

**AGENDA ITEM #6  
JUNE 26, 2023**

**DISCUSS AND POSSIBLE VOTE TO WAIVE INSURANCE  
REQUIREMENTS FOR USE OF THE HISTORIC TOWN HOUSE BY  
THE FRIENDS OF THE LAKEVILLE COUNCIL ON AGING FOR  
DECEMBER 3, 2023 WREATH SALE**

Attached is a letter from the Friends of the Lakeville Council on Aging requesting that they be granted an exception from the Town House/Town Office Building Policy, Section B for their December 3rd wreath sale.

Section B of the policy reads as follows:

**B. *INSURANCE and INDEMNIFICATION***

Any individual or group using the Town House or Town Office Building ("Applicant") will be required to provide a Certificate of Insurance, upon approval of use, naming the Town of Lakeville as Additional Insured in the amount of \$1,000,000.00. If the Applicant does not fall under a current insurance policy, a request may be submitted, in writing, for a waiver from this provision from the Board of Selectmen.

Applicants must submit, with the Application, a signed version of the Release of Claims, Indemnity and Hold Harmless Agreement, which requirement shall not be subject to waiver.



Lori Fahey  
Director  
(508) 947-7224  
(508) 947-4254 fax

## Town of Lakeville Council On Aging

Senior Center • 1 Dear Crossing • Lakeville, MA 02347

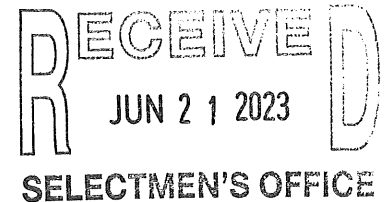


E-Mail:  
lfahey@lakevillema.org

Website:  
lakevillecoa.com

June 20, 2023

Town of Lakeville  
Select Board  
346 Bedford Street  
Lakeville, Ma. 02347



Dear Select Board members,

The Friends of the Lakeville Council on Aging (FLCOA) is respectfully requesting to be granted a one-time exemption from the Town House/Town Office Building Policy, section B, for our Christmas Wreath sale at the Town House on December 3, 2023. We are requesting you make an exemption for the FLCOA based on its unique purpose. The entirety of funds raised solely benefits the Town of Lakeville Council on Aging. This exemption would allow the FLCOA to conduct business at the Town House without requiring insurance.

Thank You for your attention to this matter.

Respectfully yours, *Linda Ewell*

Linda Ewell

**AGENDA ITEM #7  
JUNE 26, 2023**

**SELECT BOARD POLICIES REVIEW UPDATE**

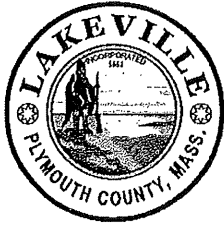
Included for this item are the following policies, as requested at the June 12<sup>th</sup> Select board meeting:

Personnel Related

CORI  
Domestic Violence Leave  
HIPAA Privacy  
Information Technology Use  
Social Media (current and proposed revision)

Other:

Property Use  
Recycled Product Procurement  
Residential and Business Driveway Curb Cuts



OFFICE OF  
SELECTMEN  
TELEPHONE 508-946-8803  
FAX 508-946-0112

**Town of Lakeville**  
**Town Office Building**  
**346 Bedford Street**  
**Lakeville, Massachusetts 02347**

**TOWN OF LAKEVILLE**  
**BOARD OF SELECTMEN**

**CORI POLICY**  
**Adopted March 24, 2014**  
**Revised March 27, 2017**

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, professional licensing applicants, and applicants for the rental or leasing of housing.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, or the rental or leasing of housing, the following practices and procedures will be followed.

**I. ACCESS TO CORI**

All CORI obtained from the State Department of Criminal Justice Information Systems ("DCJIS") is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing applications. The Town of Lakeville must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

**II. CORI TRAINING**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI, which includes all personnel authorized to conduct criminal history background checks, will review and be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

**III. CONDUCTING CORI SCREENING**

CORI checks will only be conducted as authorized by the DCJIS and G.L. c. 6, §172, and only after a CORI Acknowledgement Form has been completed by the individual to be checked.

With the exception of screening for the rental or leasing of housing, if a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours' notice that a new CORI check will be conducted.

If a requestor is screening for the rental or leasing of housing, a CORI Acknowledgement Form shall be completed for each and every subsequent CORI check.

In accordance with State regulations, prior to running a CORI check, the applicant's identity will be verified with government-issued photographic identification (such as a driver's license). If the individual has not been issued such a form of identification, then the applicant's information will be verified with a government issued non-photographic identification, such as a birth certificate or social security card, or other identification authorized by DCJIS. A copy of this identification, together with the CORI Acknowledgment Form, shall be maintained on file by the Town of Lakeville for at least one year from the date the Form was signed by the applicant.

In no instance will the applicant be asked or required to provide a copy of his/her own CORI.

#### **IV. USE OF CRIMINAL HISTORY IN EMPLOYMENT BACKGROUND SCREENING**

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

#### **V. USE OF A CREDIT REPORTING AGENCY TO CONDUCT CORI CHECKS**

If a Credit Reporting Agency (CRA) is used to conduct CORI checks on applicants, the Town of Lakeville will comply with the State regulations particular to use of a CRA.

#### **VI. VERIFYING A SUBJECT'S IDENTITY ONCE A CORI RECORD IS RECEIVED**

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant. If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

#### **VII. INQUIRING ABOUT CRIMINAL HISTORY**

In connection with any decision regarding employment, volunteer opportunities, housing, or licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history, and prior to making any adverse decision based upon the applicant's criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

## VIII. DETERMINING SUITABILITY

If a determination is made, based on the information as provided in section V of this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this Policy and any applicable law or regulation. Factors to be considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the offense(s) noted on the record to the position or license sought, or to public housing;
- (b) The nature of the work to be performed (where applicable);
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and
- (i) Any other relevant information, including information submitted by the candidate or requested by the organization.

Whenever possible, the applicant is to be notified of the decision and the basis for it in a timely manner.

## IX. ADVERSE DECISIONS BASED ON CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified promptly. The subject shall be provided with copies of: 1) the organization's CORI policy; 2) the criminal history at issue, indicating the source(s) of said criminal history; and 3) DCJIS' *Information Concerning the Process for Correcting a Criminal Record*, or other similar information published by DCJIS relating to the process for correcting CORI.

The subject will then be provided with reasonable opportunity to dispute the accuracy of the CORI record and/or submit additional information. In most instances, that reasonable opportunity shall be seven (7) calendar days from date of notification from the Town of Lakeville of the potential of an adverse decision, unless there are extenuating circumstances. Upon the timely receipt of additional documentation/information from the applicant and/or the DCJIS, the Town of Lakeville shall review the information with the applicant. If the CORI record does not exactly match the identification information provided by the applicant, the Town of Lakeville will make a determination based upon a comparison of the CORI record and documentation provided by the applicant. The Town of Lakeville shall document all steps it takes in this regard.

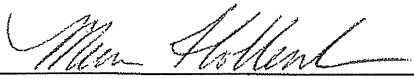
In the case of license applications, the Town of Lakeville will additionally provide the applicant with information regarding any applicable appeal process, including the opportunity to dispute the accuracy of the CORI at issue, although this information can be provided either before or after the adverse decision is made.

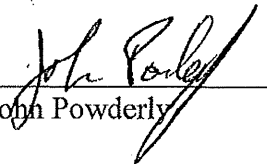
#### **X. MAINTENANCE OF CORI**

All CORI information, including CORI Acknowledgment Forms and copies of government issued identification, will be maintained in a secure fashion. This means that hard copies will be stored in a separate, locked, location; electronically stored CORI will be password protected and encrypted. No CORI shall be stored using public cloud storage methods. CORI shall be destroyed within seven years from: the date of hire or entrance into volunteer service (employment); date of licensing decision (licensing); last date of residency or date of housing decision (housing), whichever is later. Destruction shall occur by shredding or other similar means (hard copies), prior to disposal. Electronically stored CORI shall be deleted from all hard drives on which they are stored and from any system used to back up the information. Appropriate measures shall be taken to “clean” any computer used to store CORI, prior to disposal or repurposing of such a computer.

#### **XI. SECONDARY DISSEMINATION LOGS**

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central “secondary dissemination log” shall be used to record *any* dissemination of CORI outside this organization, including dissemination at the request of the subject. That log must contain the following information: 1) the applicant/subject’s name; 2) the applicant/subject’s date of birth; 3) the date and time of dissemination; 4) the name of the person to whom the CORI was disseminated, including the name of the organization for whom the person works (if applicable); and 5) the specific reason for the dissemination. These logs must be maintained for at least one year from the date of dissemination; may be maintained electronically or on paper in the same secure manner as other CORI information; and are subject to audit by DCJIS.

  
\_\_\_\_\_  
Miriam Hollenbeck, Chairman

  
\_\_\_\_\_  
John Powderly

\_\_\_\_\_  
Aaron Burke

**ADDENDUM E**  
**TOWN OF LAKEVILLE**  
**DOMESTIC VIOLENCE LEAVE POLICY**  
**Adopted January 12, 2015**

I. **PURPOSE**

This Policy describes the eligibility and procedural requirements relating to the administration of leave taken pursuant to the Massachusetts Domestic Violence Leave Act, G.L. c. 149, §52E (“DVLA” or “the Act”).

II. **APPLICATION**

This Policy applies to all employees of the Town of Lakeville (“Town”). Employees whose employment is governed by a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

III. **POLICY**

The Town is committed to complying with the DVLA, as it may be amended from time to time. In the event of any conflict between the Town’s DVLA policy and the State law and any applicable regulations, the State law/regulations applicable to the Town and its employees shall prevail.

IV. **PROCEDURES**

A. **Eligibility**

To qualify for domestic violence leave under the DVLA, an employee or a covered family member must be the victim of “*abusive behavior*.” “Abusive behavior” includes any of the following behaviors: domestic violence, stalking, sexual assault or kidnapping.

