the National Historic Register (Town House) and that helps with the area. It is a nice central area, so it is a good place to start, and other sites can always be added to it and other areas established.

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

VOTED: To move forward with establishing a Study Committee to study the intersection of Route 18, 105 and Precinct Street to determine its potential of being a Historic District.
Unanimous in favor.

Revisit request from Apponequet Boosters for use of the Town House

Kevin Donnelly, President of the Apponequet Boosters, was present for the discussion. Ms. Garbitt stated that she spoke with the Superintendent of Schools regarding the Apponequet Boosters and insurance. The Superintendent said that they would cover the Boosters for the Christmas Tree sale in the amount of \$100,000, not the \$1 million that the new policy requires. Chairman Maksy stated that the Selectmen voted a new policy for using the Town House and the Town Hall that requires a minimum of \$1 million in insurance or a waiver must be applied for.

Mr. Donnelly stated that as a citizen, he pays taxes to make sure that the Town properties are maintained and part of that is insurance. He asked if the Litter Lifters had a \$1 million insurance policy or do they have a waiver? The Apponequet Boosters are a lot more low risk than other groups. Chairman Maksy responded that the Board has been back and forth on this and is just trying to protect the town. Mr. Donnelly asked if he were to bring his nieces and nephews to play at the playground are they insured. Selectman Evirs said yes since the Town provided the playground to play in. However, in the Boosters case, the Town did not provide the trees. If you tie a Christmas tree onto a car and it blows off when they drive down the road and damages another car, then we would share in the cost of any damages. Mr. Donnelly said he understood that the Selectmen have supported the Boosters, but he felt that this policy all started due to a particular political group using Town property.

Chairman Maksy said the Boosters could apply for a waiver. The waiver puts the insurance back on the Town. We are just trying to make sure that the site is maintained properly. The Town is still liable to a certain extent, but we wanted to make sure that we are covered. Mr. Donnelly asked how far do you go requiring insurance for volunteers. Chairman Maksy said fortunately a lot of groups have an umbrella policy to cover them, like the Boy Scouts and the Girl Scouts. Selectman Yeatts said this was not a unanimous decision by the Board. She is personally at a cross roads right now since she does not want to pick and choose who receives a waiver and who doesn't. So she will either vote for all or none. Mr. Donnelly said then perhaps we should just close down the Town because of potential liabilities.

Nancy LaFave said she wanted to go on the record regarding the use of the Historic Town House. The Historical Commission wants people to use the building. This is a "sue" time for people and people sue for a number of reasons, but the Historical Commission really wants people to be able to use the building. Ms. Garbitt said the Town has been very fortunate regarding lawsuits for injuries on Town property. However, a lot of claims affect the insurance premiums. That is what you have to look at. Mr. Donnelly said the owner of the vehicle ties the tree on, but we supply the twine. Less than 15% of the trees are tied on, they are usually put in the back of a truck. He has a meeting tomorrow night with the Boosters and they do have an alternate location secured, but they would really like to use the Town House. He asked that the Board vote on the request. Ms. Garbitt said the cost for the insurance is \$100 for \$100,000, but \$700 for a \$1 million policy. She feels confident of the Region paying the \$100. Chairman Maksy said he would like to know if the Town can purchase an insurance rider for events like this.

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

VOTED: To accept the \$100,000 insurance policy provided by the Regional School Department with the understanding that no power tools will be used on the property.

In favor 2, Abstain 1 (Selectman Yeatts)

Vote to approve and adopt layout – DeMoranville Drive

Ms. Garbitt stated that Tara Martin, Conservation Agent, did an inspection today and spoke to the engineer regarding the issues that were raised. The hay bales have been removed, but the stone had not been replenished in the detention basin according to Ms. Martin. If the Selectmen vote to approve the layout, it should be contingent on the replenishment of the stone inside the detention basin and subject to the Certificate of Compliance. Selectman Yeatts said the Conservation Commission meets tomorrow night and will not meet again until after Town Meeting. Ms. Garbitt stated that the developer also needs to make sure the easements are recorded. He has 120 days after Town Meeting for this to be done. The drainage easements are all set. Selectman Evirs said the Conservation Commission will be voting to sign the Certificate of Compliance tomorrow, so the work needs to be done tomorrow. If not, the acceptance will have to wait until the Spring Town Meeting.

