

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
April 23, 2012 - 7:00 PM

On April 23, 2012, 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 7:00 PM. Selectmen present were: Selectman Maksy, Selectman Belliveau and Selectman Powderly. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. James Cosgrove of Comcast was recording the meeting.

7:00 PM Meet with Town Moderator and Lakeville Members of the F/L Regional School District Committee to reappoint Donald Foster to the Old Colony Regional Vocational Technical High School Committee

Aaron Burke, Town Moderator, was present for the discussion along with John Olivieri, Jr, David Goodfellow, Carolyn Gomes, and David Davenport, Lakeville Members of the F/L Regional School District Committee.

The F/L Regional School Committee called their meeting to order at 7:05 PM.

Upon a motion made by Mr. Olivieri; seconded by Mr. Goodfellow it was:

VOTED: To re-appoint Donald Foster to the Old Colony Regional Vocational Technical High School Committee with a term to expire April 30, 2015.
Unanimous in favor.

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

VOTED: To re-appoint Donald Foster to the Old Colony Regional Vocational Technical High School Committee with a term to expire April 30, 2015.
Unanimous in favor.

7:15 PM Meet with Conservation Commission to discuss vacancy on Conservation Commission

Emery Orrall, Joseph Chamberlain, Linda Grubb, Martha Schroeder, and Pamela Rasa, Members of the Conservation Commission were present for the discussion. Chairman Maksy stated that he wanted to speak about the vacancy on the Conservation Commission since there had been some question as to the number of Members. The Commission, under MGL Chapter 40, Section 8C, can consist of three (3) to seven (7) Members. Currently they are six (6) full Members and one (1) Associate Member. The law does not discuss Associate Members, though historically the Commission has had them. Whether or not that should be continued is unclear at this time. The Selectmen need to know what number is working for the Commission for quorum reasons.

Mr. Chamberlain stated that seven (7) members is a good number, but more people need to continually attend in order to have a quorum, which is difficult at times. In order to vote on an

Order of Conditions, a member has to have been present at all of the meetings that the matter was discussed. Chairman Maksy noted that the Zoning Board of Appeals (ZBA) is allowed an Associate Member by State Statute. Linda Grubb said there is a difference though. The ZBA Associate Member can vote; the Conservation Commission Associate Member cannot. Ms. Rasa stated that there is a solid group that shows up, so it is not known how adding another member will help. If there was someone absent constantly, then that would be understandable. Further discussion took place regarding the appropriate amount of Members for the Conservation Commission.

Upon a motion made by Mr. Chamberlain; seconded by Ms. Rasa it was:

VOTED: To recommend to the Board of Selectmen a membership of seven (7) Members on the Conservation Commission.
Unanimous in favor.

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

VOTED: To set the membership number of the Conservation Commission at seven (7) Members.
Unanimous in favor.

7:45 PM Meet with Open Space Committee to discuss revising the charge of the Open Space Committee

Linda Grubb, Donald Foster, Martha Schroeder, and Joan Morton of the Open Space Committee were present for the discussion. The Open Space Committee called their meeting to order at 7:45 PM.

Chairman Maksy reviewed the current charge of the Open Space Committee into the record. The Town of Lakeville, Massachusetts shall establish an Open Space Committee to oversee and update the Town's Open Space and Recreation Plan, published in 2002. The duties and responsibilities of the Open Space Committee shall be to compile a list of undeveloped parcels of land in Lakeville and then prioritize the importance of protecting these parcels of land and provide the reasoning for the rankings assigned. Also, the Committee shall compile a calendar or renewal dates for all existing Conservation Restrictions, and develop recommendations for a systematized renewal process. These items shall be completed and submitted to the Board of Selectmen by July 31, 2005. In addition, on an ongoing basis, the Committee shall be asked to submit recommendations to the Board of Selectmen on any parcels of land being offered for donation to the Town or on any parcel of land being taken out of the Chapter 61 tax program. The Committee shall consist of seven (7) members to be appointed by the Board of Selectmen for a one-year term. The Committee shall meet on a schedule as determined necessary to achieve its goals.

Selectman Belliveau stated that he felt that there was a conflict that needed to be resolved. He did not feel that all land should be put into Open Space and under a Conservation Restriction as the Charge seems to imply. Parcels should be prioritized for their importance of being

protected. James Marot, Chairman of the Planning Board, stated that the purpose is to decide what parcels should be protected in perpetuity, and to allow the Master Plan Implementation Committee and other Boards/Committees to look at what should not be, in the best interest of the Town. Ms. Grubb said that the Open Space Committee will work on a revised charge to present to the Selectmen.

