

SELECTMEN'S MEETING
Monday, December 15, 2008

On December 15, 2008, 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 Evirs at 7:00 PM. Selectmen present were: Selectman Evirs, Selectman Maksy and Selectman Yeatts. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

7:00 PM Meet with Historical Commission

Brian Reynolds, Nancy LaFave & Geraldine Taylor were present from the Historical Commission. Brian Reynolds took the floor and told the Board that the Town House was just painted, and it has been recommended that there be a five year repainting cycle in order to preserve the structure.

Mr. Reynolds introduced Matthew Gilbert, Life Scout from Troop 26, who was present tonight to discuss his proposed Eagle Scout Project for the Town. The Historical Commission supports Mr. Gilbert's project with the Selectmen's approval, permits, written approval from Town Departments, group and individual property owners. All of this would have to be in order before sign development and installation took place. Matthew Gilbert took the floor. He stated that he is a Boy Scout in the Life Scouts and to get to be an Eagle Scout, one needs to do a project. He has chosen a project of refurbishing the signs around the Town or establishing new ones for areas that are not there as of yet. He then distributed an outline of what will be done. He has been working with Mr. Crutchfield of Crutchfield Signs about the signs. The cost is estimated to be about \$1,000 that he hopes to raise through fundraising. Mr. Gilbert will be doing a map about the sites. The fundraising will be done through donations flyers through his troop. He has established a bank account at Eastern Bank for the funds and donations to be held for this project. The Pond Meeting House is one (1) site that the present sign will need fixing. Then there are other signs and sites that the Historical Commission has recommended such as; Camp Joe Hooker, Betty's Neck, Dickran Diran Square, etc. Mr. Gilbert then distributed a mock-up of what the signs/styles would look like. The size dimensions would be 30" x 19" for the normal stand up signs and any wall mounted signs. If there are any extra funds, the rest would be wall mounted and they would be 16" x 9", approximately four (4) feet high. Two are on private property.

Chairman Evirs wanted to know about getting permission from the private property owners. Nancy LaFave stated that they would fill out the forms for the Building Commissioner for the signs. A discussion occurred regarding the Sailer's Tower. Ms. LaFave said the Lakeville Historical Society owns that, which is a private group. There is a difference between the Society and the Commission. The Historical Society is aware of what is going on and will be having Mr. Gilbert come in to speak with them. Selectman Yeatts said she would love a sign on the Peach Barn at Betty's Neck. Mr. Reynolds noted that the Historical Commission has provided Mr. Gilbert with a \$250 scholarship for his project

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

VOTED: To approve the Eagle Scout project by Matthew Gilbert to recognize, create, and install signs noting historic Lakeville landmarks or sites and to keep in touch with the Board of Selectmen and make sure that he obtains the necessary permission for his project.
Unanimous in favor.

Ms. LaFave said last year, the Historical Commission had two (2) programs at the Library and we hope to have more this year. Also, she has a question about Highland Road. At the bridge, there used to be a marker for the former Police Chief, and it has not been put back up. When the work was done on the bridge, it was taken down and the Historical Commission is looking for what happened to the sign or to get a new sign. Chris Peck, Superintendent of Streets, said it is not at the Town Barn, and he was working on checking with the State or Mass Highway for the sign to be put back. It took a long time for the Highland Bridge to get done.

Selectman Maksy thanked them for their nice letter sent to him on his behalf due to his representation of the Board of Selectmen at the Veterans Day event. Chairman Evirs stated that the Town House looks very nice. He did not know about trying to plan on painting and refurbishing on a closer schedule, but it looks good right now. Ms. Taylor responded that the man that did the painting recommends that it be done every five (5) years.

Review and vote to approve Class I and Class II Annual License Renewals

Chairman Evirs stated that the Building Commissioner has visited all of the sites of the Class I and Class II licenses and has found no discrepancies on any of their licenses.

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

VOTED: To approve the Class II License Renewals with an expiration of January 1, 2010 as follows: Majestic Auto Wholesale Inc.; United Automotive Services; Lakeville Auto Sales; Sha-Nic Auto-Body, Inc.; Chris Altieri, dba C&E Enterprises; Leonardo Solana, dba Solana Auto Sales; Andrews Family Automotive; and Linda Bury, dba Elite Auto Sales.
Unanimous in favor.

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

VOTED: To approve the Class I License Renewals with an expiration of January 1, 2010 as follows: Rousseau's Rentals, Inc. and Crossroads Great Outdoors
Unanimous in favor.

Selectman Yeatts noted that the Town has a new Building Commissioner and it is not known if he knows about the Rousseau problems in the past. Ms. Garbitt responded that the Building Commissioner has been here for a year and he has inspected the premises previously.

Selectman Yeatts stated that she will discuss this with the Conservation Commission and make sure that they go out and inspect Rousseau's.

