

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
June 16, 2014 - 7:00 PM

On June 16, 2014, the Board of Selectmen held a meeting at 7:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Powderly at 7:07 PM. Selectmen present were: Selectman Powderly, Selectman Burke and Selectman Hollenbeck. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Matthew Ferreira of the Middleboro Gazette was recording the meeting. LakeCAM was also recording the meeting for local community broadcast.

7:00 PM Meet with the Historical Commission

Brian Reynolds, Kathleen Barrack, Joan Gladu Morton, Nancy LaFave, James Gouveia and Geraldine Taylor were present for the meeting. Chairman Powderly sent a letter to the Historical Commission asking them to meet with the Selectmen to discuss any needs that the Commission may have and to update the Selectmen on current projects.

Mr. Reynolds stated that he became a member of the Historical Commission in 1980. One of his priorities is trying to do a Town wide Archeological Map with Indian and Historic Sites. He felt that is something that should be kept track of. The map would be placed with the Planning Board or Town Planner once it is done. That way, when someone comes in with a set of plans for a new development, they will know right away if any Indian sites are involved. However, this will cost some money. This is one of the items that the Historical Commission has been keeping on different lists in the hopes that eventually funding for this type of thing might become available. The Commission has submitted lists of projects to the Capital Expenditure Committee of projects that the Commission would like to get completed with estimated costs. Ms. Garbitt mentioned that the Historical Commission projects continue to get bumped out each year by the CEC for other items taking priority. Ms. Taylor noted that at one time, there were matching grants available for some projects, however, she is not sure if the grants are still available.

Ms. LaFave stated that the Historical Commission is not sure what should be done about people digging for artifacts with metal detectors. This has come up over the past few weeks. Tamarack Park is one of the sites. It is not so much the metal detectors, but the actual digging of the land. Mr. Reynolds added that people are digging and leaving the holes unfilled. Ms. LaFave added that there have been shards of pottery left on the surface. Chairman Powderly stated that that is a good question about people who go looking for artifacts. The Town should find out if people can use metal detectors on Town owned property. Ms. LaFave stated that it was not so much people using metal detectors, it is the digging. The pottery could have lead in it.

Mr. Reynolds pointed out that the write up that they handed out to the Board is about six (6) years old and should be updated. Selectman Burke stated that he appreciated the list, since before tonight he did not even know that the Commission needed anything. Ms. Garbitt stated that they have wanted to designate a Historic District for the Town for quite some time. Ms. LaFave stated that there are grants available; however, you have to be a certain type of

community. Selectman Burke noted that the advantage of having a Historic District is the availability of grant money. Mr. Reynolds stated that the Community Preservation Act did not pass in Town. This is a way of funding for this type of work. People ages 65 and older or that are having a financial hardship can ask for an exemption so that they do not have to pay for this funding from their taxes. Originally, the Commission talked about designating a large Historic District, but it got reduced to the Town House, the Lakeville United Church of Christ and the Historic Library sites. The Town would have to form a Historic Study Committee to determine what the district actually would be. Ms. LaFave stated that the Historical Commission is in favor of putting that forward. The goal is to reach the Certified Local Government level; then the Town would be eligible for grants. Ms. Garbitt stated that one of the items that the Commission has wanted to do for many years is to replace the windows at the Historic Library. If the Town was a certified community, that could be done.

Ms. LaFave stated that the Commission has wanted to put the Historic Library on the Historic Register. The only properties in Town on the Historic Register are the Wampanoag Cemetery and the Town House. The difficulty is that the cement that was used at some point to do repairs at the Historic Library was not the correct cement. It will need to be redone with “age appropriate” cement. Mr. Reynolds stated that the Town does have six (6) scenic roads. The Town has scenic landscapes and a Demolition Bylaw. The Commission has been working on various items and has made some progress, however, many projects take funding. The Commission has done quite a bit with volunteer labor. Work was done on the Town House by a volunteer several years ago. However, it has now reached a point where, in order to get things done, funding is needed. The Historic Preservation Plan is something to strive towards. The closest one to view is the Wareham and Hopkinton ones, which can be viewed online. Viewing these will allow people to get an idea of what needs to be done. Chairman Powderly asked if it takes funding to create a Historic District for the Town House, Historic Library and United Church of Christ. Ms. LaFave responded that it does, however, there is information available on the three (3) buildings. If the Commission applies, it has to be endorsed by the State. A comprehensive study will need to be done. Ms. LaFave noted that a gentleman had researched a number of houses for the Commission previously. The cost was approximately \$1,500 for six (6) properties. He is an approved professional researcher. The Town cannot just allow anyone to do this work; they need to be certified in this area. Mr. Reynolds stated that the Commission can refine its report, and then provide the Board with a better idea of what the Commission needs/wants to do.

