

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
September 9, 2015 – 9:30 AM

On September 9, 2015, the Board of Selectmen held a meeting at 9:30 AM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Burke at 9:32 AM. Selectmen present were: Selectman Burke, Selectman Powderly and Selectman Hollenbeck. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. LakeCAM was recording the meeting.

9:30 AM Liquor License Hearing – Back Nine Club for Change of Manager, Transfer of Stock and New Officers/Directors

Attorney Thomas Mathieu was present for the applicant. Chairman Burke read the legal notice into the record.

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

VOTED: To open the public hearing for a Liquor License Change of Manager, Transfer of Stock and New Officers/Directors for the Back Nine Club.
Unanimous in favor.

Selectman Hollenbeck pointed out a spot on the application under the occupancy section that had not been selected. Attorney Mathieu explained that it should remain the same. Ms. Craig explained that this is how the paperwork was received from their office.

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

VOTED: To close the public hearing for a Liquor License Changer of Manager, Transfer of Stock and New Officers/Directors for the Back Nine Club.
Unanimous in favor.

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

VOTED: To approve the Change of Manager, Transfer of Stock and New Officers/Directors for the Back Nine Club.
Unanimous in favor.

Possible Executive Session, pursuant to M.G.L. c.30A, subsection 21a (3) to discuss strategy with respect to collective bargaining, specifically the Police Union, if an open meeting may have a detrimental effect on the bargaining position of the Board, and the Chair so declares, and pursuant to M.G.L. c.30A, subsection 21a (2) to conduct a collective bargaining session, specifically with the Executive Committee of the Police Union.

At 10:02 AM, upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To enter Executive Session and to return to Open Session pursuant to M.G.L. c.30A, §21(a) (3) to discuss strategy with respect to collective bargaining, specifically the Police 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 a collective bargaining session, specifically with the Executive Committee of the Police Union.
Polled vote: Selectman Hollenbeck-Aye, Selectman Powderly-Aye, and Selectman Burke -Aye.

At 10:34 AM, upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To come out of Executive Session and return to Open Session.
Polled Vote: Selectman Burke-Aye, Selectman Hollenbeck-Aye, and Selectman Powderly-Aye.

10:30 AM Pole Hearing – Middleborough Gas & Electric and Verizon – School Street

Chairman Burke read the notice into the record regarding request for a pole hearing.

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

VOTED: To open the pole hearing request by Middleborough Gas and Electric and Verizon for two (2) new poles on School Street.
Unanimous in favor.

Selectman Powderly stated that he felt the matter was ridiculous that the Selectmen have to meet regarding the approval of a telephone pole installation and that abutters have to be notified.

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

VOTED: To close the pole hearing for two (2) new poles on School Street.
Unanimous in favor.

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

VOTED: To allow the installation of two (2) new poles on School Street (across from 15 School Street) as requested by Verizon and Middleborough Gas & Electric.
Unanimous in favor.

Review and vote to award bid for Municipal Solid Waste Disposal

Jeremy Peck, Superintendent of Streets, was present for the discussion. Chairman Burke stated that the Town went out to bid for a vendor to dispose of the Town's solid waste. Two (2) bids were received from ABC, Disposal Services, Inc. and Waste Management-New England.

Since it has been determined that SEMASS' contract is not enforceable, and they did not want to "bargain" with the Town, we have been able to go out to bid for a three (3) year contract. Ms. Garbitt added that if the Town wants to continue for the fourth and fifth year with the options as provided, the contract is subject to Town Meeting vote. Mr. Peck explained that Town Counsel had recommended that an end date not be added to the contract for such a reason. The Town should see a savings of approximately \$40,000 for just solid waste. The Town will also not have to negotiate the contract after the first three (3) years. Ms. Craig noted that the low bidder needs to include who is holding the bond and who the guarantor is in the contract. Chairman Burke asked that all aspects of the contract be completed.

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

VOTED: To award the bid to dispose the Town's solid waste to ABC Disposal Services, Inc. for a three (3) year period with two (2) one (1) year renewal options.
Unanimous in favor.

An update was provided from Mr. Peck regarding the need to increase the rates that are being charged at the Transfer Station since the cost is up almost an additional \$100 per ton. Adjustments need to be made so that the Town is not losing money. Mr. Peck has begun to do research on what other Towns are charging. He will provide further information at a future Selectmen's meeting.

