

SELECTMEN'S MEETING
Tuesday, January 9, 2007

On January 9, 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 Chairman LaCamera at 7:00 PM. Selectmen present were: Selectman LaCamera, Selectman Yeatts and Selectman Evirs. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

7:15 PM Meet with Jason Bury of Elite Auto to discuss Class II license issues

James Marot, Building Commissioner and Jason Bury of Elite Auto were present for the meeting Mr. Marot stated that since he was not present during all the discussions that had been previously held with Mr. Bury regarding the conditions, he was not clear on the matter. The property is remarkably different than it originally was. There are still a few debris piles left to clean up, however, Mr. Bury is making an honest attempt to clean them up and this only benefits him for his business. Mr. Marot had no objection at this time with the issuance of his license. Chairman LaCamera stated that his only objection was that there was a Ford Explorer off to the side, condition unknown, that should be removed. Mr. Bury assured the Chairman that would be resolved.

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

VOTED: To extend the Class II license of Elite Auto until January 1, 2008 with the same conditions as originally agreed to.
Unanimous in favor.

7:30 PM Discuss lease for Historic Library

Lorraine Carboni and Kristen Scott were present for the discussion, along with James Marot, Building Commissioner. Chairman LaCamera explained that several months ago a proposal was put forth by Ms. Carboni and Ms. Scott to lease the Historic Library. The Board of Selectman and the Re-Use Committee both agreed that it would be a good use for that facility. A draft lease was then put forward and reviewed by Ms. Carboni and Ms. Scott, their attorney and Town Counsel. The only question was who would be responsible for snow removal, and they have agreed that they would take care of that. The lease has been changed to reflect this. Another modification to the lease is that it is contingent upon their successful approval of financing from a lending institution. If they are not able to obtain financing, then the lease will not go into effect.

Selectman Evirs asked about the signage at the property. Mr. Marot explained that the site is currently zoned Residential, unless the Town calls it a municipal facility. The primary concern is to make sure that consistency of the rules and regulations of the Town are implemented throughout the community for everyone. They are allowed a two (2) foot square sign. Chairman LaCamera stated that it is a municipal building, and Ms. Carboni and Ms. Scott were going to put a sign out, similar to the one that is presently there. A sample of the sign was shown to the

Board as an example. The sign has already been approved by the Historical Commission. Selectman Evirs asked if there would be any outdoor displays or table sales. Ms. Carboni responded that there would not be. Selectman Yeatts asked if rezoning should take place so that a sign could be allowed. Mr. Marot responded that he would like that to happen. Members of the community have been calling his office inquiring about a business being allowed in the building in that capacity. Chairman LaCamera stated that the business is allowed there by law, and the Board is not doing anything that it is not allowed to do.

Selectman Evirs noted that the parking lot has not yet been paved and will not be paved until April, which is the beginning of the lease. Chairman LaCamera stated that it was to be paved before Mr. Hamilton had retired; however, it was decided to allow it to settle over the winter. As soon as the asphalt plant opens in March, the lot will be paved. This should take place around April 1st. Selectman Evirs stated that he did not want the tenants not to be able to open due to the paving of the parking lot.

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

VOTED: To approve and sign the two (2) year lease with Kristen P. Scott and Lorraine A. Carboni for property located at 241 Main Street effective March 1, 2007 through to February 28, 2009.
Unanimous in favor.

Chairman LaCamera extended his best to the new business. Chairman LaCamera mentioned that originally the cost to have the septic system done was going to be about \$35,000. However, George S. Redlon & Sons has now donated all the labor and necessary services in order for the septic system to be installed. The cost of the materials is about \$12,000 and the only cost that the Town will need to pay for. Chairman LaCamera thanked Redlon for their donation.

Vote to extend Class II license for United Automotive and Class I license for Crossroads RV Center

Chairman LaCamera asked if Mr. Marot if he was satisfied with the conditions at United Automotive and Crossroads RV Center. He responded that both businesses have addressed their violations.

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

VOTED: To extend the Class II license for United Automotive until January 1, 2008.
Unanimous in favor.

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

VOTED: To extend the Class I license for Crossroads RV Center until January 1, 2008.
Unanimous in favor.

Request to appoint member to Council on Aging

Chairman LaCamera read a request from Marilyn Mansfield, Director of the Council of Aging, asking for Arlene Bowles to be appointed to the Council on Aging Board.

