

SELECTMEN'S MEETING
Monday, December 3, 2007

On December 3, 2007, 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 Chair Yeatts at 7:00 PM. Selectmen present were: Selectman Yeatts, Selectman Evirs and Selectman Maksy. Also present: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant, and Christine Weston, Recording Secretary.

7:00 PM Present Arthur Linton with Retirement Proclamation

Arthur Linton was present. Chair Yeatts announced that Lt. Arthur Linton was retiring from the Fire Department after 32 years of service. He was presented with a Proclamation that Chair Yeatts read into the record. Selectman Evirs then read an official Citation from the State Senate into the record and Selectman Maksy read an official Citation from the House of Representatives into the record. Ms. Garbitt presented Lt. Linton with a card and gift from her and the Board of Selectmen.

Review request for Storage Trailer Permit-19 Stetson Street

Chair Yeatts discussed the application for a Storage Trailer Permit for 19 Stetson Street. The trailer would be used storage of personal property and a vehicle. The permit would be for one (1) year and renewable annually. Selectman Maksy stated that he must abstain as he is an abutter to the property.

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

VOTED: To approve the application for a permit for a storage trailer to Philip Sherman at 19 Stetson Street for one (1) year provided that the setbacks are adhered to and that the Building Commissioner verify the location.
Two in favor, one abstention.

Vote to accept resignation of Martha Weeks Green from Finance Committee

Chair Yeatts read the letter of resignation and special concerns as submitted by Ms. Weeks-Green into the record as dated November 17, 2007. She was wished well in her new endeavors and thanked for the time she has served the Town. It was requested that a letter of thanks be sent to Ms. Weeks Green.

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

VOTED: To accept the resignation of Martha Weeks-Green from the Finance Committee.
Unanimous in favor

Chair Yeatts mentioned that the Board received a letter today from Scott J. Sweet who had expressed his interest in serving on the Capital Expenditures Committee. She said it seems with

all his experience, he may serve better and fit the needs of the Town by serving on the Finance Committee. He has been invited to the next Selectmen's meeting on the 17th of December. The press was asked to place a notice asking for letters of interest for the vacancy on the Finance Committee be submitted to the Selectmen by December 13, 2007.

Any other business that may properly come before the meeting.

Gravel permit request, Lot 2B Main Street, New England Rent-all

Chair Yeatts explained that the owner of New England Rent-All came in looking for a permit today for an Earth Removal Permit. He still needs to go to the Conservation Commission on December 11th since there is a hydrological connection on the site, even though it is out of the buffer zone. He will also have to comply with certain work as instructed by Natural Heritage and MassHighway. Mr. Radke will be donating some loam to the Town for the Ted Williams Camp. Emery Orrall, Chairman of the Conservation Commission, agreed to waive the Conservation sign-off on the permit application so that Mr. Radke could proceed with his project. The conditions for the permit were discussed and it was decided to include the following: *This permit does not include work within the buffer zone, all work will be done outside the buffer zone, any deviation from this is subject to Conservation Commission approval since he does not need an Order of Conditions to do the work.* The area being worked is two (2) acres and the administration fee will be \$400. The removal fee is actually only the administration fee since he is donating a portion of the material to the Town. Ms. Garbitt stated that Mr. Radke is at the Planning Board meeting this evening to get the approval from the Planning Board for the earth removal permit and will bring that into the Selectmen tonight.

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

VOTED: To approve the Earth Removal Permit request, subject to Planning Board approval, to waive the signature of the Conservation Commission and with the attached conditions with a term to expire March 31, 2008.
Unanimous in favor

Selectman Evirs mentioned the Ms. Garbitt and he went on a three (3) hour bus tour last Friday that began at the Target in Taunton and ended in Middleboro to show where an alternate connection point would be to connect Taunton, New Bedford and Fall River to the Rail into Boston. Further details were given where the rail would travel through. There is a possibility that they would close the Lakeville Station since they would otherwise be backing up the train and it would add ten (10) minutes to the commuting time. However, Selectman Evirs went on record to say that the Town has a 40R project being developed in that area, thus the Town would not be in favor of closing the Lakeville station. Would that negate the 40R? The Mayor of New Bedford presented an idea of looking at the whole picture and possibly adding a station in Middleborough. Having a staggered train schedule may work since there is only one rail. Linda Grubb was present during the bus tour and was pleased with the comments. There will be additional tours and discussions. They are in the process of doing an environmental study. This alternative will not eliminate what may be going through Myricks. This is in addition to it. Selectman Maksy suggested that the rail proposal be brought up at the next Casino meeting.

