

**Town of Lakeville**  
**Joint Meeting of Selectmen and Finance Committee**  
**Tuesday, May 27, 2014**  
**7:00 PM – Town Office Building**

On May 27, 2014, the Board of Selectmen held a meeting at 7:00 PM at the Freetown Senior Center. Chairman Powderly called the Board of Selectmen to order at 7:00 PM. Lakeville Board of Selectmen present: Aaron Burke, John Powderly, and Miriam Hollenbeck. The Lakeville Finance Committee Meeting was called to order by Chairman Petruzzo at 7:40 PM. Members present were Michael Petruzzo, Donna Winters, Maureen Candito and George Vlahopolous. Also present: Christine Weston, Recording Secretary. LakeCAM was videotaping for local broadcast and Matthew Ferreira was taping for the Middleboro Gazette.

**7:00 PM Meet with Conservation Commission**

*Present from the Conservation Commission were: Robert Bouchard, Chairman, Joseph Chamberlain, Derek Maksy, Linda Grubb, Hugh Rogers Jr., Martha Schroeder, Ryan Trahan and Sarah Kulakovich. Also present was Nancy Yeatts, Conservation Agent and Jennifer Jewell, Recording Secretary.*

Selectman Burke stated that the Board of Selectmen appoint some of the various Commissions and Committees within the Town. However, the Selectmen have not met all of the Members. The Selectmen would like to meet with the Members that they appoint to discuss what their group's goals are. He asked the Members to introduce themselves to the Board. Mr. Bouchard said that he has served on the Conservation Commission for almost 30 years. Mr. Chamberlain has served for 37 years; Ms. Schroeder has served for 10 years; Ms. Grubb has served for 5 years; Mr. Maksy and Mr. Trahan have both served for 2 years. Hugh Rogers, Jr. is the newest member and has served for 2 months. Sarah Kulakovich has been an Associate Member for 3 years.

Ms. Yeatts distributed a pamphlet regarding Conservation Commission procedures. She stated that many people had attended the Open House in the Spring, which helped educate residents regarding what the Conservation Commission does. If a resident removes trees that were not supposed to be removed, then the Conservation Commission will try to work with them to correct the damage. That way they won't have to go to the Department of Environmental Protection (DEP). All building projects that will take place within the Town are provided to the Conservation Agent and the Commission for review. The goal is to try to get the project through as quickly as possible, so that the project may move forward.

Selectman Burke asked if anyone on the Conservation Commission had any needs or expectations from the Board of Selectmen and if they would like to make the Board aware of what issues may be affecting the Conservation Commission. Mr. Chamberlain stated that the Commission would like to enact a Local Wetlands Bylaw. The majority of towns in the Commonwealth have Local Wetlands Bylaws. The Commission figures that residents are a lot better off working with the Commission on a local level rather than with the DEP. A Local Wetlands Bylaw will allow the Commission to do that. In general, the Commission operates similar to the Building, Wiring or Plumbing Inspector. Residents present their project to the Commission, and the Commission will walk them through the process. People shouldn't try to do projects on their own knowledge; they are always better off asking first. The Commission will not tromp all over you. Every effort is made to make the process as user friendly as possible. Selectman Burke

asked Mr. Chamberlain to explain more about the bylaw. Mr. Chamberlain handed him a draft copy, which is a work in progress. Ms. Grubb stated that the Commission set up a study group to investigate whether there was a need for a Local Wetlands Bylaw. The group recommended that the Town should have a Local Wetlands Bylaw. Mr. Maksy said that he is not in support of the Bylaw. He feels that these types of bylaws are a way of producing revenue and adding an unneeded regulation. Mr. Bouchard stated that he sees the need for the bylaw. Over the years, the Commission constantly gets asked by residents why people are allowed to do things without a permit. Right now, we lack enforcement capability. We need the bylaw to help us to do the work. A lot of the residential building lots available are difficult ones, and people are trying to force things through. It makes our job more difficult.

