

TOWN OF LAKEVILLE
Selectmen's and Wage/Finance Committee
Meeting Minutes
September 12, 2016 – 6:30 PM

On September 12, 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 6:34 PM. Selectmen present were: Selectman Hollenbeck, Selectman Powderly and Selectman Burke. Also present were: Rita Garbitt, Town Administrator, Tracie Craig-McGee, Executive Assistant and Christine Weston, Recording Secretary. LakeCAM was recording the meeting.

6:30 PM Meet with LakeCAM to discuss Financials for LakeCAM

Donald Foster, Jose Invencio, Pat O'Neil and James Kenney were present for the discussion. Chairman Hollenbeck mentioned that through reviewing the Financial Statements, she noticed the revenues and salaries for the employees increased. Mr. Invencio said since he has come on board, his vision has been to expand programming 25%, which has been taking place. So far this year there have been 311 programs, with the reality that it may be more like 390, which is actually an additional 15%. The goal was to increase the programming for LakeCAM and Town Meetings. Mr. Foster added that LakeCAM has invested a lot of time, which transfers to dollars, for part timers to record things for the Town and Schools, and also for the Town of Freetown, and to gain income from them. LakeCAM is also working to have the High School students involved. Mr. Invencio noted that as of this morning, LakeCAM has started the Internship Program at the High School, and is planning to add this program at Old Colony as well. Selectman Burke stated that he did not think that it is a bad thing to spend a bit more money on the programming and the internships to get more for less. Mr. Invencio stated that one of the missions is to train and teach people to do it themselves. There have been a lot of people coming forward that want to be program producers. That had not taken place before; it had been up to LakeCAM to record and produce the programs. Chairman Hollenbeck stated that it is realized that LakeCAM wants to increase revenue; however, it is limited by the contract.

Mr. Kenney stated that looking at the numbers, LakeCAM is not sustaining from a revenue point. Mr. Invencio added that there is someone from Bridgewater State University who is interested in helping increase the potential. Chairman Hollenbeck asked about LakeCAM obtaining nonprofit or underwriter monies. However, there are nuances with the tax law which need to be adhered to. Mr. Invencio stated that LakeCAM is following the same law as WGBH. It cannot be an ad; it can be a statement of who is helping our efforts, and that is a tax deduction. To have specific programmatic sponsorship it is not really under writing. Chairman Hollenbeck asked, from a sustainability standpoint, what is LakeCAM looking at with facilities, as they are trying to produce more programs and have space needs. Ms. O'Neil stated that there is a committee looking for studio space. Several places throughout Town were looked at, and Savas almost seemed viable, but with the build out and rent, in three (3) to four (4) years there would not be any cash left. Chairman Hollenbeck suggested speaking to the Cable Committee in terms of the contract. Mr. Foster stated that if LakeCAM spends the money for an enhanced facility, then it cannot afford the people to work there. Mr. Kenney noted that LakeCAM has made their small space very workable when there are three (3) plus people working in a space really just for one (1).

Selectman Powderly pointed out that the School District has reduced the amount of students by about 250, so there may be a classroom that would be available. It is understood that there is a security issue, but LakeCAM could put in their own door. Mr. Invencio stated that LakeCAM is not averse to doing that, as they put in their own door at the Library for access. It is hoped to do something like that at Assawompset, since that school is right on the fiber lines. Chairman Hollenbeck suggested looking at other areas to enhance the nonprofit. Mr. Invencio stated that there is a model and there are other communities that LakeCAM could work with, like Freetown, which would be a natural connect. As the 2016 numbers are looked at, it will be seen that LakeCAM has put in a brand new broadcast system, it is IP based and can broadcast up to 20 channels and is digital. Selectman Powderly asked if the Town/Selectmen would want to make the Senior Center one of the “home” areas as this office presently is. Mr. Invencio responded that that would be a good idea, since meetings could take place in two (2) rooms in the Senior Center, allowing for additional meeting space. The previous Director of the Council on Aging (COA) was worried about losing funding, if that was taking place. LakeCAM does not want to disrupt any potential income of the COA. Mr. Foster stated that they can sketch this out and do some research about developing two (2) meeting rooms at the COA. Selectman Powderly noted that the Board does have some funds, \$10,000 a year, which may be able to be spent towards that. Selectman Burke noted that the Board is in the midst of reconfiguring the Town Hall to bring the Assessors back. We would need a consistent place to hold meetings if the present Selectmen’s Office space is changed to another use. Mr. Foster suggested scheduling a brainstorming session so that some ideas of what it might cost can be developed.

