

**TOWN OF LAKEVILLE**  
**Selectmen's Meeting Minutes**  
**June 11, 2012 - 7:00 PM**

On June 11, 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 7:10 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. Cindy Dow of The Middleboro Gazette was recording the meeting.

**7:00 PM Meet with Fire Chief to discuss Ambulance Rates**

*Fire Chief Daniel Hopkins was present for the discussion.* He explained that in March, the ambulance was charging Medicaid's new rate, plus 150%. The Medicaid rates will not be out until the end of January of 2013, and the Department will look into acquiring more competitive rates then. Private companies charge \$200 plus, with \$40 per mile. Lakeville charges less than what private ambulance companies are charging. Chief Hopkins said a reason not to increase the rates is that then there will be more invoices that will not be paid, which translates to more invoices being written off. The Town of Fairhaven sends out two (2) collection letters, then call the person who is responsible for the bill and then go to Small Claims Court on the invoice. That is an option for Lakeville. Currently Lakeville uses Comstar for billing. They only get paid when the money due is collected. They receive 4% of the bill for collection services. However, Comstar does not make phone calls. If no bills are paid, then they do not receive any money. Comstar does report to the credit bureau after a period of time that they have not received payment. He felt that Lakeville should do the collection since then it will receive 100% of the money.

Chairman Maksy asked to know how many invoices are not being paid for. Selectman Powderly stated that there is approximately \$100,000 in uncollected invoices. Finding out what types of collections are done in other towns is helpful. Chief Hopkins stated that he would like to have Comstar in to explain how their collection process works. Chairman Maksy stated that it is still the patient's problem, and they need to make sure that the bill is paid. Chief Hopkins noted that if the patient has a hardship, there are forms for them to fill out. When the new rates are received, he will set up a meeting to discuss them with the Selectmen. In the meantime, Comstar will be contacted to come in to discuss their collection process. Selectman Powderly asked about other options that the Town could use to collect the invoices. Chief Hopkins suggested that when someone goes to pay their real estate tax bill, they could be told that they have to pay their ambulance bill in full first. Chief Hopkins will look into other options. Ms. Garbitt asked if the rate will stay at 150%, plus Medicaid rate. Chairman Maksy responded in the affirmative.

**7:15 PM Meet with Police Chief to discuss Crash Reports; SRO Officer and Five Year Plan and Discuss request for appointment of Special Officer-Harold Marshall**

*Police Chief Frank Alvilhiera was present for the discussion.* Chief Alvilhiera stated that he would like to use PAMET's website system for people to be able to access their crash reports online. This will help reduce the amount of foot traffic into the station, and the need to have

someone available to copy the reports to disperse, especially since the secretary's hours have been cut in half. Some days, only insurance copy requests are being done. The company and the Town would each be paid \$5 each for the copy. Right now the station charges \$.50 per copy, which is typically \$1.50 per report. The Department uploads the reports into the PAMET system and can set parameters for what reports are to be released and which are not to be released. This would be a benefit for the Department to use the service, since it is free. There are also other options that are available to the Department by working with the company, such as finding people through the vehicles that they are operating. The system is all security based, similar to the Registry of Motor Vehicles. Ms. Dow asked what the cost would then be for a resident to get a copy of an accident report. Chief Alvilhiera responded that it would be \$10, however; then the person could obtain as many copies as they need. Mr. Chamberlain asked if the reports are a matter of public record. Chief Alvilhiera responded that they are. However, the person looking to obtain a copy of the report needs to provide information, thus it is not anonymous. Selectman Powderly asked if the Department responds to motor vehicle breaking and entering, since he is aware of the fact that some towns do not. They just give a claim number that it was called in. Chief Alvilhiera responded that Lakeville does respond.

