

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
May 12, 2014 - 7:00 PM

On May 12, 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 7:00 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. Chris Shott of the Middleboro Gazette and LakeCAM were recording the meeting.

Chairman Petruzzo called the Finance Committee Meeting to order at 7:01 PM. Members present included: Michael Petruzzo, Donna Winters and George Vlahopoulos.

7:00 PM Meet with Park Commission to discuss PARC Grant and the Road Construction for Ted Williams Camp

Daniel Hopkins was present for the discussion. Mr. Hopkins explained that the Park Commission was coming before the Board of Selectmen regarding applying for a Parkland Acquisition and Renovations for Communities (PARC) grant. It is a 60/40 grant up to \$400,000. Part of the grant funds it would pay for is the paving of the roadway, along with finishing the new ball fields and to install restrooms at Jon Paun Park. The Park Commission is asking for the Board of Selectmen's support in applying for the grant, which would require Town Meeting approval. They would not apply for the grant if the Board of Selectmen does not support it. Selectman Burke asked if Mr. Hopkins knew the build out costs of the new fields. Mr. Hopkins responded that he did not have that figure right now. Selectman Hollenbeck stated that when this topic was last discussed, the concern of the Selectmen was that they did not have cost estimates on the work. Mr. Hopkins stated that the estimate is \$205,000 for the old section of the park for paving. He is waiting for additional numbers. Selectman Hollenbeck said the Board had also been discussing the road grindings from the State and wondered how that might come into play.

Chairman Powderly stated that if the grant amount is \$400,000 and the Town has to come up with \$160,000, that is a significant amount. The Capital Improvement Plan will be discussed this evening, and that money is not in those figures. We have not come to a conclusion if we can dig for more gravel at Ted Williams in order to come up with more money to fund these projects. We know that we need to do work on the old parking lots. However, can the Town come up with \$160,000 if the grant of \$400,000 is awarded. Mr. Vlahopoulos stated that he understands that the Commission is waiting on a quote and is curious if the paving can be done at a lower price. Mr. Hopkins noted that he is waiting on a quote, however, the entire project will have to go out to bid. The Park Commission is trying to finish the berm along the fields and the fields themselves. The driveway and parking lot is already there. The Park Commission has no issues with using the grindings, as long as it is done the right way when the grindings are provided, so that they do not harden and then are unusable.

Ms. Garbitt added that one of the issues is drainage, especially right in front of the Commissary Building along with the area near the Martial Arts Studio and Garage. Chairman Powderly stated that it was recommended that \$20,000 be provided in the Capital Expenditure

Plan in order for the Park Commission to do some of the necessary work at Ted Williams Camp. Selectman Burke stated that the Town should not take the grindings, if they will only get piled someplace. Ms. Garbitt stated that she has put in an official request for the grindings. The grindings should be available sometime in August. Mr. Hopkins stated that a back-up plan is needed in the event that the grindings are not available. Ms. Garbitt mentioned that she thought that there may be grindings available from the Sherwood Lane, Surrey Drive and Carriage House Drive projects. Selectman Hollenbeck asked if Mr. Hopkins might have the design on the bathrooms, in the next few weeks. Mr. Hopkins stated the cost to put in the septic system is approximately \$6,000. The Park Commission is trying to get a structure around the area so that they would have at least one bathroom there instead of a portable restroom.

Chairman Powderly stated that Mr. Hopkins needs direction one way or another regarding applying for the grant. Does the Board want the Park Commission to proceed? Selectman Burke stated that he did not want to make assumptions without knowing what the costs are, so he could not support this at this time. Mr. Hopkins explained that the grant is \$400,000 maximum. Selectman Burke asked what if the Park Commission is awarded more money than it needs; then the Town will be responsible. Selectman Hollenbeck added that the money should not be tied up, since it is not known if the article would pass at Town Meeting. Mr. Hopkins stated that at this time the Park Commission is just asking about writing the grant. The deadline to apply is June 18, 2014. Selectman Hollenbeck stated that she would be in favor of one item on the Capital Expenditure Plan for the Parks. Ms. Garbitt stated that maybe if Mr. Hopkins was able to provide estimates by next Monday night's meeting, then the Board could discuss the topic more completely. Chairman Powderly suggested that the Board table the matter until the Selectmen's meeting next week to see if Mr. Hopkins is able to provide the necessary information. Ms. Garbitt said that Nancy Yeatts had attended the grant training session. Selectman Hollenbeck offered that possibly Ms. Yeatts could answer some questions on the topic.

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

VOTED: To table the matter until the May 19, 2014 Selectmen's Meeting.
Unanimous in favor.

