

TOWN OF LAKEVILLE
Selectmen and Wage and Personnel Board, as applicable
Meeting Minutes
December 12, 2016 – 6:30 PM

On December 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 6:30 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.

Ratify vote of December 1, 2016 to adopt the Community Compact

Chairman Hollenbeck mentioned that at the last meeting of the Board, the Board chose to enter into the Community Compact. It was decided to choose Human Resources and Information Technology Best Practices. The Town needed to be more specific on the Best Practices that the Board will adopt.

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

VOTED: To ratify the vote taken on December 1, 2016 to adopt the Community Compact Best Practices for Human Resources: Explore Centralized Human Resources/Personnel Operations to improve service delivery and build efficiencies and for Information Technology: Strategic Planning – Develop a Long-Term IT Financial Strategy to include capital and operating expenses and Develop a Comprehensive IT Strategy focused on better aligning technology investment with short and long-term organizational priorities.
Unanimous in favor.

Discuss Regional Dispatch for Public Safety

Selectman Burke stated that he had contacted Richard LaCamera about specifics on any grants available to municipalities for Regional Dispatch Centers. Mr. LaCamera didn't have any specifics other than he knew there were grants available for the construction of dispatch centers, as well as, for staffing. Selectman Burke spoke with Chief Alvilhiera, who has contacted Chiefs in neighboring communities. There does not appear to be any interest in regional dispatch. One item that did come up was that the Town would have to look into the idea of a bigger Police Station to accommodate additional staff for this purpose, which may not even come to fruition. There is money available; however, is it worth the capital expense to build a larger facility and acquire the administrative burden to carry this forward with no measurable clues that Towns in the general area would even want to regionalize in this facet. This is not to say that it is not a good idea. Lakeville's Fire and Police Chiefs would like to centralize dispatch for both the Lakeville Police Department and Lakeville Fire Department at the new Police Station once it is built. A regional dispatch facility may be worthwhile for municipalities with small populations in the western part of the State, but it does not seem to be valuable in this area. Most Towns want to have someone in their building at all times. Chairman Hollenbeck stated that the Board is then

in agreement not to chase money that may or may not be appropriated each year, which is being dangled in front of municipalities for grants. Selectman Burke added that he didn't think it adds value to the residents of Lakeville or any additional safety to the Town.

Request from Poquoy Brook Golf Course, LLC, dba Poquoy Brook Pub to pledge Liquor License

Chairman Hollenbeck said the Board had received a request from Poquoy Brook Pub to pledge their Common Victualler License to Sell All Alcoholic Beverages as collateral.

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

VOTED: To approve the request from Poquoy Brook Golf Course, LLC, dba Poquoy Brook Pub to pledge their Common Victualler License to Sell All Alcoholic Beverages to Middlesex Savings Bank as collateral.
Unanimous in favor.

Request from Town Clerk to approve Warrant for Annual Town Election – April 3, 2017

Chairman Hollenbeck said the Town Clerk has requested that the Board approve the Warrant for the Annual Town Election to be held on April 3, 2017.

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

VOTED: To approve the Warrant for the Annual Town Election set for April 3, 2017.
Unanimous in favor.

Vote to accept resignation of John Souza, Jr. from Highway Department

Chairman Hollenbeck stated that the Board had received a letter of resignation from John Souza, Jr., who works for the Highway Department. Mr. Souza's resignation would be effective January 20, 2017.

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

VOTED: To accept the resignation of John Souza, Jr. from the Highway Department, effective January 20, 2017.
Unanimous in favor.

Review and vote on Job Description and Classification for a Part-Time Board of Selectmen Clerk

Chairman Hollenbeck stated that the Job Description and Classification for a Part-Time Board of Selectmen Clerk is an 18 hour non-union non-benefit eligible position. The funding is available through the Town Administrator's FY17 budget.

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

VOTED: To approve the amended Job Description for the Part-Time Board of Selectmen Clerk Non-Union, non-benefit eligible position with the Classification of Level 8.
Unanimous in favor.