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

VOTED: To approve and adopt the layout for DeMoranville Drive contingent upon the replenishment of the stone inside the detention basin and the Certificate of Compliance being signed by the Conservation Commission.
Unanimous in favor.

Review and vote to approve Articles for Special Town Meeting Warrant – November 30, 2009 Vote to sign Special Town Meeting Warrant

The Finance Committee, already in session, entered the room at 8:05 PM. Members present included Melissa Hopkins, Michael Petruzzo, Gary Mansfield and Steve Olivier. School Department personnel present were: John McCarthy, Superintendent, Anne St. Pierre, Director of Special Education and David McQueeney, Local School Committee Chairman.

The articles for the Special Town Meeting Warrant were read and discussed.

Article 1: To see if the Town will vote to amend the budget approved under Article 2 of the Annual Town Meeting dated June 15, 2009 by making certain funding source adjustments, in particular to the amounts appropriated from Free Cash and Retained Earnings for the Park and Landfill Enterprise Funds for the purpose of defraying Town Expenses for the fiscal period July 1, 2009 to June 30, 2010, inclusive, and to make appropriation, or take any action relative thereto.

Article 2: To see if the Town will vote to transfer and/or appropriate from available funds, certain sums of money in order to defray unanticipated costs for Fiscal Year 2010 for various accounts in the General Fund, the Park enterprise and Landfill Enterprise, or take any action relative thereto.

Article 3: To see if the Town will vote to ratify the Collective bargaining Agreement with the Educators' Association of Freetown and Lakeville and transfer a sum of money from Employee

Benefits for health insurance to wages for the School department, or take any action relative thereto.

Article 4: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of Eighty Six Thousand Six Hundred Twenty Five Dollars (\$86,625.00) to cover the cost of tuition for special education students in establishing a tuition based Elementary Level Substantially Separate Classroom program at the Assawompset Elementary School and to create a revolving account for such purposes; provided, however, that such funds shall not be expended until such time as the Regional School District funds a full time special education teacher for the Assawompset Elementary School for the remainder of the 2009/2010 school year, and the Board of Selectmen and the Local School Committee enter into a memorandum of understanding concerning the administration and operation of the Elementary Level Substantially Separate Classroom, or take any action relative thereto.

Article 5: To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum money and/or borrow a sum of money for the purpose of leasing and/or purchasing for a term of ten (10) years or less one (1) new Front-end Loader for the use of the Highway Department, or take any action relative thereto.

Article 6: To see if the Town will vote to establish a water supply and water distribution system under the authority of Section 39A of Chapter 40 of the General Laws, and will vote pursuant to Section 69A of Chapter 41 of the General Laws to authorize its Board of Selectmen to act as a Board of Water Commissioners, or take any action relative thereto.

Article 7: To see if the Town will vote to accept the provisions of G.L. c.44, ss53F ½, for the purpose of establishing a water facility enterprise fund effective fiscal year 2010 for the revenues and payment of costs associated with water infrastructure improvement projects, to be known as the Water Enterprise Fund, and further, to transfer a sum of money from the Water Infrastructure Improvements Stabilization Fund to the Water Enterprise Fund created hereunder and to appropriate the Water Enterprise Fund budget for 2010, or take any action relative thereto.

Article 8: To see if the Town will vote to accept the provisions of M.G.L. c.40, ss42A through 42F, inclusive, or take any action relative thereto.

Article 9: To see if the Town will vote to amend the official Zoning Map by rezoning from R-Residential to B-Business land on Main Street as described as follows: 237 Main Street, 239 Main Street (formerly McGuire property) now the Lakeville Assessors Office and 241 Main Street (formerly the Lakeville Public Library) now the Somethin's Brewin Café' And Book Store, or take any action relative thereto.

