

**TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
February 2, 2015 – 1:00 PM**

On February 2, 2015, the Board of Selectmen held a meeting at 1:00 PM at the Lakeville Police Station. The meeting was called to order by Chairman Powderly at 1:03 PM. Selectmen present were: Selectman Powderly, Selectman Burke and Selectman Hollenbeck. Also present was Tracie Craig, Executive Assistant. LakeCAM was taping for local community broadcast.

Public Hearing – Request for General on Premises License to Sell All Alcoholic Beverages – Loon Pond Lodge (Ted Williams Camp) – 28 Precinct Street – The Bartending Services of New England, LLC

Craig Medeiros, Esquire, was present for the hearing.

Upon a motion made by Selectman Burke, seconded by Selectman Hollenbeck, it was:

VOTED: To open the hearing for the General On Premises All Alcoholic Beverages License – Loon Pond Lodge (Ted Williams Camp) at 28 Precinct Street for The Bartending Services of New England, LLC.
Unanimous in favor.

Attorney Medeiros said that in May of 2014, his client, The Bartending Services of New England, LLC, won the bid to provide bartending services at the Loon Pond Lodge (Ted Williams Camp). He said that his client had been providing the One Day Special Permit bartending services at the Camp for years. Joe Abbaticola asked about the liquor liability. Attorney Medeiros said his client carries liquor liability insurance. Mr. Abbaticola asked about the fees that the Town would be paid. Chairman Powderly said the Town receives 20% of the gross liquor sales for each function. Mr. Abbaticola asked how the Town keeps track of the sales. Attorney Medeiros said the Town books the events, so they know what is going on. Chairman Powderly said he assumed that the Park Commission has checks and balances in place.

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To close the hearing.
Unanimous in favor.

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To approve the General on Premises License to sell All Alcoholic Beverages at the Loon Pond Lodge at 28 Precinct Street (Ted Williams Camp) for the Bartending Services of New England LLC under conditions of the application.
Unanimous in favor.

Meet with SRPEDD to discuss Regional Transportation Plan

Chairman Powderly stated this item was tabled and will be on an upcoming Selectmen's Meeting agenda.

Review request for hearing with Board of Selectmen regarding Excessive Barking by Dogs – 3 Old Meadow Lane

Chairman Powderly said that Town Counsel was consulted to determine if the Board was legally obligated to hold a formal hearing regarding dog complaints just because a complaint was filed. Town Counsel confirmed that it is up to the Selectmen whether to hold a hearing. Chairman Powderly felt that barking dogs can be handled differently than an aggressive dog. He visited the dog owners at 3 Old Meadow Lane, who have occupied the property for 45 years. During that period, they have had various dogs. Anna Dias told him that she had removed approximately a dozen Coonhound dogs in November, which has reduced the barking to some extent. He told Ms. Dias that the barking could not continue and made some suggestions for a solution to be completed in stages. Most of the complaints were from Fuller Shores, so they need to shield the nearest house to the right. He suggested moving the dogs to the other side of the barn, where one wall of the barn would be part of a wood stockade fenced area around the kennels. His experience is if you put dogs behind a solid fence, you have a shot at keeping the barking to a minimum. If this doesn't work, then he would suggest moving the dogs inside the barn to cut the noise down. However, since it is a Space metal barn, it might be noisier than outside.

Chairman Powderly said the owners agreed to install the fencing and move the dogs. Since there is a lot of snow on the ground and you cannot dig, he gave them until April 1st to do this. When he drove up to the farm, they were not barking. However, when he approached the kennel, they barked for a few minutes and stopped when he left. The dogs have rabies vaccinations, and Ms. Dias has a Kennel License. We will see if this works. Chairman Powderly spoke to the resident that filed the complaint and explained what measures are being taken. Both parties seem to be satisfied right now. Selectman Burke asked what kind of dogs are they. Chairman Powderly responded that they are Beagles. Selectman Hollenbeck said in reviewing the history of the barking dog complaints, there was also information about the Animal Control Officer recommending anti-bark collars. If they were supposed to put those collars on and didn't do it, how can we be sure they will put up a fence. Chairman Powderly said he would venture to say if there are a lot of beagles, anti-bark collars will not work. Selectman Hollenbeck said if this was agreed to, she wanted to make sure the owners followed through. Chairman Powderly said he would recommend citronella collars rather than anti-bark collars. Selectman Hollenbeck said she is concerned that agreements are being made with the dog owner, and they are not complying with the agreement.

Chairman Powderly said this has been going on for a while. Hopefully we can appease everyone. Selectman Hollenbeck said we need to stay on top of this. Chairman Powderly said he has asked them to get the materials before April 1, 2015, and he will visit them again once the snow is gone and the ground thaws.

Update from Selectman Hollenbeck regarding FY16 Regional School Budget

Selectman Hollenbeck said we had hoped to have an update on the next steps on the budget. She has a lot of questions, and she asked if the Board wanted to have a discussion with Fred Baker and Rick Medeiros. Chairman Powderly recommended holding a Selectmen's meeting during the day. He has five (5) pages of notes on the budget. The number of teachers that have been reported is 30 less than previous budgets. We are counting things differently, but we can't agree on the number of teachers. Selectman Hollenbeck said she has questions about the actual numbers. Actual expenses are trending towards a much higher number, but the proposed numbers in FY16 are lower. Health insurance is trending \$400,000 higher for FY15, but lower in FY16. She has overall questions on the priorities of the budget. She also questioned why her numbers don't add up to their proposed numbers. Selectman Burke said that the Regional School Committee Members have not had a chance to go through the budget as a group. Depending on the timing, it may be too soon to have this discussion. However, if we wait too long, my fear is they would just come in and defend the budget. He is apprehensive about bringing the School Committee Members in for this meeting. Chairman Powderly said he would like to invite the Lakeville Members and the Finance Committee to a meeting, but would like the Board to meet with just Mr. Medeiros and Mr. Baker for this meeting. He suggested scheduling the meeting with Mr. Medeiros and Mr. Baker at the Library or Senior Center in case people choose to attend. Selectman Hollenbeck will find out when they are available to meet. She will type up her budget questions for the Selectmen to review.

