

TOWN OF LAKEVILLE
Board of Selectmen
Meeting Minutes
June 17, 2019 – 6:30 PM
Lakeville Senior Center – 1 Dear Crossing

On June 17, 2019, the Board of Selectmen held a meeting at 6:30 PM at the Lakeville Senior Center. The meeting was called to order by Chairman Hollenbeck at 6:33 PM. Selectmen present were: Chairman Hollenbeck, Selectman Powderly and Selectman Fabian. Also present were Rita Garbitt, Town Administrator, Maureen Candito, Town Administrator, Tracie Craig-McGee, Executive Assistant and Lorraine Carboni, Town Coordinator. LakeCAM was recording the meeting for broadcast.

Meet with the Town Clerk to discuss the scheduling of the Special Election for the Road Bond and vote on the Ballot Question

Chairman Hollenbeck said we have the question that was drafted by Town Counsel. Ms. Garbitt said Bond Counsel is fine with it.

A motion was by Chairman Hollenbeck and seconded by Selectman Powderly, to approve the ballot question as drafted: Shall the Town of Lakeville be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to fund the construction, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, drainage, utilities, driveways, retaining walls, guardrails, slopes, grading, rounding, construction, landscaping, and other appurtenances and/or facilities, to enable the Town to undertake the Route 79 (Myricks St./Rhode Island Road) rehabilitation project and any and all costs incidental or related thereto; and to reconstruct, resurface and repair Town roads, including the payment of all costs incidental or related thereto? YES_____ NO_____

Discussion: Ms. Garbitt said if anyone questions the amount to be borrowed, they can refer to the Town Meeting vote. The Town Clerk will have the vote posted in the lobby.

The vote was unanimous in favor.

Meet with Sgt. Maltais to discuss the recommendation of the Police Building Committee to approve communication upgrades for the new Police Station

Police Sergeant Ryan Maltais was present for the discussion. Chairman Hollenbeck said we have received the CyberCom quote. Sgt. Maltais said it is called a microwave radio network. Currently we have one repeater site, which is not common for a Town our size. We have difficulty in certain areas of Town for Fire and Police Department. Chairman Hollenbeck said we previously approved \$30,000 for this. We can do a six (6) month BAN and pay it off with Free Cash. Discussion occurred on the financing options and the cost

On a motion made by Chairman Hollenbeck and seconded by Selectman Powderly, it was:

VOTED: To approve the communication upgrades for the new Police Station in the amount of \$213,737.46.
Unanimous in favor.

Review and vote to approve revised FY 20 Wage Scales

Chairman Hollenbeck said there are four (4) wage scales. Ms. Garbitt highlighted three (3) positions in red that could be removed.

A motion was made by Chairman Hollenbeck and seconded by Selectman Powderly to approve the FY20 Wage Scale as presented.

Discussion: Selectman Powderly said the Animal Control Officer's salary was \$49,314 last year. The stipends he receives are similar to overtime and amounted to \$20,000 in stipends. He would like the base pay to be \$49,314. We are actually paying Mr. Frates \$70,000 a year with the stipends. He referred to other positions that make overtime and it is not reflected on the wage scale. Chairman Hollenbeck said this is a non-exempt position, so he does not receive overtime. She would like the Wage Scale to reflect what Mr. Frates was actually making. Selectman Powderly said right now he has to come back for night and weekend calls to make \$70,000. He doesn't want to change the base pay other than raises. Selectman Fabian said she would like to see him be able to include this towards his pension. She previously voted to approve this because it is David Frates, who goes above and beyond. Chairman Hollenbeck said this isn't about doing a great job; it is about what he is making regardless of the job description. Selectman Fabian said this issue does require more attention. This is the third discussion we have had on this. We should vote on everything else. Chairman Hollenbeck asked if there is a way to ensure that within this language that Mr. Frates gets the stipends when he comes back and it is part of his base pay for coming back and the job description is revised to speak about the stipends. Selectman Powderly said overtime for other positions does not go towards pensions. Ms. Garbitt said the amount on the Wage Scale goes towards pensions.

The vote on the previous motion was two (2) in favor and one (1) against (Selectman Powderly).

Review and vote to sign the Purchase and Sale Agreement for the sale of 296 Bedford Street

Mark Knox was present for the discussion. Chairman Hollenbeck said Mr. Knox hopes to close by July 31, 2019 if the Police Department has moved.