7:15 PM Meet with Finance Committee to review letter from the Capital Expenditures Committee and vote on FY15 Capital Plan Requests

Ms. Garbitt stated that the request for technology was so large that she did not include any other Department's technology requests. Chairman Petruzzo stated that in order to bring the Town into the 21st Century, it is wise to invest in the necessary infrastructure for the technology. Selectman Burke stated that he is on the Technology Advisory Committee. The Town needs to deliver better services to the community and move forward to set the infrastructure into place. There are different programs that are cross platform so that all Departments are on the same page. In order to become efficient and deliver services to the community, the equipment needs to be updated. It has not been updated in 12 years and it is only been barely holding together. Selectman Hollenbeck stated that it is a multi-year request. There are also some pretty large potential building construction items also on the horizon for the Town. She was concerned that the Town is putting money into that for infrastructure, and then we will be building a new

building. Selectman Burke stated that this is a decision for the townspeople would make, if they want to move forward with the buildings. Ms. Winters stated that she did not feel that putting the infrastructure in for the technology now would later be negated if any building projects took place. Chairman Petruzzo stated that the technology needs are to maintain the integrity of the data so that if there is a catastrophe, then everyone could move to another site and then continue on. There are areas in the technology for the Town that are not functional or are barely functional. The Police Department is an immediate need. Ms. Winters stated that she understood that some items could be stored electronically. Ms. Garbitt stated that some records, such as birth certificates, must have a paper copy. The archival technology is expensive, and it is the goal of the Town to get there, but that is not the priority right now. The main issue is to help Departments be more productive. Chairman Petruzzo stated that the Fire Department is researching for a demonstration model for an ambulance. This would still allow for a full warranty. Chairman Powderly stated that there are many ideas of how long vehicles last. It basically depends on the weight that they carry around. It is not known what the useful life of an ambulance is since it is driven hard and heavy. This is a scheduled update. Chairman Petruzzo added that the ambulance is a source of revenue, which is another aspect to keep in mind.

Chairman Powderly mentioned that the Capital Expenditures Committee (CEC) put in \$20,000 to fix the drainage area at the Ted Williams Camp. Selectman Burke stated that he is curious about the Finance Committees thoughts about the warrant article for the Park Commission. Selectman Burke asked if the Finance Committee has taken into account that there could be more capital expenditure improvements for the Park Commission that is outside of this list. Discussion occurred regarding obtaining the grindings. Ms. Garbitt stated that P. J. Keating has not reported back to her if her request has been approved. Chairman Powderly noted that the Board needs to be aware of the fact that the recreation aspect is a greater user of the Capital Funds than the rest of the Town. Also, there is a shortfall on the \$500,000 loan. Selectman Burke stated that is an issue that has not been resolved. Chairman Petruzzo stated that in either case, he could not approve recommending the Park Commission's Warrant Article, since it is not in the mix. The Finance Committee would like to support them, but there are limitations. Mr. Vlahopoulos asked what they bring in for revenue. Selectman Burke responded that they are revenue neutral, they spend what they bring in. Chairman Powderly added that the Town supplements them approximately \$25,000 a year. Ms. Garbitt mentioned that it also depends on their rentals with Loon Pond Lodge. Chairman Powderly stated that the Selectmen have asked them for a business plan and has not yet received it.

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

VOTED: To approve the \$766,800 for FY15 for the Capital Plan as recommended by the Capital Expenditures Committee.
Unanimous in favor.

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

VOTED: To approve the \$766,800 for FY15 as recommended by the Capital Expenditures Committee.
Unanimous in favor.

Vote to accept resignation letter from Finance Committee Member Edward Bunn

Chairman Powderly read the letter of resignation from Edward Bunn into the record. He asked that a letter of thanks for time served be sent and to accept the resignation with regret. A notice will be placed in the Middleboro Gazette regarding the vacancy.

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

VOTED: To accept the resignation of Edward Bunn from the Finance Committee with regret and to send him a letter of thanks for time served.
Unanimous in favor.

Review and vote on Warrant Articles for Special Town Meeting – June 9, 2014

Ms. Garbitt then went over Articles 1-7 for the Special Town Meeting. It was explained that Article 1 was a housekeeping article for any deficits and to balance the accounts, such as Snow and Ice, etc. Article #2 is rescinding the article for the paving at the Police Station. The paving was donated, and now we would like to use the funds to repair the roof at the Police Station. Article #3 is from the Park Commission for the funds for the reconstruction of the driveway. Article #4 is for the sale of the Howland Road property. Article #5 was proposed by the Veterans' Agent to exempt Motor Vehicle Excise Taxes for former Prisoners of War. Article #6 is the disbanding of the Lakeville Development Corporation. This is one of the steps that they have to take in order to disband. Article #7 is to disband the Wage and Personnel Board.