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

VOTED: To appoint Arlene Bowles to the Council on Aging Board as she is an active volunteer and participant at the Senior Center.
Unanimous in favor.

Request to appoint James Marot as Smart Growth Reporting Officer

Chairman LaCamera read a request from Ms. Garbitt to appoint James Marot, Building Commissioner, as the Smart Growth Reporting Officer.

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

VOTED: To appoint James Marot as the Smart Growth Reporting Officer as required by M.G.L. Chapter 40S.
Unanimous in favor.

Revisit later hours for MBTA service

Chairman LaCamera explained that discussion had taken place at the previous meeting of the Board about its input and that of the community regarding offering a later train for the MBTA service. There are some towns that are holding public information hearings in order to gain input from their community members. Selectman Yeatts suggested that the press be asked to publicize this in the paper for those in the community to express their opinions by email to the Selectmen's Office. At the next meeting, this topic will be revisited.

Discuss Selectmen's priorities and objectives for the FY08 Budget

Chairman LaCamera stated that during the November 14th meeting of the Board, discussion took place regarding the budget and budget projections. At this time, there are a lot of unknowns since there is a new Governor in place, and he is allowed an extension of presenting the budget into the third week in February. Ms. Garbitt has issued a letter to the Department Heads asking for two forms of the budget. The first form is to present a budget which will maintain all staff, salaries as they have been agreed to by contract, raises as agreed to, and equipment and maintenance contracts. The second budget is to show any additional needs, such as personnel. These needs will be addressed later in the budget process if there are any monies available to address them.

Chairman LaCamera said that over the past few years, the Town has made a huge contribution to the schools within the Town. The needs of the Town have not been addressed since those of the schools have been funded. One of the priorities for the Town at this time is to

hire an additional police officer and also a fire fighter. Reviewing the financial condition of the budget at the November 14th, 2006 meeting, it shows that there is a substantial amount of money available at the Region level since there will be approximately 20 members retiring. This will allow a savings of \$400,000. The region also received an additional \$225,000 over what was originally included in their budget. They have not had any cuts in staff, services, or anything else. Their additional funds should be able to benefit them. Selectman Evirs stated that he echoed what Chairman LaCamera stated about the fact that the Town has taken very good care of the schools. The schools have been built, staffed, and there is also a new library for the Town. Now the Town needs to step up to the plate to help the other Departments that have been sacrificed while the schools and the library were being built. These most notably are the Police and Fire Departments. Selectman Yeatts agreed with Selectman Evirs, saying that a plan was discussed with the Finance Committee in November and now it is up to the Board of Selectmen to follow through and continue that plan. Chairman LaCamera explained that the Town will continue as it usually does with the budgets. Once all the budgets have been returned from the Department Heads, Boards, Commissions and Committees, then there will be a meeting on the information received and then the Board will begin meeting with all the Departments to discuss their budgets with them.

Chairman LaCamera stated that a letter had been received from Superintendent Furtado requesting that the Finance Committee and the Board of Selectmen attend a meeting on Monday, January 22, 2007 from 6:30 PM to 8:30 PM to discuss their budget. However, the Board of Selectmen has a meeting scheduled that night and there are also two (2) members of the Finance Committee who do not return back to Town on the train until after that time. The Board has always asked the Superintendent his schedule prior to setting up a joint meeting and now he has scheduled a meeting without even asking about the Board's schedule. One does not ask two (2) Boards to attend a meeting and not check their meeting calendars. Selectman Yeatts stated that she had personally asked the School Committee about being included in the whole process regarding how their budget is developed as a learning curve for her. Mr. Velez, Finance Committee Chair, stated that they could have called about the schedules, but the members of the Finance Committee do plan on attending the meeting.

Ms. Carboni mentioned that the School Committee had met and looked at their schedules and that night happened to be available for all members. Then it was brought up that the Selectmen and Finance Committee wanted to be part of the discussions and so the Superintendent was asked to write a letter and invite everyone. This was in no regard done in disrespect to any of the Boards. This is simply the first meeting and the initial discussion regarding the budget. The Region has already set up budget meetings for this month and so this meeting was scheduled so as not to be during the same evening. Chairman LaCamera stated that there should not be any discussions taking place until preliminary figures are received from the School Department. Will the Finance Committee and the Selectmen get a copy of preliminary figures prior to the meeting since this has not been provided in the past? Mr. Velez explained that the Finance Committee is looking to become more familiarized with the process; the numbers will come out over time. It is a matter of seeing how the process begins and ends; there will be plenty of time to see how the numbers are generated through the process. Right now it is to see what they include, why they include it and if it all makes sense. Chairman LaCamera stated that the Town Administrator has outlined the process that the budget is to take, so this is confusing.

