

TOWN OF LAKEVILLE
Selectmen's and Wage and Personnel Board's, as applicable
Meeting Minutes
September 13, 2016 – 3:00 PM

On September 13, 2016, the Board of Selectmen held a meeting at 3:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Hollenbeck at 3:09 PM. Selectmen present were: Selectman Hollenbeck and Selectman Powderly; Selectman Burke entered the meeting at 3:30 PM. Also present were: Rita Garbitt, Town Administrator, and Tracie Craig, Executive Assistant. LakeCAM was recording the meeting.

Strategic Planning Discussion

Nathan Darling, Building Commissioner, Robert Poillucci, Chairman of the Board of Health and Kenneth Olivieri of the Park Commission were present for the discussion. Chairman Hollenbeck said the Park Commission met last night. Mr. Olivieri said they discussed trying to get a process on long term planning for Loon Pond Lodge, and voted to start the process of leasing out the Lodge to a third party to run the function hall and operations there. That needs to be done. It was a 4/1 vote to move forward. We will look to see if this makes sense. We will develop a RFP to see if that is the best route to go with respect to that aspect of the Park Department. We are still looking at long term planning and want to run as efficient as possible. Chairman Hollenbeck said did you receive a copy of the Long Term Plan of the Park Department. Mr. Olivieri said he doesn't think so. Chairman Hollenbeck said we can give you a copy. If that is the direction, then your Long Term Plan will change. A lot of the Park's Plan involved additional functions and the running of the Lodge. Mr. Olivieri said the vote last night was to look at the process. Mr. Poillucci said that was what the Board of Health initially tried to do. It will solve so many Board of Health issues to have only one (1) person to deal with. Chairman Hollenbeck said that will help cut down on your workload. Mr. Olivieri said he will be helping Mary Beth gather the caterer's information, which is all up to date now. Mr. Olivieri said we will put the RFP together and present it to Selectmen or Town Counsel and move forward once we are comfortable with the process.

Chairman Hollenbeck said we have a meeting Friday to discuss Park Committee issues. In the interim, hopefully you will put together the financials on the Lodge. Mr. Olivieri said we need to look at the finances, no matter what avenue we take. Chairman Hollenbeck said procurement is part of the strategic plan. All the Departments should be doing things the same way. We need to streamline the procurement process also. The RFP comes to this Department to go through the process. Once you determine what you need for revenue, what happens when the Town needs to use the Lodge? Mr. Darling asked if there are any other municipalities that have this setup. Ms. Garbitt said we have gone through this before; the Lodge is a different building compared to other municipal owned properties. Chairman Hollenbeck said there may be nothing to compare too, so it may be what income you are expecting. Mr. Poillucci said couldn't they just lease the building net and reserve some dates. All the costs would go to the lessee. Chairman Hollenbeck said they don't know how much they make on the building, so they need to put the costs together.

Selectman Powderly said up to this point, we have had an inactive Park Commission. We need a Park Director possibly, usually an athletic director from a college or a teacher from a high school. They would run Clear Pond, John Paun, etc. To put all that money into the commissary and not have someone working there full time, we are doomed to fail. Instead of trying to fix the problem, we are saying let's rent the building and it will go away. What if that company doesn't do better than we have done? We have invested \$500,000 in the building. To book 40+ functions a year and not have a full time employee is crazy. What do we do today and make it better and also look at leasing the building out. Leasing would have to be \$4-\$5,000 a month. A lot of the functions are outside, so is that the Lodge or is it the Park Commission? Mr. Olivieri said the discussion last night was to begin the process to discuss leasing. When you look at the Lodge, it is a unique fixture of the Park. A Park Commissioner will not know how to run that function hall. We need someone with the expertise to do it. Selectman Powderly said that would be solving the leadership issue by having an operations manager of the building to hire enough part time people to make sure it is properly cleaned, set up and ready for the next function. That is an immediate thing that you should be addressing. Mr. Olivieri said we are getting more employees hired for the upcoming functions. Selectman Powderly said to reduce that person's hours, but want to get more bookings, that is the wrong way to do this. You are taking a building that is not adequately staffed and saying to just lease it, and it will go away. He wants to solve the immediate problem.