Ms. LaFave mentioned that in one of the Master Plans, it was noted that all the Veterans’ Memorials would be located at Dickran Diran Square. The Commission has a concern about that. If there was ever a left turn lane to Precinct Street, then Mass Highway would encroach on that area. It may be preferred to have this located behind the barn. This item has not been presented to the Selectmen, since the Commission has been working on other things. The Commission has been working to preserve Lakeville Landmarks by selling afghan’s and ornaments and raising money for scholarships. The Commission can only use the interest in the accounts. The Commission awards a \$250 scholarship each year towards something historical or having to do with the Town. The Commission has discussed the possibility of selling bricks for a Veterans walkway. Ms. LaFave stated that in 2013, the Commission set aside three (3) meetings for long range planning. Mr. Reynolds added that four (4) of the cemeteries have been

documented and more need to be done. Ms. LaFave noted that some of the cemeteries, Jon Paun Cemetery, have the potential for historical designation.

Selectman Hollenbeck noted that the Town of Middleborough has been receiving grants that the Tourism Committee has been applying for. They were awarded two grants upwards of \$50,000. They are more than willing to walk us through the process. Tourism is becoming a bigger industry in Massachusetts, so that might be worthwhile. Ms. LaFave stated that the Commission was really pleased that the entire Board of Selectmen attended the Memorial and Veterans' Day Celebration.

7:30 PM Meet with the Master Plan Implementation Committee

Edward Bunn and James Rogers were present for the discussion. Mr. Bunn said the Master Plan Implementation Committee (MPIC) was working on a few rezoning initiatives. However, the voters did not approve of the rezoning at Town Meeting. The MPIC needs to find out what the voters and other Town Committees/Boards feel is important. Mr. Bunn said the current Master Plan is ten (10) years old. It would make sense to revamp the Plan since things have changed in ten (10) years. Selectman Burke stated that he and Ms. Garbitt have discussed updating the Master Plan. The surveys that were done by the Economic Development Committee were helpful in obtaining new information about the expectations of the community.

Ms. Garbitt noted that the cost of the original plan was \$65,000. Since this would be an update, it should not be that expensive. A consultant would need to be hired, with the major cost being the mapping. Selectman Hollenbeck suggested that the present MPIC Members should review the Master Plan as a committee in order to determine what it feels is important before asking the Town and other committees to become involved. Ms. Garbitt stated that there are many Town entities that need to offer their input. Selectman Burke stated that he is the Selectmen's representative on the MPIC. Maybe the first order of business to have a conversation to determine if the group could focus its energy to reorganize for a new Master Plan. Mr. Rogers stated that the list needs to be pared down to a realistic number of topics, since it is a daunting list. Then the MPIC needs to meet with other Committees/Boards and explain what we have and ask for input. We would then restructure the priorities.

Chairman Powderly asked if the group has read the surveys that the Economic Development Committee gathered. Based on those surveys, most people like Lakeville the way it is. There are things that the townspeople made clear that they do not want. Maybe the Committee could find five (5) priorities from those surveys. Selectman Burke said in an ideal world, every Town would have a Town Planner to work on these things. Ms. Garbitt pointed out that the Committee has completed the Night Sky Bylaw and the Affordable Housing Trust. Mr. Rogers stated that residents need to see what has been selected to build into the Plan. We need to make sure that everyone is looking five (5) years down the road. Selectman Hollenbeck stated that she looks at the Economic Survey as the long term goal for the Town. The results were basically to keep the Town the same. It is a good indication of what they expect.