Review and vote to award bids for Propane Gas and #2 Fuel Oil

Chairman Burke stated that bids were requested for Propane Gas and #2 Fuel Oil. Discussion took place regarding the companies that had submitted bids taking into consideration the service factor, which is a true need by the company that is awarded the bid. Selectman Powderly questioned the prices for how the #2 Fuel Oil is established. Ms. Craig provided the information. Basically, the price is determined the day that the oil is picked up in Boston from the tanker and the differential is what the delivery/shipping price of the oil is per gallon. Selectman Powderly will follow this up further to make sure that the base price is the lowest available.

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

VOTED: To award the bid for Propane with a price differential of \$.67007 and cleaning/maintenance of \$64.50 per hour to Roby's Propane Gas, Inc.
Unanimous in favor.

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

VOTED: To award the bid for #2 Fuel Oil to Standish Oil Company, Inc., with a differential price per gallon is \$.174 and cleaning/maintenance for heat is \$85.00 per hour and air conditioning is \$95.00 per hour.
Unanimous in favor.

Discuss research from the Police Chief regarding Modular Police Station

Police Chief Frank Alvilhiera, and Nathan Darling, Building Commissioner were present for the discussion. Chairman Burke explained that for some time, the Town has been discussing the possibility of building a new Police Station; however, the cost to do so has been prohibitive. The Chief has contacted the Board recently about a possible solution. At a past Town Meeting, there had been a vote to appropriate funds to repair the roof. Since then the Chief has heard from vendors that other Towns have utilized modular buildings as their solution for building a new facility, and the savings are significant. It is hoped to discuss this option and possibly conduct a site visit with the Police Chief to a location that presently has such a building. For a 7,200 square foot building, the cost is approximately \$900,000. The Town was about to spend \$300,000 for a roof, which, ultimately could be more costly, especially if the cells are damaged or altered during the roof repairs. If damage is done or the cells are altered in any way, then the Town would have to build the Police Station according to all the new standards of which the cost is in the thousands. It may be more cost effective to not do the roof repair and go before Town Meeting asking if the Town would approve the balance of the repair with instead a whole new structure. Chief Alvilhiera stated that a tour could be set up for the Selectmen to see a Police facility building in Dartmouth.

Selectman Hollenbeck stated that she is agreeable in exploring all available options. If this is deemed worthwhile for the Police Station, it may also be a sensible solution for other necessary and needed Town buildings and solve some space needs. Why should the Town spend \$300,000 on a roof if it may instead increase to \$700,000 for other structural repairs? The Town could have a whole new building for not much more. Chief Alvilhiera stated that he was impressed by some of the modular projects that he saw. He even saw a modular structure of a school in Westport. Selectman Hollenbeck asked what might then happen with the present Police Station. Mr. Darling stated that rather than demolishing it, the Town may want to relocate it elsewhere. The Police will also need a building to work out of while the new building is being built. At this time with the condition of the roof, it will need to be monitored this winter and some leaks chased to prevent any further damage. The snow will need to be removed from the roof after each snow fall. Selectman Hollenbeck asked about the issue of the Town not being able to build an additional building on Park Land. Ms. Garbitt explained that the original plan was to build a Police Station across the street; however, it is now considered Article 97 land. The Library was the last building to be built on Park Land. Town Meeting had approved the building of a new Police Station next to the Senior Center. The cost to do the feasibility study for this was \$150,000. It can be done with special legislation set into place. The cost to build a brand new Police Station was what stopped the process.

Chairman Burke stated that the hurdle that the Town would have to overcome at some point would be making sure the special legislation had taken place. Selectman Hollenbeck asked what happened with the Design Study funding. Ms. Garbitt responded that it had been released back to the operating budget. Chief Alvilhiera stated that looking at the \$300,000; it is known that there will still be multiple issues encountered with the present building relating to safety issues, ground water, etc. The time is now to do some investigating of other options. Chairman Burke stated that the issue is not that Town needs a Police Station, it is can the Town afford it? If there is a possibility that the cost can come in under a million dollars vs. \$8 million, this may be the

most viable option. Selectman Hollenbeck asked about the lifespan of a modular building. Mr. Darling stated that he will be looking into that. Chairman Burke noted that the manufacturer says that there is no detriment to the time frame. Chief Alvilhiera added that modular buildings are considered permanent modular construction now. Selectman Powderly stated that he would support visiting the police modular building and the school modular building. He stated that all the costs need to be looked at, if it is being leased. The old costs were approximately \$400 per square foot. In any case, the previous cost was considered to be approximately \$3-6 million and now there is the possibility of having the same with the cost of approximately \$1million. This is a positive. However, it needs to be seen what the Dartmouth School system is leasing for \$500,000 and the endurance over time with a modular building. If legislation needs to be done to change the land across the street, it needs to be determined that this plan would be a \$5 million dollar savings for the Town, since the original idea was to have the land be for Town activities and to not impose anything else on the Park Land.