Mr. Marot stated that the Town does a reasonably good job with its planning efforts. However, there are challenges in zoning, and the expertise is not available that should be there. A Town Planner is necessary to have on staff. The Town is definitely at the point that there needs to be someone that is educated in State law to assist the Open Space Committee and the Planning Board. There needs to be a single driving force to coordinate this effort and take the burden off of the Town Administrator. Chairman Maksy agreed and stated that this item should be placed on the agenda to be seriously discussed. Selectman Powderly stated that this is a good idea and the casino item is part of what is needed to be discussed. Selectman Belliveau asked if he would be asking for a full or part time planner. Mr. Marot responded that any hours would be good, however, the more the better. Ms. Garbitt stated that SRPEDD did reach out to towns asking if they were interested in sharing a planner. The Town of Norton is the only one interested right now.

8:00 PM Meet with Robert Iafrate, Building Commissioner, to discuss Junk Dealer's License Request from Jack Pfister

Robert Iafrate, Building Commissioner, was present for the discussion. Mr. Iafrate stated that he visited Mr. Pfister last week to discuss with him what needs to be done with respect to complying with the Town's By-laws. Mr. Pfister has made an attempt to clean up the yard and has put for sale signs on the unregistered vehicles. Mr. Iafrate said he has met with Mr. Pfister regarding a time frame for things to be done, and about screening off the items in his yard so that they were not visible. He was a little confrontational at first, but started to understand. However, he did not show up this evening. Mr. Iafrate noted that Mr. Pfister's telephone had been disconnected, but he left a note on his door about tonight's meeting.

Selectman Powderly stated that he would not vote for a Junk Dealer's License without a game plan for cleaning up the property from Mr. Pfister. Selectman Belliveau stated that the cars are a totally separate matter from the Junk Dealer's License. Also, why give him a license when he is not in the business to sell the stuff. Mr. Iafrate explained that this is a difficult thing and Mr. Pfister will need some help. Mr. Iafrate suggested the license option to give him some incentive to clean up the property, but he may not have the means to do it financially. Selectman Belliveau suggested providing Mr. Pfister with some more time to make progress. However, he can have only one (1) unregistered vehicle on his property. Chairman Maksy stated that his main concern was that there has been a complaint. He would need to be in compliance to get a license. Mr. Marot stated that what is being dealt with is a General Bylaw. The Board cannot just give Mr. Pfister a license, because then anyone can do this. The Board needs to come to some understanding with Mr. Pfister that it has to be cleaned up, or he will be fined. Selectman Powderly stated that he did not mind Mr. Iafrate making another attempt to see Mr. Pfister and ask if he will show up at a meeting. It was agreed to place this matter on hold at this time.

Discuss termite issue at Assawompset Elementary School

Robert Iafrate, Building Commissioner, was present for the discussion. He stated that he had received a report that evidence had been found of termites at the Assawompset Elementary School. He contacted Robert Souza, and they walked the school. The only area that it appears that there are termites are in an interior closet. A wooden floor was encapsulated with concrete several years ago, so that it why the termites may be in that area. Three (3) quotes have been received to deal with the termites. The quotes ranged from \$500 to apply Termidor to the specific area to a little more than \$10,000 to treat the entire school. Mr. Iafrate recommended that just the specific area be treated, unless evidence is found that there are termites elsewhere.

Selectman Belliveau stated that the Board should make a recommendation to treat the specific area. This is not a Capital Expenditure, this is maintenance, and is not improving the building. Ms. Garbitt suggested that maybe any items over \$10,000 need to be clarified. However, the Town still does not have a signed lease agreement for the school in place with the Region. Chairman Maksy stated that the letter to the School Department needs to address the fact that the Town does not have a signed lease and that this is not an expenditure that needs to be incurred by the Town. Ms. Garbitt stated that the item should also be on the regular maintenance schedule, per the Building Commissioner’s recommendation.

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

VOTED: To make a recommendation to the Regional School District Committee that they treat the area that Mr. Iafrate recommends at the Assawompset School for termites. Also, to notify them that the Town would like a signed copy of the lease agreement for Assawompset and to include \$500 as part of the annual maintenance in treating the termites.
Unanimous in favor.