Chief Alvilhiera then reviewed the five (5) year plan with the Board. The Department has had 6,731 incidents this year, which is a significant increase. By being proactive, the Department has been doing a good job reducing breaking and entering and other crimes. As a result, the calls for service are higher, yet the visibility of the Department is greater. Officers are constantly being moved due to a significantly low overtime budget. The Department should have 20-22 officers according to Lakeville's population. Bringing manpower back to where it was prior to budget cuts in 2009 is a priority. At that time, the department had 17 officers. The additional 3,000 calls are incident calls, such as motor vehicle stops, etc. Chief Alvilhiera said the Department did not keep records of firearms licensing previously, but now it keeps a record of all licensing that comes in. Also, a record of child seat installations is being kept. Chairman Maksy stated that last year the Board added an additional officer and then the grant was available. Is that something that happens every year? Chief Alvilhiera responded that he is not made aware ahead of time if the grant will take place or not. Chairman Maksy stated that if the Board knew the grant was coming, then they would have put off hiring and used the grant.

Chief Alvilhiera stated that the Department has three (3) full time dispatchers and some part time dispatchers. As of July 1, 2012, the State has mandated that dispatchers need 80 hours of training now, even if they will just be a part timer. That is State training, and the person has to do continuing education, which is 32 hours a year. That is difficult for a part time dispatcher since they typically have another job. The Chief stated that he would like to hire another full time dispatcher and use the 911 grant to fund that full time position. At one time the Department did have four (4) full time dispatchers. With the increased amount of training that they have, they now can give medical advice, and you want someone that is doing it for a living, since it is a safety issue as well.

Chief Alvilhiera stated that he would request that the effort be continued for a new facility, either a new station or public safety facility. The cell areas are less than adequate and need to be addressed. Another thing being done is continuing with in house training since it saves money to do that. The Department has a firearms instructor, and that is a cost savings. Then there is the

possibility of adding a Sergeant's position since the Detective Sergeant has been bounced to uniform to cover at least a 100 times during the past month. However, that has saved \$35,000 in overtime. Yet by having another Sergeant, it would help with administrative duties. A lot of money was spent this year on Supervisor overtime. The equipment needs have suffered in reduction of the budget. Weapons need to be replaced every ten (10) years, and that time frame is coming up. Selectman Belliveau stated that the weapons replacement should be done on a rotating schedule. It would be prudent to purchase new weapons every five (5) years. Chief Alvilhiera stated that the officers should all be carrying the same weapon. If an officer is in a shootout and needs more bullets, they need an officer with the same clip for more bullets. If they have a different gun, then they cannot help out. The Department has not gone to Tasers, but soon will be, since all the surrounding Towns have them. Chief Alvilhiera said everyone will be trained on Tasers, but the Department will probably only be able to afford three (3), one for each sector. Chairman Maksy asked if the Chief could work out a ten (10) year plan of what he needs? Chief Alvilhiera responded that he may have put it on the Capital Plan. Ms. Garbitt mentioned that the last time new weapons were purchased; the cost was about \$10,000. Ms. Garbitt pointed out that Chief Alvilhiera has put in for firearms in 2015 at a cost of \$12,500.

Chief Alvilhiera stated that he had a discussion with the Interim Superintendent about the School Resource Officer (SRO). She is on board with it, and feels that it is a priority as does the Police Department. The calls for service to the schools have increased, this past year. There were 5 for drugs, 22 general, 5 for vandalism, 10 for assaults, 6 threats, and 3 truancies. Last week, the schools needed an officer for a total of four (4) hours. That is a problem since that is our south car, and the Department is losing other necessary coverage in that area while the Officer is at the schools. Chief Alvilhiera stated that he communicated with the Interim Superintendent that he was meeting with the Board regarding the SRO this evening. Ms. Huizenga stated that she would like to start someone in September, and that the Region can come up with \$30,000 towards the cost. Between salary, holidays and clothing, the cost would be approximately \$41,000. The Department would have to fill this position with someone that is in house and hire someone as a Step One (1) Police Officer. If the Department needed the SRO, they would be called out since they would have a cruiser at the school. That cost is for September 2012 through June 30, 2013. Selectman Belliveau stated that the cost to Lakeville would be \$25,000, plus health insurance. If the Department hires for this position, then there is a need to start posting right now.

