

TOWN OF LAKEVILLE
Selectmen's and Wage and Personnel Board's, as applicable
Meeting Minutes
June 1, 2016 – 6:30 PM

On June 1, 2016, 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 Hollenbeck at 6:38 PM. Selectmen present were: Selectman Hollenbeck, Selectman Powderly and Selectman Burke. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Matthew Ferreira of the Middleboro Gazette and LakeCAM were recording the meeting.

Warrant Review

Finance Committee Members present included: Michael Petruzzo, Ryan Trahan, George Vlahopoulos, Joseph Flemming and Daniel Holland. Ms. Garbitt stated that the Special Town Meeting will begin at 6:30 PM and the Annual Town Meeting is scheduled at 7:00 PM. The four (4) Special Town Meeting Articles were then reviewed. Article 1 contains the transfers being appropriated from and appropriated to. From includes: \$93,522.78 Reserve Fund, Employee Benefits \$129,495.22, Fire Department Wages \$25,000, Police Department Wages \$25,000, Principal Assessor Salary \$60,000, Town Accountant Salary \$25,000 and Insurance Recovery – Highway Barn \$20,640.29. The total amount of the transfers is \$378,658.29. The monies will be moving into: Snow and Ice Salaries \$23,003, Snow and Ice Expenses \$190,015, Highway Exp. Other Contracted Service \$20,000, Assessors Contracted Services Regional Resource Group \$60,000, Town Accountant Contracted Services \$25,000, Highway Capital Project (Highway Garage) \$20,640.29 and Veterans Expenses \$40,000.

Article 2 had been on the Fall Special Town Meeting Warrant; however, due to the lack of a quorum, it was not voted on. This article pertains to the increase of the FY15 Transportation Assessment for the Freetown-Lakeville Regional School District in the amount of \$105,956. The original appropriation for the article took place during the Annual Town Meeting held on June 9, 2014, under Article 6. Article 3 is asking if the townspeople will vote to allow taxes to be exempt on Personal Property not valued in excess of \$5,000. This change will save greatly in personnel time. The tax rate changes are very little and are barely noticeable. There are a lot of costs associated in sending out demand notices, other notices and postage, etc. Many Cities and Towns are going through this and are opting to do the same. The average personal property bill is \$5.00, so it is not cost effective to pursue this money. Article 4 is asking to amend the General By-Laws relative to the Council on Aging by modifying the language to reduce the number of Directors on their Council from 15 to 11 with one alternate.

The Annual Town Meeting Articles were then reviewed. Article 1 pertains to the salaries of all elected officers; this information will be supplied at Town Meeting. Article 2 pertains to defraying Town expenses for the fiscal period of July 1, 2016 through June 30, 2017. Detailed information regarding this article will be supplied at Town Meeting. There is one less student that will be attending this year. Article 3 Chairman Hollenbeck explained that this article pertains to the Park Department for the upcoming fiscal year. The funds will be provided into

their Enterprise Fund through Town Meeting action. Articles 4 and 5 pertain to the Landfill/Transfer Station and Water Enterprise Funds. Article 6 has been submitted by petition to see if the Town will vote to add a Wetlands Protection By-Law.

Article 7 has been submitted by Petition to see if the Town will vote to accept Sections 3 to 7 of MGL Chapter 44B known as the Community Preservation Act (CPA) for the purpose of acquisition, creation and preservation of open space, acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; acquisition, creation, preservation and support of community housing, rehabilitation and restoration of such open space and community housing. The surcharge on real property shall be 1% of the annual real estate tax levy against real property starting in FY18. It is anticipated that the State will provide matching funds at a rate of 19%. Selectman Powderly asked about the amounts that the State had provided through the years in matching funds. Sarah Kulakovich responded that those figures are available on the Coalition website. Every year Federal funding is brought in. The true value for the Town is leveraging the funds to bring in outside money for grants. So far \$712 million has been leveraged. The CPA has been a huge success with other Towns that are participating, and Lakeville should be trying to gain a portion of the funds as well. Selectman Burke asked who would write the grants. Ms. Kulakovich responded that 2% of the funds can be used to hire consultants to write the grants. The CPA is a way to guarantee a way for the Town to receive funds. It will help keep taxes low, provide smart growth to Lakeville.