Discuss revised Job Description for Heavy Motor Equipment Operator/Laborer

Chairman Powderly reviewed the letter from Jeremy Peck dated January 15, 2015. The change in license requirements is only for newly hired employees. He has added a Hoisting Engineer License Class 2B required. This is to meet new requirements to operate heavy motor equipment. Selectman Hollenbeck asked if this needed to go to the Union for review. Chairman Powderly said we can approve the revised job description and then forward it to the Union for review. Selectman Burke said the work being performed is no different, just the licensing requirements are different.

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck:

VOTED: To approve the license requirement revisions for the Heavy Motor Equipment Operator/Laborer Job Description.
Unanimous in favor.

Request from Herve Vandal to be reappointed as a Constable

Chairman Powderly read the request from Herve Vandal to be reappointed as a Constable for Lakeville.

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To reappoint Herve Vandal as a Constable with a term to expire January 28, 2016.
Unanimous in favor.

Request to use the Town House and Dickran Diran Square for the Annual Arts & Music Festival

Chairman Powderly read the request from the Lakeville Arts Council to use the Town House and Dickran Diran Square for the Annual Arts and Music Festival to be held on October 3, 2015.

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To approve the Lakeville Arts Council's request to use the Town House and Dickran Diran Square for the Annual Arts and Music Festival to be held on October 3, 2015.
Unanimous in favor.

Request to use Tamarack Park for Earth Day - April 11, 2015

Chairman Powderly read the request from the Lakeville Litter Lifters to use Tamarack Park for the Annual Earth Day Trash Pickup on April 11, 2015. They are also requesting the use of a dump truck from the Highway Department.

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To allow the Lakeville Litter Lifters to use Tamarack Park on April 11, 2015 for Earth Day and to use a Highway Department Dump Truck.

Request to hold the 3rd Annual Ascent 5K Road Race on May 2, 2015

Chairman Powderly read the request to hold the 3rd Annual Ascent 5K Road Race on May 2, 2015. The Police Chief has approved the route, and traffic details have been arranged.

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To approve the request to hold the 3rd Annual Ascent 5K Road Race on May 2, 2015.
Unanimous in favor.

Review and vote to approve Selectmen's Meeting Minutes on October 6, 2014 and October 20, 2014

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To approve the Selectmen's Meeting Minutes from October 6, 2014 and October 20, 2014.
Unanimous in favor.

New Business

Discuss and Vote to Award Bid for ASHRAE Energy Audits

Chairman Powderly read the Building Commissioner's letter regarding the awarding of the bid for the ASHRAE Energy Audits. This will help to identify what buildings we can include in our Green Community grant application. There is no out of pocket expense for the Town.

Upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To award the bid to TNT Energy LLC and to authorize the Chairman to sign the contract.
Unanimous in favor.

Old Business

Chairman Powderly reviewed some of his thoughts on the Region's budget. Under Capital Projects it has \$159,000 for Technology. He is not sure if this figure is in the operating budget. He felt they should go bigger with School Choice. Last week was National School Choice Week, yet he could not find it being promoted anywhere for the District. Selectman Burke said when he was on the School Committee, every year they voted on School Choice and it was turned down. The last year he was on the School Committee, School Choice was opened up to certain grades. This was always coming on the heels of a discussion on declining enrollment in the District. We have these resources, why don't we utilize the space to offset the cost. This is the whole idea of School Choice. We do want to ask them to have School Choice for all grades.

Chairman Powderly said he is a proponent of School Choice. We have the teachers and the space available. Selectman Burke said as a District, we have been very conservative about School Choice. Selectman Hollenbeck said all of that goes back to questions about class sizes. The extra bus needed was to be paid for from School Choice funds. Chairman Powderly said School Choice students have to drive themselves to school, so they shouldn't be using School Choice funds for another bus. He said that the E&D account should not be used for the operating budget. Steps and levels need to be stated in public. He wanted to see the 2% raise shown, as well as, the 5% difference for steps and levels. He also would like to see the number of students per grade and class sizes per subject. Chairman Powderly said he would like to see the costs and numbers of kids for full day kindergarten. He would also like to have a discussion on athletic fees, see the biggest increases and decreases in the budget, and discuss the heat reduction savings.

At 2:10 PM, upon a motion made by Selectman Burke and seconded by Selectman Hollenbeck, it was:

VOTED: To enter into Executive Session and not return to Open Session at 2:12 PM pursuant to M.G.L. c.30A, §21 (3) to discuss strategy with respect to potential litigation, if an open meeting may have a detrimental effect on the litigating position of the public body, and the Chair so declares; and pursuant to M.G.L.

c.30A, §21 (3) to discuss strategy with respect to collective bargaining, specifically the Teacher's Union, Paraprofessional's Union and Secretarial Union of the Freetown/Lakeville Regional School District, if an open meeting may have a detrimental effect on the bargaining position of the public body, and the Chair so declares.

Polled vote: Selectman Hollenbeck – aye, Selectman Burke – aye and Selectman Powderly – aye.