

SELECTMEN'S MEETING
Monday, March 30, 2009

On March 30, 2009, the Board of Selectmen held a meeting at 6:30 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Evirs at 6:30 PM. Selectmen present were: Selectman Evirs, Selectman Maksy and Selectman Yeatts. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

Request for transfer of liquor license – 33 Bedford Street

Chairman Evirs read the legal notice into the record.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To open the hearing regarding the transfer of the Retail Package Store Wine and Malt Alcoholic Beverage Liquor License for 33 Bedford Street.
Unanimous in favor.

Jeffrey M. Lovely, Attorney and Richard Carrigg of Gulf Resources, Inc. are present for the discussion. Attorney Lovely said Petro Plus, dba Joe's Gasoline is requesting a transfer of its Wine and Malt package store license to Gulf Resources, Inc. The applicant intends to purchase the gas station. Gulf Resources, Inc. owns several other gas stations, but this would be their first station with a liquor license. In Foxboro they own a convenience store and gas station. In Medford they own a gas station, a convenience store, a Dunkin Donuts, an auto body, and a store in Dover. In anticipation of the sale, Mr. Carrigg and his employees took an Alcohol Safety Course. They also would commit to purchasing an identification scanner to avoid or reduce the chance of getting a fake identification passed to them at the store. They are intending to retain the current staff and they would be required to attend the safety course as well.

Chairman Evirs said there was an incident in the past with this location and a license suspension was issued. The Town has a very low tolerance with selling alcohol to minors. Ms. Craig told the Board she had not received the check for the legal notice advertising or the abutters list or the green cards. Attorney Lovely said he has one (1) of the green cards. He sent them all out certified mail and regular mail on March 13th. Chairman Evirs asked if there was anyone in the audience that had any comments for or against or in general. There were no comments.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To close the hearing regarding the transfer of the Retail Package Store Wine and Malt Alcoholic Beverage Liquor License for 33 Bedford Street, Petro Plus, dba Joe's Gasoline.
Unanimous in favor.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To approve the transfer of the Retail Package Store Wine and Malt Alcoholic Beverage Liquor License at 33 Bedford Street, from Petro Plus, dba Joe's Gasoline to Gulf Resources, Inc., Richard Carrigg, Manager, with the same conditions.
Unanimous in favor.

Request for Temporary Storage Trailer Permit – 2 Commercial Drive

Ms. Craig said the permit will be the eighth storage trailer for 2 Commercial Drive.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To approve the Temporary Storage Trailer Permit at 2 Commercial Drive subject to the Building Commissioner's inspection, with an expiration date of March 30, 2010.
Unanimous in favor.

Request for Temporary Storage Trailer Permit– 135 Precinct Street

Chairman Evors stated that this request for a Temporary Storage Trailer Permit was for the storage of possessions for their son who is moving.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To approve the Temporary Storage Trailer Permit at 135 Precinct Street subject to the Building Commissioner's inspection, with an expiration date of March 30, 2010.
Unanimous in favor.

Review Earth Removal Permit renewals: 118 Bedford Street and 118 South Pickens Street

Chairman Evors said that Bruce Taylor and Roberto Rubini have requested renewals of their Earth Removal Permits. Selectman Yeatts said the Board still needs to do a site visit for these properties. Ms. Craig said Mr. Taylor paid the administrative fee, and he would like to pay the removal fee when he picks up the permit. Chairman Evors said that was fine, but we will not release the renewal permit until he brings the check in. Selectman Yeatts said we should notify Mr. Taylor that the Board will be doing a site visit in the near future.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To approve the Earth Removal Permit at 118 Bedford Street for Bruce Taylor with an expiration date of March 31, 2010 with the same conditions.
Unanimous in favor.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To approve the Earth Removal Permit at 118 South Pickens Street for Roberto Rubini with an expiration date of March 31, 2010 with the same conditions.
Unanimous in favor.

Meet with Department Heads regarding FY10 budgets

Present for the meeting were Finance Committee Members Gary Mansfield, Chairman, Melissa Hopkins, Steve Olivier, Michael Petruzzo and James Hanlon.

Building Department

Robert Iafrate was present for the discussion. Mr. Iafrate said his budget is basically 95% salary. There is a small amount of money in the budget for office supplies, printing, and education. There are not a lot of places to cut when he was asked to do the 10% and the 20% cuts to his budget. Mr. Mansfield said we had talked about some of the budgets in the Town would not be able to cut 20% and this is one of them. Mr. Iafrate said a 20% cut would wipe out the second part of his budget. Then, he would have to take out \$11,000 from his salary, so he would be cut down to working four (4) days a week. Mr. Iafrate said almost \$123,000 was received in Building Permit Fees, not taking into consideration Gas, Electrical or Plumbing Permits. Mr. Mansfield said the reality is that some Departments generate revenue in excess of their costs, but others eat that revenue and cannot generate it. Mr. Mansfield asked if the car allowance could be eliminated and Mr. Iafrate use a town vehicle. Ms. Garbitt said we were really trying to get away from having another Town vehicle since it is more economical and cost effective to pay a car allowance. Mr. Iafrate said it amounts to basically one (1) tank of gas a week. Mr. Mansfield asked if there is there any way to generate additional revenue. Mr. Iafrate said he is working on that. A survey of surrounding communities was done last year and some fees were increased. The Inspectors' fees were increased just last year.