Mr. Olivieri said we will make sure we are staffed properly this weekend and going forward. We will look at the process on how to run that aspect of the Park Department more efficiently. Selectman Powderly said don't let it fall down while you are looking at leasing it out. Chairman Hollenbeck asked what the Park Commission's role is if you find it is not feasible to rent out the building, or the person leasing the building is not doing a good job. Do you want to be involved in the day to day operations? Mr. Olivieri said no one really has the time to be hands on down at the Park. That is why we are trying to fill positions now. Whenever you lease a building you own, one of the downfalls is if they ruin the building or walk out on it. Maybe those are reasons that we shouldn't lease it. There is a risk on any decision we make. Selectman Powderly said the income stream is 20% of the food and alcohol, not so much the rental fee. It is easier to solve than just subleasing it. Get the Manager in there and have the ability to hire part time weekend workers. We have never tried to solve the problem. Chairman Hollenbeck asked the Park Commission if they would like to change over the management to a full time Town employee. Should we create a DPW that includes Park Department? The Park Commission would give direction to a full time Town employee, and that is how it the Lodge would be run. Mr. Olivieri said whoever the entity will be conducting the operation, the Park Commission would be able to focus on making things better. Day to day operations should not be the function of the Park Commission; we should give direction. Chairman Hollenbeck said we would like to have a joint meeting with the Park Commission in the future.

Director of Inspectional Services: Chairman Hollenbeck said we need special legislation to put the Board of Health under Mr. Darling, so we need to go before Town Meeting. Ms. Garbitt said she has scheduled a meeting with the Board of Health for September 21st at 2:00 PM. Mr. Darling said we are doing more upkeep of the Town's buildings. Because maintenance is in all different Department budgets, he can get a work request and get the work done, but the Department must approve the bills. It can take you ten (10) days to get approvals. We want to

streamline payment and approval of work being done into one (1) budget. Ms. Garbitt said we will speak to the Town Accountant and set up an account, but we need to put in the money. We will have to transfer the money out of the individual budgets. Mr. Darling said this goes to the same thing with the warrant articles. He needs to keep the information going back and forth with the Town Accountant to track the budget. Chairman Hollenbeck said we are using your time in a way that is not efficient. Mr. Darling said he is doing the secretarial work on this stuff. None of the other Department Heads have time to run over here to sign bills. Selectman Powderly said didn't we put that in an account already. Ms. Garbitt said the Town Accountant asked us to wait. There will be one (1) account with subaccounts for Mr. Darling to keep track. Selectman Burke said the reason for waiting is because of the new software; we have to wait until the conversion is done. Ms. Garbitt said for maintenance expenses that a Department does not have a budget for, it comes out of the Town Office Building/Fire Station account. Chairman Hollenbeck said so we would make Mr. Darling Facilities Manager to go after high priority building maintenance projects.

Chairman Hollenbeck said we are trying to streamline putting all the file information together in one (1) space. We want to make sure we are solid on the authority granted to Mr. Darling to run the Board of Health Department before you start working on that. Getting the special legislation will help with that. Mr. Darling said the shared files make sense. We need a common area for Conservation, Planning, Zoning Board of Appeals, Board of Health and Building. We need to look at records retention to see what we can store electronically and what we need for hard copies. Selectman Burkes said the Registry of Deeds has file storage figured out. In Plymouth they have this file storage system which is a series of rolling cabinets that they need to keep. Other than that, they scan it and hand it back to you. They can tell you what equipment they use. Mr. Poillucci said a lot of Towns already do that. Half of the traffic coming in our office is looking for well or septic plans. Most of the local engineers have designed 70% of our systems are willing to download and email their plans to us. Selectman Burke said you start it from this point forward. Then go through and scan to create files. The software already does all that. You can speak to Plymouth about computer needs for storing all that data. There is nothing more sacred than a deed or a mortgage, and it must be done to a high level of scrutiny. The Registry no longer keeps paper.

