

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
May 22, 2013 - 7:00 PM

On May 22, 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 Chairman Belliveau at 7:00 PM. Selectmen present were: Selectman Belliveau, Selectman Burke and Selectman Powderly. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Cindy Dow of The Middleboro Gazette was recording the meeting and LakeCAM for local community broadcast. There were also representatives from the Herald News and the Taunton Gazette present.

Selectman Powderly stated that James Healey, former Lakeville Selectman, passed away on May 9, 2013 at the age of 81. Mr. Healey retired after 35 years working with the U.S. Postal Service and spent 25 years working at Heritage Hill and Poquoy Brook Country Clubs. He held several positions in Lakeville including a seat on the Finance Committee for five (5) years, the Ambulance Study Committee, Plymouth County Advisory Board, Milk Inspector, Parking Clerk, Assawompset Building Study Committee Member, Senior Center Supervisory Committee Member, Director of Veterans' Services and a Selectman in town for 15 years. He was instrumental in the purchase of the Ted Williams Camp, and the beginning of the Town's Industrial Park.

7:00 PM Meet with Lakeville Garden Club to proclaim National Garden Week June 2-8, 2013

Nancy LaFave was present from the Lakeville Garden Club. Chairman Belliveau said that the Board had received a request from the Lakeville Garden Club to proclaim June 2-8, 2013 as National Garden Week. Selectman Burke read the proclamation into the record.

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

VOTED: To proclaim the week of June 2-8, 2013 as National Garden Week.
Unanimous in favor.

7:15 PM Meet with Fire Chief regarding Appointment of additional Call Firefighters

Fire Chief Daniel Hopkins was present for the discussion. Chief Hopkins stated he would like to appoint five (5) additional Call Firefighters and two (2) Junior Call Firefighters. He said that four (4) of the five (5) Call Firefighters are EMT's. The EMT's will be able to cover on ambulance runs. Selectman Powderly asked if there were any age restrictions on driving the vehicles. Chief Hopkins responded that the Call Firefighters have to pass the test at age 18. They need to be approved for all driver training courses before they can drive the vehicle on their own.

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

VOTED: To appoint Valerie Machado, Samantha Gravel, Brendon Elliot, Christopher Emswiler, Joshua Faherty, as Call Firefighters and Corey Holmes, and Lindsey Hopkins as Junior Call Firefighters with expiration dates of July 31, 2013.
Unanimous in favor.

7:30 PM Meet with LakeCAM to discuss letters for Comcast and Verizon regarding payments of contractual obligations

Robert Marshall and Donald Foster were present for the discussion. Mr. Marshall stated that he has drafted letters to Comcast and Verizon requesting that they send the quarterly 4% payment directly to LakeCAM rather than the Town. Presently the Town receives the money quarterly for the PEG channels as it states in the contract. However there are multiple steps after that to get the money to LakeCAM. The license does allow for the Selectmen to request that the money would come directly to LakeCAM to ease the process. Mr. Marshall further explained that Attorney Peter Epstein explained that this would help with the corporate veil. The Town will be copied each time that payments are made. Ms. Garbitt asked if the process can be changed back if the Selectmen ever desired it. Mr. Marshall responded that he believed so.

Ms. Garbitt asked about the microphones. Mr. Marshall explained that some changes have had to be made regarding the microphones due to sound quality. Papers being placed on them have also created audio difficulties. There are some other options being looked into at this time. He also said it would be easier for those recording or viewing the meeting if there was a podium with a microphone made available for people to speak at. These requests are also being made of the School Committee and it will make a big difference to the sound quality.

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

VOTED: To send letters to both Verizon and Comcast informing them to make the quarterly payments directly to LakeCAM and copying the Board of Selectmen.
Unanimous in favor

7:45 PM Meet with Library Director to reclassify Page Position at the Library

Olivia Mello, Library Director, was not able to be present this evening. Ms. Garbitt explained that the present Page has been helping out the Children's Librarian and knows a lot about technology. The Trustees would like to keep the Page Position open if State funds are received since the position is not funded by the Town's operating budget. The Library Trustees are requesting a new position be created of Library Assistant/Clerk Substitute. The person would come in on Saturdays if needed. This position would not be included in the operating budget. It is paid for through grants the Library receives. This would be an increase in the hourly rate and the person would start at Step One. The Library Trustees have voted on it and authorized the reclassification. The Board will discuss this further at their meeting tomorrow night.