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

VOTED: To remove Article 3, and place the remaining six (6) articles on the Special Town Meeting Warrant.
Unanimous in favor.

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

VOTED: To sign the Warrant for the Special Town Meeting on June 9, 2014.
Unanimous in favor.

Review and vote on Warrant Articles for Annual Town Meeting – June 9, 2014

Ms. Garbitt noted that the Board did not change anything on Article 13. Ms. Garbitt briefly reviewed the articles on the Annual Town Meeting Warrant. It was pointed out that there was good news with Article #12 for the Fiscal Year 2015 Recertification of Value. The bid was

\$55,000. The Town has a little over \$50,000 and so it seems that we will only need about \$5,000. Article #20 is for the Town Clerk to increase her fees, which has not been done in decades. Assuming that Article #21 will pass, then the Town should rescind the moratorium on Article #22. Article #26 will not affect the Town's Green Community status. Selectman Burke suggested that the Board remove Article #24. He would like to speak on Article #23. Chairman Powderly stated that he was lead to believe that all of the property owners were on board with this. However, he just found out that they did not ask Gene Bartlett, who is the owner of one of the properties. Donald Bissonette, Planning Board Member, was asked to speak to all the property owners and verify their willingness to rezone their properties. Chairman Powderly stated that he would not mind if Article #24 was removed. Selectman Hollenbeck noted that it looks like the other properties are too small to do anything with, unless combined with the Tyler's Way property.

Ms. Garbitt stated that Mr. Bartlett had been consulted regarding the rezoning, and he does not know what he wants. The Planning Board voted to close the hearing and is recommending the article. Selectman Burke asked what that meant; is he stuck with the rezoning if it passes. Chairman Powderly stated that he would like the owner to understand what is taking place and to have it put in writing. It does not seem that Mr. Bartlett is aware of this. Selectman Burke noted that he thought it was premature to do anything with an overlay, as it does not seem that this is the best way to tackle the problem.

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

VOTED: To place Articles 1 through 27, deleting Article 24, on the Annual Town Meeting Warrant.
Unanimous in favor.

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

VOTED: To sign the Annual Town Meeting Warrant for June 9, 2014.
Unanimous in favor.

Discuss Scheduling a date for Warrant Review

After a brief discussion, it was decided that Warrant Review will take place on Tuesday, May 27, 2014 at 7:00 PM.

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

VOTED: To adjourn the Finance Committee Meeting at 8:42 PM.
Unanimous in favor.

Review request from Police Chief to sign SEMLEC Agreement

The Board of Selectmen received a request from the Police Chief to sign a new agreement with Southeastern Massachusetts Law Enforcement Council (SEMLEC). The Town is currently

a member, however the agreement has been revised to give an on-duty Police Officer the power to affect his/her authority to use Police Intervention in SEMLEC Communities.

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

VOTED: To approve the new agreement for SEMLEC.
Unanimous in favor.

Review and vote to award Pavement Milling and Micro Paving Bids

Chairman Powderly reviewed the Pavement Milling and Micro Paving Bids.

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

VOTED: To award the bid for Pavement Milling to Garrity Asphalt Reclaiming, Inc., at a price of \$2.12 per square yard.
Unanimous in favor.

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

VOTED: To award the bid for Micro Paving to Sealcoating, Inc. at a cost of \$4.39 per square yard.
Unanimous in favor.

Revisit award of Asphalt Bid

Chairman Powderly said that the Town had previously bid the asphalt, but there was an error in the low bidder's bid. Ms. Craig said that on the advice of Town Counsel, the low bid was thrown out and the bid was awarded to the next lowest bidder.

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

VOTED: To award the asphalt bid to T. L. Edwards, Inc., per ton \$74.35, drainage structure rebuilds at \$400 per vertical foot and drainage casing adjustment \$400 each.
Unanimous in favor.

Discuss Attendance at Annual SRPEDD Meeting – May 28, 2014

Ms. Garbitt asked if any of the Selectmen would like to attend the Annual SRPEDD Meeting. Selectman Burke stated that he is unable to attend the Annual SRPEDD Meeting. Selectman Hollenbeck stated that she will notify Ms. Garbitt later.

Discuss Invitation from Historical Commission to attend Memorial Day Observance – May 26, 2014

Chairman Powderly read the invitation from the Historical Commission to attend the Memorial Day Observance. The Memorial Day Observance begins at 10:30 AM on May 26, 2014. All three (3) Selectman will be attending.