Selectman Powderly suggested for them to get in touch with Fred Baker, Director of Business & Finance at the School Department and the School Superintendent, Rick Medeiros, for their ideas. Mr. Foster noted that the issue that kept surfacing previously with the Schools was security, CORI checks, students disturbing the equipment, etc. Selectman Powderly stated that those issues can be resolved. Selectman Burke agreed that it is not insurmountable. Chairman Hollenbeck stated that the Board would like to know what the cost would be for wiring up the COA. She suggested finding out what the Town of Raynham had done to remedy the security issues, and what a classroom would need. Ms. O’Neil stated that they would need some measurements to spec it out, to look at the electrical, etc. Chairman Hollenbeck stated that the Board could also help in opening up the lines of communication with neighboring towns.

Mr. Foster stated that they have been meeting the second Tuesday of every other month. Discussion is mostly financial with strategies and focus on operations. 90% of people watch the meetings online with Vimeo, and this can be tracked. Mr. Kenney stated that they are always looking for more Members. The Board is diverse consisting of Mr. Invencio, the Executive Director, Patrick Marshall, who is a Librarian in Bourne, Greg Seifert, and Neil Bornstein, Pediatrician. LakeCAM is fortunate to have some really great people, two (2) full time in addition to Mr. Invencio, Emily and Eric. It is a wonderfully stable and productive environment with these people. Ms. Garbitt noted that it is nice to be able to pull up any particular meeting on Vimeo. Mr. Foster stated that any location, such as a classroom would need to be ADA compliant. It would also be most beneficial if the access was at the first floor level for bringing equipment in and out. Ms. Garbitt asked if LakeCAM would need as much room as they presently have at the Town Office Building at the COA. Mr. Invencio stated that they would

need someplace to put equipment and lock it up. There is not a whole lot of space at the COA and everything is being used.

Chairman Hollenbeck suggested reconvening in a few months to review the numbers that LakeCAM will have come up with. Selectman Powderly stated that LakeCAM can ask to look at Assawompsett as a group. Mr. Invencio thanked the Board of Selectmen, Ms. Garbitt, Ms. Craig-McGee and Ms. Weston for the help in knowing when, where and at what time meetings were taking place and for being patient with LakeCAM. Another item that would be beneficial when recording is to have ceiling microphones in the conference room so that plans or other documents are not covering the microphones. The COA would be an excellent venue, since often times many people are in attendance to meetings, and they are not able to fit in the Town Office Building spaces.

Review and vote to rescind the Special Municipal Employee Designation votes from July 18, 2013

Chairman Hollenbeck stated that the Special Municipal Employee Designation vote was an agenda item that was discussed at the August 24th Selectmen's meeting. It was continued to make sure that a complete list was developed. Ms. Garbitt added that a question had come up regarding the Board of Health and the Park Commission.

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

VOTED: To rescind the Special Municipal Employee Designation vote from July 15, 2013.
Unanimous in favor.

Vote to designate a new list of Special Municipal Employees

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

VOTED: To designate as Special Municipal Employees the following Boards, Committees and Commissions with no expiration date: Agricultural Commission; Animal Inspector; Appeals Board; Board of Assessors; Board of Health; Board of Registrars; Community Development Committee; Conservation Commission; Energy Advisory Committee and Park Commission.
Unanimous in favor.

Discuss memo from the Auditor for the Regional School District regarding the GRAIS Debt Service Allocation

Chairman Hollenbeck provided an update regarding the George R. Austin Intermediate School (GRAIS) Debt Service allocation. The matter has been ongoing for well over a year and concerns the overassessment to Lakeville for years 2014, 2015 and 2016. It is felt that the overall overcharge to Lakeville was about \$9,800. The auditors have agreed to this amount. It is also understood that the Town of Freetown was undercharged. The auditing firm of Lynch, Malloy, Marini, LLP has provided a memo, which is not very clear. Chairman Hollenbeck has

written a letter to clarify the matter to provide to the School Committee. The letter would be public record that there was an over assessment of under \$10,000 to the Town of Lakeville, while the Town of Freetown was under assessed by the same amount. Selectman Powderly stated that he would like to put the matter to rest and not bring it up again. Selectman Burke stated that the auditing firm is not going to say what took place the way the Chairman may want them to say it, because they are trying to preserve their relationship with the School Committee. They don't want to admit that they screwed up for three (3) years. Selectman Burke stated that he was acceptable with a letter that does not ask the School Committee to vote, which is included when the School Committee votes to accept the memo from Robert Lynch, CPA that the matter is settled. Chairman Hollenbeck stated that she will be attending the School Committee meeting to speak on the matter to make sure that it is all very clear and that the matter is now done and over with. It is important to point out that Lakeville was over charged, and Lakeville is willing to accept this as settlement of the issue.

