

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
November 4, 2013 - 7:00 PM

On November 4, 2013, 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 Vice Chairman Powderly at 7:00 PM. Selectmen present were: Selectman Burke and Selectman Powderly. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Matthew Ferreira of The Middleboro Gazette was recording the meeting and Cindy Dow of LakeCAM was recording the meeting for local community broadcast.

7:00 PM Meet with Plymouth County Commissioners

Daniel Pallotta, Plymouth County Commissioner, was present for the discussion. Mr. Pallotta stated that he would like to give the Board an overview of the Commission. The Plymouth County Commission is a three (3) member board. The Commissioners operate three (3) court houses, two (2) Registry of Deeds, and a County Farm. Mr. Pallotta stated that it is a constant battle to keep the Wareham Courthouse open due to budget constraints and the necessary needed improvements to upgrade it. The Commissioners have received a planning grant for dredging, however, the grant turned out to be written for salt water instead of fresh water. It is hoped to metamorphosis it for fresh water to help the ponds and water ways, which are not being maintained as they should be. The Commission is trying to start a trash initiative to bring towns together to buy as one unit to help reduce overall costs. The City of Weymouth has joined in to get tipping and hauling fees down. We have signed up with Power Management in order to offer energy audits to the Towns.

The Commission is also working on trying to maintain County finances. At this time, the County is a giant debt machine. The State has taken the Sheriff's Department, yet left the liabilities behind for the Towns to pick up. The Commissioners are doing their best to keep abreast of this and not strike the Towns with a huge piece of the debt. Mr. Pallotta asked if Lakeville would endorse a bill for a shift in the Deeds Excise Tax. The money mainly goes to the State; it is not staying in the County. The Commissioners are looking for a bigger piece of that pie to fund its initiatives for the County. It used to be split 50/50 between the State and the County; now it is only 10 cents on the dollar. Mr. Pallotta said the Town pays a County Tax on its Cherry Sheet. Lakeville's fee is \$30,036. The County and the State are intertwined, but the State took most of the funding sources away in chunks. The County Commissioners are trying to visit each of the 26 towns that they serve. The Commissioners are committed to have the County serve the Towns, instead of being a draw on the Towns. Basically the Commission is trying to keep more money in Plymouth County, instead of sending it to Beacon Hill. The Commission stated that they will fight for whatever they can to serve Lakeville.

Selectman Powderly asked why Plymouth County spent \$2.5 million on the Wareham Court House that the State is threatening to close. Mr. Pallotta responded that the Commission has put forth a capital plan for all its buildings. It is felt that it would be too cumbersome for everyone to have to drive to Plymouth and Brockton for their court duties. This would also be a burden to local Police Departments. The County has a lifelong lease with the court houses. Since

Wareham is one of Plymouth County's, it makes sense to put in improvements and fight to keep it open.

7:15 PM Meet with Glenn Chistolini to discuss loose livestock matter

Glenn Chistolini was present for the discussion. Mr. Chistolini stated that he has hopefully solved the problem with his cows getting loose. He had had several fences that were destroyed by storms and has repaired them. This has not been a gross neglect situation. These cows are show cows. Mr. Chistolini said he is looking at a different type of fencing for the 1,100 pound cows. He is doing everything he can to straighten this out. Mr. Chistolini said that he also has a coyote problem that spook the cows. We also have fisher cats now that try to get at the cows and the chickens. Mr. Chistolini said that he has apologized to the neighbors. He acknowledged that the cows getting loose was a problem, but he is trying to solve it. Vice Chairman asked about possibly electrifying the fence. He didn't know if anyone would be successful keeping in cows without electrifying. The police reports go back to May 19, 2013. Certainly the Town's concern is not just spending the money for the Animal Control Officer to keep going out there, but it's a safety concern. The fencing for cows has to be different than if it was for horses or other animals. Mr. Chistolini stated that he has a two (2) year old grandson and is worried if he grabs the wire. Selectman Powderly stated that at the Buttonwood Zoo, they put a strand of electricity inside the fencing so that it is not within the reach of people. Mr. Chistolini stated that he has spent \$36,000 putting up a fence along Route 140 and hopefully it will solve the problem.

Review and vote to award bid for Town Office Window Replacement

Ms. Garbitt stated that the Town still has not received the specifications for the windows from the low bidder. He has only provided the Building Commissioner with catalog pages. Mr. Darling will meet with him tomorrow, so she would like to table this until an upcoming meeting. The cost is projected to be \$96,000 plus \$2,900 for the additional work. Ms. Craig gave an explanation of the additional work to the Board.

Review extension of Auctioneer, Junk Dealer and Junk Collector Licenses-Anthony & Dorita Morris – 33 Myricks Street

Ms. Garbitt stated that the Auctioneer, Junk Dealer and Junk Collector Licenses for 33 Myricks Street had been extended twice, with the last extension expiring November 1, 2013. Mr. Darling and Deputy Fire Chief Goodfellow have inspected the property twice. They feel that the Board can extend the license now through to May 1, 2014. There will be other issues next year to address, however, Mr. Darling and Deputy Fire Chief Goodfellow are comfortable now with what has been done.

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote, it was:

VOTED: To renew the Auctioneer, Junk Dealer and Junk Collector Licenses for Anthony and Dorita Morris through to May 1, 2014.
Unanimous in favor.