Selectman Burke asked for an example and to explain the charge of the Conservation Commission. Mr. Bouchard explained that the Commission's job is to help enforce the Wetlands Protection Act (WPA), which is State Law. There are other duties that can be given to the Commission by the Town, however, enforcing the WPA is 95% of what we do. Selectman Hollenbeck stated that she would like to look at the draft bylaw, time frames to see how long it has taken to get approval for residents either by the State or Local process, and to check the benefits and drawbacks. Mr. Chamberlain stated that the Commission has the shortest timeline of any regulatory board. They must hold a hearing within 21 days of receiving a project. When the hearing is closed, they only have 21 days to issue their decision. If the matter does not get approved, then they can resubmit to the Commission the next day. The Commission does not necessarily hold up work. If a resident wants to contest something, they can appeal to the DEP. The DEP does not have the same time frames that we have, so you can wait a very long time. Selectman Burke asked if the bylaw proposes regulations greater than those of the State. Mr. Chamberlain responded the bylaw can only equal or surpass those of the State. We are not just tree huggers out to deny people use of their land. Selectman Burke noted that the bylaw will slow things down, since it will call for the need of a hearing. Since he has been on the Board, he has had apprehensions about adding bylaws which restrict people from using their property more than current regulations do. Ms. Schroeder stated that one of the reasons for having a Local Wetlands Bylaw is due to the fact that the Commission feels that it does not have any teeth for enforcement of violations. A resident in violation was sent two (2) enforcement notices, and they ignored them, so we sent another. We have no authority to send the Sheriff or the Constable. Selectman Burke stated that if it is beyond the purview of the Commission, then it goes to DEP. Mr. Rogers stated that it is the punishment and the fines that he is concerned with. We all want to protect the environment and let projects go forward.

Selectman Powderly noted that there would be an increased cost to the Town for Town Counsel and advertising. Middleborough is voting on something similar tonight, so we will be able to see how that vote goes. Mr. Poillucci stated that the bylaw will stop people's ability to go to the DEP. Most times when you go to the DEP, they overturn the Commission's decision. If someone wants to put up a swing set in their yard, it could cost a fortune. He spoke of his neighbor, who had a branch come down on a roof, and the Commission held up the repair for seven (7) days. He is against putting in more regulations. Ms. Grubb noted that the only time something would go to court would be if an appeal was filed with DEP. They have been few appeals, and only when the Commission was more stringent than the State. This bylaw looks lengthy, however, there are only a few things that are not already covered by the State. One of them is the 25 foot no build zone. Another is protecting vernal pools, which have no protection right now.

Selectman Burke asked how would it be enforced. Ms. Grubb responded the same as any fines in Town. Selectman Burke stated that enforcement is always a problem with bylaws. Selectman

Powderly said he had concerns about enforcement. When did we first bring the bylaw to Town Meeting? Mr. Bouchard said in 2006. The Commission did not do a good job educating the community in advance. There was a lot of misunderstanding of what the Commission was proposing. The Commission cannot go onto private property without permission.

Ms. Yeatts tried to clarify the matter that Mr. Poillucci had presented. She stated that the Chairman of the Board of Health had asked her, as the Conservation Agent, to go look at a particular lot. She went out with the Health Agent to inspect the property, and asked him to allow her a little more time to look into the matter further. Mr. Maksy stated that the bylaw reads new construction, and it is to be for everyone or no one. We should go to Town Meeting with it, and see how the townspeople vote. The vernal pool has to be certified, before it is called a vernal pool. It cannot be protected, if it is not certified. Mr. Maksy noted that there may be a need for some of the bylaw. Ms. Kulakovich stated that most residents want to abide by the ways of doing things. Education is a key component. The bylaw is a way for people to understand what needs to be done. We want to educate people, so that they can protect the water, the habitat and keep the Town from flooding. Enforcement and fines happen about 1% of the time. The bylaw is for the resident that completely disregards what they should be doing. John LeBlanc, local business owner, stated that he is not a resident, but he owns property that is approximately 50-75 feet to the water. A 25' no touch zone would control approximately a third of his yard, and he is not happy about that. If you are talking about passing a bylaw for the 1% of people that do wrong, then that impacts me. He said he was the resident with the branch on the roof. He had to pay for a permit from the Building Department, which he got on the same day. He had to pay \$50 to the Conservation Commission to get a letter that read basically do not pollute the lake. My limited experience with the Conservation Commission has shown that it has not necessarily been easy when the Commission is involved.

Selectman Burke stated that this is not necessarily what he thought we would be discussing, but this is helpful. Ms. Grubb stated that she would like to remind everyone that the Conservation Commission is a volunteer board. The Conservation Agent only works part time, approximately 15 hours a week. Things do take a little longer when an office is not fully staffed. Mr. Maksy said that Ms. Yeatts works more than her 15 hours a week. When Ms. Yeatts found out about the issue, she did immediately take action. Ms. Yeatts stated that her cell phone number is located on the door of the Conservation Office, and she is available 24/7. Selectman Burke stated that the role of all who serve on a Town Board is to try and provide services to the community to the best of their ability. Mr. Bouchard stated that in all honesty, the Board got a bad picture of what the Commission does. The bylaw is premature, and we focused much too much attention on it. Mr. LeBlanc asked if the bylaw goes forward, will there be public hearings. Ms. Schroeder responded absolutely. Selectman Powderly thanked everyone for their time this evening.