Vote to Sign Bond Anticipation Note (BAN)

Ms. Garbitt mentioned that the Modernization Act that has changed the maximum term for BANS from five (5) to ten (10) years. Does the Board want her to make any changes to what has been put into place for five (5) years? Selectman Powderly recommended to leave the items as they were, using useful life.

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

VOTED: To approve and sign the Bond Anticipation Note in the amount of \$1,050,000 for various purposes to be issued on September 19, 2016 and due September 19, 2017 payable to Unibank for Savings with an interest rate of .85%.
Unanimous in favor.

Review and vote to adopt the Financial Management Policies

Chairman Hollenbeck suggested that on page 4, under D, OPEB Trust Fund, she would not mind not putting in an amount number, but to simply say that there will be an annual contribution. Selectman Powderly noted that on page 6 he didn't like the paragraph about not incurring new debt unless the old debt is paid down, then to incur new debt. It was agreed that that paragraph would be removed. Selectman Powderly suggested that each member of both the Board of Selectmen and Finance Committee should sign the Financial Management Policies.

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

VOTED: To approve and adopt the Board of Selectmen and Finance Committee Financial Management Policies as amended.
Unanimous in favor.

Discuss what role the Selectmen would like the Economic Development Committee to play in promoting development of the former Lakeville Hospital site

Selectman Burke stated that the Economic Development Committee (EDC) had met last week and discussed the presentation from Grant King of Southeastern Regional Planning & Economic Development District (SRPEDD), and also the meeting that took place with State Secretary Jay Ash. The question came up of what role should the EDC have related to the Hospital Site, if anything. Mr. Ash had suggested reaching out to developers. Does the EDC do that, the Selectmen or does the Board not care to do either? Selectman Powderly stated that he is not against going to the big developers in the State; however, the seller is unwilling to do anything at this time. The matter about the sewer disposal should be resolved first with the Town of Middleborough, then possibly the Selectmen can move forward and involve other Departments and people. There are zoning issues, which are not something to worry about at this time, since the zoning should not be changed until it is known what the zoning should be changed to. Chairman Hollenbeck added that it had been suggested that the Selectmen meet with the Middleborough Board of Selectmen about setting into place an inter-municipal agreement. Selectman Burke stated that if the Town of Middleborough requires a Town Meeting vote, it may be light manufacturing, a mix of residential/commercial and light industrial, which would not require the necessary sewer from Middleborough. Lakeville's hope would be to have a developer say what they could do with the property with sewer not being an issue, only the zoning which could be changed accordingly.

Selectman Burke added that many Boards/Committees have tried to remedy the site, however, each has failed. Chairman Hollenbeck stated that she did not want to close the door until she has the opportunity to knock on it. She asked what specifically has to go in front of Town Meeting in Middleborough, the ability or the actual sewer amounts. Selectman Burke responded that he had understood that there had to be an actual plan. He and Ms. Garbitt had met with Middleborough's Sewer Superintendent and Town Manager to determine what was actually needed. It seems that they said that they need to have a plan, and a system that works. Since there is an existing line, they want to know if the line was tested to find out if it would fail or not. They would want to know the gallons per day. Basically, the information required that there be a project concrete enough that the information could not just come from a developer. It is a bit more than just a Town Meeting vote. Middleborough has a bylaw. Anything needing more than what a house would need has to go before Town Meeting. Selectman Powderly explained that the Town of Middleborough lost a lot of business when the hospital closed. The Town of Lakeville is willing to pay them for the 40,000 gallons a day that they lost. Chairman Hollenbeck asked if Lakeville actually needs the plan for the property and for it to be supported by their Selectmen with a particular allocation, or does it all need to be definitive. Selectman Burke responded that, since it has been a while since meeting with the Town Manager, it would be worth meeting with him again to discuss the matter. If their Selectmen understand the vision for that property and how it is a Regional Economic Center to embrace with Lakeville, that would go a long way. Lakeville needs to have Middleborough involved with Lakeville at some point, so it is worth a conversation. Selectman Powderly mentioned that the amount of 40,000 gallons seems to go with all the projects that have been proposed. Selectman Burke stated that if the sewer issue can be resolved, then there is hope on the other items.