*Domestic violence* is abuse against an employee or a covered family member by a current or former spouse, a person with whom the victim shares a child, a person cohabitating with or who has cohabitated with the victim in the past, a relative by blood or marriage, or a person with whom the employee or family member has or had a dating or engagement relationship.

A *Covered family member* includes a spouse, parent, step-parent, child, step-child, sibling, grandparent, grandchild, persons in a substantive dating relationship or who reside together, persons having a child in common, or persons in a guardian relationship. In the case of abuse of a family member, the employee is not entitled to leave if he or she is the alleged perpetrator.



## B. Duration of Leave

If an employee or a covered family member of the employee is a victim of abusive behavior, he/she may take up to fifteen (15) days of unpaid leave in any twelve-month period. The twelve-month period is a rolling twelve months beginning twelve months prior to the proposed commencement of requested leave. Employees are required to exhaust all paid leave before taking leave under the DVLA.

## C. Reasons for Requesting Leave

Employees may request leave to address issues directly related to the abusive behavior. This includes seeking medical attention, counseling or victim services. Leave may also be taken to obtain legal assistance, to attend or appear in court proceedings, or to meet with a district attorney or law enforcement personnel. It is not a requirement of the Act that the employee maintain contact with the alleged abuser before being eligible for leave.

## D. Notice

Employees must provide sufficient advance notice of the decision to use domestic violence leave, unless there is a threat of imminent danger to the health or safety of the employee or a member of the employee's family. An employee who does not give advance notice must notify the employer within three (3) work days that leave is being taken pursuant to the DVLA. The notice may be provided by certain specified individuals other than the employee.

If an unscheduled absence occurs, the employee has 30 calendar days to produce documentation of the need for leave, in accordance with paragraph E, below.

## E. Documentation

Employees taking leave pursuant to the DVLA may be required to provide documentation evidencing that the employee or employee's family member has been a victim of abusive behavior. If requested, an employee is required to provide such documentation within a reasonable period after the request is made. An employee can satisfy this requirement by providing any one of the following documents:

- A protective order issued by a court as a result of abusive behavior against the employee or employee's family member;
- A document under the letterhead of the court, provider or public agency which

the employee attended for the purposes of acquiring assistance as it relates to the abusive behavior;

- A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behavior;
- Documentation that the perpetrator of the abusive behavior against the employee or family member of the employee has admitted to sufficient facts in court, or has been convicted of any offense constituting abusive behavior;
- Medical documentation of treatment as a result of the abusive behavior;
- A sworn statement provided by a counselor, social worker, or health care worker who has assisted the employee or the employee's family member; or
- A sworn statement from the employee attesting that the employee has been the victim of abusive behavior.

#### F. Return to Work

Employees who take leave pursuant to the DVLA will be restored to their original or equivalent position upon return from leave unless circumstances unrelated to the employee's use of leave would have caused a change in employment status. The City/Town shall not retaliate against an employee for exercising his/her rights under the DVLA.

#### G. Confidentiality

With limited exceptions set forth by law, information related to the employee's leave shall remain confidential.

**Adopted by the Board of Selectmen on January 12, 2015; replacing the Policy previously adopted on December 22, 2014.**

**TOWN OF LAKEVILLE**  
**DOMESTIC VIOLENCE LEAVE POLICY**

**ACKNOWLEDGEMENT FORM**

This acknowledges that I have received and reviewed the Town of Lakeville's Domestic Violence Leave Policy ("Policy"). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding use of Domestic Violence Leave are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

***To be included in employee's personnel file.***

## **ADDENDUM D**

### **THE TOWN OF LAKEVILLE** **HIPAA PRIVACY POLICY** **Amended March 16, 2016**

#### **Introduction**

The Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), as amended, as well as its implementing regulations, restrict the Town’s ability to use and disclose protected health information (“PHI”). PHI is defined as follows:

information that is created or received by the Town and relates to the past, present, or future physical or mental health or condition of a patient; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual; and that identifies the individual or for which there is a reasonable basis to believe the information can be used to identify the individual. Protected health information includes information of persons living or deceased.

It is the Town’s policy to fully comply with HIPAA’s requirements, including the Privacy Rule, Public Law 104-191 and the Health Information Technology for Economic and Clinical Health (HITECH) Act. To that end, all Town employees who have access to PHI must comply with this Privacy Policy. For purposes of this Policy and the Town’s PHI use and disclosure procedures, the term “Town employee” shall be defined to include individuals who would be considered part of the workforce under HIPAA, including Town employees, volunteers, trainees, and other persons whose work performance is under the direct control of the Town, whether or not they work on a full or part-time basis or are paid by the Town.

No third party rights are intended to be created by this Policy. The Town reserves the right to amend or change this Policy at any time without notice. This Policy is limited solely to the Town’s privacy obligations under HIPAA, and does not address any other applicable requirements under other federal or state laws.

This Privacy Policy shall address the following:

- The Town’s Privacy Official and Contact Persons;
- Town Employee Training;
- Technical and Physical Safeguards of PHI;
- Privacy Notice;
- Complaints;
- Sanctions for Violations of Privacy Policy;
- Mitigation of Inadvertent Disclosures of PHI;
- No Intimidating or Retaliatory Acts or Waiver of HIPAA Privacy;
- Disclosure of PHI;
- Documentation;
- The Use and Disclosure of PHI;
- Town Employees’ Compliance with the Town’s Privacy Policy and Procedures;

- Access to PHI;
- Permitted Uses and Disclosures;
- No Disclosure of PHI for Non-Authorized Reasons;
- Mandatory Disclosures of PHI
- Permissive Disclosures of PHI for Public Interest and Benefit Activities;
- Disclosures of PHI Pursuant to an Authorization;
- Complying with the “Minimum-Necessary” Standard;
- Disclosures of PHI to Business Associates;
- Disclosures of De-Identified Information;
- Access to PHI and Requests for Amendment;
- Accounting;
- Breach Notification;
- Requests for Restrictions on Uses and Disclosures of PHI; and
- Enforcement.

### **The Town’s Responsibilities as Covered Entity**

#### **I. The Town’s Privacy Official and Contact Person**

Debra Kenney shall be the Privacy Official for the Town of Lakeville. The Privacy Official can be reached at:

Debra Kenney  
 Address: 346 Bedford Street, Lakeville, MA 02347  
 Telephone: (508) 946-8801  
 Fax: (508) 946-3970  
 E-Mail: [dkenney@lakevillema.org](mailto:dkenney@lakevillema.org)

The Privacy Official shall be responsible for the development and implementation of policies and procedures relating to privacy of PHI, including but not limited to this Privacy Policy and the Town's PHI use and disclosure procedures. The Privacy Official shall also serve as the contact person for individuals who have questions, concerns, or complaints about the privacy of their PHI.

#### **II. Town Employee Training**

It is the Town's policy to train all members of its workforce who have access to PHI on HIPAA’s privacy and security policies and procedures. The Privacy Official is charged with developing training schedules and programs so that all Town employees with access to PHI receive necessary and appropriate training to adhere to HIPAA’s requirements.

#### **III. Technical and Physical Safeguards of PHI**

Pursuant to this Policy, the Town shall establish appropriate technical and physical safeguards to prevent PHI from intentionally or unintentionally being used or disclosed in violation of HIPAA’s requirements. Appropriate technical safeguards for purposes of this policy shall include, but not be limited to, password protecting computers and documents, implementing

electronic security measures and limiting access to electronic information by creating computer firewalls. Appropriate physical safeguards for purposes of this policy shall include, but not be limited to, appropriately securing areas in Town where PHI is stored.

Appropriate technical and physical safeguards shall be designed to ensure that only authorized Town employees will have access to PHI, that they will have access to only the minimum amount of PHI necessary and that they will not further use or disclose PHI in violation of HIPAA's privacy rules.

In furtherance of this Policy, the Town has adopted a HIPAA Security Policy to ensure compliance with HIPAA's Security Rule. 45 CFR 160, 162, and 164.

#### **IV. Privacy Notice**

The Privacy Official is responsible for developing and maintaining a notice of the Town's privacy practices ("Notice of Privacy Practices") that describes:

- the uses and disclosures of PHI that may be made by the Town;
- individual rights; and
- the Town's legal duties with respect to the PHI.

The Notice of Privacy Practices shall inform individuals that the Town will have access to PHI in connection with its medical and administrative functions. In addition, the Notice of Privacy Practices will provide a description of the Town's complaint procedures, the name and telephone number of the designated Privacy Official, and the date of the notice.

To the extent practicable, the Notice of Privacy Practices shall be individually delivered to all persons receiving medical attention or otherwise providing the Town with PHI subject to the protections of HIPAA:

- On an ongoing basis, at the time of an individual's medical treatment and consent, or, if such time is not practicable, at the earliest possible time thereafter; and
- Within 60 days after a material change to the Notice of Privacy Practices.

The Notice of Privacy Practices shall also be posted in Town Hall, posted on the Town's website and made available upon request to the Town's Privacy Official.

#### **V. Complaints**

The Town's Privacy Official shall be the Town's contact person for receiving complaints concerning use and disclosure of PHI. The Privacy Official shall be responsible for creating a process for receiving, investigating and addressing complaints lodged with regard to the Town's PHI privacy procedures.

#### **VI. Sanctions for Violations of Privacy Policy**

Sanctions for using or disclosing PHI in violation of this HIPAA Privacy Policy shall be imposed in accordance with the Town's policies and procedures, and, for Town employees, shall include the potential for termination.

## **VII. Mitigation of Inadvertent Disclosures of Protected Health Information**

The Town shall mitigate, to the extent possible, any harmful effects that become known to it because of a use or disclosure of an individual's PHI in violation of the policies and procedures set forth in this Privacy Policy.

Pursuant to this Privacy Policy, if an employee becomes aware of the use or disclosure of PHI, either by a Town employee or an outside consultant/contractor, that is not in compliance with this Privacy Policy, the employee shall immediately contact a Privacy Official so that the appropriate steps to mitigate the potential harm, including, but not limited to, notification of a potential breach to the individual(s) affected and to the U.S. Department of Health and Human Services ("HHS") Secretary, as set forth in the Breach Notification section of this Policy.