### **Warrant Review - Special and Annual Town Meeting June 9, 2014**

The Finance Committee officially returned from their recess at 7:40 PM with Donna Winters, Maureen Candito, George Vlahopolous and Chairman Michael Petruzzo.

Ms. Garbitt provided a brief update on the Warrant Articles. Article 2 currently has a deficit of \$86,000. The Selectmen and Finance Committee reviewed the remaining articles.

Article 3- To see if the Town will vote to raise and appropriate for the use of the Trustees for the Plymouth County Co-operative Extension Service the sum of Five Hundred Dollars (\$500.00), and

to determine the length of the term of Town Director, as provided in Sections 41 and 42 of Revised Chapter 128 of the General Laws, or take any action relative thereto.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article 3.  
Unanimous in favor.

Article 4-To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Eight Hundred Forty Five Thousand Nine Hundred Ten Dollars (\$845,910.00) as the share of the Town of Lakeville in the Plymouth County Retirement Association, or take any action relative thereto.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article 4.  
Unanimous in favor.

Article 5-To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Million Three Hundred Sixty Seven Thousand Eight Hundred Sixty Three Dollars (\$1,367,863.00) as the Town's share of the 2014-2015 maintenance and operating budget for the Old Colony Regional Vocational High School District, to be used in conjunction with an appropriation for the same purpose by the Towns of Acushnet, Carver, Mattapoisett, and Rochester, or take any action relative thereto.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article 5.  
Unanimous in favor.

Article 6-To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be determined as the Town's share of the 2014/2015 maintenance and operating budget for the Freetown-Lakeville Regional School District, consisting of the Non-excluded Debt Assessment of a sum to be determined, the Excluded Debt Assessment of a sum to be determined, and the Operating Cost Assessment of a sum to be determined to be used in conjunction with an appropriation for the same purpose by the Town of Freetown, and/or to take any action relative thereto.

Selectman Powderly provided an update regarding the scenarios as provided from the School Committee and how they voted Scenario #2 and Freetown and Lakeville voted Scenario #1. Ms. Garbitt stated that the School Committee will bring forward a motion, and the Selectmen or the Finance Committee can ask to amend the motion. Selectman Powderly stated that the Selectmen will recommend Scenario #1. Ms. Garbitt stated that the Town Moderator will let people speak to the article. Selectman Powderly stated that at this time, the School Committee has a higher number than both Towns may want to move forward with. He asked if they can bring an unbalanced budget or a budget that no one wants to fund to Town Meeting. Mr. Orrall said yes. The amount will be in the motion. Ms. Garbitt noted that the School Committee did submit an article with the figures broken out. Selectman Hollenbeck added that the School Committee does have four (4) pieces in the article which are: the operating cost assessment, excluded debt, non-excluded debt, and

transportation. Mr. Orrall stated that if a motion is made and seconded with a figure, then you have a debate. He will review the bylaw, but he is pretty sure that it is taken in order with the highest number being first. Chairman Powderly explained that he attended last week's School Committee meeting, and they did not revote their budget. They asked to meet with myself, Lisa Pacheco of Freetown, Dr. Nash, Regional School Superintendent, Fred Baker, Director of Business and Finance, and David Goodfellow, Chairman of the Regional School Committee. Selectman Hollenbeck stated that the Town is happy to pay its fair share, just not above and beyond what it is appropriate to pay. Selectman Powderly stated that he will meet with them, but he does not expect anything unusual to happen. There shouldn't be any surprises where everyone stands on the numbers.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article #6.  
Unanimous in favor.

Article #7-To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be determined for the payment of vocational education tuitions and related transportation for students enrolled in vocational educational programs other than at Old Colony Regional Vocational Technical High School and/or to take any action relative thereto.

Ms. Garbitt noted that there was one less student attending Old Colony this year, so she will use the \$18,000 for the Snow and Ice Deficit.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article #7 in the amount of \$263,924.  
Unanimous in favor.

Article 8-To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty Thousand Dollars (\$20,000.00) to cover the cost of contractual obligations upon retirement of Town Employees, or to take any action relative thereto.

Upon a motion made by Mr. Vlahopolous; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article # 8.  
Unanimous in favor.

Article 9- To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the purpose of adding to the Other Post-Employment Benefits Liability Trust Fund (GASB 45), pursuant to the provisions of M.G.L. Chapter 32B Section 20, or take any action relative thereto.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article #9.  
Unanimous in favor.

