

TOWN OF LAKEVILLE
Selectmen and Wage and Personnel Board, as applicable
Meeting Minutes
December 19, 2016 – 6:30 PM

On December 19, 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 and William Abrahamson from the Standard Times was present.

Meet with Building Commissioner to discuss relocation of Board of Assessors

Nathan Darling, Building Commissioner/Director of Inspectional Services & Permitting, was present for the discussion. Mr. Darling explained that it does not appear that the first floor space will be able to accommodate having the Assessors' Office personnel and the Conservation Commission Staff. Chairman Hollenbeck suggested desk sharing by the staff in Conservation, since they work part time hours. Mr. Darling stated that it may work if they desk share. He has contacted W.B. Mason to help with reconfiguring the space for his Department, the Board of Health, the Assessors and the Conservation Staff. The Assessors will need an area for plans and desks. Selectman Burke proposed opening up walls. Mr. Darling explained that he is not against that, but does not think it is necessary. He does need some assistance from W. B. Mason about setting up desks and file cabinets. It is hoped that there will be a consolidation of file cabinets between Departments to free up some space. Ms. Garbitt stated that if W. B. Mason comes up with a solution for file cabinets, the Town is under contract with them and could buy any necessary desks and file cabinets needed. However, if any construction is needed, the Town would have to go out to bid for that. Mr. Darling suggested utilizing the Town Carpenter and Town Electrician to help free up and reconfigure the space. All the present space needs should be explored first.

Selectman Burke offered a blank slate for Mr. Darling to design, though it is understood that he wants to be practical. The area of the Town Office Building needs to be reconfigured to meet the needs of the community for the next 20 years. It would be beneficial to see other options than just what is presently in place. If there is a need to leave Conservation upstairs, then just leave it the way it is. Mr. Darling stated that he wants to make sure that the improvements are directly related to the costs for making the improvements. Selectman Burke noted that there are two (2) entrances, so this is a redundancy with no benefits. The layout may have served a purpose before, but it is not now. If the plan is to try to get away from file cabinets and have a more simplified location, the centralized file location should be in a more central position. It should be determined how to design that type of file system, determine how much space that needs and then add in work stations and people. Chairman Hollenbeck stated that usually with W. B. Mason, you have to come up with your concept first. If the focus is centralized filing, then check with them about how they have done this with doctors, dentists and other Towns.

Selectman Burke stated at the very least, get rid of the wall that contains the Selectmen's Office. The Board is thinking about meeting over at the Council on Aging, so the wall would not

be necessary anymore. Ms. Garbitt mentioned that the handicapped restrooms are in the back of the building. People would need to have access to the restrooms. Would they have to go through the office area to access it? Chairman Hollenbeck stated that the maximum amount of space needed for filing cabinets needs to be determined. Selectman Burke noted that this is a lot of work, and it may make sense to get someone else involved to assist. W. B. Mason can come in and present a layout, but he is not against budgeting money for a design. Ms. Garbitt mentioned that she has thought a lot about the filing space and what would be needed. Mr. Darling asked if the Board wants to incorporate accessibility to the Town Clerk's side. Does the Board still want to continue with the idea of easing the delivery of services to the public by incorporating the other offices? This may warrant a conversation on a larger scope of how to provide service on the other side of the Town Hall.

Chairman Hollenbeck stated that is a much bigger conversation than reconfiguring the present space with the Board of Health space. This space is more manageable. Bringing on something like that would take another two (2) years. Maybe just start the process with the present areas under consideration. Ms. Garbitt noted that Ms. Drane has a storage problem, and has to use the basement for the files. There is difficulty for people trying to physically access the Town Clerk and Treasurer/Collector's Offices. Chairman Hollenbeck stated that if the most foot traffic is going up to the Town Clerk and Treasurer's Office and accessibility needs cannot be met, maybe we should bring those offices down here. Mr. Darling explained that he does not want to make a big project out of this. However, he does not want to make changes just to make changes and have them only be temporary. Looking out 20 years with not a lot of growth to the Town, the amount of employees will basically remain the same. It seems that the redesign is being rushed, and he is concerned that something might get left out. Chairman Hollenbeck suggested that Mr. Darling find out from a designer or W. B. Mason what some layouts would look like. Mr. Darling stated that it is roughly known the amount of storage each Department needs and their general foot traffic. It may be beneficial to bring someone on to help provide some options for layouts.