## **VIII. No Intimidating or Retaliatory Acts; No Waiver of HIPAA Privacy**

No Town employee shall intimidate, threaten, coerce, discriminate against, or take other retaliatory action against individuals for exercising their rights, filing a complaint, participating in an investigation, or opposing any improper practice under this Privacy Policy or HIPAA.

No individual shall be required to waive his or her privacy rights under HIPAA or this Privacy Policy as a condition of treatment, payment, enrollment or eligibility.

## **IX. Disclosure of PHI**

Pursuant to this Policy, the Town, its officials and employees, shall adhere to the following disclosure guidelines:

- PHI shall be used or disclosed only as authorized and/or required by law;
- Ensure that any agents or subcontractors that will receive PHI from the Town agree prior thereto to comply with the same restrictions and conditions that apply to the Town concerning use or disclosure of PHI by executing a Business Associate Agreement;
- PHI shall not be disclosed for employment-related actions;
- Report immediately or as soon as practicable to a Privacy Official any use or disclosure of PHI that is inconsistent with the permitted uses or disclosures authorized by law and this Privacy Policy; and
- Make the Town's internal practices and records relating to the use and disclosure of PHI received available to the Department of Health and Human Services upon request.

## **X. Documentation**

The Town's privacy policies and procedures shall be documented and maintained for at least six (6) years and otherwise as required by the state law. Policies and procedures shall be amended from time to time as necessary or appropriate to comply with changes in the law, standards, requirements and implementation specifications (including changes and modifications to the applicable regulations). Any changes to policies or procedures shall be promptly documented.

Upon the effective date of this Policy, the Town shall document events and actions relating to an individual's privacy rights under HIPAA, including authorizations for use or disclosure, requests for information concerning use or disclosure of PHI, complaints concerning use or disclosure of

PHI, and any sanctions imposed as a result of misuse or improper disclosure.

The documentation of any policies and procedures, actions, activities and designations shall, to the extent permitted by law, be maintained in either written or electronic form for at least six (6) years, and otherwise as required by state law.

## **Policies on the Use and Disclosure of PHI**

### **I. Use and Disclosure Defined**

The Town shall use and disclose PHI only as permitted under HIPAA. The terms “use” and “disclosure” are defined as follows:

- *Use.* The sharing, employment, application, utilization, examination, or analysis of individually identifiable health information by any person working for or within the benefits area of the Town, or by a Business Associate of the Town.
- *Disclosure.* For information that is PHI, disclosure means any release, transfer, provision of access to, or divulging in any other manner of individually identifiable health information to persons not authorized by the Town to have access to PHI.

### **II. Workforce Must Comply With Town's Privacy Policy and Procedures**

All Town employees who have access to PHI shall comply with this Privacy Policy, as well as, with any procedures promulgated hereunder.

### **III. Access to PHI Is Limited to Certain Employees**

Town employees with access to PHI shall not disclose PHI to employees (other than to employees with authorized access) unless an authorization has been provided or the disclosure otherwise is in compliance with this Policy.

### **IV. Permitted Uses and Disclosures**

The Town, as a so-called “covered entity” for purposes of HIPAA, is permitted, but not required, to use and disclose PHI, without an individual’s authorization, for the following purposes or situations: (1) to the individual (unless required for access or accounting of disclosures); (2) for treatment, payment, and health care operations; (3) to the individual after the individual has had an opportunity to agree or object to the use and disclosure of the PHI; (4) incident to an otherwise permitted use and disclosure; (5) public interest and benefit activities; and (6) limited data set for the purposes of research, public health or health care operations.

- *Treatment.* Treatment is the provision, coordination, or management of health care and related services for an individual by one or more health care providers, including consultation between providers regarding a patient and referral of a patient by one provider to another.
- *Payment.* Payment includes activities undertaken to obtain an individual’s contributions or to determine or fulfill the Town’s responsibility for provision of benefits subsequent to providing medical services, or to obtain or provide



reimbursement for health care. Payment also includes:

- eligibility and coverage determinations including coordination of benefits and adjudication or subrogation of health benefit claims;
- risk adjusting based on enrollee status and demographic characteristics; and
- billing, claims management, collection activities and related health care processing.

PHI may be disclosed for purposes of the Town's own health care operations. PHI may be disclosed to another covered entity for purposes of the other covered entity's quality assessment and improvement, case management, or health care fraud and abuse detection programs, if the other covered entity has (or had) a relationship with the individual and the PHI requested pertains to that relationship.

- *Health Care Operations.* Health care operations mean any of the following activities to the extent that they are related to the Town's emergency medical care administration:
  - conducting quality assessment and improvement activities;
  - reviewing health care performance;
  - conducting or arranging for medical review, legal services and auditing functions;
  - planning and development; and
  - business management and general administrative activities.

#### **V. No Disclosure of PHI for Non-Authorized Reasons**

A major purpose of the Privacy Rule is to define and limit the circumstances in which an individual's PHI may be used or disclosed by covered entities. Therefore, neither the Town nor any Town employee shall use or disclose PHI, except either: (1) as the Privacy Rule permits or requires; or (2) as the individual who is the subject of the information (or the individual's personal representative) authorizes in writing.

#### **VI. Disclosures of PHI**

An individual's PHI shall be disclosed under HIPAA:

1. The disclosure is to the individual who is the subject of the information;
2. To friends and family members involved in your care of payment of your care, unless we determine disclosure is not in an individual's best interest; and
3. The disclosure is made to the U.S. Department of Health and Human Services for purposes of enforcing HIPAA.

#### **VII. Permissive Disclosures of PHI: for Public Interest and Benefit Activities**

The Town may disclose PHI in the following situations without an individual's authorization, for

so-called “national priority” purposes as that term is used in HIPAA. These disclosures are permitted, although not required, by the Privacy Rule in recognition of the important uses made of health information outside of the health care context. Specific conditions or limitations apply to each public interest purpose, as set forth in HIPAA, striking the balance between the individual privacy interest and the public interest need for the information. Prior to disclosure for such purposes, a Town employee shall review with the Privacy Official whether potential uses or disclosures are authorized for any of the below reasons.

- Required by law;
- Public health activities;
- Victims of abuse, neglect or domestic violence;
- Health oversight activities;
- Judicial and administrative proceedings;
- Certain law enforcement purposes;
- Decedents;
- Cadaveric organ, eye or tissue donation;
- Research;
- Serious threat to health or safety;
- Essential government functions; and
- Workers’ Compensation.

**VIII. Disclosures of PHI Pursuant to an Authorization**

PHI may be disclosed for any purpose, including marketing purposes, if an individual executes an authorization that satisfies all of HIPAA's requirements. All uses and disclosures made pursuant to a signed authorization must be consistent with the terms and conditions of the authorization.

**IX. Complying With the "Minimum-Necessary" Standard**

HIPAA requires that when PHI is used or disclosed, the amount disclosed shall generally be limited to the "minimum necessary" to accomplish the purpose of the use or disclosure.

The “minimum-necessary” standard does not apply to any of the following:

- uses or disclosures made to the individual;
- uses or disclosures made pursuant to a valid authorization;
- disclosures made to HHS;
- uses or disclosures required by law; and
- uses or disclosures required to comply with HIPAA.

*Minimum Necessary When Disclosing PHI.* For making disclosures of PHI to any Business Associate or for claims payment/adjudication, design and pricing or internal/external auditing purposes, only the minimum necessary amount of information will be disclosed.

All other disclosures shall be reviewed on a case by case basis with the designated Privacy Official to ensure that the amount of information disclosed is the minimum necessary to accomplish the purpose of the disclosure.

*Minimum Necessary When Requesting PHI.* When a Town employee *requests* disclosure of PHI by Business Associates, providers or individuals for purposes of claims payment/adjudication, design and pricing or internal/external auditing purposes, only the minimum necessary amount of information shall be requested.

All other requests shall be reviewed on an individual basis with the designated Privacy Official to ensure that the amount of information requested is the minimum necessary to accomplish the purpose of the disclosure.

#### **X. Disclosures of PHI to Business Associates**

Authorized Town employees may disclose PHI to the Town's business associates and allow the Town's business associates to create or receive PHI on its behalf. Prior to creating or receiving PHI, the Town must first obtain written assurances from the business associate(s) that it will appropriately safeguard the information.

Before sharing PHI with outside consultants or contractors who meet the definition of a "business associate," Town employees shall contact the designated Privacy Official and verify that a business associate contract is currently in effect.

A Business Associate is an entity that:

- performs or assists in performing a Town function or activity involving the use and disclosure of PHI (including claims processing or administration, data analysis, underwriting, etc.); or
- provides medical, accounting, actuarial, consulting, management, accreditation, or financial services, where the performance of such services involves giving the service provider access to PHI.

#### **XI. Disclosures of De-Identified Information**

The Town may freely use and disclose de-identified information. De-identified information is health information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual. There are two (2) ways a covered entity can determine that information is de-identified: either by professional statistical analysis, or by removing specific identifiers.

### **Policies on Individual Rights**

#### **I. Access to Protected Health Information and Requests for Amendment**

This Privacy Policy acknowledges that HIPAA gives individuals the right to access and obtain copies of their PHI that the Town or its business associates maintains in designated record sets. There shall be restricted disclosures of documents that contain a patients' PHI to his/her health plan(s) if the patient has paid the out-of-pocket amount in full.

The Privacy Rule gives individuals the right to have covered entities amend their PHI in a designated record set when that information is inaccurate or incomplete. If the Town accepts an amendment request, it must make reasonable efforts to provide the amendment to persons that the individual has identified as needing it, and to persons that the covered entity knows might rely on the information to the individual's detriment. If the request is denied, the Town must provide the individual with a written denial and allow the individual to submit a statement of disagreement for inclusion in the record. The Rule specifies processes for requesting and responding to a request for amendment. The Town shall amend PHI in its designated record set upon receipt of notice to amend from another covered entity.