Article 10-To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Six Thousand Dollars (\$6,000.00) to cover the cost of hiring a consultant to perform an actuarial valuation for the Other Post-Employment Benefits (OPEB) for GASB 45, or to take any action relative thereto.

Upon a motion made by Mr. Vlahopolous; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #10.  
Unanimous in favor.

Article 11-To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Six thousand Dollars (\$6,000.00) to cover the cost Continuing Disclosure for Bonded Debt Service, or to take any action relative thereto.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article #11.  
Unanimous in favor.

Article 12-To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Five Thousand Dollars (\$5,000.00) for the purpose of funding the Fiscal Year 2015 Recertification of Values as mandated by the Massachusetts Department of Revenue, or take any action relative thereto.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article #12.  
Unanimous in favor.

Article 13-To see if the Town will vote to raise and appropriate, and/or transfer from available funds a sum of money and/or borrow a sum of money for the purpose of leasing and/or purchasing for a term of three (3) years Equipment & Technology for the Town Network, or take any action relative thereto.

Upon a motion made by Ms. Winters; seconded by Mr. Vlahopolous it was:

VOTED: To approve Article #13 in the amount of \$78,333.  
Unanimous in favor.

Article 14- To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for capital improvements, and equipment as follows: Equipment & Technology for the Town Network, Simulcast Radio System for the Fire Department, Voting Booths, Two (2) Copiers for the Assessors and Treasurer/Collector, One (1) Ambulance w/equipment for the Fire Department (less trade-in) TW Camp roadway repairs in front of the Loon Pond Lodge, One (1) Flail Roadway Edge Mower for the Highway Department, Salt bin Shelter for the Highway Department, Roof Replacement on Maintenance Building at the Transfer Station, Two (2) New Police Cruisers w/equipment (less trade-ins), One (1) Pick-up Truck w/equipment for the Police Department (less insurance reimbursement), and Portable Radios for the Police Department, or take any action relative thereto.

Upon a motion made by Mr. Vlahopolous; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #14 (Capital Projects - \$102,000), (\$250,000 Ambulance) and the rest from Free Cash.  
Unanimous in favor.

Article 15-To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of Four Hundred Thousand Dollars (\$400,000), or any other sum, for the purpose of constructing and for the payment of all other costs incidental and related thereto, roadway improvements to access areas already developed for outdoor recreation, completion of 2 multi-use athletic fields (soccer, football and lacrosse), and re-design and improvements to previously existing Nature Trail on the Town's property located at Ted Williams Camp, Map 27, Block 2 Lot 28, which property is managed and supervised by the Park Commission of the Town of Lakeville for public playground and recreation center purposes, pursuant to Massachusetts General Laws, Chapter 45, section 14 and other laws relating to playgrounds and recreation; provided, however, that such funds shall not be expended unless the Town is approved for a Parkland Acquisitions and Renovations for Communities ("PARC") Grant from the Massachusetts Division of Conservation Services for reimbursement of all or a percentage of the project cost, and to authorize the Park Commission, with the approval of the Board of Selectmen, to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from any federal, state or other funds, and to enter into such grant agreements and execute any and all instruments as may be necessary to accomplish the foregoing; and to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow said amount pursuant to Chapter 44, section 7 (25) of the Massachusetts General Laws, or any other enabling authority; or pass any vote or votes in relation thereto.

Ms. Garbitt explained that she heard back from the State regarding the necessary wording for the article, and there were a few issues. The Town is eligible for a \$400,000 grant, which is 60% reimbursable from the State.

Upon a motion made by Mr. Vlahopolous; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #15.  
Unanimous in favor.

Article 16-To see if the Town will vote to accept under the provisions of M.G.L., Chapter 90, Section 34, an apportionment in the amount of Three Hundred Seventy Two Thousand Four Hundred Thirty Three Dollars (\$372,433.00), or take any action thereto.

Upon a motion made by Mr. Vlahopolous; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve Article #16.  
Unanimous in favor.

Article 17-To see if the Town will vote to raise and appropriate and/or transfer from appropriated and/or unappropriated available funds in the treasury a sum of money for the purpose of adding to the Stabilization Fund pursuant to the provisions of M.G.L. Chapter 40, Section 5B, or take any action relative thereto.

Upon a motion made by Mr. Vlahopolous; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #17 in the amount of \$365,000.  
Unanimous in favor.

Article 18-To see if the Town will vote to raise and appropriate and/or transfer from appropriated and/or unappropriated available funds in the treasury a sum of money for the purpose of adding to the Debt Service/Capital Projects Stabilization Fund pursuant to the provisions of M.G.L. Chapter 40, Section 5B, or take any action relative thereto.