Review and vote to award bids for Heating Oil and Propane Gas

Ms. Garbitt explained that Town Counsel's advice was sought regarding the two (2) bids that had been submitted for heating oil and propane gas. After speaking with Town Counsel on the bids, it is advised that the Selectmen award the bid for propane gas service to JaySan and the bid for heating oil to Standish Oil. Selectman Powderly stated that this change from Roby's Gas will mean that all the propane tanks will have to be taken out by Roby's and reinstalled by JaySan. Ms. Garbitt agreed, but stated that the tank at the Council on Aging is owned by the Town and will not be changed. Selectman Burke asked how many tanks would need to be changed out. Ms. Garbitt responded that it would be the Park Department, Police Station and Animal Shelter.

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

VOTED: To award the bid for propane gas to JaySan Gas Service, Inc. in the amount of \$.60000 for delivery; \$98 per hour for scheduled service calls; and \$149 per hour night or weekend service calls, and to award the bid for heating oil to Standish Oil in the amount of \$.173 per gallon for delivery and heat and air conditioning service at a rate of \$95 per hour.
Unanimous in favor.

Announce receipt of 911 Grant for the Police Department

Chairman Hollenbeck announced the 911 Grants for the Police Department. The first grant is a support and incentive grant in the amount of \$28,304, which will be used to offset personnel costs in dispatch. The second grant is a training grant, which will be used to offset training costs to train personnel in continuing education courses and Emergency Medical Dispatch training as required annually per State standards.

Request from Lakeville Arts Festival Committee for placement of signs for Lakeville Arts Festival – October 1, 2016

Chairman Hollenbeck reviewed the request for the placement of signs for the upcoming Lakeville Arts Festival scheduled for Saturday, October 1, 2016.

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

VOTED: To approve the request from the Lakeville Arts Festival Committee for the placement of signs noting their upcoming event on Saturday, October 1, 2016. Signs will be as follows: a 5' x 4' sign at the Lions Club and on Sedell's property, a 3' x 5' sign at the intersection of Precinct Street and Route 79, and 25 wire signs on private property throughout the Town. The event will also be posted on the Community Sign.
Unanimous in favor.

Review proclamation for September 23, 2016 being proclaimed as Pauline Ashley Day

Ms. Craig stated that though September 23, 2016 is not the last day of employment for Ms. Ashley, the day will coincide with her retirement party taking place on that day.

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

VOTED: To approve the Proclamation that September 23, 2016 be proclaimed as Pauline Ashley Day.
Unanimous in favor.

Review request from Vicki Souza, Council on Aging Director, to appoint Kelly Conway as the Lakeville Representative to Old Colony Elder Services Board of Directors

Chairman Hollenbeck explained since the Council on Aging Director will be retiring, she is requesting that Kelly Conway be appointed as the Town's Representative to the Old Colony Elder Services Board of Directors.

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

VOTED: To appoint Kelly Conway as the Lakeville Representative to Old Colony Elder Services Board of Directors with a term to expire June 30, 2017.
In favor 2, Abstain 1 (Chairman Hollenbeck).

Request to appoint Kenneth Olivieri to the Open Space Committee

Chairman Hollenbeck noted that the Park Commission has designated Kenneth Olivieri to be their representative on the Open Space Committee.

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

VOTED: To approve the request of the Park Commission to appoint Kenneth Olivieri to the Open Space Committee as the Park Commission Representative with a term to expire July 31, 2017.
Unanimous in favor.

Discuss scheduling Board of Selectmen Meetings for October, November and December

The following dates were set for the Selectmen Meetings for October, November and December Selectmen Meetings: October 11 and 24, 2016 at 6:30 PM; November 7 and 21, 2016 at 6:30 PM; and December 5 and 19, 2016 at 6:30 PM.

New Business

Discussion took place about the Selectmen's Meeting that is scheduled for September 16 at 2:00 PM. Selectman Powderly is unable to attend unless the time is changed to 3:00 PM. It was

the consensus of the Board to have Ms. Garbitt change the time to 3:00 PM. It was asked that the incident that took place at the Ted Williams Camp, which the Selectmen had been notified of by email, would be added to this agenda for discussion. Ms. Garbitt noted that the Park Commission was meeting this evening and also discussing the matter.