Except in certain circumstances, individuals have the right to review and obtain a copy of their PHI in the Town's designated record set. The "designated record set" is that group of records maintained by or for a covered entity that is used, in whole or part, to make decisions about individuals, or that is a provider's medical and billing records about individuals or a health plan's enrollment, payment, claims adjudication, and case or medical management record systems.

## **II. Accounting**

Individuals have a right to an accounting of the disclosures of their PHI by the Town or the Town's business associates. The maximum disclosure accounting period is the six (6) years immediately preceding the accounting request, except that the Town shall not be obligated to account for any disclosure made before its Privacy Rule compliance date.

The Privacy Rule does not require accounting for disclosures: (a) for treatment, payment, or health care operations; (b) to the individual or the individual's personal representative; (c) for notification of or to persons involved in an individual's health care or payment for health care, for disaster relief, or for facility directories; (d) pursuant to an authorization; (e) of a limited data set; (f) for national security or intelligence purposes; (g) to correctional institutions or law enforcement officials for certain purposes regarding inmates or individuals in lawful custody; or (h) incident to otherwise permitted or required uses or disclosures.

Accounting for disclosures to health oversight agencies and law enforcement officials must be temporarily suspended on their written representation that an accounting would likely impede their activities.

## **III. Breach Notification Procedures**

The Town shall provide notice as required under HIPAA when there is a breach of unsecured PHI in a manner not permitted under HIPAA. HIPAA requires that the Town notify individuals whose unsecured PHI has been compromised by such a breach. In certain circumstances, the Town must also report such breaches to the Secretary of HHS and through the media. The Town's breach notification process will be carried out in compliance with the Health Information Technology for Economic and Clinical Health Act of the American Recovery and Reinvestment Act of 2009 and its implementing rules and regulations, each as may be amended from time to time, including those regulatory amendments of the Department of Health and Human Services published at 78 Fed. Reg. 5566 (Jan. 25, 2013), collectively HIPAA.

**Breach.** Breach means the acquisition, access, use, or disclosure of PHI in a manner not

permitted under HIPAA, which compromises the security or privacy of the PHI. Breach excludes:

- Any unintentional acquisition, access, or use of PHI by a Town employee or person acting under the authority of the Town or business associate if such acquisition, access, or use was made in good faith and within the scope of authority and does not result in further use or disclosure in a manner not permitted under HIPAA.
- Any inadvertent disclosure by a person who is authorized to access PHI at the Town or business associate to another person authorized to access PHI at the Town or same business associate, or organized health care arrangement in which the covered entity participates, and the information received as a result of such disclosure is not further used or disclosed in a manner not permitted under HIPAA.
- A disclosure of PHI where the Town or business associate has a good faith belief that an unauthorized person to whom the disclosure was made would not reasonably have been able to retain such information.

**Discovery of Breach.** A breach shall be treated as discovered as of the first day on which such breach is known to the Town or, by exercising reasonable diligence, would have been known to the Town or Town employee, other than the person committing the breach. Town employees who believe that an individual's information has been used or disclosed in any way that compromises the security or privacy of that information shall immediately notify a Town Privacy Official. Following the discovery of a potential breach, the Town shall immediately begin an investigation, conduct a risk assessment, and, based on the results of the risk assessment, begin the process of notifying each individual whose PHI has been, or is reasonably believed by the Town to have been, accessed, acquired, used, or disclosed as a result of the breach. The Town shall also begin the process of determining what notifications are required or should be made, if any, to the Secretary of the Department of Health and Human Services (HHS), media outlets, or law enforcement officials.

**Breach Investigation.** The Town's Privacy Official shall investigate the breach and shall be responsible for the management of the breach investigation, completion of the risk assessment, and coordinating with others in the Town as appropriate (e.g., administration, police department, human resources, and legal counsel). The Town's entire workforce is expected to assist the Privacy Official in this investigation as requested. The Privacy Official shall be the key facilitator for all breach notification processes.

**Notification: Individuals Affected.** If it is determined that breach notification must be sent, a breach notification letter shall be sent out to all affected individuals. Notice to affected individuals shall contain the following relevant information containing the breach, including a description of what happened, the type(s) of unsecured PHI that was involved in the breach, any appropriate steps that should be taken, relevant contact information and steps that the Town has taken to investigate the breach and mitigate any potential harm. Notice to affected individuals shall be made in accordance with HIPAA's requirements and without unreasonable delay and in no case later than 60 calendar days after the discovery of the breach. If the Town determines that notification requires urgency because of possible imminent misuse of unsecured PHI, notification may be provided by telephone or other means, as appropriate, in addition to the

methods noted above. It is the responsibility of the Town to demonstrate that all notifications were made as required, including evidence demonstrating the necessity of any delay.

**Notification: HHS.** In the event a breach of unsecured PHI affects 500 or more of the individuals, the Town will notify HHS at the same time notice is made to the affected individuals, in the manner specified on the HHS website. If fewer than 500 individuals are affected, the Town will maintain a log of the breaches to be submitted annually to the Secretary of HHS no later than 60 days after the end of each calendar year, in the manner specific on the HHS website. The submission shall include all breaches discovered during the preceding calendar year.

**Notification: Media.** In the event the breach affects more than 500 residents of Massachusetts, prominent media outlets serving the state and regional area will be notified without unreasonable delay and in no case later than 60 calendar days after the discovery of the breach. The notice shall be provided in the form of a press release.

**Business Associate Responsibilities.** The Town's business associates shall, without unreasonable delay and in no case later than 60 calendar days after discovery of a breach of unsecured PHI, notify the Town's Privacy Official of such breach. Such notice shall include the identification of each individual whose unsecured PHI has been, or is reasonably believed by the business associate to have been, accessed, acquired, used, or disclosed during the breach. Upon notification by the business associate of discovery of a breach, the business associate, in consultation with the Town, will be responsible for notifying affected individuals and all costs associated with such notification, unless otherwise agreed upon in writing by the Town and the business associate.

#### **IV. Requests for Restrictions on Uses and Disclosures of Protected Health Information**

- **Restriction Request.** Individuals have the right to request that a covered entity restrict use or disclosure of PHI for treatment, payment or health care operations, disclosure to persons involved in the individual's health care or payment for health care, or disclosure to notify family members or others about the individual's general condition, location, or death. The Town is under no obligation to agree to requests for restrictions. If the Town does agree, it must comply with the agreed restrictions, except for purposes of treating the individual in a medical emergency.
- **Confidential Communications Requirements.** The Town shall permit individuals to request an alternative means or location for receiving communications of PHI by means other than those that the Town typically employs. For example, an individual may request that the Town communicate with the individual through a designated address or phone number. Similarly, an individual may request that the provider send communications in a closed envelope rather than a post card. The Town may condition compliance with a confidential communication request on the individual specifying an alternative address or method of contact and explaining how any payment will be handled.

#### **V. Enforcement**

- Every Town employee with access to PHI is required to adhere to all HIPAA mandates.

- Violation of this Policy may result in disciplinary action up to and including termination of employment or other relationship with the Town in a full or part-time or volunteer capacity.
- Under state and federal law, violation of this Policy may result in significant civil monetary penalties as well as criminal sanctions, including, fines and imprisonment.

**Adopted by the Board of Selectmen on March 16, 2016; replacing the Policy previously adopted on April 14, 2003.**

## ADDENDUM C

### TOWN OF LAKEVILLE INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY Adopted March 23, 2015

#### Introduction

The Town of Lakeville provides technology in order to allow Town employees/officials to serve the public more efficiently and effectively. This policy is intended to provide rules and guidelines concerning the appropriate use of the Town's technology resources. Any person using the Town's technology shall be considered a user for purposes of this policy.

The term, "technology," covers a wide range of processes used for communicating information within our society. The Town is pleased to provide information technology ("IT") including, but not limited, to computers, laptops, printers and other peripherals, programs, data, fax machines, local and wide area networks, email, the internet, palm pilots, mobile phones and tablets, to employees and other authorized users working in the Town to more efficiently provide services. All users utilizing the Town's IT have an obligation to use it in a responsible manner, conforming to legal requirements, network etiquette, customs, and courtesies, and in compliance with this policy. The Town determines which, if any, IT is appropriate for each position and provides IT to users where appropriate, at the Town's discretion.

All technology provided by the Town is intended for Town business. Users may use the Internet service provided by the Town during their non-working hours, provided they adhere to all of the following regulations. All information and communication on Town equipment is considered Town/Public information and may be viewed at any time by the Network Administrator and/or designee.

Use of the Town's IT is a privilege, which may be revoked at any time for conduct which violates this policy.

#### Amendment of Prior Policy

This policy replaces the Town's ADDENDUM C TOWN OF LAKEVILLE ELECTRONIC COMMUNICATION AND INFORMATION POLICY. Use of the Town's IT shall constitute acceptance of the terms of this policy by the user. In addition to this policy, which may be amended from time to time at the discretion of the Board of Selectman, individual Supervisors may adopt additional guidelines consistent with this policy governing the use of the Town's IT by employees under their supervision, provided that any changes are first submitted to the Board of Selectmen for review and approval.



## **Compliance with Policy**

### **User Responsibilities**

This policy applies to every employee, board member (elected or appointed), contractor or remote user who is provided access to the Town's technology resources. The Network Administrator and/or Designee should be made aware of scheduled contractors in-house support sessions. It is the responsibility of any person using the Town's technology to read, understand and follow this policy.

Every user who is authorized by the Town to use IT will be provided with a copy of this policy. It is the responsibility of a user of the Town's IT to read, understand, and adhere to this policy. Any user with questions regarding the application or meaning of this policy should seek clarification from his/her supervisor or from the Town's Network Administrator and/or Designee. Failure to comply with this policy may result in suspension or termination of the user's IT, privileges and/or disciplinary action up to and including termination of employment.

The users of the Town's network are responsible for respecting and adhering to local, state, federal and international laws. Any attempt to break those laws through the use of the network may result in disciplinary action, and where appropriate, may also be referred to law enforcement agencies/officials.