Chairman Hollenbeck suggested that maybe we can do a study that might qualify for the Community Compact for Human Relations needs and structure. The Board can add another bullet point to the application, and if there is grant money out there, it would help. Maybe the Town should hire someone to do this. Selectman Burke agreed. The first step is having a conversation on space needs and what the Town is trying to do. An architect would consider the number of people that would be in the space, the storage needs, the accessibility needs, etc. If the Town has to spend money to come up with a plan that makes sense, then that should be done. Mr. Darling stated that the Assessors can still be brought back and situated in the Conference Room. Ms. Garbitt mentioned that she will be speaking to Town Counsel to explain what files the Assessors need to retain and what can be shredded, so that the files are not just moved from one location to another unnecessarily. Permission will be needed from the Secretary of State in some circumstances.

Mr. Darling then showed aerial photos of the Assessors' Office Building and the property lines. It is hoped to convey some space to the Historic Library parcel. Selectman Powderly suggested putting up a fence or some other barrier along the dotted line where the new property line will be. There is no need to rip up the parking lot, since the new owner may want a parking

area. Mr. Darling mentioned that the Assessors property is zoned Residential, so would they need eight (8) parking spaces? Ms. Garbitt mentioned that someone may come in and use it as a Home Occupation Business. Selectman Powderly stated that if it is an accountant or attorney, they would need those spaces. A fence will eliminate property line disputes. Selectman Burke stated that he liked the new property lines. It maximizes parking for the Historic Library. Mr. Darling explained that he wanted to make sure both properties had 30,000 square feet of land. The next step is to bring the plan to the Zoning Board of Appeals for a Special Permit or Variance (substantial detriment), to give protection to the person that purchases the property. The Assessors will need space for one (1) full time person, one (1) part time person and the consultant who comes in once a week from Regional Resource Group (RRG). The RRG consultant will need a work station, but may not need their own desk.

Selectman Powderly stated that the Board of Health, Assessors, Planning Board, Building Department, and Conservation Commission all have the same files, which could be combined. Chairman Hollenbeck stated that the plan for moving forward is that W. B. Mason will be brought in as a consultant. If what they propose is not what the Board is looking for, there can be a discussion about setting aside funds to bring in an architect or designer to go through the area and show the Selectmen what can be done. Mr. Darling mentioned that the process with the Zoning Board of Appeals may take a few months. The appraisal will not change with 8,000 square feet of land. The total value for the land and building is \$262,400 with the building valued at \$160,800 and the land at \$101,800.

Review recommendation from Police Station Building Committee for Architect for Proposed Police Station

Chairman Hollenbeck stated that the Police Station Building Committee (PSBC) has interviewed applicants and made a recommendation to the Board. Selectman Burke stated that the PSBC is happy about its choice for Owners Project Manager, as well as Project Architect. The PSBC interviewed three (3) architects: Jacunski Humes Architects, LLC, from Berlin, CT, Carell Group, Inc. Architects, Hopkinton, MA and Kaestle Boos Associates, Inc. Foxborough, MA. The three (3) firms were ranked, and the PSBC has recommended Jacunski Humes Architects. They gave a good presentation, had salesmanship and got you excited about going along this journey to build a Police Station. They only do Police Stations. They presented a list of the 100's of Police Stations that they have designed in CT and MA. They designed the Marion Police Station. They will be updating those existing plans to code, and will perform a space needs study to determine if those plans will work for Lakeville, which would save time and money.

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

VOTED: To appoint Jacunski Humes Architects, LLC, Berlin, CT as Project Architect for the Lakeville Police Station and to allow Selectman Burke to negotiate the fee with Jacunski Humes Architects, LLC.
Unanimous in favor.