The Planning Board will be meeting on this Article on November 17th and the Board of Selectmen will be posted to attend that meeting.

Article 10: To see if the Town will vote to accept DeMoranville Drive as a Town Way as laid out by the Board of Selectmen and to authorize the Selectmen to acquire by gift an easement of fee simple in the way and any related easements as shown on the plan on file with the Town

Clerk drawn by Culligan Engineering Co., Inc. entitled "Road and drainage As-Built DeMoranville Subdivision, Pickens Street, Lakeville, MA" dated November 8, 2007, or take any action relative thereto.

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

VOTED: To put Articles 1 through 10, as read into the record and discussed on the November 30, 2009 Special Town Meeting Warrant.
Unanimous in favor.

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

VOTED: To amend Article 4 to read "for an amount no greater than \$86,625.00".
Unanimous in favor.

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

VOTED: To sign the warrant for the November 30, 2009 Special Town Meeting.
Unanimous in favor.

Review request from Old Colony Regional Vocational Technical High School District

Ms. Garbitt explained that back in 2002, Old Colony had requested that the member towns contribute funds towards a feasibility study for renovations to the existing building. All the towns voted to approve it. Lakeville's share was \$5,365.00. Old Colony put the study on hold, and now they would like to go forward with it. They are asking the communities if they still have the money available for them to use. She said Lakeville still has the money set aside. The Board asked Ms. Garbitt to notify Old Colony that the money is still available for the feasibility study.

Vote to sign December 8, 2009 State Primary Election Warrant

Chairman Maksy said the Town Clerk had requested that the Board vote to sign the December 8, 2009 State Primary Election Warrant.

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

VOTED: To sign the warrant for the State Election on December 8, 2009.
Unanimous in favor.

Review IMA with Town of Middleborough for Visiting Nurse Services

Ms. Garbitt said the Board of Health had received bids for providing Public Nurse Services. The Town of Middleborough's bid was the lowest at \$40 per hour. Middleborough's Town Counsel drafted the agreement, and it has been reviewed by Town Counsel. It was reviewed by

the Board of Health, and they are looking for approval from the Selectmen. The Board of Health will monitor the agreement under Section 4.

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

VOTED: To approve the Town of Middleborough's proposal to provide Public Nurse Services to the Town of Lakeville for \$40 per hour.
Unanimous in favor.

Discuss CDM Contract for Engineering Services during Construction

Selectman Yeatts stated that the contract has been approved by Town Counsel. The Board also has to sign off on the subcontractors that CDM will be using. The Town is getting the ARRA money, so this project will be very closely monitored. The SRF Loan for the \$4.8 million is all set.

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

VOTED: To authorize Ms. Garbitt to sign the contract and the list of subcontractors.
Unanimous in favor.

Ms. Garbitt said CDM has asked if the Board ever voted officially to waive the fees on local permits associated with the project. After checking the minutes, it was agreed to waive them, but never formally voted. Selectman Yeatts stated that the contractors had not carried fees for local permits in their bid. Ms. Garbitt stated that the Board should officially vote to waive the local permit fees. She will double check to make sure that the fees were not included in the bids.

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

VOTED: To waive the local permit fees for the water pumping station, the water tower and the extension of the water line, provided that there is no schedule of fees already in the contractors bids.
Unanimous in favor.

Update from Selectman Yeatts regarding Lakeville Code Reform

Selectman Yeatts stated that Lakeville was chosen from the communities in the Taunton River Watershed to receive assistance regarding watershed protection. One of the projects that will be done is going through the zoning bylaws to make recommendations on what we can do to strengthen our resource protection. The consultant would like input from the Planning Board first and then other Town Boards and Committees. An invitation will be prepared inviting all the Town Boards, Committee and Departments that would be involved in watershed resource protection in order to get their input. The meeting will take place at the Library. The consultant will take all the input and then come back to the Board with their recommendations

Revisit Curb Cut request – 7 Harrison Avenue

Chairman Maksy said the Board had received a request for a curb cut for the property located at 7 Harrison Avenue.

