

SELECTMEN'S MEETING MINUTES
Monday, March 30, 2010

On March 30, 2010, 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 Maksy at 7:30 PM. Selectmen present were: Selectman Maksy and Selectman Evirs. Also present were: Rita Garbitt, Town Administrator and Tracie Craig, Executive Assistant.

Discuss Earth Removal Permit Renewals

Chairman Maksy said that the Board had received four (4) earth removal permits was renewal. He noted that Ms. Craig has informed the Board that all fees had been paid and any bonds required were in order.

Upon a motion made by Selectman Evirs with Chairman Maksy stepping down to second and stepping back up to vote, it was:

VOTED: To renew the Earth Removal Permit for Roberto Rubini until March 31, 2011 for the property located at 118 South Pickens Street with any existing conditions.
Unanimous vote.

Upon a motion made by Selectman Evirs with Chairman Maksy stepping down to second and stepping back up to vote, it was:

VOTED: To renew the Earth Removal Permit for Glenn Chistolini until March 31, 2011 for the property located at 1 Elliot's Way with any existing conditions.
Unanimous vote.

Upon a motion made by Selectman Evirs with Chairman Maksy stepping down to second and stepping back up to vote, it was:

VOTED: To renew the Stockpile Permit for Alan Butler until March 31, 2011 for the property located at 1 Susan Lane with any existing conditions.
Unanimous vote.

Upon a motion made by Selectman Evirs with Chairman Maksy stepping down to second and stepping back up to vote, it was:

VOTED: To renew the Earth Removal Permit for T.L. Edwards until March 31, 2011 for the property located Off Bedford Street with any existing conditions.
Unanimous vote.

Old Business

None

New Business

Announce Retirement of Mark Sorel, Police Chief

Lt. Frank Alvilhiera was present for the discussion. Ms. Garbitt read the following statement into the record: There have been several inquiries about the status of the Lakeville Chief of Police, Mark Sorel. As has been previously announced, the Chief has been on a leave of absence while the Town Administrator reviews a personnel matter. In the meantime, the Chief has indicated to the Board of Selectmen that he wished to retire. Given that Chief Sorel's employment contract with the Town was not set to expire until next June, the Board thought that it was appropriate, and in the Town's best financial interests, to work with the Chief to reach agreement on an earlier expiration of his contract, thus facilitating his retirement and the transition to a new Police Chief. The Board has reached such an agreement with the Chief, and his last day as a Town employee was March 26th. Lt. Frank Alvilhiera will continue to serve as Acting Chief of Police, while the Board considers how it wishes to fill the position on a permanent basis.

Ms. Garbitt requested that the Board of Selectmen appoint Frank Alvilhiera as Acting Chief of Police, retroactively as of February 8, 2010. Chairman Maksy and Selectman Evirs thanked Ms. Garbitt for all of her work on this matter.

Upon a motion made by Selectman Evirs with Chairman Maksy stepping down to second and stepping back up to vote, it was:

VOTED: To appoint Lt. Frank Alvilhiera as temporary Acting Chief of Police, until further action by the Board of Selectmen; and that the Board retroactively ratify the Town Administrator's designation of Lt. Alvilhiera as Acting Chief of Police effective February 8, 2010.
Unanimous vote.

Discussion of flood conditions in Town

There was some general discussion about the flood conditions around Town.

Announce Public Health Advisory from Board of Health

Chairman Maksy read a press release from the Board of Health regarding the flood waters.

Discussion of surplus bid items-Highway Department

Christopher Peck, Superintendent of Streets, and Cynthia McRae, Town Accountant, were present for the discussion. Ms. Garbitt discussed the surplus bid for equipment that went out from the Highway Department. There were three (3) bids received: Chuckran Auto Parts for \$6,253, 146 Supply Center, Inc., for \$5,000 and Pittsley Auto Salvage for \$4,600. The 146 Supply Center bid was a swap of new equipment of a new John Deere X320 Mower worth \$4,200 and a new mower deck for one of the Highway mowers, which is worth \$800.

Discussion occurred regarding whether these funds could be appropriated for the use of the Highway Department for the purchase of mowing equipment. Ms. McRae felt that this could be done at the Special Town Meeting. Mr. Peck noted that the Board of Selectmen needed to vote for the equipment to be listed as surplus.

Upon a motion made by Selectman Evirs with Chairman Maksy stepping down to second and stepping back up to vote, it was:

VOTED: To declare the following items from the Highway Department to be surplus:

1981 Chevy Bucket Truck VIN: 1GBM7DIFXBV144723
1977 International Sander VIN D1225HGB13098 (with plow)
1987 Ford F800 Sander VIN 1FDXT84A7HV (with plow)
1986 Ford F800 Tanker
1980 Ford Tractor VIN D4NN6015F
McGonnel Side Arm Mower VIN 13VF58
McGonnel Side Arm Mower
Unanimous vote.

Upon a motion made by Selectman Evirs with Chairman Maksy stepping down to second and stepping back up to vote, it was:

VOTED: To accept Chuckran Auto Parts bid of \$6,253 for the purchase of the surplus Highway Department equipment.
Unanimous vote.

Cindy Dow from the Middleboro Gazette asked if there had been a monetary settlement regarding Chief Sorel's retirement. Ms. Garbitt said that Chief Sorel had 15 months left in his Employment Agreement and the Board of Selectmen came to an agreement of five (5) month's severance. That included 18 days of vacation and 148.5 sick days at \$25.00 per day. The total was \$56,316.17, of which \$3,712.50 was for sick days. Ms. Dow asked if the Town was going to advertise for a new Police Chief. Chairman Maksy said the Board has not discussed the matter yet and will most likely wait until after the election.

At 8:15 PM, upon a motion made by Selectman Evirs with Chairman Maksy stepping down to second and stepping back up to vote, on an unanimous roll call vote, the Board:

VOTED: To enter Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position and not return to Open Session. Also to conduct strategy sessions in preparation for negotiations with non-union personnel; and to actually conduct collective bargaining and contract negotiations with non-union personnel. Specifically the Board will discuss the collective bargaining agreements with the Police and Fire Departments.
Polled Vote: Selectman Evirs – Aye and Selectman Maksy – Aye.