Upon a motion made by Ms. Candito; seconded by Mr. Vlahopolous, the Finance Committee:

VOTED: To approve Article #18.  
Unanimous in favor.

Article 19 - To see if the Town will vote to raise and appropriate or transfer from unappropriated available funds in the treasury a sum of money to the Reserve Fund, or take any action relative thereto.

Upon a motion made by Ms. Candito; seconded by Mr. Vlahopolous, the Finance Committee:

VOTED: To approve Article #19.  
Unanimous in favor.

Article 20-To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in section 1 of Chapter 29C of the M.G.L.: that project and financing costs shall be repaid by the property owners, in accordance with those agreements, as well as, take any other action necessary to carry out the projects, or take any action relative thereto.

Upon a motion made by Ms. Candito; seconded by Mr. Vlahopolous, the Finance Committee:

VOTED: To approve Article #20.  
Unanimous in favor.

The Finance Committee then considered Articles 21 through 28 in 1 vote. The Articles are as follows:

Article 21-To see if the Town will vote to amend Chapter II, Section 6 of the Town's General By-laws by lowering the Town Meeting quorum from one hundred to fifty, or take any other action relative thereto.

Article 22 -To see if the Town will vote to amend the Town Clerk Fee Schedule listed in the Town's General By-Laws, by adopting the amounts in the "Proposed Fee" column on the following chart:

		<u>Present Fee</u>	<u>Proposed Fee (In Bold)</u>
<u>Chapter 262 – Section 34</u>			
(1)	For filing and indexing assignment for the benefit of creditors.	\$10	\$10
(11)	For entering amendment of a record of the birth of an illegitimate child subsequently legitimized.	\$10	<b>\$15</b>
(12)	For correcting errors in a record of birth	\$10	<b>\$15</b>
(13)	For furnishing certificate of birth.	\$5	<b>\$10</b>
(13A)	For furnishing an abstract copy of a record of birth.	\$4	<b>\$ 8</b>
(14)	For entering delayed record of birth	\$10	<b>\$15</b>
(20)	For filing certificate of a person conducting business under any title other than his real name.	\$20	<b>\$30</b>
(21)	For filing by a person conducting business under any title other than his real name of statement of change of his residence, or of his discontinuance, retirement or withdrawal from, of a change of location of such business.	\$10	<b>\$20</b>
(22)	For furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such business.	\$5	<b>\$10</b>
(24)	For recording the name & address, the date and number of the certificate issued to a person registered for the practice of podiatry in the commonwealth.	\$20	<b>\$25</b>
(29)	For correcting errors in a record of death	\$10	<b>\$15</b>
(30)	For furnishing a certificate of death	\$5	<b>\$10</b>
(30A)	For furnishing an abstract copy of a record of death	\$4	<b>\$ 8</b>
*(37)	For issuing & recording licenses to keepers of intelligence officers.	\$25	\$25
*(38)	For issuing and recording licenses to Junk Dealers	\$25	\$25
*(38A)	For issuing & recording license to Junk Collector.	\$25	\$25
*(39)	For issuing & recording Pawnbrokers license.	\$25	\$25
*(40)	For issuing & recording license to keepers of billiard saloons, pool or sippio rooms or tables, bowling alleys, etc	\$30 1 <sup>st</sup> \$15 add'l	\$30 1 <sup>st</sup> \$15 add'l
(42)	For entering notice of intention of marriage and issuing certificates thereof.	\$15	<b>\$30</b>
(43)	For entering certificate of marriage filed by persons married out of the commonwealth.	\$5	<b>\$10</b>
(44)	For issuing certificates of marriage	\$5	<b>\$10</b>
(44A)	For furnishing an abstract copy of a record of marriage.	\$4	<b>\$ 8</b>
(45)	For correcting errors in a record of marriage	\$10	<b>\$15</b>
(54)	For recording power of attorney.	\$10	<b>\$15</b>
(57)	For recording certificates of registration granted to a person to engage in the practice of optometry, or issuing a certified copy thereof.	\$20	<b>\$30</b>