Chairman Evirs noted that Crossroads Great Outdoors Inc. is requesting to change its business name to Route 44 RV & Boat Collision Center LLC. Selectman Yeatts stated that she wished that she had seen this information before. Now he is going to have boats, this is a change in use. He will have boats on the property as well as recreational vehicles. Chairman Evirs suggested asking the business owners to attend the January 12, 2009 meeting to further the name change request.

Review and vote to approve Annual Miscellaneous Licenses

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

VOTED: To approve the following Livery Licenses with an expiration of December 31, 2009: Moonlighting Limousine (5 vehicles) and JP's Limousine Service (2 vehicles).
Unanimous in favor.

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

VOTED: To approve Dancing on Weekdays at the following locations with an expiration of December 31, 2009: Camp Joe Hooker, Inc.; Reservoir Heights, Inc., d/b/a Lakeville Country Club; LeBaron Hills Country Club; Orchid of Hawaii and Fraternal Order of Eagles.
Unanimous in favor.

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

VOTED: To approve Coin Operated Amusements at the following locations with an expiration of December 31, 2009: Camp Joe Hooker (5 machines) and Fraternal Order of Eagles, Inc. (4 machines).
Unanimous in favor.

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

VOTED: To approve Public Entertainment on Sundays at the following locations with an expiration of December 31, 2009: Camp Joe Hooker, Inc.; Reservoir Heights, Inc.; d/b/a Lakeville Country Club; LeBaron Hills Country Club; Orchid of Hawaii and Fraternal Order of Eagles
Unanimous in favor.

Review and award bid for sand and salt for Highway Department

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

VOTED: To approve the sand bid to AD Makepeace: \$6.25 at plant, \$10.00 delivered.
Unanimous in favor.

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

VOTED: To approve the salt bid to Eastern Salt: \$69.75 per ton delivered.
Unanimous in favor.

Discuss renewal of contracts with Berkley, Carver, Rochester and Freetown for Animal Shelter

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

VOTED: To renew and continue the contracts with Berkley, Carver, Rochester and Freetown to board dogs at the Animal Shelter.
Unanimous in favor.

Request for appointment of additional members – Cable TV Advisory Committee

Chairman Evirs stated that the Cable TV Advisory Committee has three (3) full members now and they would like to add two (2) more to the Committee. The Board has received two (2) letters indicating interest in being appointed to the Committee. This would then be five (5) full members and one (1) alternate.

Discussion occurred regarding the lack of a budget for legal funds for the Committee. Chairman Evirs suggested that the Committee get an estimate from their attorney, Peter Epstein, on how much will be required for the re-negotiation of the Comcast contract.

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

VOTED: To appoint James Longo and Sherry Colucci to the Cable TV Advisory Committee with an expiration date of July 31, 2009.
Unanimous in favor.

Request for appointment of Wardens and Volunteer Observers – Middleborough/Lakeville Herring Fishery Commission

Chairman Evirs read the letter from the Middleborough/Lakeville Herring Fishery Commission requesting their annual Warden and Volunteer Observer appointments.

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

VOTED: To appoint David J. Cavanaugh and William Orphan as Fish Wardens for the term ending September 30, 2011.
Unanimous in favor.

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

VOTED: To appoint Harold Atkins, Kristen Chin and Luke Leonard as Volunteer Observers.
Unanimous in favor.

Review Petitions for Re-Zoning County Street

The petitioner's (Mr. Doherty and Mr. McCarroll) have requested that the petition to re-zone County Street from the McCarroll's property to the Van Laarhoven's property be placed on the Annual Town Meeting Warrant before their petition for rezoning of their own properties. If the first petition is approved by Town Meeting, they will withdraw the second petition. If the first petition is voted down at Town Meeting, they would like the second petition to be voted on. Ms. Garbitt said the Board needs to act on this within 14 days of it being received to get it to the Planning Board. Ms. Garbitt will send the Planning Board a memo and get it to them for their meeting tomorrow night. They have 65 days from then to schedule their public hearing. The petitioners will have to notify abutters from a certified abutters list from the Assessors Department and pay for the legal ad. The Planning Board will let them know what they need to do. The public hearing is good for a six (6) month period. Chairman Evirs said we will include a letter from the Board of Selectmen which states the Board is in favor of supporting the rezoning with Ms. Garbitt's memo tomorrow. Selectman Maksy said the last petition we received was being in favor of one of these, and we may want to clarify which one we are in favor of. Selectman Yeatts said she thought the Board said that they preferred the larger of the two. Selectman Maksy suggested that they go with the larger zoned area, providing that this is the preference of the residents.

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

VOTED: To support the larger area to be rezoned on County Street, provided that it is the preference of the residents.
Unanimous in favor.

Review and vote to approve Sales Trailer License for KCLS Construction

Chairman Evirs noted the request for renewal of the Temporary Trailer Permit for the Kensington Court project.

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

VOTED: To approve the renewal request for the Temporary Trailer Permit for KCLS for the Kensington Court project, with an expiration date of December 15, 2009.
Unanimous in favor.

Any other business that may properly come before the meeting

Ms. Garbitt said that Camp Joe Hooker has applied for a Keno license. If the Board of Selectmen support it, they need not to do anything. If the Board has an objection, they need to send a letter to the Lottery.