Review and vote to approve Warrant for the Special State Election-June 25, 2013

Chairman Belliveau read the Warrant for the Special State Election on June 25, 2013 into the minutes.

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

VOTED: To approve the warrant for the Special State Election, June 25, 2013.
Unanimous in favor.

Review and vote on Job Description and Pay Rate for Landfill/Transfer Station Lead Operator

Chairman Belliveau explained that Mr. Peck and Ms. Garbitt have worked on the job description for the Landfill/Transfer Station Lead Operator.

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

VOTED: To appoint Edward Kazlauski to the position of Lead Operator with a \$.50 per hour increase retroactive to April 1, 2013.
Unanimous in favor.

Review and discuss the Interim Highway Supervisor Position

Chairman Belliveau read the memo recommending George Taylor to be appointed as the Acting Superintendent of Streets, effective May 25, 2013 until such time as a new Superintendent of Streets is appointed. Ms. Garbitt stated that Mr. Taylor has postponed his vacation in order to accommodate the changes taking place. The Board would need to approve him to be allowed to carry over three (3) weeks of his vacation through the next fiscal year. Ms. Garbitt said that the position was previously called Highway Supervisor. Does the Board want to have Mr. Taylor be the Highway Supervisor? Selectman Powderly suggested leaving the title as Acting Superintendent of Streets.

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

VOTED: To appoint George Taylor as the Acting Superintendent of Streets, effective May 25, 2013, until such time as a permanent Superintendent of Streets is hired. Also, to allow Mr. Taylor to carry over three (3) weeks of vacation time to FY14.
Unanimous in favor.

Discuss increasing the cost of Town Trash Bags for Transfer Station, effective July 1, 2013

Chairman Belliveau went over the memo from Christopher Peck with the Board. It was noted that Mr. Peck is asking for an increase to the cost of the Trash Bags to cover the shortage at the Transfer Station. Mr. Peck and Ms. Garbitt reviewed the line items and the shortfall is approximately \$104,000 for FY14. There is only \$25,000 left in Retained Earnings. When

news came back on the retained earnings, \$45,000 needs to be used for FY14. Between the retained earnings, the decline in recyclables and charging back the Transfer Station for administrative costs, property and liability insurance, and worker's compensation insurance, which is approximately \$40,000, it has all compounded. The expenses are more than what the revenues are. Selectman Burke asked if it was known how many residents use the Transfer Station. Ms. Garbitt stated that the numbers have declined. Discussion took place about options.

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

VOTED: To increase the price of the small bags from \$5.00 to \$7.50 and to increase the price of large bags from \$7.50 to \$10.00, effective July 1, 2013.
Unanimous in favor.

Discuss car Allowance for the Board of Health Agent

Chairman Belliveau stated that when the Health Agent's mileage was looked at for his personal vehicle and the Town vehicle, it was decided to look at other option besides purchasing a new Town vehicle. From 2009 to 2013, there was approximately 4,000 miles between both vehicles. Based on this mileage, a car allowance of \$200 monthly was recommended to offer to the Health Agent. Ms. Garbitt said that the Town vehicle is only used approximately 500 miles a year. It can either be declared surplus or utilized with another Town Department. The Highway Mechanic worked on the vehicle and made some repairs.

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

VOTED: To approve the amount of \$200 as the car allowance for the Board of Health Agent to use his own vehicle, subject to the Board of Health's approval.
Unanimous in favor.

Discuss Appointing a Search Committee for the New Superintendent of Streets

Chairman Belliveau spoke of forming a Search Committee for a new Superintendent of Streets. It was decided that the Search Committee should forward three (3) applicants to the Board of Selectmen to be interviewed. A deadline of May 31, 2013 was set for applications.

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

VOTED: To appoint the Town Administrator, a member of the Board of Selectmen; the Police Chief; the Fire Chief; Roger Hamilton; and James Marot to the Search Committee for the new Superintendent of Streets.
Unanimous in favor.

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

VOTED: To appoint Selectman Burke to the Search Committee for the new Superintendent of Streets.
In favor 2, Abstain 1.

Memo from Police Chief regarding the COPS Hiring Program Grant

Chairman Belliveau discussed the memo received from the Police Chief regarding the COPS Grant. Due to changes in the Federal Grant Online System, the Chief was unable to apply for the grant. The Police Department had been registered through the Central Contractor Registration. This is no longer valid, and registration is required through System Award Management. The time necessary to be registered through SAM has since been exceeded. The Middleborough Police Department is also experiencing similar difficulties. Once the issues have been addressed, the Board will be notified if another opportunity arises to submit an application for an available grant.