Selectmen Evirs stated that both meetings cannot take place on the same night. The Selectmen would have to stay at the budget meeting and change their meeting to another night. Chairman LaCamera stated that this is not appropriate. The Selectmen only meet twice a month and there has been plenty of time to check schedules. The Selectmen's schedule has been up on the website for two (2) months or more and on the calendar and posted. Ms. Garbitt asked if the School Committee could change their meeting night. Selectman Yeatts stated that the School Committee has more people to change around with schedules. Maybe the Board could stay at the budget meeting for an hour and then return to have the Selectmen's meeting. Selectman Evirs stated that there is also the fact that the Selectmen's meeting has been scheduled and others included such as the Town Administrator, the Administrative Assistant and the Recording Secretary to consider. It would be preferable if they changed their meeting night. Selectman Yeatts asked Ms. Carboni if an hour would be enough time to find out about the budget. Ms. Carboni responded that her impression was that the Superintendent did not anticipate the meeting going any longer than two (2) hours. A call can be extended to the Chair of the School Committee to see if the meeting date or time can be changed. This is simply the first meeting where the budget is to be presented and reviewed as a school board. To see what the Administration feels is necessary to be included in the budget. There may be substance in being there for an hour certainly. Selectman Yeatts asked if the Finance Committee would attend for the entire meeting. Mr. Velez said yes. Selectman Evirs stated that his first inclination would be to request that they change their meeting night; otherwise the Selectmen can only be there for an hour. Ms. Carboni stated that she would call the Chair about starting earlier. Chairman LaCamera stated that that would be worse for the Finance Committee since the two (2) members that work in Boston may be guaranteed not to make the meeting at all. Ms. Garbitt stated that the Board should ask for the School Committee to reschedule their meeting to the 23rd of January and have it start at 7 pm. Chairman LaCamera added that if that does not work then the Selectmen's meeting could be changed to 7:30 so that the Board can attend for at least an hour. Ms. Craig suggested that the Selectmen begin their meeting earlier and have a light agenda, and then meet with the School Committee allowing them to have their meeting a little later.

Vote to schedule Selectmen's meetings – February, March and April

Chairman LaCamera read a memo from Ms. Garbitt, asking the Board to schedule their February, March and April meetings.

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

VOTED: To set the Board of Selectmen's meetings as follows: February 5th & 26th at 7 PM; March 12th & 26th at 7 PM; and April 9th & 23rd at 7 PM.
Unanimous in favor.

Vote to approve Selectmen's minutes of July 24, 2006, November 14, 2006 (2 sets)

Selectmen Yeatts asked about the new growth figure as presented in one of the sets of minutes. Ms. Garbitt responded that the figures were from two (2) different years.

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

VOTED: To waive the reading of and approve the Selectmen's minutes of July 24, 2006 and November 14, 2006 (2 sets) as presented.
Unanimous in favor.

Vote to approve Selectmen's Executive Session minutes of November 14, 2006, December 19, 2006

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

VOTED: To waive the reading of and approve the Selectmen's Executive Session minutes of November 14, 2006 and December 19, 2006 as presented.
Unanimous in favor.

Any other business that may properly come before the meeting.

Chairman LaCamera explained that the Board has appealed a decision that is still in court as set forth by the arbitrators regarding the Firefighters contract. Meanwhile, a preliminary injunction was requested that the Town implement the 24-hour shift schedule for the Fire Department. This will take place on January 14th. The Firefighters Union went to a court in Plymouth to obtain the injunction and the Town has to implement it. The next court date is February 10th. The contract will have to be approved by Town Meeting once it is resolved. The only aspect being implemented at this time is the 24-hour shift schedule.

Selectman Evirs read a letter into the record from Police Chief Mark Sorel. Officer Patrick Curneen will be retiring in July 2007. Since the Municipal Police Training Committee Police Academy is only offered twice a year, next class to being on April 23, 2007, it is recommended that Ryan Maltais be enrolled in the class in the event that a potential recruit would be required to have this training. In order for an officer to hold a position at the academy, an applicant must be appointed as a Police Officer, therefore, Mr. Maltais is being recommended, as the only eligible candidate, as full time Police Officer for the Town of Lakeville.