Discuss and vote on establishing a Department of Public Works (DPW)

Chairman Hollenbeck explained that there has been discussion with the Town Administrator about establishing a Department of Public Works (DPW). The Town of Westport recently had Town Meeting vote to authorize their Board of Selectmen to petition the General Court for Special Legislation to create a DPW. Town Counsel has been contacted to find out what this would mean for the Town and what the Town would have to do. Ms. Garbitt also contacted Tim King, Town Administrator of Westport, to find out why Westport would want to establish a DPW. Mr. King said their Departments were too de-centralized. They had Highway Department Employees, Custodians for buildings and grounds, Cemetery Workers, Transfer Station Workers, and a small Water Department. They have two (2) unions, one for Highway Department Employees and one for Custodians. With this in place, Highway Employees cannot fill in if a Transfer Station Worker is out sick. Cemetery Workers don't work in the winter months, but they also won't work in any other position. Their Town Counsel feels that the existing statute for a DPW is too cumbersome, so they opted for the Special Legislation. Attorney Michele Randazzo from Kopelman & Paige suggested that the Board should consider why they might want to do this; is there an issue and what is the Board trying to solve.

Selectman Powderly thanked Ms. Garbitt for putting the topic on the agenda for discussion. Lakeville's Highway Department has a Superintendent of Streets and eight (8) hourly employees. He stated that he has no desire to petition anyone for Special Legislation for a Department with this amount of people. It does not appear that the Town is trying to solve anything, so why create a DPW Department that may restrict the Town further with respect to contracts, etc. The information from other Towns seems as if they have developed different structures.

Chairman Hollenbeck stated that she would want to see the statute as she sees problems with supervision. The Superintendent of Streets reports to the Town Administrator, and there are different chains of command and levels. Ms. Garbitt stated that all matters go directly to the Board once it is reported to her. Chairman Hollenbeck explained that the concern is more that a discussion needs to take place in conjunction with the Park Commission, since the Highway Superintendent's Job Description is cross referenced. The relationship between the Highway Department and Park Department is not specific. There seems to be some miscommunication on where maintenance should be covered. Is it under the Park Department or the Highway Department? Basically, does the Board want to formalize what is taking place? There should be a conversation with the Park Department about what is under the direction of who. Selectman Powderly stated that he was not interested in the process as set before him, since it suggests two (2) things about employee contracts. Selectman Burke agreed. What is before the Board may not be the best direction to solve the issue, but there are issues to resolve. The Park Department wants to be an Enterprise Account; however, they want the Town to provide services to them for

free. This should be one (1) way or the other. The day-to-day supervision could be solved by an employee, not the Park Commission Chairman. There must be a way to find someone to oversee this. Maybe a Park Director that reports to the Superintendent of Streets or someone on a day to day basis. This has been an issue for a number of years. Selectman Powderly stated that he felt that two (2) different people need to be hired. At this time the Park Commission needs to put in a lot of hours to determine what they want to do. Selectman Burke stated that the Town should not be in the event business. The Park Commission needs to develop a business plan, which has been asked of them several times.

Chairman Hollenbeck stated that it seems that the Board is not ready to establish a DPW. However, it is a viable step to take in the future once the Park Commission decides how they want to proceed renting out the Commissary.

Discuss and vote on renewal of the Annual Boarding Contracts for the Animal Shelter

Chairman Hollenbeck stated that the Town currently has agreements with Berkley, Carver, Freetown, Halifax, Raynham, Rochester and Wareham to board stray dogs. The total funds received from the Towns this year is \$6,410. The previous year's total was \$3,705. Board is \$15 per day, and the drop off fee is \$20. Ms. Garbitt said this money helps fund the Assistant Animal Control Officers.

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

VOTED: To renew the Annual Boarding Contracts for the Animal Shelter with the following Towns: Berkley, Carver, Freetown, Halifax, Raynham, Rochester & Wareham.
Unanimous in favor.

Review and vote to renew Annual Liquor Licenses

The Board reviewed the list of annual Liquor License renewals.