Discuss Reserve Fund Transfer Request from the Town Clerk for Elections

Ms. Garbitt stated that due to many unscheduled elections this year, the Town Clerk's budget is being exceeded. There were three (3) additional elections in FY13. This has been an unforeseen expense in the Town Clerk's budget. The Town Clerk is requesting that the Board of Selectmen recommend that the Finance Committee approve a Reserve Fund Transfer in the amount of \$11,400 to cover the costs of these elections. If the Selectmen vote to recommend that the Finance Committee approve the transfer, the Finance Committee can then consider the request at their meeting on May 23, 2013.

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

VOTED: To recommend that the Finance Committee approve a Reserve Fund Transfer request in the amount of \$11,400.00 to fund the costs of the Special State Primary, the Special State Election and the Override Election.
Unanimous in favor.

Vote to accept letters of resignation from Emery Orrall from the Conservation Commission and the Economic Development Committee

Chairman Belliveau read the letter from Emery Orrall resigning from the Conservation Commission and the Economic Development Committee.

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

VOTED: To accept the resignation of Emery Orrall from the Conservation Commission and the Economic Development Committee with thanks for time served.
Unanimous in favor.

Letters of interest for the vacancy on the Economic Development Committee will be posted for two weeks. Ms. Garbitt stated that she has received a letter of interest to fill the Conservation

Commission vacancy in the interim from Derek Maksy. Chairman Belliveau also said we need to advertise for the vacancy on the Conservation Commission. Selectman Powderly stated that it would be nice if we had an inventory of people who are interested when vacancies unexpectedly take place. We would still post the vacancies, but the inventory would be nice to be able to notify people of the vacancy.

Vote to declare Surplus 16' Pinecraft Police Department Boat

Chairman Belliveau went over the memo regarding the Police Department Boat.

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

VOTED: To declare the 16' Pinecraft Police Department Boat as surplus and to allow it to go to the Fire Department.
Unanimous in favor.

Discuss Resignation of Michael Renzi from the Open Space Committee

Chairman Belliveau mentioned that the Board received a resignation letter from Michael Renzi for the Open Space Committee. The vacancy will be advertised with letters of interest being asked for by June 15, 2013. Selectman Powderly suggested creating a list of committees with upcoming reappointments and to ask for letters of interest from those who may want to be appointed to a committee.

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

VOTED: To accept the resignation of Michael Renzi from the Open Space Committee and to send him a letter of thanks for time served.
Unanimous in favor.

Request for Door to Door Sales Permit-Drasco Alternate Sales

Chairman Belliveau went over the request for the Door to Door Sales Permit request from Drasco Alternate Sales to sell Verizon FiOS products. Selectman Powderly stated that while he does not object to the request, the Board should re-evaluate this matter to determine if the Town really does want to continue allowing Door-to-Door Sales. Ms. Garbitt stated that this item is on the list of items for the Board to revisit after Town Meeting.

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

VOTED: To approve the permit request for Door to Door Sales of Verizon FiOS products from Drasco Alternate Sales. Hours allowed are Monday through Friday 11:00 AM to 7:00 PM and Saturdays from 9:00 AM to 5:00 PM.
In favor 2, Opposed 1 (Aaron Burke)

Announce Nancy LaFave being awarded 2013 Unsung Heroine Award

Chairman Belliveau noted that Lakeville Resident, Nancy LaFave, was awarded the 2013 Unsung Heroine Award at the State House on April 29, 2013 by the Massachusetts Commission on the Status of Women.

Request to place Sign for Strawberry Festival on June 16, 2013

Chairman Belliveau read the request from the Tuesday Club to place a sign to advertise the Annual Strawberry Festival on June 16, 2013 in Assonet. Discussion took place regarding the topic.

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

VOTED: To approve the placement of a sign at the intersection of Precinct/Pickens Street for the Annual Strawberry Festival, which will be held on June 16, 2013.
Unanimous in favor.

Review and vote to approve Board of Selectmen Meeting Minutes of March 25, 2013 and March 28, 2013

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

VOTED: To approve the March 25, 2013 and March 28, 2013 Selectman Meeting Minutes as presented.
In favor 2, Abstain 1 (Aaron Burke).