Chairman Hollenbeck said if that is a long term goal, the problem is short term. What are we doing and how do we get from here? With space problems, it could take years to get there. What do we need to do now? If we move meetings to the Council on Aging, we don't need this space for meetings. Selectman Burke said Ms. Garbitt has mentioned renting a trailer for file storage or office space. Chairman Hollenbeck said we should research the cost of electronic storage, a time line and the steps to do it. Ms. Garbitt said the plans are the tough things. She has received quotes of \$40-\$60,000, but you still have to keep the hard copy of the plan. Do we keep it off site? We don't have the equipment to do it. Chairman Hollenbeck said getting the files together by property is what we want to do. Selectman Burke said we need to look at the existing files and go electronic for future intake. We need to create a system where old things get scanned and new things are electronic. Mr. Darling said we could buy the equipment and get an intern. Ms. Garbitt said the IT consultant talked about a plotter. We do have one at the Highway Department, but it needs to be fixed. Selectman Powderly said we had agreed that moving forward we would not create any more paper files. Chairman Hollenbeck said we had

money put aside for shredding, but we did not invest any money in the equipment. Ms. Garbitt said we have to come up with how to find things once scanned. Selectman Burke said the Registry has a process. Chairman Hollenbeck said we need to talk about planning how to digitize the records. We are trying to create a big plan, and then we will look at the proprieties, assign someone to work on them and how do we do this. Mr. Poillucci said when you submit plans to the Planning Board, the same plan is in everyone's folder. We only need one (1) plan to be scanned. Chairman Hollenbeck said once the process is in place, we can hire someone temporary to do this. Ms. Garbitt said the ultimate goal should be is that resident can obtain information from the website. Chairman Hollenbeck said we can talk to a professional company about what they do.

Mr. Poillucci asked if the legislation was needed to merge the Departments. Chairman Hollenbeck asked if there was a union issue. Ms. Garbitt said the union had to agree to the temporary supervision. Chairman Hollenbeck said maybe we need to review the contract and think about a negotiation with the union. Ms. Garbitt said now that the Board of Health has voted this to become permanent; we need to notify the union. Chairman Hollenbeck asked that Mr. Darling and Mr. Poillucci receive a copy of the union contract to review the hours of operation. A change of hours would have to go to the union. Mr. Poillucci said he couldn't believe that there is language in there for hours. Ms. Garbitt said we used to have one set of hours in the building, but now every Department has different hours. The Board of Selectmen has the authority of setting the hours, but they did agree to the current hours. We need to talk to the union about this and Town Counsel. Selectman Burke said the question is what do we need to do other than this. The Board of Health voted the temporary change, and then voted a permanent change. You have to notify the union about the change and reconfigure the Department based on how you want it to operate. The Board of Health could say we are looking at a change of hours in line with what Mr. Darling wants to do. Chairman Hollenbeck asked what the reconfiguration is. If they are union positions, you have to create new positions. For the existing Board of Health, Conservation and Building employees, their Job Descriptions are their Job Descriptions under that Department. Mr. Poillucci said Mr. Darling has taken some of the Board's day to day duties. There is nothing in the union contract that tells them they have to do what he says. Chairman Hollenbeck said the union agreed to the management change. Mr. Poillucci said they can only do Board of Health stuff, but Mr. Darling can't use them the ways he wants to. Chairman Hollenbeck said if we create a Clerk for the Director of Inspectional Services. Their role is under Mr. Darling's jurisdiction. That is a union position, so we have to negotiate with them. We are short staffed in Mr. Darling's Department. The existing employee can't do those duties. This new person would be a utility employee.