Request for Constable Reappointment – Matthew Pauliks

Chairman Powderly read the request from Matthew Pauliks to be reappointed as a Constable for the Town.

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

VOTED: To reappoint Matthew Pauliks as Constable in Lakeville with his new appointment expiring on June 25, 2015.
Unanimous in favor.

Request from Tuesday Club for signage – Annual Strawberry Festival – June 15, 2014

Chairman Powderly read the request from the Tuesday Club to place a sign in Lakeville for their Annual Strawberry Festival to be held on June 15, 2014.

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

VOTED: To approve the placement of a sign at the intersection of Precinct/Pickens Street for the Annual Strawberry Festival, which will be held on June 15, 2014.
Unanimous in favor.

Request for One Day All Alcohol Liquor License – Ted Williams Camp – May 16, 2014

Chairman Powderly read the request from the Park Commission for a One Day All Alcohol Liquor License on May 16, 2014 at the Ted Williams Camp.

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

VOTED: To approve the request for a One Day All Alcohol Liquor License at the Ted Williams Camp on May 16, 2014 from 7:00 PM to 12:00 AM for a Graduation Party.
Unanimous in favor.

New Business

Ms. Garbitt stated that the Lions did a great job on the Route 18 Islands and Frank Will donated the mulch.

Selectman Burke read Mr. Peck's request to declare the week of May 18-24, 2014 as National American Public Works Association week.

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

VOTED: To recognize National Public Works Week in the Town of Lakeville during May 18-24, 2014.
Unanimous in favor.

Any other business that may properly come before the meeting

Selectman Hollenbeck asked about the Pension Obligation Bonds for the Plymouth County Retirement Association. Ms. Garbitt explained that they are looking for special legislation. With the funding, some communities might opt out since the assessments are so high. For instance, Lakeville's current assessment will be \$900,000, however, if interest rates are right, this would be a \$300,000 savings for Lakeville. However, the legislation needs to be in place. It is all about timing. The liability was to be fully funded by 2028. The funding schedule has been pushed out to 2030.

It was noted that on Friday, June 13th at noon at the Fireside, the Rotary Commission will be meeting along with the Task Force. They will decide who is on the new Task Force. Lakeville is not in the current Task Force makeup. Selectman Hollenbeck will attend.

Other Items

1. Copy of memo to Planning Board regarding List of Developments
2. Memo from Board of Assessors regarding Reorganization
3. Press release from Board of Health regarding Mosquito Adulticide Applications
4. Letter from Middleborough Selectmen regarding Route 44 Rotary Project
5. Notice from Columbia Gas of Emergency Repair – Grade 1 Leak
6. Bi-Monthly Sanitary Landfill & Transfer Station Inspection Report – April 30, 2014
7. Bridge Report from Mass DOT on Bridge Street/Nemasket River Bridge
8. SRPEDD Commission Meeting Notice from April 23, 2014
9. Notice of Issuance of Waterways License – 36 Central Avenue
10. Notice of South Coast Rail Meeting on May 14, 2014
11. MassWildlife News
12. CTV Form 200 and CTV Form 400 – Verizon
13. CTV Form 200, 300 and 400 – Comcast

At 9:03 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 Firefighter's Union, Police Union, Library Union, Highway Union, Clerical Union and Supervisory 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 strategy sessions in preparation for negotiations with non-union personnel; and pursuant to M.G.L. c.30A, §21a (6) to consider the purchase, exchange, lease or value of real estate because an open meeting may have a detrimental effect on the negotiating 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 potential 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 Hollenbeck-Aye, Selectman Powderly-Aye, and Selectman Burke -Aye.

List of documents for 5-12-14 Select

1. Department of Conservation and Recreation Grant Program information
2. FY15 Capital Plan
3. Resignation letter from Edward Bunn from the Finance Committee
4. Special Town Meeting Warrant
5. Annual Town Meeting Warrant
6. Suggested dates for Warrant Review
7. Letter from the Police Chief regarding the SEMLEC Agreement
8. Bid summary: Pavement Milling and Micro Paving bids
9. Bid Summary: Asphalt Bid
10. Annual SRPEDD Meeting Notice
11. Invitation from the Historical Commission to attend the Memorial Day Observance
12. Letter from Matthew Pauliks requesting Constable reappointment
13. Letter from the Tuesday Club for signage for the Annual Strawberry Festival
14. One Day All Alcohol Liquor License Application-Ted Williams Camp for May 16, 2014
15. Email from Superintendent of Streets regarding National American Public Works Association Week