(58)	For recording the name of the owner of a certificate of registration as a physician or osteopath in the Commonwealth	\$20	<b>\$30</b>
(62)	For recording order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof, and increase in number of wires and cable or attachments under the provisions of Sec. 22 of Chapter 166.	\$40 flat rate \$10 add'l streets	\$40 flat rate \$10 add'l streets
(66)	For examining records or papers relating to birth, marriage or deaths upon the application of any person, the actual expense thereof, but not less than \$2.00	<b>\$5</b>	<b>\$8</b>
(67)	For copying any manuscript or record pertaining to a birth, marriage or death	\$5 per page	\$5 per page
(69)	For receiving & filing of a complete inventory of all items to be included in a "closing out sale", etc.	\$10 first page \$2 add'l page	\$10 first page \$2 add'l page
(75)	For filing a copy of written instrument or declaration of trust by the trustees of an association or trust, or any amendment thereof as provided by Section 2, Chapter 182.	\$20	\$20
(78)	For recording deed of lot or plot in a public burial place or cemetery	\$10	\$10
(79)	Recording any other documents	\$10 1 <sup>st</sup> page \$2 add'l page	\$10 1 <sup>st</sup> page \$2 add'l page
(80)	Voter's card	\$5	\$5

(\*from Chapter 140, Section 202)

or take any action relative thereto.

Article 23 - To see if the Town will vote to amend the Town's Zoning Bylaws to regulate Registered Marijuana Dispensaries as follows:

1. Amend Section 2, Definitions, by adding the following definition in alphabetical order: REGISTERED MARIJUANA DISPENSARY (RMD): A Medical Marijuana Treatment Center as defined in 105 CMR 725.004 and regulated in 105 CMR 725.100.
2. Amend Section 4.1, Table of Use Regulations, by adding a new line under Section 4.1.3, Industrial Uses, as shown below for the new use category "Registered Medical Marijuana Dispensary" to be allowed by Special Permit in the Industrial District and to be prohibited in all other districts:

4.1.3 Industrial Uses

**R**    **B**    **I**    **I-B**

Registered Marijuana Dispensary (as defined by MGL)    N    N    SP    N

3. Amend Section 7.4.6, by adding the following use alphabetically amongst the uses allowed by Special Permit:

Registered Marijuana Dispensary

SPGA – Board of Appeals; Industrial District.

Subject to site plan review by the Planning Board and to approval by the Board of Health and conforming to applicable General Laws. Site plan shall be incorporated into the Special Permit by reference.

or take any other action relative thereto.

Article 24 - To see if the Town will vote to amend the Town’s Zoning Bylaws by deleting in its entirety, Section 7.9, Temporary Moratorium on Medical Marijuana Treatment Centers, or take any other action relative thereto.

Article 25- To see if the Town will amend the Town’s Zoning Map, as identified in Section 3.2.1 of the Town’s Zoning Bylaws, by changing the zoning from Residential (“R”) to Business (“B”) of the following parcels identified below by Assessors Map and Parcel number, comprising approximately 22.07 acres of land abutting Bedford Street to the west beginning from the Middleborough Town line and running south to Taunton Street; as shown as lots numbered 1-6 on a map showing the affected parcels on file with the Town Clerk or take any action relative thereto.

- |    |             |                   |
|----|-------------|-------------------|
| 1. | 024-008-001 | 2 Bedford Street  |
| 2. | 024-008-002 | 4 Bedford Street  |
| 3. | 024-008-003 | 12 Bedford Street |
| 4. | 024-008-004 | 14 Bedford Street |
| 5. | 024-008-005 | 8 Taunton Street  |
| 6. | 024-004-008 | 23 Taunton Street |

Article 26: To see if the Town will vote to amend the Town’s Zoning Map, as identified in Section 3.2.1 of the Town’s Zoning Bylaws, by changing the zoning from Residential (“R”) to Business (“B”) of the following parcels identified below by Assessors Map and Parcel number, comprising approximately 16.66 acres of land off Bedford Street and known collectively as the Lakeville Business Park; as shown as lots numbered 11-17 on a map showing the affected parcels on file with the Town Clerk or take any action relative thereto.

- |     |              |                           |
|-----|--------------|---------------------------|
| 11. | 024-005-005  | 2 Lakeville Business Park |
| 12. | 025-003-004  | 1 Lakeville Business Park |
| 13. | 025-003-008B | Lakeville Business Park   |
| 14. | 025-003-022H | 9 Lakeville Business Park |
| 15. | 024-005-008A | 8 Lakeville Business Park |
| 16. | 024-005-007  | 6 Lakeville Business Park |
| 17. | 024-005-006  | 4 Lakeville Business Park |

Article 27 - To see if the Town will vote to amend the Zoning Bylaws, Section 11.0, Land Based Wind Energy Facilities, as follows or take any other action relative thereto.

Section 11.0.B. Applicability, delete the last paragraph regarding offshore and private residential power systems.

Section 11.0.C., Definitions,” delete “As-of Right-Siting” and insert after “Site Plan Review Authority,” the following: “Special Permit Requirements: Development of all Land Based Wind Energy Facilities, except those within the definition of Renewable and Alternative Energy Research and Development Facilities in Section 2.0 of this Bylaw, shall require the issuance of a Special Permit and shall meet all requirements for Site Plan Approval under Section 6.7 and Section 11.0.E.2. The Special Permit Granting Authority for Land Based Wind Energy Facilities shall be the Planning Board.