To the extent an employee or official uses his/her personal device (e.g., camera, cell [smart] phone) to create Town records, those records must be transferred to the Town network/system upon creation, in order to comply with the Public Records Law. Users who use their own personal technology device(s) to conduct Town business must provide the Town with access to these records and/or device(s) should the need arise. These personal devices will also be subject to management by the Network Administrator and/or Designee with activities including policy enforcement, device location and remote erasure of the device in the event of its loss.

### **Prohibited Conduct**

The use of the Town's IT for inappropriate or prohibited conduct may result in disciplinary action up to and including termination from employment. Employees or officials using Town of Lakeville accounts are acting as representatives of the Town. As such, users should act accordingly so as not to damage the reputation of the Town. It is not possible to list all of the circumstances which may constitute inappropriate use of the Town's IT; however, users are prohibited from using the Town's IT:

- (1) in furtherance of any illegal act, including violations of any state or federal criminal or civil laws or regulations;
- (2) to access, display, or share sexually explicit, obscene, or otherwise inappropriate materials, messages, or images;

- (3) to send or display threatening or harassing messages, materials, or images, including, but not limited to, messages, materials or images of a sexual nature, racial, ethnic, sexual, religious, or gender-based slurs, or messages or images that offensively address someone's age, sex, sexual orientation, religion, race, ethnicity, national origin, disability or political beliefs.
- (4) to access, display, or disseminate material that advocates violence or discrimination towards other people (hate literature);
- (5) for any commercial purpose, including, but not limited to, the offering, providing, leasing, or purchasing of products or services;
- (6) to gain, or attempt to gain, unauthorized access to any computer or network;
- (7) to intercept or attempt to intercept communications intended for other persons;
- (8) to misrepresent either the Town or the employee's role at the Town;
- (9) for any political purpose (subject to the exceptions set forth in Section VII below) or to make solicitations in violation of Massachusetts General Laws, chapter 55;
- (10) to promote religious beliefs;
- (11) to libel or otherwise defame any person;
- (12) to download and/or install non-Town supported and licensed software applications or programs;
- (13) to violate any copyright laws or to infringe on any intellectual property rights;
- (14) to distribute chain letters;
- (15) to access online gambling sites;
- (16) to connect unauthorized or unapproved computers, printers or peripherals to the Town's network;
- (17) to utilize alternate Internet Service Provider connections and email accounts from the Town of Lakeville's internal network unless expressly authorized by the Town's Network Administrator and/or Designee and properly protected by an appropriate security device;

- (18) to use computers or the internet for games of any type, to engage in purely personal activities such as personal shopping, bill payment, or banking, browser based web reimbursements, or to seek employment opportunities;
- (19) to develop or use programs that harass other users or infiltrate a computer, computing system or network and/or damage or alter the software components of a computer, computing system or network;
- (20) to establish unauthorized connections which create routing patterns that are inconsistent with the effective and shared use of the Town's network;
- (21) for any use that causes interference with or disruption of the Town's IT;
- (22) for any use that causes interference with or disruption of the Town's network users or resources;
- (23) for activity on social networking sites, such as Facebook, unless authorized by the Town's Network Administrator and/or Designee, and that such use remains consistent with all other aspects of this policy, any and all posting to be submitted for review prior to broadcast;
- (24) for any use which violates other Town policies, including, but not limited to, the Town's policy against sexual harassment.

The above list of prohibited conduct is not all inclusive; users who are uncertain as to the appropriateness of any action or conduct being contemplated should consult their supervisors or the Town's Network Administrator and/or Designee for guidance.

### **Town Business Use**

The Town's IT, including, but not limited to, the Town's Email and other online services, are the property of the Town of Lakeville, and should be used only for business purposes associated with the Town. Personal use of any of the IT or misuse of IT may result in serious disciplinary action up to and including termination from employment. Use of the Town's IT is a privilege, not a right, and may be revoked at any time for inappropriate conduct.

### **Use of E-mail by Town Boards and Committees**

The Open Meeting Law states that "all meetings of a public body shall be open to the public..." unless an executive session is otherwise permitted by law. The Open Meeting Law further provides that a quorum of a public body generally may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter within its jurisdiction. Significantly, "deliberation", as defined by law, includes "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction" <sup>1</sup> See MGL Chap. 30A, Sections 18-25.

Like private conversations held in person or over the telephone, E-mail conversations among a quorum of members of a public body that relate to public business violate the Open Meeting Law, as the public is deprived of the opportunity to attend and monitor the E-mail exchange. Private conversations on government business should also be avoided, as serial conversations may reach a quorum of members without the knowledge of all participants. Certain "housekeeping" matters may be communicated outside of a meeting. Examples include meeting scheduling and cancellations, announcements and directions, requests to put items on an agenda, and minor communications by members of a public body to department heads or staff. Care must be taken not to use such communications to conduct deliberations, however. Despite the speed and convenience of E-mail, its use by members of a public body carries a high risk of violating the Open Meeting Law. For this reason, it is the Selectmen's policy that E-mail messages among members of a public body are best used carefully for matters of a purely housekeeping, reporting or that are administrative in nature.

### **Public Records**

Email messages are considered public records, are subject to disclosure and record retention requirements of law, and are discoverable. Users should not expect that email messages (even those marked "personal" and/or "confidential") are private or confidential. Users shall not read email received by another user when there is no business purpose for doing so. Users shall not send email or access the Internet under another user's name without authorization. No user shall change any portion of a previously sent email message without authorization. Users shall not place Town records or material, including but not limited to copyrighted software and internal communications, on any publicly accessible computer or website without prior express authorization of the Network Administrator and/or Designee.

### **Monitoring and No Expectation of Privacy**

#### **Users should have no expectation of privacy in any use of the Town's Information Technology (IT).**

The Town's computer system automatically stores and/or records information transmitted on the system, including password-protected materials, data, information, email communications and web sites viewed. The Network Administrator and/or Designee may monitor all use of the Town's IT, including, but not limited to, computer equipment, email, the internet, web sites visited, and files downloaded by the employee. **Therefore, users should not consider IT and any communications, transmissions, web sites viewed, and email sent or received, to be private or confidential. The mere deletion of messages, data, or files may not eliminate them from the system.** All use of the Town's IT is subject to monitoring by the Town Network Administrator and/or Designee, at anytime without notice and notwithstanding any password(s), including, but not limited to data, incoming and outgoing email communications and attachments, web sites visited or viewed and files downloaded. Use of the Town's IT system constitutes consent to monitoring and is conditioned upon strict adherence to this policy.

### **Password policy**

Users will maintain unique, strong passwords that are regularly changed for the purposes of accessing Town data and systems. These passwords will be stored in a secure fashion and remain private to each individual. Users will lock or logout of sessions upon leaving his or her desk and not permit other users to access his or her login sessions.

### **Precautions against Computer Viruses**

All software or database downloads must be approved by the Network Administrator and/or Designee before installation. All users are expected to undertake precautions to prevent infection of Town computers by computer viruses. In particular, executable programs imported from other sites to Town computers, alternate internet service provider connections, and email accounts from the Town's internal network must not be used unless the Network Administrator has authorized them and they have been subjected to virus detection procedures approved by the Network Administrator and/or Designee. The Network Administrator may, from time to time, impose additional restrictions or regulations on the importing of remote files, and such restrictions or regulations shall be considered part of this policy.

### **Political Activities and Conflicts of Interest**

Use of the Town's IT must not conflict with the State's Conflict of Interest Laws (M.G.L. c. 268A) or Campaign Finance Laws (M.G.L. c. 55). Notwithstanding the provisions of Section III. B. (9) above, political activities may be permitted to the extent that such activities are a part of the official responsibilities of an employee/official, provided that such activities relate to political issues rather than specific political candidates or parties and provided further that such conduct does not violate any applicable laws. For further clarification please see campaign finance guides issued by the Office of Campaign and Political Finance, available on-line at [www.ocpf.com](http://www.ocpf.com).

### **Additional Responsibilities of Managers and Supervisors**

Managers and supervisors are responsible for ensuring that all employees under their supervision using any of the Town's IT have read this Policy and understand its applicability to their activities.

The Supervisor is responsible for insuring that any employee who will be given any access to the Town's IT has read and signed a copy of this policy. The Town's Network Administrator will not give access to an employee unless it receives a copy of this policy signed by the employee and the Supervisor. A signed copy will be placed in the employee's personnel file.

The Town's IT are work tools, which have been specifically screened and chosen for compatibility. The appointing authority and or Supervisor shall deem who appropriately can utilize such tools to better perform their job duties.

**Circumvention of Security Measures**

The information security measures deployed by the Town are for the protection of its assets and each plays an important part in the security posture of the Town's infrastructure. Users are not permitted to circumvent or bypass the security measures of the town including anti-virus, web filters, spam filters, file/folder permissions, or passwords. This policy includes the unauthorized addition of network access methods, including the attachment of wireless access points, switches or VPN tunnels. All such extension of network access will be performed by the Network Administrator and/or Designee.

**Secure Transmission of Information**

Users will not send sensitive information via insecure means. All sensitive information, including but not limited to credit card numbers, social security numbers, financial account numbers, criminal records must be sent in a secure, encrypted fashion that validates the identities of the sending and receiving parties. Any questions about the security of a transmission method should be referred to the Network Administrator.

**Adopted by the Board of Selectmen on March 23, 2015; replacing the Electronic Communication and information Policy.**

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I have read and understand the above Information Technology Acceptable Use Policy and consent to the monitoring described above.

Employee: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

**TOWN OF LAKEVILLE**  
**INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY**

**ACKNOWLEDGMENT FORM**

I have received a copy of the Town of Lakeville's Information Acceptable Use Policy.

I understand that this policy replaces any and all prior verbal and written communications regarding Town policies relating to the use and access of the Town's technology resources and Town monitoring of these activities as defined in the Policy.

I have read and understand the contents of the Information Acceptable Use Policy and agree to abide by its terms.

I understand that if I have questions or concerns at any time about the Information Acceptable Use Policy, I will consult my supervisor, Network Administrator and/or Designee, or the Town Administrator, for clarification.