Mr. Olivier asked about the 10% reduction budget in regards to the mandate for Municipal Hearing Officer and certifications for the Building Commissioner. Ms. Garbitt said the mandate came from the Station Street Fire that took place in Rhode Island a few years ago. The Building Commissioner has to inspect all of the restaurants that hold 100 or more people. If one of the establishments wants to appeal any issues found in his inspection, the Building Commissioner cannot be there to represent the Town. That is why the Town needs the Municipal Hearing Officer at a salary of \$2,500 annually. The Police Chief is currently the Municipal Hearing Officer. The Town has required Mr. Iafrate to maintain his certification as Building Commissioner. Mr. Iafrate said that he is required to do 15 hours of certification work a year that must be paid for. Mr. Iafrate said that he was unsure if he could close his office for a day. The Kensington Court Development needs someone in the office every day. A few months ago we could have done that, but not now. Selectman Yeatts said if this is something we have to do, people will have to work around it to get their permits. Chairman Evirs said we had also talked about four (4) nine (9) hour days and then the building will be closed a day. Mr. Iafrate said the 10% eliminates the Alternate Inspector. He thought there should be some money in that account in the event that he is on vacation. Ms. Garbitt said we really cannot cut the Inspector's budgets.

Every year we end up transferring money to these budgets at the Town Meeting. Mr. Iafrate said historically the three (3) inspectors have been allocated 30%-40% less than what is needed, but they always generate money from their permit fees. A discussion occurred regarding combining the Gas and Plumbing Inspectors.

Superintendent of Streets

Chris Peck, Superintendent of Streets, was present for the discussion. Mr. Peck explained that he had to change his budget numbers since one (1) of his employees passed away. Mr. Peck said with the level funded budget, the hourly wages dropped and also the longevity dropped, so we have about a \$21,000 savings right off the bat. Electricity dropped based on last year's usage. We have not spent a dime on heating since we heat with used oil and the wood stove. We changed the laundry services to a new contract and dropped that amount considerably. Gas was reduced and we reduced overtime by \$4,500. Selectman Maksy asked about repair and maintenance of the vehicles. Mr. Peck said he put it back up where he needed it to be since he reduced the salaries. The new trucks are too complicated to fix in house. Mr. Peck said with the 10% reduced budget, there is no increase for himself. He did put in the raise for the foreman and employees. We have 30 cemeteries that we have to maintain. My employees are out straight. We will not be able to do catch basins or work on the side of the roads since there is no one there to do the work. Selectman Maksy said right now we are not having the Department heads change the 2% raise. We are trying to keep those in there, including yours, until this Board makes a decision. Mr. Mansfield said if we were to close one (1) day and not get paid, is that an option that would be viable in your group. Mr. Peck said the only issue would be during the winter if we had a snowstorm, then employees would be on overtime. The hardest part will be trying to maintain the Ted Williams Camp. Further discussion took place on options for the Highway Department. Selectman Maksy talked about privatizing the mowing and the cemeteries so that they could concentrate on the roads and get other work done. Chairman Evirs said this is a fact finding, trouble shooting, mission right now. We will probably be going back to each of these groups with numbers.

Park Commission

Daniel Hopkins, Chairman, was present for the discussion. Mr. Hopkins said the proposed budget is \$85,000 for the upcoming year. He did not put in the \$25,000 of retained earnings this year to offset the budget. We will not hit our target, but we will be within our budget at the end of the year. Expenses will be down and revenue will be down, but it will be even in the end. The Park Department brought in \$10,000-\$14,000 in revenue and spent \$19,000 in salaries. Discussion ensued about opening Clear Pond the weekend after the school closes since the school year was being extended further into June than usual. Mr. Hopkins thought this would hurt his budget this year since his budget will already be closed. The Park Department has to clean up Clear Pond to open it and that means salaries. If the Board cuts the Highway Department enough that they cannot cut the grass, then the Park Commission would look to get at least one (1) employee back to cut the grass. Discussion occurred regarding the organizations that use Ted Williams Camp. Mr. Hopkins said the soccer team gives \$12,000 just to maintain the fields. Further discussion occurred regarding mowing of the Ted Williams Camp, Clear Pond, Jon Paun Park and Dickran Diran Square. Selectman Maksy asked about privatizing the