Chairman Maksy stated that it would be nice if Freetown could also help out with this cost. Selectman Powderly stated that even though it may be a jurisdictional issue, Freetown should be asked to pay half of the cost. If they say no, fine, however they should be asked since half of the students are theirs. Selectman Belliveau stated that the Board needs to know what the cost is for ten (10) months since the other two (2) months of the year, the person would be a Lakeville Police Officer. Chairman Maksy stated that he will call the Chair of the Freetown Board and find out about being on their agenda to discuss this matter. The SRO would be a senior officer that would be used, not a brand new officer. Chief Alvilhiera stated that there have been grants in the past for SRO's, however they required a match of 50% from the Police Department. The Chief stated that he will get the breakdown to the Board and return on June 25 to discuss the topic further.

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

VOTED: To support the Police Chief using PAMET for people to be able to go online to get copies of their crash reports.  
Unanimous in favor.

Chief Alvilhiera stated that Harold Marshall put himself through the Reserve Academy and can now work details and asked that the Board appoint him as a Special Police Officer.

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

VOTED: To appoint Harold Marshall as Special Police Officer through July 31, 2013.  
Unanimous in favor.

**7:45 PM Meet with Nancy Yeatts to discuss Assawompset Pond Complex Management Plan; Funding for Rangers and Forestry Management Plan for Betty's Neck**

*Nancy Yeatts, Lakeville's Representative to the APC Management Team, was present for the discussion.* Ms. Yeatts was requesting that Lakeville pay their share for the rangers, which is \$3,500. Taunton and New Bedford have paid their share for the FY13 budget. This month makes ten (10) years since the Town acquired Betty's Neck. The Town receives approximately \$2,500 annually from the haying of the fields. Ms. Yeatts noted that the biggest events are usually held on Columbus Day Weekend. Grassland is left for bird habitat near the Peach Barn, since they cannot use the fields for their nests with them being mowed for hay. Dick Morley is doing the haying now, and the fields look really good. Selectman Powderly stated that while \$2,500 is an okay amount, possibly it can be increased to a higher number.

Ms. Yeatts spoke about the vandalism that has been occurring at the Peach Barn. She said that maybe some plexi-glass could be installed in some of the windows since they are now boarded up. The Gift and Grant Account has a balance of \$17,806. That is just about enough to put electricity up at Betty's Neck for the alarm system. Betty's Neck has not cost the taxpayer anything for ten (10) years. However, if the money keeps being taken out, then there will not be any left in the Gifts and Grants Account. Ms. Yeatts stated that the APC Forestry Management Plan will have to also be reviewed by Fish and Wildlife, since they hold the Conservation Restriction. Someone will have to be hired to go in and do the forestry work. Ms. Yeatts stated that the Town of Middleborough should also be contributing towards the ranger fees since the Morgan Property is part of the APC. Chairman Maksy suggested that Ms. Yeatts speak with her committee about sending Middleborough a letter to request funds. Ms. Yeatts suggested that the letter should come from the Selectmen.

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

VOTED: To pay \$3,500 from the Gifts and Grants account to cover Lakeville's share of the FY13 budget for Betty's Neck.  
Unanimous in favor.

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

VOTED: To appoint Nancy Yeatts as Lakeville's Representative to the APC Management Team for a term to expire July 31, 2013.  
Unanimous in favor.

**8:00 PM Meet with Carol Tolles to discuss obtaining one acre of land from the Town for a leaching field for Island Terrace Nursing Home**

Ms. Garbitt stated that Carol Tolles called today and cancelled her meeting for this evening due to the fact that talks have opened up again with John Decas.

**Vote to finalize Water Betterment Assessment and to certify amounts to the Board of Assessors for the Tax Collector**

Ms. Garbitt stated that she is in the process of finalizing the Water Betterment Assessment in order to have it put on the actual Real Estate Tax Bills. The Water Assessment Order and Betterment needs to be officially read into the record. Chairman Maksy then read the Order into the record.

Discussion then took place on the figure of \$105,511.00 and the seven (7) people that will have to pay this amount. It was noted that the property owner can pay the amount in full or leave the amount as a lien on the property with an interest rate of 4% annually.