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

VOTED: To appoint Ryan Maltais as full time Police Officer, for a one (1) year probationary period, beginning on April 20, 2007. Said appointment is subject to successful completion of a psychological examination, PAT test and physical examination.
Unanimous in favor.

Chairman LaCamera explained that Mr. Velez was present this evening to speak on the confusion and misunderstanding having to do with the charge backs for the George R. Austin Intermediate School (GRAIS). He has volunteered to do an analysis since September with respect to the electricity, oil, and water usage by the school and breaking out the costs for the pool. Mr. Velez explained that data has been done on a daily basis since November. Even with

the relatively warm weather, the amount of oil that the pool uses has been underestimated substantially. The actual use is 50 gallons a day, vs. the eight (8) gallons a day that was originally thought to be used. This is just over \$100 a day. This analysis was also evaluated in another fashion to make sure that the figures were correct. An additional two (2) inches of water is added to the pool on a daily basis to make up for the evaporation and splashing that takes place. Eight (8) gallons of fuel may be sufficient to heat these additional two (2) inches, but not to continue to maintain the temperature throughout the day. A written report will be provided based on the analysis that has been done. The data has been taken with thermometers that are in a mechanical section. This is done twice a day at the same time. The electrical side of the use of the pool and pool area is still being determined since it is more complex with how the meters and fuse boxes are connected.

Chairman LaCamera stated that then during the course of only one (1) year, the Town has been over charged by \$100,000 and this has been going on for three (3) years now. The Board should insist that a credit is received for all the monies that have been provided towards these costs. Mr. Velez is to be commended for all his own personal time that he has given in order to perform this analysis. The Town needs a credit, budgets are very tight. Meanwhile the local schools are saying they need more money and there is no reason for it. A sub committee was put together to review the charge backs and no one knows this data better than Mr. Velez right now. Mr. Velez added that there is a main meter that is read by the Middleborough Gas & Electric on a monthly basis. This feeds the entire campus. Then there are meters for each school building and another internally solely for the pool. A mathematical analysis needs to be done to determine the costs that are from the pool. Also, the pool meter does not include all the aspects of the pool, such as lights, etc. This still remains to be broken out of the data.

Chairman LaCamera stated that another letter was also received from the Superintendent having to do with an amendment to the Regional Agreement. The Town of Lakeville was allowed to enroll 550 elementary students at GRAIS, pay the appropriate debt for the renovations, and this was done. According to the DOE (Department of Education) the Town can put any elementary grade student in the school (kindergarten through Grade 6). Yet, the Superintendent is sending a letter to the DOE asking for clarification on this agreement. This has nothing to do with the DOE; the Regional Agreement was signed by Freetown and Lakeville. It is also not in the agreement that the Regional School Committee has the authority to determine the grades housed at GRAIS, and the Superintendent is also asking for clarification on this from the DOE. These questions should actually be presented to their attorney, Michael Long. As a taxpayer, it seems that having these questions asked and addressed is inappropriate. Lakeville has had every intention to use the school, if those spaces are not to be allowed for use, then the Region can start paying for what Lakeville has been paying for. Attorney Long needs to be consulted to look at this and make a statement. The letter should also be provided to Town Counsel for review. Selectman Yeatts asked about the Facilities Use Committee that was formed to look at all this? Chairman LaCamera responded that that committee has disbanded. The School Committee has since made a recommendation which is now being looked into.

Other Items

1. Revised Priority List for FY07

Chairman LaCamera explained that at the previous meeting of the Board the priority list was reviewed and the Town Administrator has now updated it.

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

VOTED: To approve the revised priority list for FY07.
Unanimous in favor.