Review letters of interest for Casino Advisory Committee, Review and Vote on Determination and Consent for Kopelman & Paige to represent Lakeville and Freetown regarding Proposed Casino and discuss all Casino Matters for the Town of Lakeville

Discussion took place on the seven (7) letters of interest that were received by the deadline for the Members at Large on the Casino Advisory Committee. Also discussed was the number of Members that the committee should consist of. It was stated that there should be a Member from the Planning Board, Conservation Commission, Finance Committee, Open Space Committee, the three (3) Selectmen, and the Building Commissioner. Two (2) additional letters of interest have been received after the deadline and will be kept on file. A letter of interest has also been received from a Member of the Zoning Board of Appeals, and it was suggested adding the Zoning Board of Appeals to the membership.

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

VOTED: To increase the membership of the Casino Advisory Committee to 15, with six (6) Members at Large, and to also add a Member of the Zoning Board of Appeals.
Unanimous in favor.

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

VOTED: To appoint the following Members at Large on the Casino Advisory Committee: Nelson Pratt, Robert Dunn, Matti Goulart, Mark Downing, Maureen Candito and Frank Kuzia.
Unanimous in favor.

Discussion then took place regarding the possibility that a casino may be coming to the Lakeville, Freetown or Fall River area. Chairman Maksy said the positive and negative aspects should be considered. There is an immediate need for information to be provided to the residents so that they can make a more informed vote on June 2nd. Lakeville can vote it down; however, there may still be a casino here. The Town will have to deal with what may take place with a neighboring town. Selectman Belliveau stated that he and Ms. Garbitt have spoken with Lisa Pacheco. From that conversation, he felt that Freetown and Lakeville were on the same page. Though different towns, both Towns are in this together. Both Towns should negotiate a compact together so that we are all on the same page. Chairman Maksy stated if there is no direct competition then that is fine, but if there is, then there should be separate legal counsel.

Selectman Belliveau stated that they met with Cheryl Andrews Maltais last Thursday. She informed him that the Tribe will pay for the ballot vote in Lakeville. The Tribe does not know the size or scope of the project yet, but they will know by May 7th since they are having their Tribal Council meeting on May 6, 2012. Ms. Andrews Maltais did present a list of potential impacts, such as law enforcement, fire protection, public safety and emergency services, schools, road infrastructure, water and sewer usage and disposal, refuse removal and disposal, and ongoing payments. Selectman Belliveau stated that it would behoove the Town to protect the issues that will affect Freetown as well, since we are regionalized with the schools. Chairman Maksy stated that that is why he feels that a Memorandum of Understanding is needed before it is known what Town the casino will go in. Chairman Maksy stated that the concern is that there has been talk of competition to this point. Selectman Belliveau stated that the Tribe has stated that there will be direct impacts, but right now they are not looking at one location. They are looking at several locations and trying to find the right fit and get their investors in place. He believes that the Town should wait until May 7th before going out and hiring consultants to look at this. Right now we need to make sure that we have the right question for the ballot. Chairman Maksy read a portion of a response from Town Counsel, which stated that there is no explicit requirement that the Tribe reimburses the Town, but it is recommended that they do so as an act of good faith. It would be in the Tribe's best interest to negotiate with the Town positively.

Chairman Maksy stated that right now it is only about gambling, a yes or no vote. Ms. Andrews-Maltais promised that they would hold two (2) or three (3) public meetings. Ms.

Garbitt said the Tribe will announce their investors after the May 6th meeting, along with the size and scope of the project. On May 7th and 8th there will be meetings at the Eagles Club. Then flyers will be sent out to all households in both Towns, and there will be a joint meeting for both Towns at the High School on either May 21, 23, or 24th.

It was the consensus of the Board not to vote on the Consent and Determination letter from Kopelman and Paige regarding whether the Board wants to consent to them representing both Lakeville and Freetown in the matter of the proposed casino.

Vote on Ballot Question for Special Town Election regarding the Proposed Casino

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

VOTED: To approve the following language for the ballot question for the Town's election on Saturday, June 4th : "Shall the Town of Lakeville permit the operation of a gaming establishment, pursuant to a compact negotiated by the Governor and approved by the General Court, to be located at property off Howland Road and identified on the Town of Lakeville Assessors Map as Map 34, Block 2, Lot 12; Map 34, Block 2, Lot 1; Map 34, Block 2, Lot 2; Map 34, Block 2, Lot 17; Map 34, Block 2, Lot 15; Map 35, Block 1, Lot 3; Map 35, Block 1, Lot 4; Map 35, Block 1, Lot 5; Map 35, Block 1 Lot 2A?