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

VOTED: To vote to sign the Purchase and Sales Agreement for the property located at 296 Bedford Street.
Unanimous in favor.

Review and vote on School Resource Officer Agreement

Sergeant Ryan Maltais was present for the discussion. Chairman Hollenbeck said the Board had received the School Resource Officer Agreement.

A motion was made by Chairman Hollenbeck and seconded by Selectman Powderly to approve the School Resource Officer Agreement Extension.

Discussion: Chairman Hollenbeck said there is no change in the salary. Selectman Fabian said there is a stipend. Sgt. Maltais said there is a 5% stipend in the Police Contract for that position. Selectman Fabian asked if the School Resource Officer goes back to regular duties in the summer. Chairman Hollenbeck said yes.

Vote to appoint Paula Burdick as the Assistant Treasurer/Tax Collector, effective July 1, 2019

This item was tabled until the July 1, 2019 meeting.

Review and vote on the request from the Cable Advisory Committee to include an online Comcast survey with the mailing of the FY 20 Preliminary Real Estate Tax bills

Chairman Hollenbeck said this survey is regarding the Comcast Cable Renewal.

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

VOTED: To approve the inclusion of the one (1) page online survey to be mailed in the FY20 Preliminary Real Estate Tax Bills.
Unanimous in favor.

Vote to award DPW Supply bids for SERSG

Chairman Hollenbeck said SERSG went out to bid for DPW Supplies and we are being asked to award the bid.

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

VOTED: To award the DPW Supply bids as follows:

<u>Product</u>	<u>Winning Bidder</u>	<u>Price</u>
Dense Graded Crushed Stone	Lorusso Corp.	\$13.15 per ton
¾" Stone	Lorusso Corp.	\$16.35 per ton
Catch Basin Square Grates	John Hoadley & Sons	\$125.50 each
Recycled Asphalt	Lorusso Corp.	\$9.50 per ton
Class I Bituminous Hot Mix (FOB)	T.L. Edwards, Inc.	\$62.45 per ton
Class I Bituminous Winter Mix FOB)	T.L. Edwards, Inc.	\$94.75 per ton
Unanimous in favor.		

Vote to award SERSG Office Supplies and Copy Paper bids to W.B. Mason

Chairman Hollenbeck said SERSG went out to bid for office supplies and copy paper.

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

VOTED: To award the SERSG Office Supplies and Copy Paper Bids as follows to W.B. Mason:

<u>Product</u>	<u>Price</u>
Office Supplies	61.6% discount off the prices in the 2019 United Stationer's Supply Catalog
Toner and Ink	36.6% discount off the prices in the 2019 United Stationer's Supply Catalog
Copy Paper – 8 ½ x 11 Carton 92 bright	\$32.90 per carton
Copy Paper – 8 ½ x 14 Carton 92 bright	\$34.30 per carton
Copy Paper – 8 ½ x 17 Carton 92 bright	\$33.80 per carton

Unanimous in favor.

Vote to award bid for Multi Use Athletic Field at Ted Williams Camp

Chairman Hollenbeck said the Town went out to bid for the completion of one (1) of the two (2) multi-use athletic fields at Ted Williams Camp.

A motion was made by Chairman Hollenbeck and seconded by Selectman Powderly to approve the bid for the completion of the one (1) multi-use athletic field at the Ted Williams Camp to Nor'East Hydroseed, Inc. in the amount of Thirty Nine Thousand Three Hundred (\$39,300.00) Dollars.

Discussion: Chairman Hollenbeck said the Park Commission decided to take \$75,000 out of their retained earnings to finish the fields. Mark Knox said there is always a discount in volume, and it would probably be more cost effective to do the entire project at the same time. Selectman Powderly said he wants both fields done. Selectman Fabian suggested inviting the Park Commission Members to meet with the Selectmen. We could approve Field 1 and then ask them to come in for an update.

This item was tabled until July 1, 2019.

Vote to approve bid for Assessors Map Updates and Online GIS Service

Chairman Hollenbeck said the Town went out to bid for Assessors Map Updates and Online GIS Services.

