

**TOWN OF LAKEVILLE**  
**Selectmen's Meeting Minutes**  
**January 6, 2014 - 7:00 PM**

On January 6, 2014, 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 Belliveau at 7:00 PM. Selectmen present were: Selectman Belliveau, Selectman Burke and Selectman Powderly. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Matt Ferreira of the Middleboro Gazette was recording the meeting. LakeCAM was recording the meeting for local broadcast.

**7:10 PM Meet with Town Clerk to discuss increase in fees; discuss Town Clerk's request for a change in posting location and discuss Town Clerk's request to amend Political Sign By-Law**

*Janet Tracy, Town Clerk, was present for the discussion.* Chairman Belliveau said according to the Town Clerk's memo, her fees have not been raised since 1985. It appears that we are lower than what other Towns charge, based on the survey Ms. Tracy did. Selectman Powderly said that this would raise an approximate \$5,000 in additional income. Ms. Tracy said that most of the fees will increase \$5.00 and will then be comparable to Middleborough and other towns that are comparable to our population. Ms. Tracy said the fee increase will have to go to Town Meeting for approval.

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

VOTED: To approve and support the fee schedule presented by the Town Clerk and to place on the Annual Town Meeting Warrant.  
Unanimous in favor.

Chairman Belliveau said that one of the current posting locations for Town documents has closed (Mayflower Bank). The Town Clerk is asking for the Board to vote a new posting place. We must post in two (2) separate locations in each voting precinct. Chairman Belliveau said that since the Annual Town Election Warrant was voted with the posting location that has closed, the Board should revoke the warrant with the new posting location.

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

VOTED: To change the posting location from Mayflower Bank to Cisco's Pizza and to vote to approve the revised Annual Town Election Warrant for April 7, 2014.  
Unanimous in favor.

Ms. Tracy told the Board that she would like to amend the Town's current political sign bylaw. The current bylaw only states that signs must be removed within 48 hours after the election. She would like the bylaw to have some regulations over the placement of signs, size, etc. The current bylaw does not address signs on public property, private property or vehicles. Ms. Garbitt said the Selectmen's Office does receive complaints about political signs. Selectman Powderly asked if State Law addresses political signs. Ms. Tracy said no. The Building

Commissioner has reviewed the proposed bylaw. Ms. Tracy said that she receives a lot of questions during election time on the dos and don'ts of political signs. A more comprehensive bylaw would help people know what they can and cannot do. Ms. Craig said in the past, we have had people park their vehicles on public property advertising for various candidates, and we have received complaints. The last time this happened, the Selectmen requested that the vehicle be removed. We do have the Highway Department remove signs from public property. Selectman Powderly said he didn't see this as a big deal around town. He asked that this be placed on the next meeting since the Selectmen just received copies of this. Selectman Burke said he would not be opposed to revisiting this on the next agenda, since he wants to look into it more.

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

VOTED: To revisit this item at the next Selectmen's Meeting.  
Unanimous in favor.

**7:30 PM Meet with Representatives from High Rock Harding Street, LLC regarding their request to connect their property at 5 Harding Street to Taunton Water**

*Michael Cahill from High Rock Harding Street, LLC and Edward Brennan, Esquire, was present for the meeting.* Attorney Brennan stated that he would like to discuss the allocation of water for the proposed project at the former Lakeville Nurseries. At this time, Mr. Cahill has approval from the Conservation Commission and Planning Board. Mr. Cahill has been working with the City of Taunton and has applied for an allocation of 6,000 gallons of water per day to support the proposed development. Mr. Cahill has also been working with the appropriate State Departments. At this time, he needs approval from the Selectmen, before he can continue with the City of Taunton. Selectman Powderly stated that the amount being requested is a little on the low side, and he wants to make sure that that will be enough for what is needed. Attorney Brennan stated that the amount being requested is the maximum daily use, and there should not be a need for any more than that amount.

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

VOTED: To approve the application of High Rock Harding Street LLC for 6,000 gallons of water per day for a water connection at the Gateway Commons Development at 5 Harding Street to the City of Taunton water line.  
Unanimous in favor.

**Review Site Plan for Island Terrace Nursing Home**

Selectman Powderly stated that the only thing he had noticed while reviewing the Site Plan for Island Terrace Nursing Home was the number of beds (79). He was surprised that they were not increasing the number of beds. It was the consensus of the Board that they rely upon the Planning Board for their decisions.

### **Vote to authorize Deficit Spending for Snow and Ice for FY14**

Chairman Belliveau explained that the need to deficit spend for Snow and Ice happens almost every year. Sometimes the Town does get reimbursed for large snowstorms. In order to pay for the deficit, funds are taken from the Reserve account with the remainder funded from other Department budgets that may have funds left over. Ms. Garbitt noted that there is a \$22,000 balance in the Snow and Ice Account right now; however, the Town will be deficit spending soon. The Board suggested that the amount should be increased to \$50,000 next year.