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

VOTED: To approve the Curb Cut for 7 Harrison Avenue with the conditions of the Superintendent of Streets in his August 27, 2009 letter and the recommendation of the Planning Board that the Superintendent be present when the cut is made and that a further inspection should be made after one (1) winter season.
Unanimous in favor.

Request for renewal of Temporary Storage Trailer Permit – 19 Stetson Street

Chairman Maksy recused himself from the discussion. Selectman Yeatts asked how many years can someone have a temporary permit. Mr. Sherman has had this since 2008. Ms. Craig read the bylaw on this. She stated that she had not notified Mr. Sherman that his permit had expired. Selectman Evirs stated that the application says it is only good for a year. Ms. Craig said it is an annual renewal.

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

VOTED: To renew the Temporary Storage Trailer Permit at 19 Stetson Street with the retroactive request for payment in the amount of \$25.00. Permit to expire on December 3, 2009.
Unanimous in favor.

Invitation from Historical Commission to attend the Veterans' Day Observance-November 11, 2009

Chairman Maksy read the notice about the event into the record. Selectman Evirs expressed his thanks to the employees at the Highway Barn for their work in relocating the Staples Shores flagpole.

Review Christmas Eve and New Year's Eve closing times for package stores

Chairman Maksy read the memo into the record. Ms. Craig stated that the Board has the option of extending the closing times for package stores on Christmas Eve and New Year's Eve. The Board has traditionally voted to keep the established closing times in place.

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

VOTED: To keep the regular closing times for package stores at 11:00 PM on Christmas Eve and New Year's Eve.
Unanimous in favor.

Review last call closing time for New Year's Eve

Ms. Craig explained that the Board also has the option of extending "last call" closing times for restaurants with liquor licenses on New Year's Eve. The Board has traditionally extended the "last" call hours.

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

VOTED: To extend last call hours on New Year's Eve for restaurants with liquor licenses until 1:30 AM with all patrons out at 2:00 AM.
Unanimous in favor.

Review and vote to approve Selectmen's Meeting Minutes: January 26, 2009, May 18, 2009, and June 1, 2009

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

VOTED: To approve the Selectmen's Meeting Minutes of January 26, 2009 as amended.
Unanimous in favor.

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

VOTED: To approve the Selectmen's Meeting Minutes of May 18, 2009 as presented.
Unanimous in favor.

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

VOTED: To approve the Selectmen's Meeting Minutes of June 1, 2009 as presented.
Unanimous in favor.

Review and accept Executive Session Minutes: October 19, 2009

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

VOTED: To approve the Executive Session Meeting Minutes of October 19, 2009 as presented.
Unanimous in favor.

Any other business that may properly come before the meeting.

Ms. Garbitt said that the Board had requested that she check to see if the Town Clerk would be considered a Senior Level Employee in regards to being appointed as the Liaison for the new Conflict of Interest Law. By the virtue of her job requirements, the Town Clerk is a Senior Level Employee. Mr. Tracy also checked with a few other Town Clerks, who are being appointed as the liaison for their towns.

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

VOTED: To appoint the Town Clerk as the Liaison for the State Ethics Commission regarding the amendment of the Conflict of Interest Law.
Unanimous in favor.

Selectman Yeatts stated that she and Ms. Garbitt had met with Anna Nalavenko from the Middleborough Planning Office. Middleborough has asked if Lakeville would like to join with them on a Community Development Block Grant. Middleborough has been turned down before, and they thought that by joining forces, there would be a better chance at getting the grant. This is a housing rehabilitation program that is income driven that would be ideal for Clark Shores. The second activity would be a public service, like a food pantry.

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

VOTED: To work with Middleborough on the 2010 Community Development Block Grant Application.
Unanimous in favor.