YES_____ NO_____.

Unanimous in favor.

Revisit Request for Proposal for Telecommunications Equipment on a Municipal Water Tank

Chairman Maksy explained that the Board has been trying to prepare a Request for Proposal (RFP) to place telecommunication equipment on the Town's water tank. A draft of the RFP has been provided for the Board to review. Some of the questions that remain are: how many antennas should be allowed on the Water Tank, what are the limitations and whether or not to do a minimum bid. It was understood from the Fire Chief and Police Chief that public safety radio antennas would be installed on the Water Tank. Those antennas should be installed on the highest elevation. Chairman Maksy noted that presently the RFP says that the tower will have five antennas, but the potential is not known. Mr. Zienkiewicz stated that at a recent Water Advisory Committee (WAC) meeting, the Committee reviewed the draft RFP. The WAC has looked at what other Towns have on their water tanks for antennas. The WAC had two (2) recommendations: the first was to ask for three (3) or perhaps four (4) antennas. The second was to recommend that the handrails not be used for a cellular antenna mount, but can be used for a stick antenna mount. Ms. Garbitt stated that the handrail is noted currently as Elevation 6. Mr. Zienkiewicz noted that the reason Middleborough is moving over to Lakeville's tower is that they put singles too close to the handrail. Chairman Maksy stated that if an engineer is okay with putting an antenna on the handrail, and the manufacturer agrees with it, then it can take place. Otherwise it will not be done. Chairman Maksy suggested to change the handrail to Elevation #7, and to add a 200 foot elevation for Elevation #6. Ms. Craig stated that she would like to have Town Counsel review any suggested changes. Chairman Maksy agreed.

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

VOTED: To accept the revised RFP with Selectman Powderly's modifications on public safety antennas and the addition of the extra elevation.
Unanimous in favor.

Discuss meeting with Town of Middleborough regarding Edgeway's request for Taunton water

Chairman Maksy stated that Middleborough has appointed someone to represent them regarding Edgeway's request and Lakeville should do the same. Taunton cannot give Middleborough water without an Intermunicipal Agreement (IMA). Chairman Maksy stated that in order to go forward, an IMA is needed.

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

VOTED: To appoint Selectman Belliveau to work on the IMA with Middleborough and for him to bring any recommendations back to the Board.
Unanimous in favor.

Revisit reorganization of the Board of Selectmen

Chairman Maksy said that there were a few positions that needed to be voted on for reorganization of the Board.

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

VOTED: That Selectman Belliveau act as Vice Chairman for the Board of Selectmen.
Unanimous in favor.

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

VOTED: To appoint Selectman Maksy as Director of Veterans Services and ADA Coordinator and Selectman Powderly as Representative to the Plymouth County Advisory Board and Wage & Personnel Board.
Unanimous in favor.

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

VOTED: To appoint Selectman Belliveau to the Regional Finance Committee; appoint Selectman Powderly to the Building Feasibility Study Review Committee, Capital Expenditures Committee, Emergency Planning Committee, DEP Sub Committee: Water Levels Assawompset Pond Complex and Energy Advisory Committee. and to appoint Selectman Maksy to the Master Plan Implementation Committee,

Parking Clerk, Ted Williams Camp Renovation Committee and Middleborough G&E Commission Ad Hoc Member.
Unanimous in favor.

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

VOTED: To appoint Selectman Belliveau as designated person to the following: Budget FY12, School Department Liaison, Highway Barn/Gasoline Cleanup and IMAs; Selectman Maksy to the Lakeville Hospital Redevelopment and Selectman Powderly to Water Related issues.
Unanimous in favor.

Discuss Meeting on April 25, 2012 regarding Route 44 Rotary Improvements

It was noted that Selectman Belliveau will be away when the Route 44 Rotary Improvement meeting is scheduled to take place. Selectman Powderly stated that he would attend the meeting on April 25, 2012, which will be at 9:00 AM at the Middleborough Town Hall. Ms. Garbitt stated that Mass DOT has proposed an alternate solution, and it will impact Lakeville. Lakeville has been invited by the Middleborough Town Manager to attend the meeting. Ms. Garbitt will attend the meeting and report back to the Board.