Chief Alvilhiera noted that the Dartmouth Police Department is talking about the possibility of a stick building built at some point. Ideally, a larger station than what the Dartmouth Police Department has now would be preferable; however, in the interim that size would be appropriate. Kaestle Boos had calculated what the Police Department needed for the size of the Department, projecting out twenty (20) years and considering increases in manpower. Currently the Police Station is approximately 5,200 square feet and Kaestle Boos has projected a 15,500 square foot building for the Lakeville Police Department. Selectman Powderly stated that it needs to be determined if a 7,000 square foot building is needed or a 15,000 square foot building. In any event, the Selectmen should tour some modular buildings to gain an understanding about them. Selectman Hollenbeck stated that she would like to know Dartmouth's long term plans, since they are planning on building a stick building. What are their alternatives if it does not pass at Town Meeting? Will the present building suffice? Chief Alvilhiera stated that they have no foundation with their present building. Mr. Darling mentioned that consideration also needs to reflect a sprinkler system for a building 7,500 square feet or larger and the fact that the Fire Department State statute would kick in. The water pressure needed would need to be measured, and if there is basement, then the overall building would be bigger. There will be the need for accessibility on both floors, along with the sprinkler system.

Discuss Temporary Conservation Clerk Position

Nathan Darling, Building Commissioner, was present for the discussion. Chairman Burke explained that in June the Selectmen voted to extend the temporary position of the Conservation Clerk through until September 30, 2015. At this time, after reviewing the duties of the position, the Building Commissioner feels that it should be filled on a permanent basis for 15 hours a week. The job description has been reviewed by the Town Administrator and the Building Commissioner.

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

VOTED: To create a permanent position of Conservation Clerk based on the Job Description as presented.
Unanimous in favor.

Review and vote to approve GATRA Contract

Selectman Hollenbeck asked if the Council on Aging Director has reviewed the Greater Attleboro-Taunton Regional Transit Authority (GATRA) Contract and deems it acceptable. Ms. Garbitt responded that Ms. Souza has reviewed it and had a few changes made with the pricing and the wages for the drivers. Selectman Hollenbeck stated that she had had a discussion before regarding Senior Citizens in Lakeville trying to get to Middleborough appointments. It is hoped that that gap has been bridged with GATRA. Selectman Powderly stated that there are volunteers that drive Senior Citizens in their personal cars to Boston appointments. This is swapped with the Town of Middleborough. Ms. Souza helps with the arrangements.

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

VOTED: To approve the contract between GATRA and the Town of Lakeville for Transit Service for the Elderly and Disabled from July 1, 2015 through June 30, 2016 and to authorize the Chairman of the Board of Selectmen to sign it.
Unanimous in favor.

Review request from Economic Development Committee to hold a Business Matchmaking Event in October

Chairman Burke stated that the Economic Development Committee would like to hold a Business Matchmaking Event at LeBaron Country Club in October. The event is basically a networking event. There will not be any Town funds used to organize and operate the event. Bridgewater Savings Bank will be providing funding through a donation.

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

VOTED: To allow the Economic Development Committee to hold a Business Matchmaking Event in October.
Unanimous in favor.

Discuss updating Welcome Video on Town's Website

Chairman Burke stated that CGI Communications, the company that made the welcome video for the Town's website in 2008, has contacted the Town regarding making an updated video. There is no cost associated to the Town for updating the video. CGI will solicit area businesses to pay for the video. Ms. Craig stated that they will be looking for people to be in the video and to the Board of Selectmen to talk about Economic Development. They are looking for Town Leaders to be included.

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

VOTED: To allow CGI Communications to update the Town's Website Video
Unanimous in favor.

Review from American Cancer Fund for Children to proclaim September 27 to October 3, 2015 as Childhood Cancer Awareness Week

Chairman Burke said the Board had received a request to proclaim September 27 to October 3, 2015 as Childhood Cancer Awareness Week.