Ms. Garbitt stated that the MPIC is in need of members. The original charge had the Building Commissioner as a member. Robert Mello, the Veterans' Agent, has expressed his interest in

continuing to serve on the MPIC. Ms. Garbitt stated that the Planning Board has not been very involved with either the Master Plan or the Master Plan Implementation Committee. Mr. Rogers added that that is part of the issue. Their input is needed to see if we are on track or not. We need to have the people there that should be. Ms. Garbitt stated that the Committee was meeting pretty regularly for a few years, and then after all the rezoning defeats, it has not been meeting. Mr. Bunn noted that there have been a lot more pressing changes taking place in Town, but now the Committee is ready to get back on track. Chairman Powderly asked who is needed to be on the MPIC. Ms. Garbitt stated that there should be seven (7) members. Ms. Garbitt suggested removing the Building Commissioner as a member. Chairman Powderly noted that the Building Commissioner would be helpful as an advisory aspect. Mr. Rogers suggested that certain Boards/Commissions designate a representative to work with the MPIC on their specific sections of the MPIC. Then they can update their Board/Commission and obtain feedback. He would like to see representatives designated from the Historical Commission, Planning Board (unless there is a member on the MPIC), Board of Health and the Conservation Commission. It was agreed that the MPIC will return to the Selectmen to present a new charge.

Discuss the Charge of the Economic Development Committee

Selectman Burke stated that at the last few Economic Development Committee (EDC) meetings, there have been discussions regarding Community Development. However, he does not feel that is a topic that EDC should be discussing at their meetings. We discovered two (2) pathways that the group is taking, and we don't want to discourage either. There is the traditional Economic Development, which consists of most of things on the charge. Then there is Community Development, which is for exploring tourism opportunities and holding community events. The question is, does it make sense to create a Community Development Committee for the sake of spinning off those members that are more focused on that, and keeping the Economic Development Committee which is more focused on the core, which is fundamentally different. Chairman Powderly asked if that question was brought up with the EDC membership. Selectman Burke responded that it has been discussed on several occasions. He has offered to create a subcommittee, but if we don't set the expectation, it will not happen. The next time the EDC meets, it should be said that we will no longer discuss farmers markets or picnics. We will stick to the charge of the Committee.

Selectman Hollenbeck said the EDC has accomplished a lot in a short amount of time. She wants to keep that momentum going, and we cannot if we are focusing on community events. She is not against the people that have those ideas and visions, but it should not be done under the EDC, since that Committee is for expanding the tax base. Chairman Powderly asked where would they have the farmers market. Selectman Burke responded that there has been talk for the Ted Williams Camp, which would work, but the Town House is not a good spot. Chairman Powderly stated that he certainly feels that Economic Development is how to get business in Town. Selectman Hollenbeck mentioned that Tourism and Economic Development is what was being discussed when she was on the Committee. Also, the Town of Middleborough is more than willing to work and help us. Tourism is a regional item. We can jump on that angle, but we don't have a group to do that right now. Selectman Burke stated that having another group focused on community involvement would be a great thing. He wants to keep the momentum going. Chairman Powderly agreed and stated that no one would have a problem with letting

them start a different committee and finding out what they want to promote. Chairman Powderly stated that though Lakeville doesn't have an Oliver's Mill, it does have a Betty's Neck and the Ted Williams Camp. Maybe a farmers market could be tied into all those properties, but it should be a different committee to do that.

Selectman Burke stated that he will discuss forming another group at the next EDC meeting and return to the Selectmen regarding what took place. A discussion occurred regarding the EDC membership, since the charge calls for only one (1) Selectman. Discussion occurred regarding changing the charge to five (5) members with two (2) associate members.

Discuss letter from Town Clerk regarding her upcoming retirement, effective December 31, 2014

Chairman Powderly said that the Board had received a resignation letter from the Town Clerk, Janet Tracy, effective December 31, 2014. He noted that she has been employed by the Town for 16 years. It was agreed that, due to the amount of time until her retirement, the succession would be discussed at a later meeting.

Request from Town Clerk to send letters to State Political Parties regarding Election Workers

Chairman Powderly explained that each year, the Town Clerk requests that the Selectmen send letters to the Democratic and Republican State Committees regarding a list of enrolled members of the party who desire appointment as Election Officers.

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

VOTED: To send letters to the State Political Committees regarding a list of enrolled members of the party who desire appointment as Election Officers.
Unanimous in favor.

Review and vote to award contract for Road Line Painting to Hi-Way Safety Systems

Chairman Powderly read the results of the bids received for the road line painting for the Town. He spoke about some issues with the previous company's work. Ms. Craig confirmed that it is a different company.