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

VOTED: To authorize deficit spending for Snow and Ice under Chapter 44, Section 31 for the Fiscal Year FY 14.  
Unanimous in favor.

### **Vote to authorize Deficit Spending for Veterans Benefits for FY14**

Chairman Belliveau explained that the Veterans Benefits was in a deficit. The Town Accountant has requested that the Selectmen vote to deficit spend in this account.

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

VOTED: To authorize deficit spending for Veterans Benefits under Chapter 44, Section 31 for FY 14.  
Unanimous in favor.

### **Vote to accept Resignation Letter from Michael Nolan from Energy Advisory Committee**

Chairman Belliveau stated that the Board had received a letter from Michael Nolan resigning from the Energy Advisory Committee.

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

VOTED: To accept Michal Nolan's resignation and to send him a letter thanking him for time served.  
Unanimous in favor.

Ms. Garbitt noted that Mr. Nolan was representing the Park Commission. A letter will be sent to them asking that a representative be designated to serve on this Committee.

### **Request from Historical Commission to appoint James Gouveia as Associate Member**

Chairman Belliveau said that the Board had received a letter from the Historical Commission requesting that James Gouveia be appointed to the Historical Commission.

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

VOTED: To appoint James Gouveia as an Associate Member to the Historical Commission.  
Unanimous in favor.

**Discuss Request from Middleborough Gas & Electric and Verizon to relocate a pole on Race Course Road**

Chairman Belliveau stated that the Board had received a request from Middleborough Gas and Electric and Verizon to relocate Pole 3 ½ on Race Course Road.

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

VOTED: To approve the request of Middleborough Gas and Electric and Verizon to relocate Pole 3 ½ located on Race Course Road to the location as shown on the Pole Relocation Plan dated December 17, 2013.  
Unanimous in favor.

**Review and vote to approve the Board of Selectmen Executive Session Meeting Minutes of December 16, 2013**

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

VOTED: To approve the Selectmen's Executive Session Meeting Minutes of December 16, 2013 as presented.  
Unanimous in favor.

**Old Business**

Ms. Garbitt stated that Kenneth Upham did not realize that his Constable Appointment was expiring on January 24, 2014, and the Board is not meeting again until January 27, 2014.

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

VOTED: To re-appoint Kenneth W. Upham Sr. as a Constable for the Town of Lakeville for a term to expire January 24, 2015.  
Unanimous in favor.

**Other Items**

1. Notice from Historical Commission regarding Demolition Hearing – 21 Highland Road
2. Letter from Division of Capital Asset Management regarding Search for Lease Space
3. Notice from Office of Housing and Economic Development regarding Economic Development Incentive Projects
4. Department of Revenue Bulletin on Local Option Property Tax Exemptions
5. South Coast Rail Newsletter

6. MassWildlife Newsletter
7. Comcast Price Changes
8. Retired State, county and Municipal Employees Association of Massachusetts Newsletter
9. Up-to-date list of donations for Animal Shelter
10. Thank you from Scituate Animal Shelter regarding our Spay-Neuter Program

At 7:51 PM, upon a motion made by Selectman Powderly; seconded by Selectman Burke it was:

VOTED: To enter Executive Session and not return to Open Session pursuant to M.G.L. c. 30A, §21(6) to consider the purchase, exchange, lease or value of real estate because an open meeting will have a detrimental effect on the negotiating position of the Board and the Chair so declared, and pursuant to M.G.L. c.30A, §21(3) to discuss strategy with respect to collective bargaining and pending litigation with the Police Union because an open meeting will have a detrimental effect on the bargaining position of the Board and the Chair so declared.  
Polled vote: Selectman Belliveau-Aye, Selectman Powderly-Aye, and Selectman Burke-Aye.

#### **List of Documents Received**

Article for 2014 Annual Town Meeting to increase Town Clerk Fees  
List of Present Town Clerk Fees  
Election Warrant for April 7, 2014  
Political Sign By-Law  
Political Sign Bylaws Section 6 – Political Signs  
Review of proposed By-Law  
Sign Regulations Bylaw 6.6  
Letter from The Engineering Corp re: Proposed Water Connection, Gateway Commons Retail Development, 5 Harding Street Lakeville  
Letter from Norfolk Ram regarding Submittal for site plan review, Island Terrace Nursing Home, 57 Long Point Road, Lakeville, Norfolk Project No. 986.001.02 Task 6  
Vote to authorize deficit spending for Snow and Ice for FY14  
Vote to authorize deficit spending for Veterans Benefits for FY14  
Resignation letter from Michael Nolan from Energy Advisory Committee  
Letter from Historical Commission to appoint James Gouveia as Associate Member  
Letter from Middleborough Gas and Electric and Verizon regarding pole relocation  
Letter from Kenneth Upham Sr. regarding Constable Reappointment