Selectman Evirs stated that he still has concerns regarding the FY09 budget, which he pointed out at the last meeting. He is drafting a letter with Ms. Garbitt as discussed at the last meeting. The Town is looking at being \$1 million short of where they need to be for this budget and that is just trying to remain status quo.

Ms. Craig explained that James Marot, Planning Board Chairman, had just called regarding the Earth Removal Permit as discussed earlier in the meeting by the Board of Selectmen. The Planning Board is requesting that a tracking pad be installed on the site that meets the criteria of the Superintendent of Streets. This will eliminate mud onto the roadway. It should be approximately 80 feet long or whatever length is determined by the Superintendent of Streets. Mr. Radke explained that was also part of MassHighway's conditions as they require this for a curb cut. It has already been installed. The total amount of material is about 5,000 square yards, including the loam which will be donated to the Town. Ms. Garbitt stated that the Superintendent will be there to view it tomorrow.

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

VOTED: To add an 80 foot tracking pad or one as approved by the Superintendent of Streets to the conditions of the Earth Removal Permit.
Unanimous in favor.

Other Items

1. Letter from Conservation Commission to Board of Health
Selectman Maksy asked that Ms. Garbitt look into this letter and report back to the Board on this. Ms. Garbitt stated that she thought the Board of Health Chair reviewed the letter on this today. Mr. Garvey reported that they will be writing a response. Chair Yeatts added that sign-offs need to be consistent throughout the Boards and Departments within the Town.
2. Plymouth County Commissioner agenda-November 27th
3. Memo from Town Counsel regarding CPA Funds – Seideman v. Newton
4. SRPEDD Commission meeting agenda-November 28th
5. DOR Information Guideline Release-FY08 Guidelines for Annual Assessment & Allocation of Tax Levy
6. City and Town October/November bulletin
7. Massachusetts Council on Compulsive Gambling Newsletter
8. Department of Telecommunications and Cable staff appointments notice
9. Invitation from Metropolitan Area Planning Council to attend briefing on the State's Insurance
10. Cape Cod Cooperative Extension newsletter on well water
Chair Yeatts asked where the information was on this matter. Ms. Craig responded that she provided what was sent to her and the remainder is on-line. Chair Yeatts asked that she be provided a copy of this for the Water Study Board and also a copy for the Board of Health.
11. Community Update from STAR

12. Upcoming meeting schedule from Coalition for Zoning Reform

Selectman Maksy updated the Board of Selectmen on the Regional School Committee meeting that he had attended and what is taking place with the pool. The Superintendent is taking a brief accounting of ComRec specifically for the pool, and if it is not doing well, he will stop any activity with it. The School Department just recently put the accounting aspect into place and will have a week to week accounting of the pool costs. Chair Yeatts stated that the Board needs to know more information regarding the pool. Though it may appear that it is under budget at this time, winter has just started. Ms. Garbitt asked about the audit. Selectman Maksy responded that they did discuss the audit, and it will be done. Chair Yeatts stated that the Board wants it for the past two (2) years, including items in the Procedural Audit. The Board would like to know what has been done. It still does not seem to be clear with their budget. Ms. Garbitt noted that the Town does not have to go out to bid for audit services. On page 4 of their budget there is nothing budgeted, it is a negative balance of \$11,000 at this time. Selectman Maksy stated that the Superintendent has also invited the Board or a member of the Board to go over the budget line by line with them in order to be more pro-active on the budget with the Town. Ms. Garbitt mentioned that with the enrollment projections, the NESDEC numbers have been very close looking at this throughout history, within 1 %, births are down and the Kindergarten enrollment has dropped. They wonder if it is an anomaly but this was checked with the Town Clerk and births are down. Selectman Maksy added that they are trying to be more pro-active and work with their budget, even more so than they have in the past.

Adjournment

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

VOTED: To adjourn the meeting at 8:03 PM.
Unanimous in favor.