Discuss the Sanding of Private Roads for upcoming Winter Season

Vice Chairman Powderly stated that he felt that the Board should issue the same letter as last year regarding the sanding of private roads. Ms. Garbitt stated that there has not been much of a change in the price of the materials, however, she will check with the Superintendent of Streets. Selectman Burke stated that he had a question with some of the language that is in the memo, historically has the Town billed for work done to the private roads? Ms. Garbitt responded that the Town has not billed. Selectman Burke asked how often does work on the roads occur. Ms. Garbitt stated that there is one steep hill in Clark Shores that is typically sanded. That is done at the request of the Police since emergency vehicles need to be able to access that area. The Town used to supply salt to the Regional Schools free of charge, but the price of salt has increased too much to do that now. Selectman Burke stated that the Associations can contract with plowing companies for road plowing. Vice Chairman Powderly suggested that the Superintendent of Streets keep a list of the private roads that are sanded.

A resident in the audience asked if Lakeville plowed the schools. Ms. Garbitt responded that the Town plowed minimally for the schools last year, but we did not bill for the plowing. She explained that typically what takes place is that the Town bills the Regional Schools, they pay the invoice to the Town, and then the Town is assessed the amount, so it nets out. Ms. Garbitt stated that the Town does want to bill the Region and for them to pay the bills so that the Town can get credit for Net School Spending. Selectman Powderly stated that the Town should bill on an ongoing basis. If there is a storm and the Town helps out, then a bill should be sent to Fred Baker, their Financial Director. Ms. Garbitt mentioned that the Town of Freetown does not bill the Region for the plowing of the Freetown Elementary School.

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote it was:

VOTED: To send out the letter regarding the Sanding of Private Roads for the upcoming Winter Season, as was done last year, to the Associations.
Unanimous in favor.

Request for Road Cut – 37 Bridge Street – Standish – Middleborough Water Connection

Vice Chairman Powderly briefly explained the request for the Road Cut. He stated that the Town needs to notify the Town of Middleborough that we expect that the road will be returned to its original condition. Ms. Garbitt stated that that language is usually included.

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote, it was:

VOTED: To approve the request for a Road Cut at 37 Bridge Street to connect to Middleborough Water, subject to the Superintendent of Streets' November 1, 2013 letter of conditions. Also, to waive the performance bond requirement.
Unanimous in favor.

Request for One Day All Alcohol Liquor Licenses – November 16, 2013 and December 14, 2013 – Ted Williams Camp

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote it was:

VOTED: To approve the request for a One Day All Alcohol License on November 16, 2013 from 6:30 PM to 12:00 AM for a birthday party at Ted Williams Camp.
Unanimous in favor.

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote it was:

VOTED: To approve the request for a One Day All Alcohol License on December 14, 2013 from 6:30 PM to 12:00 AM for a holiday party at Ted Williams Camp.
Unanimous in favor.

Request for Proclamation from Daughters of the American Revolution for American Indian Heritage Month

Vice Chairman Powderly read the letter from the Daughters of the American Revolution requesting that November be declared American Indian Heritage Month. Selectman Burke read the proclamation into the record.

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote it was:

VOTED: To proclaim the month of November as National American Indian Heritage Month.
Unanimous in favor.

Review Zoning Board of Appeals Petitions for Lot 1 & 2 Freetown Street – Crosby property

Vice Chairman Powderly said the Board has received a Zoning Board of Appeals petition for Lot 1 and 2 Freetown Street. Ms. Garbitt stated that residential homes are allowed in a Business District by Special Permit.

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote it was:

VOTED: That the Selectmen recommend that the Zoning Board of Appeals abide by the Zoning Bylaw for the petitions for Lot 1 & 2 Freetown Street.
Unanimous in favor.

Review and vote to approve Board of Selectmen Meeting Minutes of May 23, 2013; August 26, 2013 and October 28, 2013

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote it was:

VOTED: To approve the Selectmen's Meeting Minutes of May 23, 2013, August 26, 2013 and October 28, 2013 as presented.
Unanimous in favor.

Review and vote to approve Board of Selectmen Executive Session Meeting Minutes of October 21, 2013

Upon a motion made by Selectman Burke; with Vice Chairman Powderly stepping down to second and stepping back up to vote it was:

VOTED: To approve the Executive Session Meeting Minutes of October 21, 2013 as presented.
Unanimous in favor.

Old Business

Ms. Garbitt informed that Board that she heard back from Attorney Bonner and the agreement has been forwarded to the Board. Attorney Bonner would like to meet with a member or members of the Board on Wednesday afternoon or Thursday to discuss the Raynham Park matter. Chairman Belliveau said he is available at 4:00 PM on Wednesday. The Board would be agreeing to do an impact study once the facility is up and running for a year. There is no deadline for this to take place, and the Raynham Park would pay for it. Chairman Belliveau said he will return with the information and update the Board at the next meeting. Ms. Garbitt said on December 5, 2013 from 4:00 PM to 6:00 PM, there will be a meeting for communities that would like to be considered as a surrounding community.

Other Items

1. Letter sent to Massachusetts Gaming Commission regarding Petition Seeking Designation as a Surrounding Community to Raynham Park, LLC
2. Copy of First Amendment to the Middleborough Lakeville Inter-municipal Water Agreement
3. Notice of Reception for David Ferreira – Old Colony Regional Vocational Technical High School
4. Letter from Executive Office of Energy and Environmental Affairs
5. Copy of email from SRPEDD regarding Raynham Park Impact Analysis-Jobs and Analysis
6. SEED Membership Renewal Notice
7. Notice from U.S. Census Bureau regarding Suspension of the 2014 Boundary and Annexation Survey

8. Letter from Columbia Gas regarding Fuel Assistance

Ms. Garbitt handed out a sheet depicting the donations provided to the Animal Shelter during FY14. The Shelter had received \$4,308 since July. The shelter also receives a lot of donations of dog food and supplies.

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

VOTED: To adjourn the Selectmen's Meeting at 8:10 PM.
Unanimous in favor.