Discuss setting a date for a Stormwater Management Seminar

Ms. Garbitt told the Board that she has scheduled the Stormwater Management Seminar on Thursday, June 14, 2012 at the Lakeville Library at 7:00 PM.

Review applicants for Water Department Clerk

It was noted that Selectman Belliveau and Ms. Garbitt reviewed the applicants who had submitted their application for the position of Water Department Clerk. Of the nine (9) applicants, the field was narrowed to three (3). Any of the three (3) finalists are qualified; however, the #1 candidate has a little bit more experience. Ms. Garbitt stated that she is still waiting for one of the references to call back. Selectman Belliveau noted that since there is also another position opening up, the Board would encourage the other applicants to apply for that position. Mr. Zienkiewicz asked from where the Water Department Clerk would be paid from. Ms. Garbitt responded that it would be from the Water Enterprise Budget. The person will be working for the Board of Selectmen, but answer directly to the Town Administrator.

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

VOTED: To recommend that Suzanne Jorge be offered the position as Water Department Clerk. If she does not accept the position, then the second and third ranked candidates will be offered the position.
Unanimous in favor.

Mr. Zienkiewicz stated that the WAC would like to meet with the Board of Selectmen since they had anticipated that the IMA's would be part of the new charge since that is the most important next step for the WAC. Chairman Maksy stated that the Board still needs to resolve the point of if the Board of Water Commissioners will still be the Board of Selectmen, or if it will be a separate appointed or elected position.

Review and vote on Reserve Fund Transfer Request for Chimney Liner at Assessor's Building

Ms. Garbitt stated that she had not been aware that a chimney liner was going to be needed at the Assessor's Building. It is not in the budget. The roof replacement at the Town Office Building ran over budget. However, there is some money in the Reserve Fund for this to be completed. If it is done, it will leave about \$10,000 in the Reserve Fund.

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

VOTED: To recommend that the Finance Committee approve a Reserve Fund Transfer request in the amount of \$1,995.00 to fund the cost of a new chimney liner at the Assessor's Building.
Unanimous in favor.

Discuss request from Town Clerk to renew Junk Dealer and Collector Licenses for 33 Myricks Street, 201 County Street, 61 Rhode Island Road and 69 Main Street

It was noted that the Building Commissioner has inspected all the sites and has no reason to withhold renewal of any of the licenses for the upcoming year.

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

VOTED: To renew the following licenses for a term to expire May 1, 2013 as follows:
Anthony and Dorita Morris of 33 Myricks Street, Auctioneer License, Junk Dealer License and Junk Collector License
Hugh and Judy Rogers of 201 County Street, Junk Dealer License, Junk Collector License
Robin Marques & Donald Bernier, Jr. Junk Dealer License, Junk Collector License
Binh Thieu Duong of 69 Main Street, Junk Dealer License, Junk Collector License
Unanimous in favor.

Request for Road Cut-Columbia Gas-46 Taunton Street

Chairman Maksy read the request for a Road Cut at 46 Taunton Street from Columbia Gas.

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

VOTED: To approve the request for a road cut at 46 Taunton Street to install a new natural gas service.
Unanimous in favor.

Request to use Town House-Sampson Cemetery Annual Meeting-May 2, 2012

Ms. Craig noted that the Town House is available, and the appropriate insurance forms have been provided. Selectman Powderly asked why this comes before the Board. Ms. Garbitt responded because it is Town owned property.

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

VOTED: To approve the use of the Town House by the Sampson Cemetery Association on May 2, 2012 from 6:30 to 8:30 PM for their Annual Meeting.
Unanimous in favor.

Request from Zoning Board of Appeals to appoint Associate Member to vacancy

Chairman Maksy said the Zoning Board of Appeals had requested that the Selectmen appoint someone to fill the vacant Associate Member position. Ms. Garbitt stated that she had received only one (1) letter of interest regarding the position.

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

VOTED: To appoint Janice Swanson as Associate Member to the Zoning Board of Appeals with a term to expire July 31, 2012.
Unanimous in favor.

Review and vote to approve Selectmen Meeting Minutes: February 4, 2012, February 27, 2012 and February 28, 2012

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

VOTED: To accept the Selectmen Meeting Minutes of February 4, 2012 and invoke the Rule of Necessity, since Selectman Powderly and Chairman Maksy were not present.
Unanimous in favor.

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

VOTED: To approve the Selectmen Meeting Minutes of February 27, 2012 and February 28, 2012 as presented.
In favor 2, Abstain 1.

