

**TOWN OF LAKEVILLE**  
**Selectmen's Meeting Minutes**  
**March 23, 2015 – 7:00 PM**

On March 23, 2015, 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 Powderly at 7:02 PM. Selectmen present were: Selectman Powderly, Selectman Burke and Selectman Hollenbeck. 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 LakeCAM.

**7:30 PM Meet with Lakeville Lions Club to discuss Potential Service Project**

*Paul Meleedy, Brian Grant and Norman Orrall were present for the discussion.* Mr. Meleedy stated that the Lions Club has been in Town for many years and does a lot of good things for the Town. Recently the Lions Club has noticed that there is the need for a sign to welcome people to Lakeville and reinforce that it is a great place to live and work. The Lions Club has been working on this project, and would like to move forward and finalize a design for the sign, then get the sign constructed. They would like to place the sign on the west side of Route 18 South where Ocean Spray is located. Ocean Spray has already approved the placement of the sign on their property. Mr. Orrall explained that the sign will not be advertising the Lions Club. It is just a sign for Lakeville. Chairman Powderly stated that he thinks it is a great idea. Mr. Meleedy stated that at the bottom of the sign in small letters it might have that it was donated by the Lions. Selectman Burke asked why not have the sign located in the middle of Town, as opposed to one of the many ways in. He suggested maybe behind Sampson Cove. Mr. Meleedy stated that the group will show the Selectmen the design before fabrication. Gary Mansfield had recommended that the group speak with the fabrication group at Old Colony. It will be made from high quality materials and will look good for numerous years, and the Lions Club will maintain it.

**Review Site Plan for Justine's Way – Robert Poillucci**

*Robert Poillucci was present for the discussion.* Selectman Burke recused himself from the discussion. Discussion took place with Mr. Poillucci regarding the site plan for Justine's Way. Mr. Poillucci said this is a four (4) lot subdivision with three (3) buildable lots located off of Nelson Shores. There is one (1) non buildable residential lot, which an abutter could use or perhaps a barn could be put there. There will be language put in the agreement for that. This will be a Private Road, and it will never be accepted by the Town. Ms. Garbitt explained that the Planning Board is holding the site plan review tonight. It was the consensus of the Board to submit their standard letter with no comments.

**Review Site Plan for 12 Main Street – B.I.G. Corporation**

Chairman Powderly briefly reviewed the site plan for 12 Main Street. The plan was shown in an aerial view prior to the building of CVS. It was the consensus of the Board to submit their standard letter with no comments.

### **Review and vote on Lakeville Golf Club – 44 Clear Pond Road – Derek & Madelyn Maksy**

Chairman Powderly reviewed the site plan for 44 Clear Pond Road. It was being proposed to build a metal pavilion building at Lakeville Golf Club. Minor discussion took place on the proposal. It was the consensus of the Board to submit their standard letter with no comments.

### **Review and vote on the Information Technology Acceptable Use Policy**

Ms. Garbitt explained that the Technology Committee had started the draft policy for the Information Technology Acceptable Use Policy. Chairman Powderly felt that it itemized 24 things not to do and missed 15 others that should be done. Basically it should say that any personal use of Town computers is not allowed.

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

VOTED: To approve the Information Technology Acceptable Use Policy as drafted and send notification to the Unions that the Board is considering adopting the policy, and to provide them the opportunity to address any concerns or proposals that they may deem appropriate.  
Unanimous in favor.

Ms. Garbitt noted that the Town has still have not approved the Family Maternity Leave Act. It should be ready for the next meeting of the Board.

### **Discuss Letter of Support to the Zoning Board of Appeals for 7 Main Street Project**

Selectman Burke explained that Attorney Robert Mather and developer Marcus Baptiste had presented the commercial development proposal for the property located at 7 Main Street to the Economic Development Committee (EDC). The EDC sent a letter in support of the project to the Board of Selectmen. The EDC also expressed their hope that the Board of Selectmen would support the project, and express such support to the Zoning Board of Appeals and Planning Board. Selectman Hollenbeck asked if the EDC would have a letter for all site plans that it was presented with. The Selectmen were just presented with three (3) plans this evening for more commercial developments coming into Town. What is the difference of this project versus the others? Selectman Burke stated that the other developers did not ask for the EDC's help. That is a huge distinction. He would encourage developers to meet with the EDC and let them know what they are doing with their development as Marcus Baptiste did with his team.