I understand that the contents of the Information Acceptable Use Policy may change at any time.

I have been informed that a copy of this Acknowledgment Form, once signed, shall be placed in my personnel file.

**Declaration**

I have read, understand and acknowledge receipt of the Town of Lakeville Information Acceptable Use Policy. I will comply with the guidelines set forth in this Policy and understand that failure to do so may result in disciplinary or legal action.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINTED NAME

## **ADDENDUM F**

### **TOWN OF LAKEVILLE**

### **SOCIAL MEDIA POLICY**

**Adopted: XXX**

#### **I. PURPOSE**

The Town of Lakeville ("Town") recognizes the importance of online social media networks as a communication tool. The use of social media presents certain risks and carries with it certain responsibilities. The Town recognizes that employees and officials have the right to participate as citizens in public forums and discussions (including social media platforms) on matters of public concern. However, that right is balanced against the legitimate interests of the Town in promoting accountability, responsible and mature decision making, and the efficiency of the public services it performs through its employees and officials. The goal is to ensure that use of social media advances, rather than impedes, the operation of government.

To that end, this policy establishes guidelines for employees' personal use of social media, as well as for the official use of social media by Town employees and officials for government-related purposes.

Nothing in this Policy is designed to interfere with, restrain or prevent employee communications that are otherwise protected under law (i.e., First Amendment, Whistleblower, union Activities).

#### **II. APPLICABILITY**

The Policy applies to all employees, officers, and officials (elected and appointed) of the Town of Lakeville. Employees whose employment is governed by law or a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

#### **III. DEFINITIONS**

The following definitions apply for the purposes of the Policy.

- "Social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Town, as well as any other form of electronic communication.
- "Social media sites" and "social networking sites" refer to websites that facilitate user participation, networking, and collaboration through the submission of user generated content, including but not limited to tools such as: blogs; wikis; microblogging sites, social networking sites, video sharing sites, messaging applications and bookmarking sites.



- A “social media identity” is a specific user identity or account that has been registered on a third-party social media site.
- A “blog” (an abridgement of the term web log) is a website with regular entries of commentary, descriptions of events, or other material such as graphics or video.
- A “moderator” is an authorized Town of Lakeville official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by Town officials, employees and public commentators to be posted to a Town of Lakeville social media site or sites.
- “Town Systems” are any electronic communication and information equipment and systems.
- “Town social media site” is any official social media site established by or for a Town department, with the authorization of the Town Administrator.

#### **IV. NO EXPECTATION OF PRIVACY**

There is no guarantee of privacy for electronic communications. The Town reserves the right to review and/or monitor all electronic records and communications, at any time, with or without notice, including individual user folders and other information stored on the Town's electronic communications systems. In accessing the Internet, including social media sites, users should assume that all connections and sites visited will be monitored. This examination helps to ensure compliance with Town policies (including policy for compliance with public records requests), assists when internal investigations must be conducted and supports the management of the Town's information systems. Use of the Town's electronic communication devices, including but not limited to Town-issued email accounts, Internet services, cell phone services, smart phones (e.g. iPhones, Droids, etc.), pagers, tablets, Town-owned lap tops and computers provided for home use, and computer software, constitutes acceptance of such monitoring.

#### **V. USE OF SOCIAL MEDIA SITES FOR OFFICIAL PURPOSES**

The Town of Lakeville permits departments to utilize social media sites and social networking sites (collectively “social media sites”) to further enhance communications with its residents and various stakeholders in support of the department’s goals and objectives. Town of Lakeville officials and departments have the ability to publish articles, facilitate discussions and communicate information through such media to conduct official Town of Lakeville business. This section of the policy sets forth requirements that must be adhered to with respect to utilization of social media sites for official Town of Lakeville purposes, as well as explanatory guidance.

#### **VI. SUPPORTED SOCIAL MEDIA**

The Town will support the use of social media sites by Town departments provided that doing so is judged to be beneficial to the residents of the Town and/or an instrument to more effectively interact with the people we serve. The Town Administrator and/or Select Board reserve the right to discontinue the approved use of social media at any time. All Department sponsored social media sites or pages shall be approved by the respective Department Head or his/her designee, and shall be maintained in coordination with the Town's IT department. All Town- sponsored social media sites and pages must clearly indicate they are maintained

by the respective department, and shall prominently display department contact information. The Town's logo, a department logo, or some other distinguishing graphic symbol should be displayed on all Town-sponsored social media sites.

All Town social media sites shall adhere to applicable state and federal laws, regulations and policies, including, but not limited to, the Open Meeting Law, Public Records Law, Conflict of Interest Law, Copyright Law, Campaign and Political Finance laws and rules, and other applicable Town policies. All content posted on Town-sponsored social media sites is also subject to the Commonwealth of Massachusetts' Public Records Law and must be managed, stored, and retrieved in a manner that complies with the Commonwealth's Public Records Law and electronic discovery laws and policies. Relevant records-retention schedules apply to social media content. Each respective Department shall be responsible for ensuring proper records retention, in coordination with the IT as necessary.

Employees representing any Town department via Town-sponsored social media sites or pages shall at all times conduct themselves as representatives of the Department and, accordingly, shall adhere to all Town and Department standards of conduct. In this context, employees shall identify themselves as a member of their respective department and shall not disseminate confidential information of any nature through social media sites or pages.

## **VII. GENERAL REQUIREMENTS FOR ESTABLISHMENT AND MAINTENANCE OF OFFICIAL TOWN SOCIAL MEDIA SITES**

All Town social media sites shall be approved by the Town Administrator and published using a social media platform and tools approved by the Information Technology ("IT") Department.

Posting for the Town on such sites shall only be performed by the Town Administrator or his/her designee(s). Subject to prior approval of the Town Administrator, departments have the option of allowing employees to participate in existing social media sites as part of their job duties, or allowing employees to create social media sites as part of their job duties. Department Heads may allow or prohibit employee participation in any social media activities in their departments.

Employees shall be prohibited from revealing any confidential or privileged information on social media sites. The private information of residents such as names, addresses, telephone numbers, private health information, tax payments status, voting record and other forms of confidential information should not be divulged.

Employees who are given authority to edit Town social media sites are prohibited from expressing their personal views on the matters contained therein. Employees are prohibited from using social media to engage in any activity or conduct that violates federal or state law (e.g., software or data piracy, pornography, etc.).

Town media content, including comments, shall not contain profane, obscene, or vulgar language; comments or content that are denigrating, threatening, insulting, bullying or harassing; content that promotes, fosters or perpetuates discrimination on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, gender identity, disability, pregnancy or pregnancy-related conditions, genetic information, active military status, or any other status protected by state or federal law.

Town media content including comments shall not contain sexual content or links to sexual content; conduct or encouragement of illegal activity; information that may tend to

compromise the safety or security of the public or public systems or content that violates a legal ownership interest of any other party;

Because the Public Records Law applies to social media content, all posts, once made, may not be deleted or amended, except to correct typographical errors, and a record shall be kept of any such modifications. If the decision is made to modify an earlier post, make it clear that this has been done. Do not remove or delete the incorrect content; provide the correct information and where appropriate, apologize for the error. Ways to accomplish this include striking through the error and correct or create a new post with the correct information, and link to it from the post that is being corrected or clarified. The Town cannot change content that has already been published without making the changes clearly evident to users.

To the extent applicable, the Town's IT security policies shall apply to all social media sites and articles.

Officials (elected or appointed) and employees representing the Town via social media sites must conduct themselves at all times as representatives of the Town and in accordance with all applicable rules, regulations, and policies (including the Personnel Policies and Procedures) of the Town of Lakeville. Town employees, officials, board members and committee members shall not use a title unless they are posting in an official capacity or on an official Town social media site, with authority to do so.

No Town or department social media site may endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, citizens, co-workers or other stakeholders. Employees may not engage in political activity during working hours. This includes, but is not limited to, engaging in political activity, including the endorsement of any candidate for elective office, via a Town social media site.

## **VIII. GUIDELINES FOR PERSONAL USE OF SOCIAL MEDIA**

Employees and officials are responsible for what they post online. Employees and officials should be mindful that social media activity that violates any of the Town's policies may result in disciplinary action, up to and including termination. Such policies include, but are not limited to, this social media policy, the Town's Information Technology Resources Use Policy, Anti-Harassment and Discrimination Policy as well as the Personnel Policies and Procedures.

Where employees maintain and use personal websites, blogs, social networking platforms and other forms of social media while off-duty, that off-duty conduct may nonetheless be subject to scrutiny by the Town, given their status as employees of the Town. The Town's image as a professional organization is critical to maintaining the trust and respect of our residents.

Town personnel shall not post, transmit, or otherwise disseminate any confidential information to which they have access solely as a result of their employment. Employees are expressly prohibited from using and/or posting on their personal social media sites during working hours. Nothing contained in this Policy shall be interpreted to interfere with an employee's rights under Massachusetts General Laws Chapter 150E.

## **IX. REQUIRED CONDUCT**

Whenever the topic relates to the functioning or operations of Town government, all personal posts on any social media site shall contain an express statement that "The postings on this site are my own and do not represent the views, positions or opinions of the Town" or similar

disclaimer. Employees and officials should not represent themselves as a spokesperson for the Town on their own personal social media site.

Employees shall take all reasonable steps to ensure the information posted on social media sites is accurate. To the extent permitted by law, incorrect information shall be promptly removed upon notification.

## **X. PROHIBITED CONDUCT**

Do not post internal reports, draft policies, procedures, or other internal confidential communications or documents. Employees shall maintain the confidentiality of the Town's procedures for the development of policy and other such data exempt from the Public Records Law. The state's Conflict of Interest Law [G.L. c. 268A, §23(c)(2)] expressly prohibits an employee or official from improperly disclosing materials or data obtained in the course of official duties, that is otherwise exempt from disclosure under the Public Records Law, and further prohibits the use of such information to further "personal interest." If an employee or official has a question about whether information is appropriately considered public or not, s/he should contact the Lakeville Town Administrator.