mowing. Could you revisit that? Mr. Hopkins said they could look at that and get some prices. Chairman Evirs said it would mainly be for Clear Pond and Ted Williams Camp. The others could be lumped into privatizing the cemeteries. They are planning on opening Clear Pond five (5) days a week from 10:00 AM to 6:00 PM. They made a lot of cuts last year and combined gate and concession staff and eliminated a position. Clear Pond was closed on Tuesdays and Wednesdays last year. Mr. Mansfield said while he is supportive of the Park Department, if we have choices between the Park and other Departments, it will be the Park Department that suffers. Within the next few weeks, we will know what the State will give us. All towns and cities are in the same boat. Chairman Evirs said even if they reinstate the 9C cuts that is only \$104,000. Selectman Yeatts said even if everything came in, we would still be short.

Police Chief

Mark Sorel, Police Chief, was present for the discussion. Chief Sorel gave a background of expenses to date. He is short on his expense side, so he will have to take money from the wage side. He would have to cut \$77,520.00 from wages for the level funded budget. No matter what, the Police Department is losing people with a level funded budget. \$176,000 of the total budget is expenses. Mr. Mansfield asked about his Dispatchers. Is there any way to cut that down? Chief Sorel said we have to be open 24 hours a day. He needs 4.3 people to fill coverage of the shifts. He has 225 shifts that are being covered by part timers right now. The dispatchers are non union. If they were required to take a day off, we would still have to replace the position. Chief Sorel said in 1989, there were less than 5,000 people in Lakeville and we had 18 full time officers and five (5) civilians. We answered 4,800 calls a year. We have now doubled our population, tripled the amount of homes and typically there are three (3) cars per home and he has less staff. Chief Sorel said due to the downturn in the economy, it is estimated that domestic violence will triple. This year is the highest amount we have seen for breaking and entering into houses. We are not qualified for the stimulus money since we are not a violent crime area. If you go by national statistics, we should have 23 officers.

Chairman Evirs said rather than cutting an Officer or two (2) completely, maybe there are other options for you to think about. Perhaps your Administrative Assistant could be reduced to a four (4) day week. Or you could eliminate one (1) dispatcher on a shift, like the midnight shift. Naturally, you would have to bring in an additional officer. Chief Sorel said that he would prefer not to go into that right now. Selectman Yeatts said this is the venue for that. Chief Sorel said there are grants out there to bring back Police Officers. However, if he cuts Dispatchers, then he will not get those grants. He is going for replacement grants. Chairman Evirs said we are just tossing out ideas, and hopefully you will take the ideas back and look at them in a different light. Selectman Maksy said we are looking for the first layer of cuts that still allows a Department to run. We want to keep them all at the same playing field, everyone struggling the same. A 5% cut might work for you, but not a 10% cut. So, we would rather hear from you what will work. We do not want to dictate a number to you. Mr. Mansfield said sooner or later the ax will fall, but we are trying to do everything that we can do to be more efficient and save jobs. Chairman Evirs asked about the 2% increase, what is the figure in your budget. Ms. Garbitt said it is \$4,074.32. That is for the Dispatchers and the Administrative Assistant. Mr. Mansfield asked if there is anywhere or anyway at all you can shave more. Chief Sorel said he would look, but he is at bare bones and he has not even purchased any bullets yet. Further options were discussed with

the Police Chief. Selectman Maksy said we are trying not to cut you 10%. Ms. Garbitt said the Police Department final number would be \$1,462,984.

Sherry Barron of 6 Sassamon Circle said she had heard that the Town was in a lawsuit for a gasoline spill and it was settled. Chairman Evirs said the one you are speaking about was for this building for the contaminated well. We were invited into a class action suit and have received \$1.8 million. However, at the Special Town Meeting we had in the fall, we established a new stabilization fund for water improvements and the money went into that account. This money is needed to bring a water main down to this building and connect it to the Taunton water line. Unless it is voted out of there at Town Meeting, it cannot go anywhere else. The Department of Environmental Protection (DEP) is telling us we have to do this, so we have the money set aside. Selectman Yeatts said DEP could levy fines on us daily, but right now there is not enough water pressure to hook up a water line to the Town Office building. We need to build a water tower to have the water pressure. That would help with development, like Kensington Court and for National Development. That project will take all that money, plus more. We received a MORES job grant and also stimulus money, and it is all targeted to water improvement. Chairman Evirs said Town Meeting can take money from anywhere, from any fund or budget.