Selectman Burke said there is no harm in changing the existing positions to be multi-departmental. Selectman Powderly said he thought we had the paragraph that says these are your duties; however there are other duties that may not be covered. If you need someone, go get a part time person. It's nuts saying that they can't do this if they have available time. Chairman Hollenbeck said it is too much of a stretch to have a Board of Health employee working on Building Department things. It is related to working conditions. Selectman Powderly said if he needs someone now, get a 19 hour employee. Selectman Burke said we can talk about that in Executive Session. Selectman Powderly said if our actions have made Mr. Darling's workload more, that is nuts. We are supposed to approve the delivery of services. Chairman Hollenbeck

said when we created that position, we told Mr. Darling whatever you need, let us know. Selectman Burke said we should negotiate with the union; we need people to do the work.

Procurement

Chairman Hollenbeck said we need to make everyone aware of the procurement process. Ms. Garbitt said most Department Heads know the process. Mr. Darling said he is frustrated with the process.

Board training and access to resources

Chairman Hollenbeck said Ms. Garbitt will look into Town Counsel doing a seminar. Ms. Garbitt said the Town of Scituate published a new handbook for Board, Committee and Commission Members. Chairman Hollenbeck said to make sure the training includes conduct and proper representation. Ms. Garbitt said the Town Clerk has the State Code of Conduct that she gives out.

Mr. Poillucci asked if he or our employees can call Town Counsel directly. Chairman Hollenbeck said the Planning Board has said that they don't get a chance to speak to Town Counsel. Mr. Garbitt has never refused access to Town Counsel. Chairman Hollenbeck said we need communication on this. Selectman Powderly said you have to be careful on the expense. It needs to be centralized. Ms. Garbitt said the Selectmen have a policy on this. Selectman Powderly said the Planning Board may ask something that cost significant research. Chairman Hollenbeck said the request must come through Ms. Garbitt. Ms. Garbitt said Mr. Darling emails Town Counsel and copies me. The Planning Board has been given full access to Town Counsel to re-write their regulations. Mr. Darling said human resource issues do get held up at Town Counsel. Mr. Poillucci said he has been waiting on the contract with Charles Kaniecki since April. Ms. Garbitt said Mr. Darling is working on it. He doesn't think it needs a contract. Selectman Powderly said it shouldn't be held up, but it does take time to get answers. We do want to keep the centralization for Town Counsel. Mr. Darling said you need a process and to put your questions in writing. We can create a shared file for the questions and answers. Mr. Darling said they must be searchable files.

Chairman Hollenbeck quickly reviewed Items #2-6. She wants to go into Executive Session to talk about Item #3. We need to move the Assessors back to Town Hall. Regarding the use of Assawompset, the YMCA is looking for space for before and after school care, and they are considering Assawompset. Selectman Burke said the issue of the Senior Center being used for non-senior uses; do we want to have Ms. Garbitt speak to Town Counsel? Ms. Garbitt said she thinks it is related to making money, but she will look into this. Selectman Powderly said the Town can use it. Chairman Hollenbeck said Item #4 is regarding Department Head memos and bi-weekly updates. Item #5 is for financial and capital issues.

Ms. Garbitt said the Board has written procedures for the disposal of surplus property. The question was if the Selectmen even need to vote surplus property. She has spoken to Town Counsel and in this opinion; the statute says a governmental body shall dispose of items up to a value of \$10,000. The way the memo is written it is up to the Department Head. If the Board

does not want to vote every single time, it would be fine. On the action items under #7, it says a report of such disposition should be filed with the Town Accountant or Town Administrator.

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

VOTED: To add “the Town Administrator” to #7 regarding the disposal of surplus property.
Unanimous in favor.

At 4:37 PM, upon a motion made by Selectman Hollenbeck; seconded by Selectman Burke it was:

VOTED: To enter into Executive Session pursuant to MGL c. 30A, s21(a) (3) to conduct a strategy session in preparation for negotiations with the Laborer’s Union, if an open meeting may have a detrimental effect on the bargaining position of the Board, and the Chair so declares, and not to return to Open Session.
Polled vote: Selectman Powderly – aye, Selectman Burke – aye and Selectman Hollenbeck – aye.