Review request from Master Plan Implementation Committee for funding to update the Master Plan and Housing Production Plan

Chairman Hollenbeck stated that the Board received a request from the Master Plan Implementation Committee (MPIC) noting that they have been meeting regularly with Department Heads, Town Boards and Committees over the past 18 months in an effort to update the Town's 2005 Master Plan. Also, the Town's Housing Production Plan is due to expire on September 16, 2017 and should be updated. The Town applied for funding through South Coast Rail during their last grant round, but did not receive the grant. The MPIC discussed the enormous task and cost of updating both of the Plans. Several Public workshops will need to be held, all of the maps need to be updated (which is costly), and the overall coordination of all the new information will need to be done. The MPIC agreed to submit a request to the Board of Selectmen for funding in the amount of \$100,000 to be included in the FY18 Budget in order to hire a Consultant to assist the Committee in updating the Master Plan and the Housing Production Plan. The MPIC is available to meet with the Board to discuss the request.

Selectman Powderly asked if the Town legally needs to have to have a Master Plan. If not what is the effect to the Town if it does not? Ms. Garbitt explained that ten (10) years ago, Daylor Consultants was hired and had put together the Master Plan. The Town applied for \$65,000 for the 2005 Master Plan, which was approved at Town Meeting. It is felt that to update the Master Plan, the cost would be at least \$30,000-\$35,000. However, the Town also needs the Housing Production Plan updated, which would cost about \$5,000. The Town received a grant to pay for that through South Coast Rail. Mr. Zienkiewicz has conveyed that the cost he has seen other Towns paying for their Master Plans is upwards of \$100,000. A lot of the information in the Master Plan from 2005 is no longer pertinent. Also, there is only so much each Town Department can do to update their portion. There are a lot of maps that need to be done, and they are expensive.

Selectman Burke explained that the Master Plan is usually done by the Town Planner and the Planning Board, which are the driving forces. There is much in the Master Plan that is no longer relevant. The Departments were able to provide a narrative, but someone will be needed to do the maps and then pull it all together. Since the actual cost is not known, a high amount is being projected. Lakeville does not have a Town Planner, and the Planning Board is not in a place to do the Master Plan. The last plan was ambitious, and it brought the Town forward. Ms. Garbitt mentioned that the Master Plan is not just for development. It contains the goals of the Town with respect to commercial development, affordable housing, preservation of parks and open space, etc.

Chairman Hollenbeck stated that in general, the people who live in Town like the status quo. She said that she would rather focus on the technology needs and get information out through the Strategic IT plan. Selectman Burke said that Volunteer Boards cannot do complex plans, nor should they be asked to do so. The cost of running a Town is becoming more costly with the increasingly complex layers of government that continually get pushed down. If the Board does not want to update the Master Plan, then the MPIC can cease to meet until such time the Board feels that a new Master Plan is needed. Chairman Hollenbeck added that the Town is looking at several Department Heads retiring in the next five (5) to seven (7) years. The Board should not

put something in place with the present people who will not be here to carry out the vision. It would be valuable to hear the Planning Board's vision. Selectman Burke explained that he voted for the MPIC to bring the proposal to the Board; he is not trying to have the Board spend the money to have it done.

Selectman Powderly stated that having or not having a Plan should not stop the Town from where it is heading. The Town should not set into place a new Master Plan, unless it is discovered that the Town would be penalized in some way by not having it updated. Chairman Hollenbeck stated that the Town does need to update the Housing Production Plan. Ms. Garbitt agreed as the Town is required to have it. She will look into the necessity of having an updated Master Plan, and what the penalties would be if it wasn't done. She added that she has not submitted the Water Street Crossing information yet. All 14 units will count towards the Housing Inventory as they will be rentals. Chairman Hollenbeck noted that the Town will be at 9.7% if the 104 units at Sterling Place count. There were 386 units on the original LeBaron 40B Permit, and the Town only needs 97 affordable. Four (4) have been lost at Wood's Edge.

Chairman Hollenbeck suggested that the MPIC minutes be put in the read file so that the Board can review what has taken place with them for the past 18 months.

Discuss appointment of Public Records Access Officer (s)

Chairman Hollenbeck stated that the requirements for the new Public Records Law take effect on January 1, 2017. Municipalities are required to designate one (1) or more Records Access Officers (RAO). The contact information for the RAO must be posted conspicuously, including on the municipality's website. Chairman Hollenbeck stated that she, Selectman Burke and Ms. Garbitt attended a public records seminar that Kopelman and Paige had hosted. Ms. Garbitt stated that the Town Clerk is the Super RAO, since all requests go to her. Ms. Garbitt will request that each Department designate someone as a RAO for their Department. Then Ms. Drane will forward the public records request to that specific RAO.