A motion was made by Chairman Hollenbeck and seconded by Selectman Powderly to award the bid for Assessors Map Updates and Online GIS Services to Cartographic Associates, Inc., dba CAI Technologies in the amount of \$9,600 for Map Update Services and Axis GIS WebGIS Services; \$1,500 for Setup and Implementation; \$2,400 per year Annual Hosting & Support; \$3,200 Map Update Services – 2018 optional year; and \$3,000 Map Update Services – 2019 optional year.

Discussion: Ms. Garbitt said this will be used by several Departments. Chairman Hollenbeck said this was approved by the IT Director.

Unanimous in favor.

Review and vote to award Road Reconstruction Bid for Freetown Street & a portion of Precinct Street

Chairman Hollenbeck recused herself from the discussion. Selectman Powderly said Mr. Moniz said this is similar to the SERSG contract; it is an estimate for the project from Sealcoating, dba indus for cold in place for \$468,503.20. The bid for Add Alternate #1 is an overlay price is \$329,035 for traditional hot mix. Mr. Moniz will get quotes for Precinct Street separately.

A motion was made by Selectman Fabian and seconded by Selectman Powderly to award the project to Sealcoating, dba indus.

Discussion: Mr. Moniz will spend \$2,000,000 per year on roadways and Selectman Powderly wants an engineering team signing off as he goes. He would like Environmental Partners involved. Selectman Fabian asked if BETA worked on this. Ms. Craig-McGee said BETA prepared the specifications. Selectman Powderly said he would like a Selectman to work with BETA and Mr. Moniz on this.

The vote on the previous motion was two (2) in favor and one (1) abstention (Chairman Hollenbeck).

Review and vote on FY19 End of Year Transfers

Chairman Hollenbeck reviewed the list of FY19 transfers.

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

VOTED: To approve \$66,000 for the FY19 End of Year Transfers.
Unanimous in favor.

Review and vote to issue Animal Control Warrant

Chairman Hollenbeck said the Board needs to vote to issue the Animal Control Warrant to the Animal Control Officers.

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

VOTED: To issue the Animal Control Warrant to the Animal Control Officers.
Unanimous in favor.

Discuss request from Town Clerk to send letters to State Political Committees regarding Poll Workers

Chairman Hollenbeck said the Board has received a request from the Town Clerk to send letters to the State Political Committees regarding Poll Workers.

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

VOTED: To send the letters to the State Political Committees regarding Poll Workers.
Unanimous in favor.

Discuss request for extension of Mobile Home Permit Extension – 5 Alden Road

Chairman Hollenbeck said a request has been made for a six (6) month extension of the Mobile Home Permit for 5 Alden Road.

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

VOTED: To approve the extension to the Mobile Home Permit for 5 Alden Road to expire on January 7, 2020.
Unanimous in favor.

Request for Road Opening Permit – 16 Bridge Street – Town of Middleborough

Chairman Hollenbeck said the Town of Middleborough has requested a Road Opening Permit for the connection to Middleborough Water for 16 Bridge Street. They had requested that the permit fee be waived.

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

VOTED: To approve the Road Opening Permit for the Town of Middleborough for connection to Middleborough Water for 16 Bridge Street.
Unanimous in favor.

Discuss request for Road Opening Permit – 10 Captains Way – Columbia Gas

Chairman Hollenbeck said Columbia Gas has requested a Road Opening Permit for connection to natural gas for 10 Captains Way.

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

VOTED: To approve the Road Opening Permit for Columbia Gas for connection to natural gas for 10 Captains Way.
Unanimous in favor.

Review request from Matthew Pauliks to be reappointed as a Constable

Chairman Hollenbeck said the Board received a request from Matthew Pauliks to be reappointed as a Constable.

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

VOTED: To reappoint Matthew Pauliks as a Constable for a term to expire June 25, 2020.
Unanimous in favor.

Review and vote to approve Selectmen Meeting Minutes of April 29, 2019 and June 3, 2019

A motion was made by Chairman Hollenbeck and seconded by Selectman Powderly to approve the Selectmen Meeting Minutes of April 29, 2019 and June 3, 2019.

Discussion: Chairman Hollenbeck said she had abstained from the DPW vote on June 3, 2019. Ms. Craig-McGee will check that on LakeCAM.

The vote was unanimous in favor with the amendment noted.

New Business

There was no New Business discussed.