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

VOTED: To do nothing regarding Camp Joe Hooker applying for a Keno license.
Unanimous in favor.

Ms. Craig then distributed an application for a Temporary Trailer Permit for Pilot Construction for the Kensington Court project.

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

VOTED: To issue a Temporary Trailer Permit to Pilot Construction for the property located at 2 Commercial Drive, with an expiration date of December 15, 2009.
Unanimous in favor.

Other Items

1. Letter from Historical Commission thanking Selectman Maksy
Chairman Evirs read the letter into the record.
2. Letter from Dr. Furtado regarding FY10 proposed budget
Selectman Yeatts stated that Wednesday night, the School Committees will be starting to discuss the budget and other important topics, and she wanted to know if Selectman Maksy was going to attend. Also, there is the question about Dr. Furtado facilitating the search for the new superintendent and how much will the Town be paying the Business Manager, Lou Rodrigues, to be Acting Superintendent during this time. Chairman Evirs mentioned the full day kindergarten and how the School Committee seem to think that they will be putting it into place next year in Lakeville. The tuition cost is \$2,500 per child and that is not enough even for a salary for a teacher. Then you would have to take into consideration if they have to waive tuitions for some children. It will be difficult to maintain the current services that they have now. It is also anticipated that there will be a cut in State aid. Selectman Yeatts said that she and Ms. Garbitt met today with Gary Mansfield, Chairman of the Finance Committee. We agreed that we would rather have quality services than extend ourselves any further. We are being penalized for being generous in the past for giving more to the school than what we needed to. Chairman

Evirs said dialogue needs to begin with them about their budget. Selectman Yeatts said the miracle would be if they got level funded.

Selectman Maksy said he was wondering if we can send a letter to the Regional School Committee since it appears that we cannot participate in their discussions at meetings unless we are on their agenda. Sometimes you just sit there and do not get a chance to speak on a topic that you need to speak on. Selectman Maksy said the Local School Committee is fine, it is the Regional where this occurs. Maybe the letter should go to the Regional members of our Local School Committee since they can work to change this. We can let them know that the Board of Selectmen is discouraged with the process. Ms. Garbitt said we can ask that the Board be on the agenda with the Region at their meeting in January. Chairman Evirs said we should ask to actively participate in all their budget talks so that we can be acknowledged to speak. Ms. Garbitt and Chairman Evirs will draft something up to send to the Regional School Committee about actively being able to participate during budget discussions.

3. Notification to Abutters from Conservation – Glenn Chistolini – 1 Elliot Way

4. Memo from Linda Grubb regarding updates on Chapter 61

5. SRF Clean Water and Drinking Water Draft

Selectman Yeatts said the Town is on the SRF (State Revolving Fund) list and is just one off the funding list. The Town has been up for funding the past two (2) years and did not go for it.

6. Information regarding extension of Trench Regulation Implementation

Chairman Evirs said after our great debate at the Special Town Meeting, the State has extended the Trench Regulation Implementation matter until March 1, 2009. It was supposed to go into effect on January 1, 2009. The law is for private property, but the other aspect is State agencies, so there is also a discrepancy. Selectman Maksy asked when will we start charging a fee. Ms. Garbitt said the Board will have to decide that. Chairman Evirs said between now and March 1, 2009 this should be discussed. There also should be dialogue with the Board of Health and the Building Commissioner about what they feel their concerns may be.

7. Letter from CHAPA regarding 7 Woods Edge

Selectman Maksy asked how much money do we have. Ms. Garbitt said \$11,000, only one unit has been sold.

8. Memo from Town Counsel regarding road flaggers and police details

9. Memo from Town Counsel regarding fixed price fuel contracts

10. Old Colony Regional newsletter

11. GATRA Advisory Board agenda

12. SEMASS Council agenda – December 16, 2008

13. MMA Annual Business meeting – January 24, 2009

14. U-Mass Extension Keystone Training

15. Letter from Department of Agricultural Resources regarding farm vehicles

Selectman Maksy said this used to be two (2) miles. Now they have extended it to ten (10) miles. He suggested sending this to the Chief of Police.

16. Sustainability Initiative – U-Mass Dartmouth – Week of 12/10 – 12/16

17. Letter from The Neighborhood Corporation (formerly WEIR Corporation)

18. Letter from Comcast regarding package name changes

19. Letter from Comcast regarding programming change
20. Massachusetts Council on Compulsive Gambling News
21. Wildlands News Winter newsletter
22. Letter from DEP regarding Department of Energy Resources programs
23. Plymouth County Commissioner's Agenda for December 16, 2008

At 8:30 PM, upon a motion made by Selectman Yeatts; seconded by Selectman Maksy, the Board unanimously:

VOTED: To enter into Executive Session and not to return to Open Session to discuss pending litigation. Polled vote of Selectman Maksy – aye, Selectman Yeatts – aye and Selectman Evirs – aye.
Unanimous in favor.