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

VOTED: To approve the Water Assessment Order as read.  
In favor 2, Abstain 1 (Selectman Powderly).

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

VOTED: To approve the Order Assessing Water Betterments for the Bedford Street Water Main Project.  
In favor 2, Abstain 1 (Selectman Powderly).

**Discuss letter from Regional School District Committee on vote taken regarding the School District's Technology Infrastructure**

Selectman Belliveau explained that the matter was discussed by the Regional School Committee two (2) weeks ago. They would like the Board to take two (2) votes. The first would allow them to do short term borrowing for the technology, so that they do not have to take money out of their budget this year. They would be able to buy it rather than lease it. If the Board does not schedule this for a Town Meeting Vote, then after 60 days, they would do it with short term borrowing. It would not affect the Towns, and would come out of their operating budget. The Region is going forward with this one way or the other. Selectman Powderly stated that he would like a presentation to the public on

what is being replaced, what is being delayed, and if a teacher should be hired instead. Ms. Garbitt stated that if they borrow July 1st, they do not have to make a payment until FY14. Chairman Maksy stated that he would like the Interim Superintendent of School to give a presentation to the Board on this. Ms. Garbitt stated that July 16<sup>th</sup> is the very last day that a Town Meeting could be scheduled. It was discussed that if the Board waits until the Interim Superintendent gives a presentation, then there will not be time to do the necessary advertising and posting.

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

VOTED: To schedule a Special Town Meeting for July 16, 2012, with an alternate date of July 17, 2012, and to open the Warrant and close it on June 25, 2012 at 8:00 PM.  
Unanimous in favor.

### **Review Lease for Assawompset Elementary School**

Discussion took place on the lease for the Assawompset Elementary School. It was noted that the Region cannot sublease the school. Chairman Maksy stated that he would like the lease to be reviewed by Town Counsel. Ms. Garbitt noted that the lease says, “education for pupils K-grade 8”, should it be Pre-K to grade 8? Chairman Maksy asked for Town Counsel to look at that as well. Then the bottom of second page regarding insurance was discussed. The Board understood that the Town insures the buildings, and the school pays the insurance on the contents, however, the lease indicates that they are to pay it all. Chairman Maksy then discussed capital costs. Capital Costs need to be determined since if the School Department decides to put on a new roof, would the Town be responsible for the cost of it. Capital Costs may need to tie into Town Meeting. Budgetary obligations may need to be shared. Ms. Garbitt suggested that it be subject to appropriation and subject to Town Meeting, so that the Town is not held accountable without being able to have a say. After further review it was felt by the Board that the lease should be reviewed by Town Counsel.

### **Schedule Board of Selectmen Meetings for July, August and September**

The next meetings of the Board of Selectmen were planned for: July 9 and July 30, 2012; August 13 and August 27, 2012 and September 10 and September 24, 2012.

### **Discuss changing Policy for use of Town Owned Properties**

Brief discussion took place on changing the policy for use of Town Owned Properties.

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

VOTED: To allow the Town Administrator to approve the use of the Town House or Town Office Building for non-profit use, unless she has questions about the use.  
Unanimous in favor.

**Review and vote on Body Art Establishment Inspection Contract for Donna Palmer**

Ms. Garbitt stated that the Town of Middleborough Nurse does not want to inspect the tattoo parlor due to the genital piercing, since they do not perform any piercing inspections. The Board of Health has contracted with Donna Palmer, RN, to perform the inspections. She would be included under Lakeville’s insurance coverage. The cost of the inspection will be paid for by the tattoo parlor.

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

VOTED: To appoint Donna Palmer, RN, as Body Art Establishment Inspector and to sign the contract for her to do the body art establishment inspections at a rate of \$40 per hour.  
Unanimous in favor.

**Review and vote to approve Annual Warrant to Animal Control Officers**

It was the consensus of the committee to waive the reading of the Annual Warrant to Animal Control Officers.

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

VOTED: To sign the Annual Warrant to the Animal Control Officers.  
Unanimous in favor.