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

VOTED: To renew the Retail Package Goods Store Wine & Malt Beverage Licenses with an expiration date of December 31, 2017 to the following: Paul F. Grasso, d/b/a Tutto Italiano, 10:00 AM to 10:00 PM, Monday-Saturday and Gulf Resources, Inc., 8:00 AM to 9:00 PM, Monday-Saturday and 10:00 AM to 9:00 PM on Sundays
Unanimous in favor.

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

VOTED: To renew the Retail Package Goods Store All Alcoholic Beverage Licenses with an expiration date of December 31, 2017 to the following: Savas Liquors, Inc., 8:00 AM to 11:00 PM, Monday-Saturday and 10:00 AM to 9:00 PM Sundays;

BBP, Inc., d/b/a Muckey's, 8:00 AM to 11:00 PM, Monday-Saturday and 10:00 AM to 9:00 PM, Sundays; Tamarack Wine & Spirits, Inc., 8:00AM to 11:00 PM, Monday-Saturday and 10:00 AM to 9:00 PM Sundays; and Aarav Liquors, Inc., dba Star Liquor Market, 8:00 AM to 11:00 PM, Monday-Saturday and 10:00 AM to 11:00 PM Sundays.
Unanimous in favor.

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

VOTED: To renew the Common Victualler All Alcoholic Beverages Licenses with an expiration date of December 31, 2017 to the following: Hawaii Corporation, d/b/a Orchid of Hawaii, 8:00 AM to 1:00 AM, Monday-Saturday and 11:00 AM- to 1:00 AM Sundays, Last call 12:45 AM, Bars & tables cleared by 1:00 AM, all patrons out by 1:15AM; Poquoy Brook Golf Club, LLC, dba Poquoy Brook Pub, 8:00 AM to 1:00 AM, Monday-Saturday and 11:00 AM- to 1:00 AM Sundays, Last call 12:45 AM, Bars & tables cleared by 1:00 AM, all patrons out by 1:15AM; Lakeville Golf Club, Inc., 8:00 AM to 1:00 AM, Monday-Saturday and 11:00 AM- to 1:00 AM Sundays, Last call 12:45 AM, Bars & tables cleared by 1:00 AM, all patrons out by 1:15AM; LeBaron Operating Company, LLC dba LeBaron Hills Country Club, 8:00 AM to 1:00 AM, Monday-Saturday and 11:00 AM- to 1:00 AM Sundays, Last call 12:45 AM, Bars & tables cleared by 1:00 AM, all patrons out by 1:15AM; The Back Nine Club, Inc., 8:00 AM to 10:00 PM, Monday-Wednesday; 8:00AM-11:45PM Thursday-Saturday; 11:00AM-11:00 PM on Sundays. Last Call: 15 minutes prior to closing. Bars & tables cleared by closing. All patrons out 15 minutes after close. Beverage cart sales end 30 minutes prior to sunset-allowed on Holes 1-12 only; and Baldies Pizzeria, Inc., 8:00 AM to 1:00 AM, Monday-Saturday and 11:00 AM- to 1:00 AM Sundays, Last call 12:45 AM, Bars & tables cleared by 1:00 AM, all patrons out by 1:15AM.
Unanimous in favor.

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

VOTED: To renew the Club All Alcoholic Beverages License with an expiration date of December 31, 2017 to Lakeville Fraternal Order of Eagles, Aerie #3994, 10:00 AM to 1:00 AM, Monday-Saturday and Sundays 1:00 PM to 1:00 AM. Last call: 12:45AM, Bars & tables cleared by 1:00 AM, all patrons out by 1:15AM.
Unanimous in favor.

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

VOTED: To renew the General on Premise Wine & Malt Beverages License with an expiration date of December 31, 2017 to Lakeville Virtual Entertainment Group, Inc., 11:00 AM to 10:00 PM Monday-Sunday, Last Call 9:45 PM, Bar & tables cleared by 10:00 PM, all patrons out by 10:15 PM.
Unanimous in favor.

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

VOTED: To renew the General on Premise All Alcoholic Beverages License with an expiration date of December 31, 2017 to The Bartending Service of New England, LLC, 8:00 AM to 1:00 AM Monday-Saturday and 11:00AM to 1:00 AM on Sundays. Last Call: 12:45 AM, Bar & Tables cleared by 1:00AM, All patrons out by 1:15 AM.
Unanimous in favor.