Fire Department

Daniel Hopkins, Fire Chief, was present for the discussion. Chief Hopkins said with a level funded budget, there will be reductions across the board. The biggest reduction will be for drill training for Permanent and Call Firefighters. We have to pay for training under the Fair Labor Standards Act. Chairman Evirs asked if call firefighters can be paid differently. Chief Hopkins said he would have to pay at least minimum wage. He would look into it. Right now, he has 24 drills a year and they have to attend at least 18 to be in good standing. Chairman Evirs asked about offering the 24 drills and mandating a certain amount that must be attended, but if they attend more than the minimum, say glad to have you, but it is not required so they wouldn't be paid. Chief Hopkins said under the Fair Labor Standards Act, if you come to a drill you have to be paid. We are looking to trim the Call Firefighter force, but maintain Call Firefighters that would be the most valuable to the Department, like the EMT's. He is estimating a reduction to 12 call firefighters. He is planning on taking \$29,000 of the call emergency line item and using it for the training. If he kept it to 12 Call Firefighters, it would cost approximately \$6,000. He is also considering doing training while the Permanent Firefighters are on duty.

Mr. Mansfield asked if 70% of your calls are for EMT's. Chief Hopkins said that includes public assists, motor vehicle accidents, etc. Mr. Mansfield asked how many structure fires are there annually. Chief Hopkins said on average, seventeen. Mr. Mansfield said it seems that we are really an EMT service, rather than a Fire Department. Chief Hopkins said the Firefighters also work on fire prevention on a daily basis, sprinkler inspections, etc. With medical calls, that includes mutual aid calls. Chief Hopkins noted that every six (6) months, if a Firefighter does not use sick time, then they get a bonus and that saves on overtime. Mr. Mansfield said so if you are healthy and working you get a bonus. Chairman Evirs said yes, that is a provision in the two (2) union contracts. Mr. Mansfield said philosophically he had a problem with paying someone to do their job. It does not seem logical for the Town to be paying a bonus for someone doing

their job. Mr. Olivier asked about providing flex time. If they do not use the time for sick time, then they get to use it for vacation. Chief Hopkins said we cannot discuss that. That is contract negotiations and must be done with the Selectmen. Selectman Maksy said perhaps with the non union employees, the Wage and Personnel Board can look at that. Chairman Evers asked about the Call Firefighter clothing allowance. Chief Hopkins said that we have taken it away with the 10% budget cut and the 20% budget cut. Chairman Evers asked if the level funded budget replaced the Firefighter that you are short right now. Chief Hopkins said yes, but at the 10% budget cut, he would lose that position again.

Chief Hopkins said he was concerned about the ages of the trucks. We do have a new pumper and our brush truck will last us. Every ten (10) years we should start replacing our vehicles to maintain the IO ratings, which take into consideration the age of the trucks, the hose on the trucks, etc. Our classification is a five (5) to nine (9) right now. He said there have been some expensive repairs done. We seriously need to think about a replacement program to replace some of our vehicles. The Ladder Truck is a 1976 model. Mr. Mansfield asked if he had approached the Capital Expenditures Committee on these. Chief Hopkins said yes, but they keep getting bumped. The unfortunate part is when it comes to vehicles for the Fire Department, there is a large price tag. If you calculate it out over 20 years, it is not that much money. Chief Hopkins said we still have the 1983 pumper truck, and it should have been replaced in 2003. Ms. Garbitt said that she suggests that \$50,000 be reduced from his level funded budget. A brief review of the Civil Defense Budget was done and it was voted to cut \$1,000 from supplies.

Chief Hopkins said the Federal government is providing \$210 million in stimulus money for new Fire Stations. The Town has said that we need a new Police Station, but this would be a competitive grant. Each community can ask for up to \$15 million dollars. They would waive the match, which is 5% for our Town. It did not say anything about Public Safety Buildings, but he could look further into it. Selectman Yeatts said perhaps we could build a Satellite Station near the schools. Would that help our insurance? Mr. Hopkins said yes. It would be a savings on insurance for the schools and also residents. A discussion occurred regarding staffing a Satellite Station and a grant for additional firefighters. Chief Hopkins said the salaries would be paid for the first two (2) years. Chairman Evers said Chief Hopkins should apply for both grants.

Any other business that may properly come before the meeting

Chairman Evers said the Board received an application for a One Day All Alcohol License for April 4, 2009 from 3:00 PM to 7:30 PM for the Brewins Youth Hockey Team dinner.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To approve the One Day All Alcohol License for April 4, 2009 from 3:00 PM to 7:30 PM at the Ted Williams Camp for the Brewins Youth Hockey Team dinner.
Unanimous in favor.

Other Items

Selectman Maksy stated that he just wanted to let the Board know that he had spoken with the windmill company and they will schedule a time to come down to look at the site. They would like the information from when the analysis was done previously for a windmill in Lakeville on Howland Road. He will ask the representative to speak with Ms. Garbitt to set up an appointment.

Upon a motion made by Selectman Yeatts; seconded by Selectman Maksy it was:

VOTED: To adjourn the meeting at 10:20 PM
Unanimous in favor.