Do not post information about others that is protected from public disclosure by law, such as: Criminal Offender Record Information, HIPAA-protected information and any other personal medical information, information concerning allegations of domestic violence and abuse, information protected under student privacy statutes, and the like.

No Town Systems are to be used to make personal posts on any social media site or platform.

Town e-mail addresses may not be used to register on social networks, blogs, or other online tools utilized for personal use, and may not be used when setting up or establishing social media sites for personal use.

Per G.L. c. 268, §35, no employee or official shall post the Town Seal on any Internet site [i.e., social media network, website, blog site] or in any other Internet and/or social media communication or posting, with intent to give to such site or posting an official character which it does not possess, or unless authorized in writing in advance by the Town Clerk.

Inappropriate postings that include, for example, discriminatory comments/remarks, harassment, bullying, and/or threats of violence or similar inappropriate or unlawful conduct, will not be tolerated.

Members of multi-member boards, committees and commissions must be mindful of the requirements of the Open Meeting Law, when participating in social media, in both personal and (where authorized) official capacities. A quorum of a board/committee/ commission should avoid posting on social media sites discussing topics relating to the functioning or operations of Town government, or on topics relating to matters under that board/committee/commission's jurisdiction, as doing so may violate the Open Meeting Law. Additionally, a series of individual postings on a social media site by members of a public body cumulatively may convey the position of a quorum regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board or committee.

## **XI. PERMITTED CONDUCT**

Employees and officials may include, in their social media personal profiles, their job titles, as well as information about their personal participation in Town sponsored-events, including volunteer activities. Employees shall not include the official titles when posting personal statements as per the Guidelines for Personal Use of Social Media.

## **XII. EMPLOYEE USE OF OFFICIAL TOWN SOCIAL MEDIA SITES**

Although the Town can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, or harassing, the Town cannot use the moderation function to restrict speech with which the Town merely disagrees (i.e. subject matter restrictions). Users have First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those removed for specific legitimate reasons, as referenced above.

Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest in violation of the provisions of G.L. c. 268A and from posting legally protected personal information that has been obtained during the course of performing official duties (e.g., information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Conversations that occur amongst Town officials/employees outside public forums should not be published or reported on, unless authorized by the Town Administrator. Information about policies, rules, or plans that have not been finalized or officially adopted by the Town should not be posted unless explicitly approved in advance by the Town Administrator or relevant Department Head, for instance, where public comment or input is being solicited.

## **XIII. COMMENTS POLICY**

As a public entity, the Town must abide by certain standards to serve all its residents in a civil and unbiased manner. The intended purpose behind establishing Town social media sites is to disseminate information from the Town, about the Town, to its citizens. The Town's social media sites constitute governmental speech, and accordingly, the Town may limit commentary from third parties that it deems inconsistent with its exercise of governmental speech. For example, comments containing any of the following inappropriate forms of content shall not be permitted on any Town social media sites and are subject to removal and/or restriction by the department's coordinator or his/her designees:

- Comments not related to the original topic, including random or unintelligible comments.
- Profane, obscene, violent, or pornographic content and/or language.
- Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, sexual orientation, disability, ancestry or national origin.
- Defamatory or personal attacks.
- Threats to any person or organization.
- Comments in support of, or in opposition to, any political campaigns or ballot measures.
- Solicitation of commerce, including but not limited to advertising of any business or product for sale.
- Conduct in violation of any federal, state or local law.
- Encouragement of illegal activity.

- Information that may tend to compromise the safety or security of the public or public systems.
- Content that violates a legal ownership interest, such as a copyright, of any party.

The Town reserves the right to deny access to Town social media sites for any individual, who violates the Town's Social Media Policy, at any time and without prior notice. Departments shall monitor their social media sites for comments requesting responses from the Town and for comments in violation of this policy. When a Town employee responds to a comment, in his/her capacity as a Town employee, the employee's response should include his or her name and title, but the employee shall not share personal information about himself or herself, or other Town employees.

#### **XIV. MEDIA CONTACTS**

Oftentimes, presence on social media can lead to inquiries from the press or media. Employees may not speak to the media on the Town's behalf, unless specifically authorized by the Town Administrator. All media inquiries shall be directed to the Town Administrator's Office.

#### **XV. VIOLATIONS OF POLICY**

Violation(s) of this Policy may result in disciplinary action up to and including termination from employment. Violations of this policy may also result in referral of a case to the appropriate authorities for civil or criminal prosecution. Employees shall report violations of this Policy to their supervisor, or in the case of department heads, directly to the Director of Human Resources. Retaliation against another user for reporting a violation or violations of this Policy is strictly prohibited by the Town.

Town of Lakeville

SOCIAL MEDIA POLICY  
SIGNATURE PAGE

Employee Acknowledgement of Receipt of Policy

I, \_\_\_\_\_, hereby acknowledge receipt of the Town of  
Lakeville Social

(Print Name)

Media Policy on the date set forth below...

Employee Signature:

Date:

\_\_\_\_\_

\_\_\_\_\_

DRAFT

# TOWN OF LAKEVILLE

## SOCIAL MEDIA POLICY

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The Town of Lakeville ("Town") recognizes the importance of online social media networks as a communication tool. The use of social media presents certain risks, and carries with it certain responsibilities. Social Media, while a relatively new form of activity, does not change the law or expectations around public service. The Town recognizes that employees and officials have the right to participate as citizens in public forums and discussions (including social media platforms) on matters of public concern. However, that right is balanced against the legitimate interests of the Town in promoting accountability, responsible and mature judgment, and the efficiency of the public services it performs through its employees and officials. The goal is to ensure that use of social media advances, rather than impedes, the operation of government.

To that end, this policy establishes guidelines for employees' personal use of social media, as well as for the official use of social media by Town employees and officials for government-related purposes.

The Policy applies to all employees, officers, and officials (elected and appointed) of the Town of Lakeville. Employees whose employment is governed by law or a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

This Policy is to be read in conjunction with all other applicable policies and rules of the Town, including but not limited to the Town's Personnel Policies and Procedures. It may be amended from time to time, and may be supplemented with additional administrative procedures and rules as may be issued.

Nothing in this Policy is designed to interfere with, restrain or prevent employee communications that are otherwise protected under law (i.e., First Amendment, Whistleblower, union Activities).

### **DEFINITIONS**

The following definitions apply for the purposes of the Policy.

1. "Social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Town, as well as any other form of electronic communication.
2. "Social media sites" and "social networking sites" refer to websites that facilitate user participation, networking, and collaboration through the submission of user generated content, including but not limited to tools such as: blogs; wikis; microblogging sites, such as Twitter; social networking sites, such as Facebook and LinkedIn; video sharing sites, such as YouTube; messaging applications such as Snapchat and Instagram; and bookmarking sites such as Pinterest.
3. A "social media identity" is a specific user identity or account that has been registered on a third party social media site.
4. A "blog" (an abridgement of the term web log) is a website with regular entries of commentary, descriptions of events, or other material such as graphics or video.
5. A "moderator" is an authorized Town of Lakeville official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by Town officials, employees and public commentators to be posted to a Town of Lakeville social media site or sites.



6. "Town Systems" are any electronic communication and information equipment and systems. Such Systems include, but are not limited to, computer workstations, hardware and software, electronic mail (e-mail), telephones, cellular phones, "smartphone"/PDA-style devices, tablets, pagers, facsimile machines, and the Internet.
7. "Town social media site" is any official social media site established by or for a Town department, with the authorization of the Town Administrator.

### **GUIDELINES FOR PERSONAL USE OF SOCIAL MEDIA**

All employees and officials are responsible for what they post online. Through this Policy, the Town is not intending to act as "thought police" or otherwise unnecessarily intrude upon the personal associations and relationships of employees and officials. However, the impact of social media participation by employees and officials upon the ability of Town government to function efficiently and effectively cannot be ignored. Any conduct that exposes the Town to legal liability may result in disciplinary action up to and including termination.

#### **A. Required Conduct**

1. Whenever the topic is one related to the functioning or operations of Town government, including any matter pending or reasonably anticipated to be pending before any Town board, committee, commission, or Town Meeting, all personal posts on any social media site shall contain an express statement that "The postings on this site are my own and do not represent the views, positions or opinions of the Town" or similar disclaimer. Employees and officials should not, except as authorized by their supervisor or board, represent themselves as a spokesperson for the Town.
2. Employees and officials should be mindful that social media activity that violates any of the Town's policies may result in disciplinary action, up to and including termination. Such policies include, but are not limited to, the Town's Information Technology Resources Use Policy, Anti-Harassment and Discrimination Policy as well as the Personnel Policies and Procedures.
3. Department heads and other employees or officials with policy-making authority must be mindful that there is greater risk that their comments or conduct while participating in social media may have a direct and negative impact upon the integrity of their board/committee or department and the public's perception of Town government as a whole. Furthermore, there is a greater likelihood that the public will view their conduct/comments as representative of an official position or policy of the Town, even when personal disclaimers are made.

#### **B. Prohibited Conduct**

1. No Town Systems are to be used to make personal posts on any social media site or platform.
2. Town e-mail addresses may not be used to register on social networks, blogs, or other online tools utilized for personal use, and may not be used when setting up or establishing social media sites for personal use.
3. Per G.L. c. 268, §35, no employee or official shall post the Town Seal on any Internet site [i.e., social media network, website, blog site] or in any other Internet and/or social media communication or posting, with intent to give to such site or posting an official character which it does not possess, or unless authorized in writing in advance by the Town Clerk.
4. Inappropriate postings that include, for example, discriminatory comments/remarks, harassment, bullying, and/or threats of violence or similar inappropriate or unlawful conduct, will not be tolerated.
5. Do not post internal reports, draft policies, procedures, or other internal confidential communications or documents. Employees shall maintain the confidentiality of the Town's procedures for the

development of policy and other such data exempt from the Public Records Law. The state's Conflict of Interest Law [G.L. c. 268A, §23(c)(2)] expressly prohibits an employee or official from improperly disclosing materials or data obtained in the course of official duties, that is otherwise exempt from disclosure under the Public Records Law, and further prohibits the use of such information to further "personal interest." If an employee or official has a question about whether information is appropriately considered public or not, s/he should contact the Lakeville Town Administrator.