Review and vote to renew Annual Class 1 and 2 Licenses

Chairman Hollenbeck stated that all nine (9) Class I and Class II dealers have submitted their renewal applications for January 1, 2017 through January 1, 2018. Selectman Powderly mentioned that he has one (1) exception and that is the Class II License Renewal at 19 South Kingman Street. Mr. Cucinotti needs to get into compliance regarding the storage trailer on the property. Ms. Craig-McGee stated that she spoke with Mr. Cucinotti today, and he said he will get the trailer moved to where the Building Commissioner has requested he place it.

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

VOTED: To approve the following Class II License Renewals with an expiration date of January 1, 2018: United Automotive Services - 298 Bedford Street; Lakeville Auto Sales - 35 Taunton Street; Sha-Nic Auto-Body, Inc. - 35 Bedford Street; Chris Altieri, dba C&E Enterprises - 43 Freetown Street; Leonardo Solana, dba Solana Auto Sales - 18 Staples Shore Road; Andrews Family Automotive - 79 Main Street; Linda Bury & Jason Bury, dba Elite Auto Sales -431 Bedford Street; Michael L. Outor, dba Marley Motors - 475 Kenneth Welch Drive; and Salvatore Cucinotti, dba SC Auto -19 South Kingman Street with the condition that the storage trailer is moved as requested by the Building Commissioner.
Unanimous in favor.

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

VOTED: To approve the following Class I License Renewals with an expiration date of January 1, 2018: Rousseau's Recreation Rentals, Inc. - 150 Bedford Street and Route 44 Collision Center RV's & Boats - 8 Harding Street.
Two (2) in favor, one (1) abstention (Chairman Hollenbeck).

Review and vote to renew Annual Livery, Dancing on Weekdays, Public Entertainment on Sundays and Coin Operated Amusements Licenses

Chairman Hollenbeck said the Annual Livery, Dancing on Weekdays, Public Entertainment on Sundays and Coin Operated Amusement Licenses were up for renewal.

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

VOTED: To approve the Livery License for JP's Limousine Service (2 vehicles) with an expiration date of December 31, 2017.
Unanimous in favor.

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

VOTED: To approve the Dancing on Weekdays with expiration dates of December 31, 2017 for LeBaron Hills Country Club; Orchid of Hawaii; Fraternal Order of Eagles; and Lakeville Golf Club, Inc.
Unanimous in favor.

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

VOTED: To approve a Coin Operated Amusement License to Lakeville Fraternal Order of Eagles, Aerie 3994, for one (1) machine with an expiration date of December 31, 2017.
Unanimous in favor.

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

VOTED: To approve Public Entertainment on Sundays Licenses to expire December 31, 2017 to the following: LeBaron Hills Country Club; Orchid of Hawaii; Fraternal Order of Eagles, Aerie #3994; and Lakeville Golf Club, Inc.
Unanimous in favor.

Review and vote to renew Annual Common Victualler Licenses

Chairman Hollenbeck said the Common Victualler Licenses were up for renewal.

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

VOTED: To approve the following Common Victualler Licenses with expiration dates of December 31, 2017: Baldies Pizzeria, Inc. - 40 Main Street; Cisco's Pizza - 166 County Street; Corporate Chefs, Inc. For Talbots - 175 Kenneth Welch Drive; MFH Acquisition of Lakeville, LLC - 330 Bedford Street; J & J's Seafood Drive-In - 197 County Street; Aramark Educational Services, LLC for the F/L School System - 96, 100 and 112 Howland Road and 232 Main Street; The Sunshine Café - 12 Harding Street; Royal Pizza - 68 Main Street; Somethin's Brewin' Book Café, Inc. - 241 Main Street; Tand, Inc., d/b/a Subway - 330 Bedford Street; Unidine Corporation for Ocean Spray - One Ocean Spray Drive; The Back Nine Club - 17 Heritage Hill Road; Poquoy Brook Golf Club, LLC, d/b/a Poquoy Brook Pub - 20 Leonard Street; Orchid of Hawaii Restaurant - 201 Bedford Street; Lakeville Eagles - 217 County Street; The Broken Tee Virtual Golf - 166

County Road; Lakeville Golf Club - 44 Clear Pond Road; and LeBaron Hill Country Club - 183 Rhode Island Road.
Unanimous in favor.