Section 11.0.J. 2., Design Standards, Lighting, delete the word “reasonably.”

Section 4.0. Use Regulations, 4.1.3, Industrial Uses, add “Land Based Wind Energy Facilities” “N” in “R” and “B” zoning districts and “SP” in “I” and “I-B” zoning districts.

Article 28 - To see if the Town will vote to accept Spring Brook Lane as a Town Way as laid out by the Board of Selectmen and to authorize the Selectmen to acquire by gift, purchase or eminent domain, an easement or fee simple in the way and any related easements as shown on the road layout plan drawn by Collins Engineering Co., Inc. on file with the Town Clerk entitled “Spring Brook Lane” Layout and As Built Plan in Lakeville, MA dated October 20, 2011, or take any other action relative thereto.

Ms. Garbitt stated that she has a letter from the Superintendent of Streets. He has gone out to inspect Spring Brook Lane and wants to hold back \$4,000 for crack sealing. The punch list has been completed.

Upon a motion made by Mr. Vlahopolous; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Articles #21-28.  
Unanimous in favor.

The Board then went back to Article #1-To determine the salaries of all elected officers, and to make appropriation, or take any action relative thereto.

Upon a motion made by Ms. Candito; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #1 in the amount of \$146,512.  
Unanimous in favor.

Article #2-To raise and/or transfer from available funds such sums of money as may be necessary to defray Town expenses for the fiscal period July 1, 2014 to June 30, 2015, inclusive, and to make appropriation, or take any action relative thereto.

Upon a motion made by Mr. Vlahopolous; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #2 in the amount of \$86,569.  
Unanimous in favor.

## **Review and vote on Special Town Meeting Warrant**

Article #1-To see if the Town will vote to transfer and/or appropriate from available funds, certain sums of money in order to defray unanticipated costs for Fiscal Year 2014 for various accounts in the General Fund, the Park Enterprise, Landfill Enterprise, and the Water Enterprise, or take any action relative thereto.

Upon a motion made by Ms. Winters; seconded by Mr. Vlahopolous, the Finance Committee:

VOTED: To approve Article #1.  
Unanimous in favor.

Article #2-To see if the Town will vote to appropriate \$20,000, initially borrowed under and pursuant to a vote of the Town adopted under Article 13 of the Warrant at the Annual Town Meeting held on June 13, 2011, to pay costs of repaving at the Police Station, which funds are no longer needed to complete the project for which they were borrowed, to instead pay costs of repairs to the roof of the Police Station, including the payment of all costs incidental and related thereto, or take any other action relative thereto.

Upon a motion made by Ms. Winters; seconded by Mr. Vlahopolous, the Finance Committee:

VOTED: To approve Article #2.  
Unanimous in favor.

Article 3-To see if the Town will vote to authorize the Board of Selectmen to convey to the Commonwealth of Massachusetts, on such terms and conditions, and for such consideration, as the Board deems appropriate, all or a portion of the parcel of vacant land located on Howland Road, Lakeville, containing 636 acres, more or less, shown as "Lot 2" on a plan recorded with the Plymouth Registry of Deeds in Plan Book 41, Plan 702, and being the premises described in a deed recorded in Book 18189, Page 228, and to execute a deed and any or all agreements, assignments, certificates, affidavits, releases, settlement statements and other documents as may be necessary or desirable in effectuating the conveyance, and to take any other action the Board deems necessary or desirable in connection therewith.

Upon a motion made by Ms. Winters; seconded by Mr. Vlahopolous, the Finance Committee:

VOTED: To approve Article #3.  
Unanimous in favor.

Article 4-To see if the Town will vote to accept the following provision of Massachusetts General Laws, Chapter 60A, Section 1, which grants an exemption from motor vehicle excise taxes to former prisoners of war: "The excise tax imposed by this section shall not apply to a motor vehicle owned and registered by a former prisoner of war defined as any regularly appointed, enrolled, enlisted, or inducted member of the military forces of the United States who was captured, separated and incarcerated by an enemy of the United States during an armed conflict; provided, however, that the excise tax shall not apply to a motor vehicle owned and registered by the surviving spouse of a deceased former prisoner of war, until such time as the surviving spouse remarries or fails to renew such registration.", or take any other action relative thereto.

Upon a motion made by Ms. Candito; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #4.  
Unanimous in favor.