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

VOTED: To award Hi-Way Safety Systems, Inc. of Rockland, MA, the bid for road line painting in Lakeville at a price of \$.0354 per linear foot.
Unanimous in favor.

Discuss letter from Department of Telecommunications and Cable regarding Verizon License Renewal

Ms. Garbitt stated that a letter has been received from the Commonwealth of Massachusetts, Department of Telecommunications & Cable regarding the Verizon License Renewal. The license expires on May 4, 2018, and they are looking to start negotiations. The current Cable TV Advisory Committee only has two (2) members. We have been unable to fill the other three (3) vacancies. The Board needs to discuss what the process is that they want the Committee to follow. The Board has hired Attorney Peter Epstein in the past. Though it seems that it is early to start negotiations, it is a long process to renew these licenses, which are in place for ten (10) years.

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

VOTED: To advertise that there are three (3) vacancies open for those interested in being a member of the Cable TV Advisory Committee with letters of interest to be provided by July 10, 2014.
Unanimous in favor.

Review and vote to approve GATRA Contract

Ms. Garbitt noted that the Town is assessed on its Cherry Sheet for the Greater Attleboro-Taunton Regional Transit Authority (GATRA). The Town is reimbursed for its van drivers.

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

VOTED: To approve and authorize the Chairman to sign the GATRA Contract effective July 1, 2014.
Unanimous in favor.

Review and vote to issue Annual Dog Warrant to Animal Control Officers

Chairman Powderly noted that the Selectmen vote to issue the Annual Dog Warrant to Animal Control Officers. This gives the Animal Control Officers the authority to pick up stray or loose dog.

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

VOTED: To issue the Annual Dog Warrant to the Animal Control Officers, dated June 16, 2014.
Unanimous in favor.

Request for Outdoor Entertainment for the Lakeville Arts Council on July 19, 2014

Chairman Powderly read the request from the Lakeville Arts Council to hold Outdoor Entertainment on July 19, 2014 at the Town House.

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

VOTED: To approve the request for Outdoor Entertainment for the Lakeville Arts Council for July 19, 2014 with a rain date of July 20, 2014 from 6:00 to 8:00 PM at the Town House.
Unanimous in favor.

Discuss Technical Assistance Grant Application for South Coast Rail

Chairman Powderly asked if the Selectmen would want to apply for the grant to help with the development of the Lakeville Hospital property. Ms. Garbitt noted that the Town received the grant for the Expedited Permitting for the Lakeville Hospital Site. However, the Town doesn't have a specific project. Ms. Garbitt noted that the Town also received grant funding to create the 40R District. Selectman Burke stated that originally there was more of a build out plan for the area, but that has not happened economically. Ms. Garbitt added that the Town has received three Southcoast Rail Grants. Selectman Hollenbeck suggested to pass this along to the other Boards and Committees for a heads up for next year. Ms. Garbitt noted that she has distributed it already.

Announce \$12,500 Traffic Enforcement Grant

Chairman Powderly announced that the Police Department has received a \$12,500 grant from the Executive Office of Public Safety and Security. This grant award enables the Department to utilize patrols for different mobilizations of Speeding and Aggressive Driving, Drive Sober or Get Pulled Over, District Driving, and Click it or Ticket. These different mobilizations begin in October. The last one will end in September 2015. This high visibility traffic enforcement initiative allows the Department under this grant to better enforce violations without using our operating budget funding

Schedule July, August and September Selectmen Meetings

Chairman Powderly reviewed the proposed Selectmen Meeting dates. The meeting dates were agreed to be: July 14th, July 28th, August 11th, August 25th, September 8th and September 22, 2014 at 7:00 PM at the Town Office Building.

Review and vote to approve Board of Selectmen Meeting Minutes of June 9, 2014

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

VOTED: To approve the Selectmen Meeting Minutes of June 9, 2014 as presented.
Unanimous in favor.

New Business

Ms. Garbitt passed out two requests from the Park Commission for One Day All Alcohol Liquor Licenses for the Ted Williams Camp on June 27, 2014 from 4:00 PM to 10:00 PM and on July 11, 2014 from 6:00 PM to 12:00 AM.