Review and vote to approve Board of Selectmen Executive Session Meeting Minutes of April 23, 2013 and May 6, 2013

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

VOTED: To approve the Executive Session Meeting Minutes of April 23, 2013 and May 6, 2013 as presented.
Unanimous in favor.

New Business

Ms. Garbitt said that she had received the annual contract for the nurse who does the inspections of the tattoo parlor for the Board of Health.

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

VOTED: To approve and sign the contract between Donna Palmer, R.N. and the Town of Lakeville.
Unanimous in favor.

Ms. Garbitt briefly went over the reappointment request of the Police Chief for Daniel Vareika.

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

VOTED: To reappoint Daniel Vareika as Police Officer and Constable with an expiration date of July 31, 2013.
Unanimous in favor.

Ms. Garbitt stated that the Town has received a request from Plymouth County regarding a website that they are creating. Lakeville can be a part of the website through a link with Lakeville's permission. If Lakeville is interested, they are asking that a picture be provided of a scene most fitting for the summer representing the Town. There was a consensus of the Board to become part of the website and to forward a photograph for the website.

Ms. Garbitt stated that the override passed this past Saturday. She is in the process of redoing the figures for the upcoming budget discussion that will take place tomorrow night with the Selectmen and the Finance Committee. The Town still doesn't have an updated assessment sheet from the Regional Schools. The Region did receive more funding in transportation. The amount is probably about \$160,000 now, rather than \$120,000.

Any other business that may properly come before the meeting

Discussion took place regarding the Regional School Committee. Selectman Burke stated that he is in total agreement with Ms. Candito's approach for understanding the school budget. However, it is not known if it will make a difference. Ms. Candito was provided a pie chart regarding the finances of the Town and School Department, and is enthusiastic about doing a power point presentation for Town Meeting next year. Chairman Belliveau stated that the point is that the schools are lacking in an interest in the Town side of matters. This is creating a disconnect. Selectman Burke noted that this disconnect is more prevalent with the School Committee culture than any other committee in Town. Everyone needs to work together. Ms. Garbitt stated that she had followed-up with Richard Brown, Freetown's Town Administrator, since there had been discussion about getting together after the override. Freetown's Town Meeting is June 3rd. They have adjusted their budget figures for the percentage due to the override, and will support the numbers that Lakeville has agreed upon. There does not seem to be a need to meet with them since the override passed.

Other Items

1. Email from Laurie Hunter, Principal of Assawompset School regarding Lakeville Police Officers
2. Invitation from Old Colony Regional Vocational Technical High School Commencement Exercises
3. Letter from EBS Foran regarding Affordable Care Act
4. Notice from GATRA Advisory Board regarding upcoming meeting-June 5, 2013
5. DEP Workshop – Electric Vehicle Incentive Program
6. Notice from South Coast Rail regarding FY14 Technical Grant Application Round
7. Notice of Grant Opportunity for design and construction of a Dog Park
8. Mass Interchange Newsletter
9. Notice from NSTAR regarding Emergency Response Plan Meeting on June 18, 2013
10. Notice from the Plymouth County Commissioners that the Annual Plymouth County Advisory Board Meeting has been rescheduled to May 30, 2013
11. Memo from the Superintendent of Streets regarding a proposal for an irrigation system at the Library
Selectman Powderly stated that the last chance for an irrigation system for the Library is to plug into the field at Ted Williams Camp. All other avenues have been ridiculously expensive. Dan Hopkins is looking into this and coming up with a number. The Library will look to seek the input of the “Friends of the Library” to pay for the piping, etc.
12. Memo from the Superintendent of Streets regarding hazardous trees at 47 Haskell Circle
Ms. Garbitt stated that the Tree Warden has been asked to go out and look at the trees at Haskell Circle. The court has appointed an attorney, and the management company will make sure that the trees are taken down. Selectman Powderly noted that there are a lot of trees that are dead that need to come down around town.

At 9:15 PM, upon a motion made by Selectman Powderly; 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 (3) to discuss strategy with respect to Collective Bargaining with the new Unions because an open meeting may have a detrimental effect on the negotiating position of the Board; pursuant to M.G.L. c. 30A, §21 (2) to discuss strategy in preparation for contract negotiations with non-union personnel, specifically the Police Chief’s contract; and pursuant to M.G.L. c. 30A, §21 (3) to discuss pending litigation because an open meeting may have a detrimental effect on the litigating position of the Board.
Polled vote: Selectman Powderly-Aye, Selectman Belliveau-Aye, and Selectman Burke-Aye.