Chairman Powderly stated that he had the same question as Selectman Hollenbeck. Selectman Burke asked if the Board is ok with the EDC doing this. He would like to have a mechanism in place that if the EDC is excited about something, that they can express it to other Town Boards. Chairman Powderly stated that if they want to copy their letter to the Selectmen to other Town Boards that is fine, but he did not want to micro manage it. However, will there now be a fire storm of whether the Selectmen support or do not support a project? Selectman Burke explained that when the EDC met with Mr. Baptiste, everyone was excited about the project, so they wanted to get the word out. Chairman Powderly stated that he would hesitate

allowing committees to send letters to whomever they want. Selectman Hollenbeck stated that it is fiscally responsible to increase the tax base and as long as it falls into the parameters that have been established for the Town, she had no objections. Chairman Powderly stated that he does encourage the EDC to copy the Planning Board on letters that they send.

**Discuss request from Michael Mastrangelo to connect to Middleborough Water – 40 Main Street**

*Michael Chiuppi, Contractor, was present for the discussion.* Ms. Garbitt explained that the Board has approved the water allocation from the City of Taunton and Middleborough, and it is agreeable. However, the Selectmen need to send a request to Middleborough Selectmen. This was done in the past for Barbara Standish on Bridge Street.

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

VOTED: To grant permission to the applicant to tie into Town of Middleborough Water for the property located at 40 Main Street.  
Unanimous in favor.

**Review request from Robert Poillucci to waive appraisal for his 40B Project on Water Street**

*Robert Poillucci was present for the discussion.* Selectman Burke recused himself from the discussion. Mr. Poillucci provided some background history and explained that he has met all the criteria. He was asking the Selectmen to vote to send a letter to Mass Housing requesting to waive the appraisal requirement and use the assessed value for the land as the “As is Market Value” for his proposed 40B Project for 7 Water Street. His proposed project consists of 14 units. Mass Housing needs to determine the site acquisition value as part of the final cost certification. The acquisition price is listed as \$95,000 for a buildable lot with septic.

Upon a motion made by Selectman Hollenbeck; seconded by Selectman Powderly it was:

VOTED: To send a letter to Mass Housing approving the waiving of the appraisal for the 40B project on 7 Water Street and authorize the Chairman of the Board to send a letter in support of the project to the Zoning Board of Appeals.  
Unanimous in favor.

**Request for renewal of Stockpile Permit – 1 Susan Lane – Estate of Allan Butler**

Chairman Powderly reviewed the Stockpile Permit request. Selectman Burke asked how does the Town enforce it? He added that he didn't have a problem with it, but maybe the Board should wait until the Building Commissioner and the Superintendent of Streets inspect. They have been unable to perform their usual inspections of the property due to the snow on the ground.

Chairman Powderly explained that there have been problems in the past because of what has been done on the property. What is there is there, but if they are going to add to it, then he would want to know a little bit more. He does not want a large stump pile there that will burst into flames. Ms. Craig explained that when she was speaking with Mr. Butler's daughter, she stated that they are not accepting new materials. They are just selling what is on the site. Chairman Powderly stated that he would feel better if there was a letter from them saying that they are only selling what is on the property. Ms. Craig suggested that the Board could make it a condition of the permit that they not add any more to the property. Chairman Powderly noted that he does not object, but he does not want more material being brought onto the property.

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

VOTED: To approve the request for the renewal of a Stockpile Permit at 1 Susan Lane – Estate of Allan Butler, provided that no more material is brought onto the property.  
Unanimous in favor.

**Request for renewal of Earth Removal Permit – 435 Bedford Street – T.L. Edwards and 1 Elliot Way – Glenn Chistolini**

Chairman Powderly reviewed the requests for renewal of Earth Removal Permits for 435 Bedford Street and 1 Elliot Way.