Review and vote to approve Executive Session Meeting Minutes of April 9, 2012

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

VOTED: To approve the Executive Session Meeting Minutes of April 9, 2012 as presented.
Unanimous in favor.

New Business

Ms. Garbitt stated that the Superintendent of Streets notified her that Route 79 will be closed to general traffic next week during the day, but will reopen at night. They are hoping to put down a base coat this week. This will affect those living on Crest Drive and at the end of Route 79. The Superintendent of Schools will need to contact the school bus company to notify them that this is taking place.

Old Business

Ms. Garbitt stated that the meeting this Thursday evening for the Teacher's Collective Bargaining Sub Committee has been rescheduled to May 10, 2012. Selectman Powderly will be the official member for the Board.

Ms. Garbitt stated that she is presently preparing the warrant articles for the Board's approval for next Monday. One item is from the Clark Shores Water Corporation. Town Counsel has contacted her regarding the 4,000 square foot parcel of land and suggested giving the Clark Shores Water Corporation the property for no consideration. Any property transactions under \$25,000, Town Meeting can approve; over \$25,000 an RFP is needed and it is necessary to obtain quotes. The value of the land is approximately \$7,400. The matter will be presented in two (2) separate articles. The first article is to give the property to Clark Shores Water Corporation and the second is to give them an easement on the property. Ms. Garbitt has spoken with Rosemary Walsh, and they would be glad to accept the land. If the first article passes, then the second article (the easement) will be tabled indefinitely.

Any other business that may properly come before the meeting

Ms. Garbitt stated that she would like to present, at the next Selectmen's meeting, the concern with the Senate's version regarding the 40S money. The Legislators thought that the State's Reimbursement for 40S projects like the one at the MBTA Station was a one (1) time provision. However, it is yearly. Representative Orrall is preparing an amendment on this and will make sure that it is received by the Senate. Chairman Maksy stated that if the 40S money, in the amount of \$166,000 is not approved, then the Board will have to go back and make more cuts to the budget. Ms. Garbitt stated that Article 1 of the Special Town Meeting warrant will be done Monday night.

Other Items

1. Notice of reorganization of the Cemetery Commission
2. Letter from Mass DOT regarding Rhode Island Road Reconstruction
An update was provided by Ms. Garbitt of what would be transpiring over the next few weeks regarding the closing and changing of Rhode Island Road.
3. Letter from TEC Associates regarding 2012 Vegetation Control Program-Massachusetts Coastal Railroad
4. Letter from TEC Associates regarding 2012 Vegetation Control Program Massachusetts Bay Commuter Railroad
5. Middleborough Gas & Electric Commission Agenda-April 18, 2012
Chairman Maksy stated that Jack Healey is now the new Chairman of the Middleborough Gas & Electric Commission. Chairman Maksy will make sure that they know that Lakeville is 30% of MG&E's customer base. Of the recent elections that took place in Middleborough, three (3) of the five (5) members of the Commission are new members.
6. SRPEDD Commission Meeting Notice-April 25, 2012
7. SRPEDD Annual Meeting Notice-May 23, 2012
8. Regional Economic Strategy Committee Meeting Notice-April 24, 2012
9. Notice from DEP regarding 2012 Sustainable Materials Recovery Program Municipal Grant Application
10. Notice of Upcoming Association of Town Finance Committees Meetings
Ms. Garbitt stated that she was hoping to attend the upcoming Association of Town Finance Committees meeting on May 24, 2012 since they would be discussing GASB 45 and post Retirement Obligations.
11. Mass Interchange Bulletin-Fall/Winter 2011
12. Mass Interchange Bulletin-Spring 2012
13. Bay State Roads Upcoming Workshops
14. Notice from Columbia Gas regarding Rate Adjustment Petition
15. Comcast Form 500 for 2011
16. Verizon Form 500 for 2011
17. Retired State, County and Municipal Employees Association of Massachusetts Voice of the Retired Public Employee

At 10:10 PM, upon a motion made by Selectman Belliveau; seconded by Selectman Powderly it was:

VOTED: To enter Executive Session and not return to open session to discuss strategy with respect to the Collective Bargaining Agreement with the Fire Union, because an open meeting may have a detrimental effect on the negotiating position of the Board, and to discuss strategy in preparation for negotiations with non-union personnel.. Polled vote: Selectman Belliveau-Aye, Selectman Powderly-Aye, and Selectman Maksy-Aye.