Old Business:

Update on new Police Station

Chairman Hollenbeck asked if the Station was on track to open. Ms. Garbitt said they are hoping to be moved by the end of July. We will be scheduling an open house in August for the public.

Update on Route 79

Ms. Garbitt said she supplied a timeline from BETA that was submitted to DOT.

Update on Dam Management Meeting held on June 11, 2019

Chairman Hollenbeck said the Middleborough/Lakeville Herring Fishery Commission has put in the request for the harvester. Selectman Powderly asked if the use of canoes and kayaks was brought up. Selectman Fabian said it came up in the APC meeting, but not to ban them from the river; just to keep boats from spending time on Assawompset Pond. Ms. Garbitt said Representative Orrall will meet with the Secretary of the Environment to try to get more money from his Capital Plan.

Any other business that may properly come before the meeting

Ms. Garbitt said PCOT outperformed by almost 2%. Selectman Powderly said he would like to have them come in to discuss things.

Other Items

1. Letter from Executive Office of Energy and Environmental Affairs regarding Open Space Plan
2. Letter and email from Jeff Barton of Bountiful Farms
Selectman Powderly read their letter stating that they will have space for a potential dispensary in the future at 200 Kenneth Welch Drive.
3. Letter from Leonard Kopelman
4. Notice of appointments from Board of Health
5. Plymouth County FY20 Operating Budget
6. Letter from Comcast regarding changes to Xfinity Packages with Cinemax

At 7:45 PM, upon a motion made by Chairman Hollenbeck and seconded by Selectman Fabian, it was:

VOTED: To enter into Executive Session pursuant to M.G.L. C30A, §21a (1) to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual; and pursuant to M.G.L. c. 30A, §21(a) (3) for the purpose of discussing strategy with respect to litigation in the matter of Trocki v. Lakeville, et al, Plymouth Superior Court C.A. No. 1783 cv 00700. Holding the meeting in open session would have a detrimental effect on the litigation position, and the Chair so declares; and pursuant to M.G.L. C30A, §21a (2) to conduct contract negotiations with non-union personnel, specifically the Police Chief; and pursuant to M.G.L c.30A, §21a (7) to comply with the Open Meeting Law, M.G.L. c.30A, §22(f): approval of Executive Session Minutes for April 12, 2019; April 22, 2019 (2 sets); April 29, 2019; May 5, 2019; and May 13, 2019 and not to return to Open Session.
Polled vote: Chairman Hollenbeck – aye; Selectman Powderly – aye and Selectman Fabian – aye.

List of documents provided at the Board of Selectmen Meeting of June 17, 2019

1. Email from Town Clerk; email from Town Counsels regarding ballot question; Division of Local Services Proposition 2 ½ Ballot Questions
2. Quote from CyberCom, Inc. on communication upgrades for new Police Station
3. Revised FY20 Wage Scales
4. Purchase and Sale Agreement for sale of 296 Bedford Street
5. Copy of Proposed Agreement for School Resource Officer
6. Agenda Cover Sheet – Item Tabled
7. Sample of Comcast Survey stuffer for Real Estate Tax Bills; portion of MGL Chapter 60, Section 3A
8. Award sheets for DPW Supplies Bids - SERSG
9. Award sheets for Office Supplies and Copy Paper Bids-SERSG
10. Agenda Cover Sheet – Multi Use Athletic Field at Ted Williams Camp; list of references for low bidder
11. Agenda Cover Sheet – Bid for Assessors Map Updates and Online GIS Services
12. Agenda Cover Sheet – Bid for Road Reconstruction for Freetown Street and a portion of Precinct Street
13. List of End of Year FY19 Transfers
14. Copy of Animal Control Warrant
15. Email from Town Clerk regarding letters to State Political Committees regarding Poll Workers
16. Letter from American Mobile Home regarding extension of permit – 5 Alden Road
17. Letter from Superintendent of Streets; application from Town of Middleborough; plan of road opening; letter from Town of Middleborough
18. Letter from Superintendent of Streets; application from Columbia Gas; plan of road opening
19. Letter from Matthew Pauliks regarding reappointment as Constable
20. April 29, 2019 and June 3, 2019 Selectmen Meeting Minutes
21. No items
22. Budget Report #14 – Police Station; change order summary; change order log; timeline for Route 79 improvements; update of the Dam Management Meeting and pond levels; update on PCOT Meeting