Schedule Selectmen January and February Meetings

The Board of Selectmen Meetings for January were scheduled for January 9 and 23, 2017 and for February on February 13 and 27, 2017.

Review and vote to approve Board of Selectmen Meeting Minutes of September 12, 2016 and September 13, 2016

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

VOTED: To approve the Board of Selectmen Meeting Minutes of September 12, 2016 and September 13, 2016 as presented.
Unanimous in favor.

New Business

Ms. Garbitt stated that the application and check has been sent to Natural Heritage regarding the permit for the land where the new Police Station will be built.

Selectman Burke stated that the Police Design Review Committee will be interviewing the architects on December 14, 2016 for the design of the building. Ideally, Pomroy will have a recommendation that can be presented to the Board at their December 19, 2016 meeting.

Old Business

Chairman Hollenbeck provided an update on the Board of Assessors Building. The Building Commissioner has contacted John Pink to rush the survey. Ms. Garbitt noted that Mr. Darling had put the project on hold until he got information from Town Counsel about any necessary permits.

Any other business that may properly come before the meeting

There was no other business presented for discussion.

Other Items

1. Selectmen's Bi-Weekly Report
2. SRPEDD Meeting Agenda – December 7, 2016
3. Notice from Comcast on Programming Change
4. Notice from Comcast regarding Price Changes
5. Thank you letter to Lakeville's First Responders from Lorraine Edwards

6. Letter from Chairman Crosby and the Massachusetts Gaming Commission's Guidelines for the 2017 Community Mitigation Fund
7. Letter from Common Sense Environmental, Inc. regarding a diesel fuel release at 234 Kenneth Welch Drive
8. MMA Legislative Alert regarding the new Commercial Marijuana Law
9. Draft Road Safety Audit (RSA) for Route 79 at Route 18

At 7:25 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 regarding pending litigation relative to the Complaint Paul McGillis v. Town of Lakeville, et al, if an open meeting may have a detrimental effect on the litigating 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 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.

Polled vote: Selectman Powderly-Aye, Selectman Burke-Aye, and Selectman Hollenbeck-Aye.

List of documents provided at the Board of Selectmen's 12-12-16 Meeting

1. Community Compact, Best Practices Program, Governor Charlie Baker, Human Resources, Information Technology. Community Compact Town of Kingston, Rochester, Carver & Plympton.
2. Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grants Guidelines and Application Packet Fiscal Year 2017, Wicked Local-Sept 28, 2016 Few Communities regionalizing 911 Centers, Regional Old Colony Communications Center – Town of Duxbury, Regional Communications Center SSRECC (South Shore Regional Emergency Communications Center) for Hingham, Cohasset, Hull and Norwell.
3. Application from Poquoy Brook Golf Course, LLC DBA Poquoy Brook Pub to Pledge Liquor License.
4. Request from Town Clerk to approve warrant for Annual Town Election April 3, 2017.
5. Resignation letter from John Souza, Jr. from the Highway Department.
6. Amended Job Description and classification for Part Time Board of Selectmen Clerk.
7. Information regarding establishing a Department of Public Works.
8. Information on boarding contracts for the Animal Shelter with Berkley, Carver, Freetown, Halifax, Raynham, Rochester and Wareham.
9. Information on renewal of Annual Alcohol Beverage Licenses.
10. Information on renewal of Class I and Class II Annual Licenses.
11. Information on renewal of Dancing on Weekdays, Entertainment on Sunday, Livery and Coin Operated Amusement Permits.
12. Information on renewal of Common Victualler Licenses.
13. Schedule for January and February Board of Selectmen meetings.
14. September 12, 2016, and September 13, 2016 Selectmen Meeting Minutes.
15. Letter to Salvatore Cucinotti from the Building Commissioner regarding remediation issues for a Temporary Trailer Permit.
16. Update on the Sale of the Assessors Office with map from Nate Darling.