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

VOTED: To approve the One Day All Alcohol Liquor Licenses for Ted Williams Camp on June 27, 2014 from 4:00 PM to 10:00 PM for a Retirement Party and July 11, 2014 from 6:00 PM to 12:00 AM for a Birthday Party.
Unanimous in favor.

Ms. Garbitt stated that she and Cynthia McRae, Town Accountant, have been working on the smaller transfers that did not have to go before Town Meeting. A handout was provided explaining the transfers. The Selectmen felt that the handout did not effectively clarify the transfers. Ms. Garbitt will have a better chart done to provide to the Board.

Selectman Hollenbeck stated that Senator Pacheco had a benefit lunch at Boston Tavern and Secretary Davy was there. At that meeting, they named the Task Force Members for the Rotary. The first meeting will be on June 24, 2014. Lakeville needs to appoint a Selectman to represent the Town. Construction is scheduled to start in 2017, and be completed in 2020. Selectman Hollenbeck stated that she would be happy to serve on the Task Force.

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

VOTED: To have Selectman Hollenbeck and Ms. Garbitt serve on the Rotary Task Force Committee.
Unanimous in favor.

Chairman Powderly asked about the Board of Health Inspector of Animals appointments. He had asked Board of Health Member Robert Poillucci about this for clarification. The position is now divided between two (2) individuals. Ms. Garbitt explained that Laurice Hedges covers dog bites, and Jared Darling covers Stable Permits and Inspections. Chairman Powderly stated that he just wanted to make sure that the Animal Control Officer can reach either one of them in a timely basis.

Any other business that may properly come before the meeting

Selectman Hollenbeck stated that she had attended the Assawompset Dam Committee Meeting, but that there was not much to report. Chairman Powderly stated that he would like to show Selectman Hollenbeck the points of the water coming into Long Pond, going to the dam at the head of Assawompset Pond and the Nemasket River and the obstructions under Route 18, so that she would have a clear understanding of what is taking place.

Other Items

1. Notice from Board of Health regarding reappointment of Inspector of Animals and Alternate Inspector of Animals
2. Copy of Letter to the Editor from Lakeville Arts Council regarding Lakeville Town House repainting
3. Copy of Thank You Letter from Norma Roby to Lakeville Fire Department
4. Thank You Letter from Boy Scout Troop 26 regarding use of Town Office Building for fundraising carwash
5. Annual Water Quality Report – City of Taunton
6. Notice from DEP regarding Mullein Hill Christian Academy – Change of Use/Sanitary Survey Inspection
7. Notice of Construction Change Order – Old Colony Regional Vocational Technical School
8. Notice from FEMA regarding Community Meeting on Flood Insurance Rate Maps – June 24, 2014
9. Notice from TEC Associates regarding 2014 Vegetation Control Program
10. Mass Wildlife News Bulletin
11. Verizon News Bulletin
12. Notice from Comcast regarding Field Collection Charge Change

At 8:55 PM, upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To enter Executive Session and not return to Open Session pursuant to M.G.L. c.30A, §21a (3) to discuss strategy with respect to collective bargaining, specifically 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, §21a (2) to conduct contract negotiations with non-union personnel, specifically the Town Administrator; and pursuant to M.G.L. c.30A, §21a (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; and pursuant to M.G.L. c.30A, §21a (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.

Polled vote: Selectman Burke-Aye, Selectman Hollenbeck-Aye, and Selectman Powderly -Aye.

List of Documents provided at the June 16, 2014 Selectmen's Meeting

1. Charge for the Historical Commission
2. Charge for the Master Plan Implementation Committee
3. Charge for the Economic Development Committee
4. Letter from Town Clerk regarding her upcoming retirement
5. Request from the Town Clerk to send letters to state political parties regarding election workers
6. Award for road line painting to Hi-way Safety Systems
7. Letter from the Department of Telecommunications and Cable regarding Verizon license renewal
8. Annual GATRA contract for approval
9. Annual dog warrant
10. Request from the Lakeville Arts Council for July 19, 2014 for outdoor entertainment
11. Technical Assistance Grant application for South Coast Rail
12. \$12,500 traffic enforcement grant awarded to the Police Department
13. Board of Selectmen meetings for July, August and September
14. Minutes of June 9, 2014
15. Request for one day all alcohol liquor licenses for Ted Williams Camp
16. Fiscal year end transfer dated 6-30-14