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

VOTED: To renew the Earth Removal Permit at 1 Elliot Way with an expiration date of March 31, 2016.  
Unanimous in favor.

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

VOTED: To approve the Earth Removal Permit for 435 Bedford Street with an expiration of March 31, 2016.  
Unanimous in favor.

**Announce Commendation for Detective/Sergeant Sean Joyce and Officer Eric McNeice**

Chairman Powderly read the commendation from Police Chief Alvilhiera regarding Detective Sean Joyce and Officer Eric McNeice for their work in solving several house breaks. into the record

**New Business**

Ms. Garbitt stated that she had received a letter today inviting the Selectmen to a meeting at Old Colony regarding their budget on March 25, 2015. It is believed that Lakeville's assessment was reduced approximately \$50,000, but it was anticipated for it to be more like \$200,000. The

tuition is set by the State, and the Chapter 70 allocation goes directly to them. Lakeville had an increase of eight (8) students this year, so the contribution increased. There was also the restructured debt for the HVAC, the pre-penalty clause and the pension. Chairman Powderly stated that it is important to know how much it is to educate a student at Old Colony. Selectman Hollenbeck stated that it costs the Town approximately \$12,500 per student for the Region.

### **Other Items**

1. Notice from U.S. Department of Justice regarding 2014 COPS Hiring Program  
Ms. Garbitt stated that some communities did not submit their applications initially, so the Chief submitted the application again, but the Town did not make the second cut when the applications were reviewed again.
2. Notice of Massachusetts Open Space Conference – May 9, 2015
3. MBTA Advisory Board Meeting Notice – April 13, 2015
4. Old Colony Elder Services Letter
5. HOME Consortium Meeting Notice – March 19, 2015
6. Newsletter from Verizon
7. Notice from Verizon regarding Weather Channel and Weather Scan
8. Annual notice from Verizon regarding FiOS TV Channel Line-up, Rate Care and Sample Bill
9. Annual notice from Verizon regarding License fee payment; Policies and Procedures; Sample Bill and Rate and Channel Line-up
10. Memo from the Open Space Committee regarding proposed project for 12 Main Street

At 8:00 PM, upon a motion made by Selectman Hollenbeck; seconded by Selectman Burke, it was:

VOTED: To enter Executive Session and not return to Open Session pursuant to M.G.L. c.30A, §21(6) to consider the purchase, exchange, lease or value of real estate, if an open meeting may have a detrimental effect on the litigating position of the public body, and the Chair so declared; pursuant to M.G.L. c.30A, §21(3) to discuss potential litigation, if an open meeting may have a detrimental effect on the litigating position of the public body, and the Chair so declared; and pursuant to M.G.L. c.30A, §21(3) to discuss strategy with respect to collective bargaining, specifically the Police Union, Fire Union and the Teachers Union, if an open meeting may have a detrimental effect on the litigating position of the public body, and the Chair so declared.  
Polled vote: Selectman Powderly-Aye, Selectman Burke-Aye, and Selectman Hollenbeck -Aye.

**List of documents provided at Selectmen's March 23, 2015 meeting**

1. Letter for the Lions Club regarding a potential service project
2. Site plan for review of Justine's Way, a three lot subdivision located off of Nelson Shores
3. Site plan to review for 12 Main Street from B.I.G. Corporation
4. Site plan for Lakeville Golf Club, 44 Clear Pond Road, Derek and Madelyn Maksy
5. Information Technology Acceptable Use Policy for review
6. Letter of support to the Zoning Board of Appeals for 7 Main Street project
7. Request from Michael Mastrangelo to connect to Middleborough water for 40 Main Street
8. Request from Robert Poillucci to waive appraisal for his 40B project on Water Street
9. Renewal request of stockpile permit for 1 Susan Lane, Estate of Allan Butler
10. Request for renewal of earth removal permit for 435 Bedford Street , T.L. Edwards and 1 Elliot Way, Glenn Chistolini
11. Commendation announcement for Detective/Sergeant Sean Joyce and Officer Eric McNeice
12. Letter dated March 19, 2015 inviting the Selectmen to attend a Public Hearing on the proposed annual budget for Old Colony