Article 8 has been submitted by Petition to see if the Town will approve a Right to Farm By-law. Chairman Hollenbeck explained that the By-law has been reviewed by Town Counsel and is expected to be tabled, as well as, Article 9 which was also submitted by Petition and reviewed by Town Counsel, who felt that they needed to be modified. Article 10 is asking the Town to insert a new section entitled Agricultural Commission, so that an Agricultural Commission can be established to represent the Lakeville Farming Community. This Commission would then formulate the Right to Farm By-law through working with the Board of Health and their present regulations.

Article 11 is an annual article for the Plymouth County Co-operative Extension Service. Article 12 is regarding the funding of the Plymouth County Retirement Association, which should be fully funded in 2028. Article 13 is the Town's share for FY17 for the maintenance and operating budget for the Old Colony Regional Vocational High School District. It includes the Debt Assessment and the Operating Costs Assessment. Article 14 pertains to funds that have been discussed and agreed upon that the Town will provide to the Regional School District above Net School Spending. Article 15 is an article that the School Committee has put forth authorizing themselves to seek borrowing to do repairs to the pool in the amount of \$510,000. Both the Town of Lakeville and the Town of Freetown have placed the article on their warrants. Article 16 is the tuition for Bristol Agricultural Vocational High School, which will be reduced by about \$20,000 due to the number of students who will be attending. The cost at this time is \$182,493.

Article 17 is the contractual obligations upon retirement of Town Employees. This article will help fund some of the unfunded liability in the amount of \$20,000. Article 18 adds funds to the Other Post-Employment Benefits Liability Trust Fund. This account will have the potential for growth and decreases the Town's liability by joining the Trust. Article 19 has been

presented from the Board of Assessors to fund their Triennial Recertification of the Town's real estate and personal property in FY18 as mandated by the Massachusetts Department of Revenue in the amount of \$17,000. Article 20 is for the purpose of making repairs to the Assawompset Elementary School as deemed necessary by Robert Souza, Maintenance Supervisor for the District, and the Building Commissioner, Nate Darling. Norman Orrall, Town Moderator asked if the funds count towards Net School Spending. Chairman Hollenbeck responded that the School is a Town building, and the Town is already over Net School Spending. Ms. Garbitt stated that she will ask Todd Hassett, Interim Town Accountant.

Article 21 is the funding the new MS4 Storm Water Permit requirements. There is preparation work necessary to be done as the permit requirements come through the Environmental Protection Agency. Article 22 is asking if the Town will incur \$400,000 for the preliminary design of a new Police Station, which is a cost that must be incurred to move forward with the Police Station as the Committee compares a stick built versus a modular building. The funds would also be going towards site work, hiring architects, engineers and a Project Manager. There have been figures for a Police Station upwards of \$6 million. In the fall, it is anticipated to incur additional design review costs, providing the Town votes in support of this expenditure now. Selectman Powderly asked if the \$400,000 should even be spent if the Station will not be allowed to be built on the proposed location. Chairman Hollenbeck stated that it becomes a moot point if the townspeople do not want to vote for the design. Ms. Garbitt explained Article 23 where the proposed location for the Police Station is and the anticipated building envelope. There will be handouts depicting this at Town Meeting. Chairman Hollenbeck explained that the proposed location is in the wooded area between the Tennis Club and the entrance into Ted Williams Camp.

Article 24 was explained. The goal is to bring the Assessors back under the Town Office Building to allow for better service. Their current location can be sold. Article 25 is the final payment on the equipment and technology update, which was authorized for three (3) years. Article 26 is asking to borrow money for Capital Improvements which include: three (3) new Police Cruisers w/equipment, one (1) new Pumper for the Fire Department w/equipment, one (1) new Command Vehicle for the Fire Chief w/equipment, all less trade-ins, the Highway Garage Roof replacement, one (1) new one (1) Ton Dump Truck with Plow and other equipment for the Highway Department, one (1) new backhoe with equipment for the Highway Department, a new office trailer w/ramp for the Highway Department, repairs to the Transfer Station Garage, SoftRight Financial software for the Accountant, Treasurer, Assessors, and Town Clerk, software for People GIS for Mapping, Complete Streets and Storm water Management for the Highway Department, and one (1) new copier for Town Offices/Fire Station.