**Request from MBTA to issue Resolution regarding Transportation Funding**

Chairman Maksy recused himself from the discussion due to conflict. Ms. Garbitt explained that the MBTA is asking all Towns who are on the Advisory Board to sign this resolution and for it to be presented at the Fall Town Meetings.

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

VOTED: To take no action on the request from the MBTA to issue a Resolution regarding Transportation Funding.  
In favor 2, 1 abstain (Chairman Maksy).

**Request to hold Greg’s Run Road Race on October 7, 2012**

Chairman Maksy read the letter received from Celeste Misodoulakis regarding the Second Annual Greg’s Run on October 7, 2012.

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

VOTED: To approve the request from Celeste Misodoulakis to hold the Second Annual Greg's Run on October 7, 2012. The proceeds from the road race will fund scholarships for Apponequet High School Seniors.  
Unanimous in favor.

**Request to approval of Road Cut Permit-opposite 17 Taunton Street-Columbia Gas**

Chairman Maksy noted that the road cut has been performed already due to a natural gas leak.

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

VOTED: To approve the Road Cut Permit for the location opposite of 17 Taunton Street for Columbia Gas.  
Unanimous in favor.

**Request for Road Cut Permit-intersection of Jamie's Way & Gillian Drive**

Ms. Craig stated that she had received the bond, but not the Workmen's Compensation Information and Liability Insurance as is required in the permit.

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

VOTED: To approve the request for a Road Cut Permit at the intersection of Jamie's Way & Gillian Drive, subject to meeting the requirements as outlined in the Superintendent of Streets letter dated June 7, 2012, and providing proof of Workmen's Compensation and Liability Insurance.  
Unanimous in favor.

**Request for appointment to Lakeville Arts Council-Janice Lyons**

Chairman Maksy read the letter from Joanne Correiri-Upham, Chairman of the Lakeville Arts Council, requesting the appointment of Janice Lyons to the Lakeville Arts Council.

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

VOTED: To appoint Janice Lyons to the Lakeville Arts Council with a term to expire July 31, 2015.  
Unanimous in favor.

**Review letter from the Conservation Commission Chairman requesting Appointment of a member to the Conservation Commission**

Chairman Maksy read the letter from Emery Orrall, Chairman of the Conservation Commission, requesting that Ryan Trahan be appointed to the Conservation Commission.

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

VOTED: To appoint Ryan Trahan as a full Conservation Commission member with a term to expire July 31, 2015.  
Unanimous in favor.

### **Review Zoning Board of Appeals Petitions: Lions Club; Tarlow and O'Connor**

Chairman Maksy noted that the Board received three (3) Zoning Board of Appeals petitions to review. There were no comments from the Board regarding the Lion's Club Petition for Lot 4 Staples Shore Road. It was noted that with the Tarlow Petition for 123 Hackett Avenue, they constructed a shed to replace two (2) sheds on the property without a building permit. The Building Commissioner has sent a letter to the Tarlows requesting that the illegally built sheds be removed. The Board recommended that the petitioner should abide by zoning bylaws. With the O'Connor Petition for 121 Nelson Shore Road, the Selectmen commented that it appeared that the deck was now closer to the pond, making it more non-conforming than the original structure.

### **Discuss request from GATRA to send letter in support of Regional Transit Authority Funding in the MBTA bailout bill**

Chairman Maksy recused himself from the discussion. Ms. Garbitt stated the Selectmen were supportive a few years ago in sending a letter to GATRA in support of Regional Transit Authority funding in the MBTA bailout bill.

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

VOTED: To send a letter of support of Regional Transit Authority Funding in the MBTA bailout bill written on behalf of the Board of Selectmen and have it signed by the Town Administrator.  
Unanimous in favor.

### **New Business – Update on Conservation Agent Position**

*Joe Chamberlain and Nancy Yeatts were present for the discussion.* Ms. Garbitt informed the Board that Tara Martin, Conservation Agent, has accepted a job as full time Agent for the Town of Westport. She has spoken with Conservation Commission Chairman Emery Orrall about what the next course of action should be. Ms. Martin has stated that she would stay on part time for 30 days in order to allow the Town to post the position to hire someone or to hire an Interim Agent. The position should be posted on the Massachusetts Association of Conservation Commissioners. They advertise full or part time positions, and typically have a lot of qualified candidates for both aspects. It would take at least 30 days to hire an agent. Ms. Garbitt said she has not yet received a resignation letter from Ms. Martin.