Chairman Hollenbeck stated that there will be a Regional Finance Committee meeting on September 27th to discuss the budget problems that the Regional Schools will be facing this year. Selectman Powderly stated that he would also like to attend the meeting.

Other Items

1. Letter from Jeremy Peck regarding Private Hauler Regulations-Recycling
Selectman Powderly asked for clarification about the memo that Mr. Peck, Superintendent of Streets is writing regarding Private Hauler Regulations-Recycling. Was Mr. Peck making the changes or giving his opinion? Ms. Garbitt explained that Mr. Peck had met with the Board of Health on August 3, 2016 to discuss implementing a policy that would update the private hauler regulations with a requirement to recycle. The Board of Health provided him with several questions, which he put forth to Kathi Mirza (MassDEP) Regional Municipal Assistance Coordinator) for her advice and response. There will be a Waste Ban Meeting on September 29th in Westborough, which Mr. Peck will be attending. Selectman Powderly stated that if Mr. Peck is going to make changes with private haulers, there should be a pre-discussion about it. Chairman Hollenbeck noted that the Board of Health voted not to do anything and these are their regulations. Ms. Garbitt explained that the primary question was if the private haulers need to comply with the Waste Ban and yes, they do have to comply. Selectman Powderly stated that he never wants to involve vendors unless matters are discussed with them first.
2. Copy of memo sent out to Department Heads regarding Bi-Weekly Updates
Chairman Hollenbeck stated that she would like the Board of Selectmen to get copies of the Department Heads Bi-Weekly Updates through email as well as a hard copy.
3. Notice of MMA's Fall Legislative Breakfast Meetings
Chairman Hollenbeck asked to be registered for the MMA meetings in Bridgewater on October 7th. Ms. Garbitt stated that she will sign up for the same day and attend with Chairman Hollenbeck.
4. Notice of Public Hearing regarding Regulation Review for Department of Telecommunications and Cable
5. Invitation to Sculpture Unveiling-Cathleen Goodfellow-September 23, 2016
Ms. Garbitt noted that there will be an unveiling of a garden sculpture honoring Cathleen Goodfellow, Children's Librarian for 20 years on September 23, 2016 at 3:00 PM. The Selectmen all expressed interest in attending the dedication.
6. Notice the Town of Lakeville has been awarded a \$2,800 Recycling Dividends Program Grant from MassDEP
Ms. Garbitt announced that Mr. Peck, Superintendent of Streets, had applied for and was awarded a Recycling Dividends Program grant in the amount of \$2,800 through the Sustainable Materials Recovery Program.

At 8:32 PM, upon a motion made by Selectman Burke; 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 (3) to discuss strategy with respect to collective bargaining, specifically the Laborers' Union, if an open meeting may have a detrimental effect on the bargaining position of the Board, and the Chair so declared. Polled vote: Selectman Powderly-Aye, Selectman Hollenbeck-Aye, and Selectman Burke-Aye.

List of documents provided at the Selectmen's meeting of September 12, 2016

1. LakeCAM financial statements dated December 31, 2015
2. List of Special Municipal Employee boards designated on July 15, 2013 to be rescinded, MGL information for Chapter 268A from Kopelman and Paige, from February 11, 2005.
3. List of boards to designate as Special Municipal Employee.
4. Memo from Lynch, Malloy, Marini, LLP dated August 15, 2016 re" GRAIS Debt Service Allocation and draft letter from Chairman of the Selectmen to send to the Superintendent of Schools.
5. Bond Anticipation Note vote with Unibank in the amount of \$1,050,000.
6. Draft Financial Management Policies of the Board of Selectmen and Finance Committee dated August 25, 2016 to adopt 9-12-2016.
7. Memo to discuss the role of the EDC for promoting the development of the former Lakeville Hospital Site.
8. Awarding of bids for heating oil and propane gas
9. Memo from Police Chief regarding the receipt of two 911 grants for the Police Department.
10. Request from the Lakeville Arts Festival to place signs for their October 1, 2016 event.
11. Proclamation to declare September 23, 2016 as Pauline Ashley Day
12. Request from COA Director, Ms. Souza to appoint Kelly Conway as the Lakeville representative to Old Colony Elder Services Board of Directors.
13. Request to appoint Kenneth Olivieri to the Open Space Committee as Park Commissioner Representative.
14. Suggested October-December BOS meetings.