Article 27 asks for the townspeople to vote the acceptance of the Chapter 90 funds in the amount of \$376,166. Article 28 is asking the Townspeople to vote to transfer to the Stabilization Fund the amount of \$233,185. Article 29 is asking the Townspeople to add \$200,000 into the Debt Service/Capital Projects Stabilization Fund, so that there will be funds available for capital projects moving forward. Article 30 is to set money set aside for the Reserve Fund. This will allow funds to be available for transfer and to cover any emergency items that may come up during the year. Article 31 allows for residents to obtain a low interest loan through the Board of Health in order to upgrade, repair or replace their septic system.

During a payoff year, the funds have to be voted through Town Meeting to be re-loaned. Over the past two (2) years, there have been no payoffs. This year the payoffs total \$140,000. Article 32 is to amend the Town Zoning Map by changing the zoning from the Residential (R) to Business (B) at 142 Bedford Street. A map will be attached to show the surrounding area at Town Meeting.

Articles 33-38 have been presented by the Zoning Bylaw Review Advisory Committee. The Planning Board held the necessary hearings on the changes, improvements, and clarifications of the By-law and voted their approval.

Vote on Change Order for Prism Energy Services for Town Office Boiler

Chairman Hollenbeck explained that the Department of Energy Resources approved, at the Town's request, to replace the funds for the Police Station project (new boiler) to the proposed Town Hall project (new boiler) as part of the Green Community's Competitive Grant that the Town has received. The Building Commissioner has requested that the Board of Selectmen approve the change order for Prism Energy Services.

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

VOTED: To approve the Change Order with the Change in Scope to replace the Town Office Building Hot Water Heating System (boiler) with Prism Energy Services who will use a Viessmann Vitoron 100 Model 63 oil-fired 86.9% efficiency boiler in the amount of \$123,685.
Unanimous in favor.

Review and vote on Amendment Agreement with the Massachusetts Clean Water Trust for Water Tower Loan DWS-09-20

Chairman Hollenbeck explained that the amended Agreement is the transfer of the Town's note to the City of Taunton. It is hoped to have it delivered to the City of Taunton so that the Town will not be responsible for another water tower payment.

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

VOTED: To approve the Amendment Agreement with the Massachusetts Clean Water Trust for the Water Tower Loan DWS-09-20.
Unanimous in favor.

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

VOTED: To amend the motion to include: And to allow the Chair to sign the Amendment Agreement with the Massachusetts Clean Water Trust.
Unanimous in favor.

Ms. Garbitt said she has spoken with Assistant City Solicitor for Taunton, Dan DeAbreu. The Clean Water Trust will be meeting on June 8th. This Agreement will be delivered tomorrow, signed by the Mayor and mailed to the Clean Water Trust. It is imperative that everything proceeds so that a closing date can be set and a letter of affirmative be provided from Bond Counsel.

Review and vote to approve Road Opening Permits – 27 Vaughan Street and 475 Kenneth Welch Drive

Chairman Hollenbeck said there were two (2) Road Opening Permit applications received from Columbia Gas.

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

VOTED: To approve the Road Opening Permits for 27 Vaughan Street and 475 Kenneth Welch Drive according to the conditions provided by the Superintendent of Streets in his letters dated May 25, 2016.
Unanimous in favor.

New Business/Old Business

There was no new or old business presented for discussion.

Adjournment

At 7:30 PM, upon a motion made by Selectman Hollenbeck and seconded by Selectman Powderly it was:

VOTED: To enter Executive Session and not return to Open Session pursuant to M.G.L. c.30A, §21a (2) to discuss contract negotiations with non-union personnel, specifically the Fire Chief.
Polled vote: Selectman Hollenbeck-Aye, Selectman Powderly-Aye, and Selectman Burke-Aye.

List of Documents provided at the June 1, 2016 Selectmen's Meeting

1. Special and Annual Town Meeting Warrant Articles
2. Information provided from the Board of Assessors of estimated CPA Revenues and two documents explaining the Community Preservation Act.
3. Change order for Prism Energy Services for Town Office Boiler
4. Amendment Agreement with the Massachusetts Clean Water Trust for the Water Tower DWS-09-20
5. Road opening requests from Columbia Gas for 27 Vaughan Street and 475 Kenneth Welch Drive with letters providing conditions from the Superintendent of Streets, Jeremy Peck.