2. Lakeville Man & Woman of the Year

3. Letter from James Thomas regarding animal shelter

4. Memo from James Marot regarding Work Assistance Program for Seniors

Chairman LaCamera explained that Mr. Marot has put together a work assistance program for senior citizens with the students of Apponequet High School. Mr. Marot explained that though he has only been the Building Commissioner for 4-5 months, he has noticed that there are a number of senior citizens that need help or assistance to keep their residences safe, keep the equity that has build up in their homes, etc. This is a good way to do this and a proposal has been outlined and presented to the Board. Discussion has taken place with the Regional School Administrators and folks at the Senior Center and everyone seems to be in favor of the proposal. Students who are looking for collegiate credit on a community service basis and honor society students who are required to perform community service hours presently do not have enough programs to be involved in to obtain their necessary hours. There may be a funding source to help supply the necessary materials for what the senior citizens may need in their homes. It is anticipated to send out letters to the various contractors that live and work in the community to determine what their support and involvement could be with this program. There are questions that need to be answered such as insurance and liability. However, it is hoped to move forward with implementing this proposal. The students would be from both Old Colony Regional and Apponequet High Schools. It was the general consensus of the Board of Selectmen for Mr. Marot to continue moving forward with the proposal as outlined and presented.

5. Letter from Dr. Furtado regarding FY08 School Budget Review meeting

6. Letter from Department of Public Safety regarding Jim Marot's certification

7. Letter from MassHousing regarding Residences at Lakeville Station

Chairman LaCamera stated that a letter was received from MassHousing explaining that the Residences at Lakeville Station project has received their funding and now can move forward.

8. Approval letter from DHCD regarding 40R District

Chairman LaCamera stated that a letter was received of final approval from DHCD (Department of Housing & Community Development) regarding the 40R District. The Town is now entitled to receive \$350,000 from the Smart Growth Housing Trust. An invoice just needs to be submitted. When the building permits are issued later this year, the Town will receive \$3,000 per unit, \$612,000 in total. The Developer will also be paying a \$300,000 mitigation fee. There is no restriction to how the Town utilizes these

funds. All Boards, State Representatives and State Senators are thanked for all the help they gave in order to have this happen for the Town.

9. JTPG Agenda (Chuck is alternate representative at this point until Supt. of Streets is hired)
10. Plymouth County Commissioners Meeting Agenda – December 19, 2006 and January 2, 2007
11. DEP State Revolving Fund Loan Program for Clean Water Projects
12. Mass Wildlife Advisory regarding midwinter eagle count
13. Notice from DTE regarding Bay State Gas Plan
14. Letter from Comcast regarding various issues
15. Water Watch bulletin from Woodard & Curran

Reorganization of Board of Selectmen

Chairman LaCamera noted that he was resigning as Chairman of the Board of Selectmen and a new Chairman needed to be appointed.

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

VOTED: To appoint Selectman Yeatts as the new Chairman of the Board of Selectmen.
Unanimous in favor.

Accept resignation of Richard LaCamera from Board of Selectmen

Selectman LaCamera distributed his resignation letter to the Board members and then read it into the record. He has given twenty-five (25) years of service to the Town and he thanked everyone for allowing him to serve in the various capacities that he has over the years.

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

VOTED: To accept the resignation of Richard LaCamera from the Board of Selectmen effective January 9, 2007.
Unanimous in favor.

Chairman Yeatts thanked Mr. LaCamera for his service to the Town. She said it will be a tough act to follow what he has done. She has been learning from him and previously from Mr. Hurd. Mr. LaCamera is to be respected for all that he has done for the Town and it is hoped that herself and Selectman Evirs can continue that tradition and whoever is elected to the Board in April. Selectman Evirs explained that though he has only been on the Board for nine (9) months, he did receive a crash course from Mr. LaCamera of all the ins and outs of being a Board member. Mr. LaCamera has been an excellent teacher. His goals and objectives for the Town will be kept on the forefront. These include Natural Heritage, the feasibility study for the Town Office/Safety Building(s), charge backs, the use of the schools, funding the schools, appointing a new Highway Superintendent, the new Fire Fighter contract, etc. There is a lot of work that the Board needs to attend to and most of it will be taking place prior to a third person being elected to the Board. It is hoped that he and Chairman Yeatts will make the right decisions for the

Town. Many thanks for all that Mr. LaCamera has done through the years for the Town. Ms. Garbitt stated that she has enjoyed working with Mr. LaCamera for the past six (6) years as Town Administrator. Mr. LaCamera has put in so much time over the years. People probably don't realize the additional time he has put forth "behind the scenes". She then thanked Mr. LaCamera for all that he has done.

Adjournment

Upon a motion made by Selectman Evirs; seconded by Chairman Yeatts stepping down to vote, it was:

VOTED: To adjourn the meeting at 8:25 pm.
Unanimous in favor.