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

VOTED: To waive the reading of the Proclamation from the American Cancer Fund and to declare the week of September 27th through October 3rd as Childhood Cancer Awareness Week.
Unanimous in favor.

Request from Daughters of the American Revolution to proclaim September 17 to September 23, 2015 as Constitution Week

Chairman Burke said the Board had received a request to proclaim the week of September 17 to September 23, 2015 as Constitution Week.

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

VOTED: To waive the reading of the Proclamation from the Daughters of the American Revolution and to proclaim the week of September 17 through September 23, 2015 as Constitution Week.
Unanimous in favor.

Schedule October, November and December Meetings

The Selectmen voted to schedule their October, November and December meetings on Wednesday, October 14, 2015 at 7:00 PM; Wednesday, November 4, 2015 at 7:00 PM; Wednesday, November 18, 2015 at 9:30 AM; Wednesday, December 9, 2015 at 7:00 PM, and Wednesday, December 21, 2015 at 9:30 AM

Review and vote to approve Board of Selectmen Meeting Minutes for June 24, 2015 and August 25, 2015

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

VOTED: To approve the Selectmen Meeting Minutes of June 24, 2015 and August 25, 2015 as presented.
Unanimous in favor.

Review and vote to approve Board of Selectmen Executive Session Meeting Minutes of August 25, 2015

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

VOTED: To approve the Executive Session Selectmen Meeting Minutes of August 25, 2015 as presented.
Unanimous in favor.

New Business

Chairman Burke read letter of thanks that was sent to Hannaford Supermarket for their donation of \$250 to the Animal Shelter.

Selectman Powderly mentioned that there was a letter from Comcast which had information regarding their “Internet Essentials”, which is a program for families with children eligible for the National School Lunch Program with access to low-cost broadband service. He asked whether this letter had been provided to the School Department. Selectman Hollenbeck responded that it had been provided to the School Department per the Town Administrator.

Old Business

A handout was provided from Ms. Garbitt. It was a memo that had been received from the Open Space Committee stating that Patrick Marshall would like to represent the Open Space Committee on the Master Plan Implementation Committee.

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

VOTED: To appoint Patrick Marshall from the Open Space Committee as their representative on the Master Plan Implementation Committee.
Unanimous in favor/

Also, Don Foster will continue to be the Open Space Committee representative on the Energy Advisory Committee.

Other Items

1. Letter from Town of Middleborough regarding non-renewal of contract for public nursing services
2. Letter to Hannaford Supermarket regarding donation to Lakeville Animal Shelter
3. Notice of Women Veterans’ Retreat – October 24, 2015
4. MMA’s Fall Legislative Breakfast Meetings
5. Letter from DEP regarding J & J Seafood – 197 County Road regarding replacement well proposal
6. Letter from Comcast regarding Internet Essentials Program
7. Notice from Verizon regarding removal of Sportsman channel

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

VOTED: To adjourn the Board of Selectmen Meeting at 11:18 AM.
Unanimous in favor.

List of documents provided at the September 9, 2015 Selectmen's Meeting

1. Public notice for liquor license change of manager, transfer of stock and new directors/officers for the Back Nine Club
2. Pole hearing request from MG&E and Verizon for two (2) new poles on School Street
3. Bids for municipal solid waste disposal from ABC Disposal Services, Inc. and Waste Management-New England
4. Bid information for propane gas from Roby's Propane Gas, Inc., and JaySan Gas Service, Inc. and #2 fuel oil from Standish Oil Company, Inc.
5. Modular unit information for discussion regarding this as an option for the Lakeville Police Department
6. Part time Conservation Commission Clerk Job Description with amendments
7. GATRA contract for July 1, 2015 through June 30, 2016
8. Information provided from Chairman regarding the EDC Business Matchmaking Event request for October
9. Information from CGI Communications to update the Town's website at no charge to the Town
10. Request from the American Cancer Fund for Children to proclaim September 27-October 3, 2015 as Childhood Cancer Awareness Week
11. Request from Daughters of the American Revolution to proclaim September 17- 23, 2015 as Constitution Week
12. Dates to schedule October, November and December Selectmen Meetings
13. Open Session Selectmen Meeting Minutes of June 24, 2015
14. Executive Session Selectmen Meeting Minutes of August 25, 2015
15. Memo from the Open Space Committee regarding appointing Patrick Marshall to represent them on the Master Plan Implementation Committee