Other Items

1. Thank you letter from Carver Middle School Students regarding their visit to the Animal Shelter
Selectman Yeatts read the letter into the record. This was a group of Special Needs Students that toured the Animal Shelter.
2. Notice of Certification – Building Code Enforcement Official – Nate Darling
3. Letter from Massachusetts Highway Department regarding Approved Project Request
4. Letter from Division of Standards regarding status of Lakeville Standards
Selectman Yeatts asked if the Town was overdue for laboratory certification of its weights and measures equipment. Ms. Garbitt responded that the Sealer has submitted this paperwork; it might have crossed in the mail.
5. Letter from Massachusetts Senate regarding Plymouth County Sheriff
Selectman Yeatts stated that this is applicable to Item #33. On November 19th the Plymouth County Advisory Board will be attending, and they will be discussing the impact of the Sheriffs bill. It will give the Town an increase in the retirement assessment next year, approximately 50%. About 44% of it is for the retirees that were left behind that the Towns have to pick up.

6. Letter from Old Colony Regional regarding appointment of Michael Petruzzo to Collective Bargaining Negotiation Committee
7. Letter from Clean Harbors regarding 11 Freetown Street
8. Letter from FAA regarding Boston Logan Airport Noise Study
9. Letter from SEMASS regarding Change in Law – Clean Air Act Greenhouse Gas Reporting Rule
Ms. Garbitt will follow up with Chris Peck on this.
10. Notice of Power Plant Meeting – December 9, 2009
Selectman Yeatts asked what is going on with this. Selectman Evirs explained that the State has approved it, but they have to meet all community permitting processes. So there are still meetings and hearings to take place. Chairman Maksy and Selectman Yeatts will attend.
11. Notice from Congressman Frank regarding Legislation to Help Parents of Fallen Vets
12. Notice from DEP – Permission to Advertise Water Storage Tank
Selectman Yeatts stated that this is an FYI.
13. Notice from DEP – Taunton Water Treatment Plant Residuals
14. Notice to Public Water Supplier regarding Drinking Water Assessment
15. Notice from DEP regarding Waterways License Application – Betty's Neck Farm
16. Notice of JTPG meeting – November 4, 2009
17. Notice of Regional Economic Strategy Committee meeting – November 10, 2009
18. Notice from SEED regarding Membership Renewal
19. MMA Legislative Alert
Ms. Garbitt stated that it is important that we contact our legislators regarding Plan Design and the telecom loophole. They closed the loophole on the lines, but not on the equipment.
20. Letter from MMA regarding Local Officials Human Services Council
21. MBTA Advisory Board meeting notice – October 29, 2009
22. Notice from Jill Reddish of Verizon regarding new Municipal Contact
23. Notice from Verizon regarding Service Interruption
24. Notice from Comcast regarding Channel Changes
25. Notice from Comcast regarding Forms and Rates
26. Invitation to Annual Meeting of SEED Corporation – November 19, 2009
27. Letter from Bay State Gas regarding fuel assistance
28. Mass Wildlife News
29. Wildlands News Fall 2009
30. Woodard & Curran Directions
31. Focal Points Fall 2009
32. Notice of hearing-NSTAR Electric Company
33. Notice of Plymouth County Advisory Board meeting-November 19, 2009

Chairman Maksy stated that the full Regionalization Committee is splitting into two (2) parts and he will be on the contract aspect. It should help them go faster by doing this. All three (3) entities accepted the study to move forward. So the Committee will now split into two (2) groups and look at it contractually and educationally. It is hoped that by January or February they can bring information back to the residents on this matter.

At 10:10 PM, upon a motion made by Selectman Yeatts; seconded by Selectman Evirs, the Board unanimously:

VOTED: To enter into Executive Session and not to return to Open Session to discuss imminent pending litigation.

Polled vote: Selectman Yeatts – aye, Selectman Evirs – aye, and Selectman Maksy – aye.