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

VOTED: To designate Lillian Drane, Town Clerk, as the Super Records Access Officer and allow other RAO's to be appointed as she and Ms. Garbitt determine.
Unanimous in favor.

Review and vote to award SERSG DPW Services Bids

Chairman Hollenbeck stated that Jeremy Peck, Superintendent of Streets, has reviewed the Southeastern Regional Services Group bid results and has made a recommendation for approval. There are eight (8) products to be awarded.

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

VOTED: To approve the following bid awards as per the Superintendent of Street's recommendation: Pavement Reclamation – Murray Paving & Reclamation,

Holliston, MA; In-Place Hot Mix Asphalt – Zone D – P.J. Keating Co., Acushnet, MA; Super Pave Hot Mix Asphalt – P. J. Keating Co., Acushnet, MA; Micro Paving – Sealcoating Inc., Braintree, MA; Polymer-Modified Crack Sealing – Crack-Sealing Inc., Raynham, MA; Chlorinated Rubber Traffic Line Painting–Hi-Way Safety Systems, Inc., Rockland, MA; Structure Work – LAL Construction Co., Inc., Fall River, MA; and Sidewalk Construction & Setting of Curbs and Edging – LAL Construction Co., Fall River, MA
Unanimous in favor.

Review and vote to approve Board of Selectmen Executive Session Meeting Minutes of December 12, 2016

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

VOTED: To approve the Board of Selectmen Executive Session Meeting Minutes of December 12, 2016 as presented.
Unanimous in favor.

New Business

There was no new business presented for discussion.

Old Business

There was no old business presented for discussion.

Any other business that may properly come before the meeting

There was no other business presented for discussion.

Other Items

1. Notice from Division of Local Services regarding Central Valuation of Verizon New England Inc. – FY10 through FY22
Ms. Garbitt stated that the Board should meet with the Assessors about the funds with the overlay. The liability for the Town is only \$25,000, one (1) year it was over \$65,000. What is beneficial is that it is no longer necessary to have an overlay for every year. It is now one (1) balance and there is money available for other uses in the overlay.
2. Notice from DHCD regarding updating Chapter 40B Subsidized Inventory
3. Notice from Massachusetts Historical Commission regarding Route 23 Massachusetts Preservation Project Fund Grant Program
4. Attendance Chart – Committee/Commissions/Board – July 1, 2016-November 30, 2016
Selectman Powderly stated that the Board should move to remove anyone who is not attending meetings or not reappoint them for another term based on their attendance. If there is someone with extenuating circumstances, which are communicated to the Board, then that is fine. Chairman Hollenbeck suggested continuing taking attendance to

January 1st, and then make a determination. An email should be sent to the members who have not been attending the meetings and let them know that unless they have an appropriate reason for not attending, they will be removed from their appointed position. Selectman Powderly stated that they should just be removed at this time as not much is going to change in the next few weeks. Chairman Hollenbeck suggested that maybe there is a need to amend the Selectmen's Appointment Policy to include attendance. Selectman Powderly agreed.

5. Notice from KP Law regarding Chapter 40B Recent Developments
6. Thank you note from a resident to the Transfer Station Employees

At 7:50 PM, upon a motion made by Selectman Hollenbeck; seconded by Selectman Burke, 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 Police Union, Fire Union, and Laborers' 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 contract negotiations with non-union personnel, specifically the Fire Chief.
Polled vote: Selectman Burke-Aye, Selectman Hollenbeck-Aye, and Selectman - Aye.

List of Documents provided at the 12-19-16 Selectmen's Meeting

1. Color aerial photos of the Historic Library and Assessor's Building with new proposed lot lines.
2. Correspondence from the Police Station Building Committee with the ranking of the three interviewed Project Architects for the Police Station, Selectmen minutes from September 16, 2016 regarding the recommendation from the PSDRC for the Owner's Project Manager for the Police Station.
3. Request from the MPIC to update the 2005 Master Plan and Housing Production Plan
4. Information regarding appointing a Public Records Access Officer and the New Public Records Law for Municipalities from KP Law.
5. Recommendation from the Superintendent of Streets, Jeremy Peck, to award SERSG bids for DPW services