Chairman Maksy stated that he would like a recommendation from the Conservation Commission, and Ms. Martin needs to provide a letter of resignation. Discussion took place on what course of action and options to consider. Chairman Maksy stated that he would like to see

the resignation first. If Ms. Yeatts is being considered to act as an Interim Conservation Agent, then the Conservation Commission needs to apprise the Board after their meeting tomorrow night.

Ms. Garbitt stated that she had received a letter from the Town of Norton regarding a meeting being held on June 20<sup>th</sup> at the Norton Public Library to discuss concerns regarding the proposed Taunton Casino. They are inviting the Lakeville Board of Selectmen since Lakeville abuts the City of Taunton. However, their letter seems to refer more to a commercial casino than a tribal casino. Selectman Powderly suggested to forward the request to the Casino Advisory Committee so that they can decide if they would like to attend the meeting. Ms. Garbitt stated that she will notify the Town of Norton that someone from Lakeville will attend.

Ms. Garbitt stated that there is also a letter from the Town of Middleborough regarding the proposed casino in Taunton. She will meet with Chairman Maksy to write a letter to send to the Governor and the State legislators. This letter will then be available for the Casino Advisory Committee on Thursday night.

### **Old Business**

Ms. Garbitt informed the Board that the Intermunicipal Water Agreement with Middleborough has been received back from Town Counsel with comments on the Edgeway and Twin Coach waterline. Chairman Maksy stated that it can be looked at just to give Edgeway water, but there also should be the ability to change the wording from Lakeville to Middleborough and that would be through Town Meeting vote. Then anywhere there is an existing Middleborough line, “they shall provide water”, is what should be in there under obligation. Selectman Belliveau stated that the Board needs to open a conversation with the Selectmen from Middleborough on a separate night. The Board needs to bridge the gap of communication between the two (2) towns that was severed a long time ago. Charles Cristello and Allin Frawley have been working on this. Ms. Garbitt will contact them to see about setting up a meeting.

### **Other Items**

1. Annual Report sent to Executive Office for Administration and Finance regarding Health Insurance
2. Memo from Superintendent of Schools regarding Assawompset School Lunch Revolving Account

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

VOTED: To release \$29,000 from the School Lunch Program to the Region.  
Unanimous in favor.

3. Copy of letter from Middleborough Selectman regarding proposed Taunton Casino
4. Copy of response from Town Counsel regarding Open Meeting Law Complaint

5. Email from Patricia Medas regarding David Frates, Animal Control Officer  
Chairman Maksy asked that Mr. Frates be sent a letter of appreciation.
6. Letter from F/L Regional School District committee regarding Green Community Status
7. Memo from Board of Health regarding appointments
8. Notice of Meeting-Plymouth County Commissioners-June 11, 2012 – 3:00 PM
9. Notice of GATRA Advisory Board Meeting-June 21, 2012 at 1:00 PM
10. Notice of Regional Economic Strategy Committee-June 19, 2012 – 3:00 PM
11. Mass Wildlife News
12. Notice from NSTAR regarding Annual Emergency Response Plan Meetings in June 7, 2012
13. Notice from Verizon regarding Service Change

At 10:18 PM, upon a motion made by Selectman Belliveau; seconded by Selectman Powderly it was:

VOTED: To enter into Executive Session, pursuant to M.G.L. c. 30A, subsection 21(3) and not return to Open Session to discuss strategy in preparation for contract negotiations with non-union personnel, (specifically the Fire Chief's contract), and to discuss strategy in preparation for negotiating with non-union personnel because an open meeting may have a detrimental effect on the negotiating position of the Board.

Polled vote: Selectman Belliveau-aye, Selectman Powderly –aye and Selectman Maksy – aye