Article 5-To see if the Town will vote to authorize the Board of Selectmen to accept any and all property and rights in property that the Lakeville Development Corporation has in the Town of Lakeville, including, without limitation, options to purchase, rights of first refusal, and any other right, title and interest held by said Corporation, which Corporation is to be thereafter dissolved; or to do anything in connection therewith.

Upon a motion made by Ms. Candito; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #5.  
Unanimous in favor.

Article 6-To see if the Town will vote to rescind the vote taken under Article 12 of the May 10, 1993 Special Town meeting, and to reinstate the vote taken under Article 20 of the August 19, 1985 Special Town Meeting, so that the current Wage and Personnel Board is disbanded, and the Board of Selectmen is once again authorized to act as the Wage and Personnel Board and to adopt or amend a Classification and Compensation Plan at its discretion, or take any action relative thereto.

Upon a motion made by Ms. Candito; seconded by Ms. Winters, the Finance Committee:

VOTED: To approve Article #6.  
Unanimous in favor.

The Budget Transfers were reviewed by the Town Administrator.

Upon a motion made by Ms. Winters; seconded by Ms. Candito, the Finance Committee:

VOTED: To approve the Budget Transfers.  
Unanimous in favor.

### **Review and Approve Executive Session Selectmen Minutes of May 19, 2014**

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

VOTED: To approve the Selectmen Executive Session Meeting Minutes of May 19, 2014 as presented.  
Unanimous in favor.

### **New Business**

Ms. Garbitt asked for Selectman Powderly to read the commendation letter into the record from the Police Chief regarding Sergeant Paul Hunt. On May 19, 2014, there was a report of a family disturbance. A male had fled from the home and was threatening suicide with a knife and rope near

the highway under the bridge at the Nemasket River. When the Police arrived, the man said he wanted to be shot by the officers. Sergeant Hunt was instrumental in talking him down and the man was transported to the hospital. Chief Alvilhiera also sent a letter thanking the Middleborough Police for their assistance.

Ms. Garbitt distributed the site plan review for 95 Kingman Street. This will be on the Planning Board's agenda for their June 14<sup>th</sup> meeting. The proposed warehouse building is located partially on property located at Map 17, Block 1, Lot 6 and Map 5, Block 1, Lot 1. The lots are both zoned Industrial B and the building will be used for equipment storage. The Building Commissioner has approved the plan.

### **Old Business**

Ms. Garbitt stated that she spoke with Jack Lucas from Standish Oil regarding the boiler for the Fire Department. He did reach out to the supplier to get the parts at no cost; however, it will be approximately \$3,500 to \$4,000 for the parts. Mr. Lucas will donate his time to do the repair work. This should help the boiler to stay in use for another few years.

Selectman Hollenbeck stated that she was forwarded an email from Allin Frawley regarding Senator Pacheco's Rotary Meeting that will take place at the Boston Tavern on June 13<sup>th</sup> at 1:00 PM. They will announce the new Rotary Task Force Members. If Selectman Frawley had not forwarded the email, the Town never would have heard about it. Selectman Hollenbeck will be attending the meeting. If the other Selectmen are interested in attending, they can contact Ms. Garbitt to let her know.

### **Adjournment**

Upon a motion made by Ms. Winters; seconded by Ms. Candito, it was:

VOTED: To adjourn the Finance Committee at 9:02 PM.  
Unanimous in favor.

At 9:05 PM, upon a motion made by Selectman Burke; seconded by Selectman Powderly 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, specifically the Firefighter's Union and the Laborer's Union, if an open meeting may have a detrimental effect on the bargaining position of the Board, and the Chair so declared; and pursuant to M.G.L. c.30A, §21 (3) to discuss strategy with respect to pending litigation if an open meeting may have a detrimental effect on the litigating position of the Board, and the Chair so declared; and pursuant to M.G.L. c.30A, §21 (6) to discuss strategy with respect to the purchase, exchange, lease or value of real estate, if an open meeting may have a detrimental effect on the litigating position of the Board, and the Chair so declared .  
Polled vote: Selectman Burke-Aye, Selectman Hollenbeck-Aye, and Selectman Powderly -Aye.

**List of documents provided at May 27, 2014 Selectmen's Meeting**

1. Letter to the Conservation Commission inviting them to the Board of Selectmen meeting
2. Warrant Articles for Annual Town Meeting
3. Warrant Articles for Special Town Meeting
4. Special Town Meeting Article #1 Transfers
5. Spring Brook Estates – Highway Department Acceptance letter dated May 27, 2014
6. Town of Lakeville FY15 Maintenance Budget 5-22-14 revenue summary
7. Site Plan Review – 95 Kingman Street