6. Do not post information about others that is protected from public disclosure by law, such as: Criminal Offender Record Information, HIPAA-protected information and any other personal medical information, information concerning allegations of domestic violence and abuse, information protected under student privacy statutes, and the like.
7. Employees and officials operating personal social media sites are subject to the same guidelines as above for the operation and administration of sites under their control, when focusing on topics relating to the functioning or operations of Town government. In order to avoid the appearance of being an official Town social media site, the site must clearly indicate their participation and carry a disclaimer that "The operation and administration of this site are my own and do not represent the views, positions or opinions of the Town".
8. Members of multi-member boards, committees and commissions must be mindful of the requirements of the Open Meeting Law, when participating in social media, in both personal and (where authorized) official capacities. A quorum of a board/committee/ commission should avoid posting on social media sites discussing topics relating to the functioning or operations of Town government, or on topics relating to matters under that board/committee/commission's jurisdiction, as doing so may violate the Open Meeting Law. Additionally, a series of individual postings on a social media site by members of a public body cumulatively may convey the position of a quorum regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board or committee.

### **C. Permitted Conduct**

Employees and officials may include, in their social media personal profiles, their job titles, as well as information about their personal participation in Town sponsored-events, including volunteer activities. Employees shall not include the official titles when posting personal statements as per the Guidelines for Personal Use of Social Media.

## ***USE OF SOCIAL MEDIA SITES FOR OFFICIAL PURPOSES***

The Town of Lakeville permits departments to utilize social media sites and social networking sites (collectively "social media sites") to further enhance communications with its residents and various stakeholders in support of the department's goals and objectives. Town of Lakeville officials and departments have the ability to publish articles, facilitate discussions and communicate information through such media to conduct official Town of Lakeville business. Social media sites facilitate further discussion of Town of Lakeville government business, operations and services by providing members of the public the opportunity to participate in many ways using the Internet. The Town has the ability to place limitations and restrictions upon the content of its website and social media sites. This section of the policy sets forth requirements that must be adhered to with respect to utilization of social media sites for official Town of Lakeville purposes, as well as explanatory guidance.

### **A. General Requirements for Establishment and Maintenance of Official Town Social Media Sites**

1. All Town social media sites shall be:
  - a. approved by the Town Administrator with a documented letter of approval; and

- b. published using a social media platform and tools approved by the Information Technology ("IT") Department.
2. Posting for the Town on such sites shall only be performed by the Town Administrator or his/her designee(s).
3. Subject to prior approval of the Town Administrator, departments have the option of allowing employees to participate in existing social media sites as part of their job duties, or allowing employees to create social media sites as part of their job duties. Department Heads may allow or prohibit employee participation in any social media activities in their departments.
4. All Town social media sites shall adhere to applicable state and federal laws, regulations and policies, including, but not limited to, the Open Meeting Law, Public Records Law, Conflict of Interest Law, Copyright Law, Campaign and Political Finance laws and rules, and other applicable Town policies.
5. Because the Public Records Law applies to social media content, all posts, once made, may not be deleted or amended, except to correct typographical errors, and a record shall be kept of any such modifications.
6. Each Town social media site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social media/network site. Where possible, social media sites should link back to the official Town of Lakeville Internet site for forms, documents and other information.
7. All Town social media sites shall clearly indicate that they are maintained by the Town of Lakeville and shall have the Town of Lakeville contact information prominently displayed, and, if possible, the Town Seal.
8. Town social media content shall not contain the following:
  - a. Profane, obscene, or vulgar language or content;
  - b. Comments or content that are denigrating, threatening, insulting, bullying or harassing;
  - c. Content that promotes, fosters or perpetuates discrimination on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, gender identity, disability, pregnancy or pregnancy-related conditions, genetic information, active military status, or any other status protected by state or federal law;
  - d. Sexual content or links to sexual content;
  - e. Conduct or encouragement of illegal activity;
  - f. Information that may tend to compromise the safety or security of the public or public systems;
  - g. Content that violates a legal ownership interest of any other party;
  - h. Protected health information;
  - i. Personnel data;
  - j. Other information that is not public record or is otherwise privileged from public disclosure.
9. All Town social media moderators shall be trained regarding the terms of this Policy, including their responsibilities to review content submitted for posting to ensure compliance with the Policy.
10. To the extent applicable, the Town's IT security policies shall apply to all social media sites and articles.
11. Officials (elected or appointed) and employees representing the Town via social media sites must conduct themselves at all times as a representative of the Town and in accordance with all applicable rules, regulations, and policies (including the Personnel Policies and Procedures) of the Town of Lakeville. Town employees, officials, board members and committee members shall not use a title unless they are posting in an official capacity or on an official Town social media site, with authority to do so.
12. No Town or department social media site may endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, citizens, co-workers or other stakeholders. Employees may not

engage in political activity during working hours. This includes, but is not limited to, engaging in political activity, including the endorsement of any candidate for elective office, via a Town social media site.

13. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

## **B. Employee Use of Official Town Social Media Sites**

The following provides further explanation of the requirements for Town media social media site, set forth in Section A, above.

1. Information Technology Resources Use Policy. All employees are responsible for understanding and complying with the Town's IT Usage Policy.
2. First-Amendment Protected Speech. Although the Town can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, or harassing, the Town cannot use the moderation function to restrict speech with which the Town merely disagrees (i.e. subject matter restrictions). Users have First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those removed for specific legitimate reasons, as referenced above.
3. Copyright Law. Employees and officials must abide by laws governing copyright and fair use of copyrighted material owned by others, including written material, photography, videography and digital media. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote more than a short excerpt of someone else's work without acknowledging the source and, if possible, provide a link to the original.
4. Conflict of Interest. Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest in violation of the provisions of G.L. c. 268A.
5. Protected Confidential Information. Employees are prohibited from posting legally protected personal information that has been obtained during the course of performing official duties (e.g., information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Conversations that occur amongst Town officials/employees outside public forums should not be published or reported on, unless authorized by the Town Administrator. Information about policies, rules, or plans that have not been finalized or officially adopted by the Town should not be posted unless explicitly approved in advance by the Town Administrator or relevant Department Head, for instance, where public comment or input is being solicited.
6. Carefully Consider Content. Town social media sites are not an appropriate forum for commentary about rumors, political disputes, and such comments are not permitted. As informal as social media sites are meant to be, if they are on a government domain or a government identity, they still constitute official government communications. Social media sites will be sought out by mainstream media, and therefore, consideration needs be exercised to use social media in a way that benefits both the Town and the public.
7. Handling Negative Comments. Town Employees and Officials shall only post factual information as it relates to a Town related matter. Because the purpose of many social media sites, particularly department blogs and wikis, is to get feedback from the public, it is anticipated that some of the feedback received will be negative. Some effective ways to respond to negative comments include:
  - a. Provide accurate information in the spirit of being helpful;
  - b. Remain respectful; and

- c. Notify the moderator to address the matter prior to any escalation.
8. Respect the Audience and Town Employees and Officials. Ethnic slurs, personal insults, obscenity, or any conduct that would not be acceptable in the workplace, are similarly prohibited on the Town's social media sites. This includes not only the obvious (no ethnic slurs, personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory—such as party politics and religion. The Town's social media presence shall not be used to communicate among Town employees for work purposes.
9. Use Social Media Sites or Identities Only to Contribute to the Town or Department's Mission. All postings should provide useful information and perspective that contributes to the Town's and/or Department's mission of serving the public. What is published on Town social media sites reflects on the Town and town government. Social media sites and identities should be used in a way that contributes to the Town's mission by:
  - a. Helping Town employees and officials perform their jobs better;
  - b. Informing citizens about government services and how to access them;
  - c. Making government operations transparent and accessible to the public;
  - d. Creating a forum for the receipt of candid comments from residents about how government can be improved; and
  - e. Encouraging civic engagement.
10. Mistakes. The Town's policy is that once something is posted on a Town social media site, it should remain posted. Only spelling or grammar errors may be made without making the change evident to users. If the decision is made to modify an earlier post, make it clear that this has been done - do not remove or delete the incorrect content; provide the correct information and where appropriate, apologize for the error. Ways to accomplish this include:
  - a. Strike through the error and correct; or
  - b. Create a new post with the correct information, and link to it from the post that is being corrected or clarified.

Either method is acceptable. In order for the social media identity or site to achieve transparency, the Town cannot change content that has already been published without making the changes clearly evident to users.

11. Defamation. Under Massachusetts law, defamation is established by showing that an individual published a false statement about another party that either caused the individual economic loss or was of the type that is actionable without proof of economic loss. Some statements, like imputation of a crime, are defamatory per se. Employees must avoid statements that may be interpreted as defamatory.
12. Records Retention. Social media sites will contain communications sent to or received by Town officials and employees, and therefore constitute Public Records. Officials must ensure that the Town or department retains a copy of the social media content in accordance with applicable Public Records Retention Schedules and in accordance with the Public Records Law.

## ***MEDIA CONTACTS***

Oftentimes, presence on social media can lead to inquiries from the press or media. Employees may not speak to the media on the Town's behalf, unless specifically authorized by the Town Administrator. All media inquiries shall be directed to the Town Administrator's Office.

## ***RETALIATION PROHIBITED***

The Town expressly prohibits the taking of any action against any employee for reporting a possible deviation from, or violation of, this Policy, or for cooperating in an investigation of same.

***ADDITIONAL INFORMATION***

If you have questions or need further guidance regarding the Town's Social Media Policy, please contact the Town Administrator's Office.

# TOWN OF LAKEVILLE SOCIAL MEDIA POLICY

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**SIGNATURE PAGE**

Employee Acknowledgement of Receipt of Policy

I, \_\_\_\_\_, hereby acknowledge receipt of the Town of Lakeville Social  
(Print Name)  
Media Policy on the date set forth below...

Employee Signature:

Date:

\_\_\_\_\_

## **TOWN HOUSE/TOWN OFFICE BUILDING PROPERTY USE POLICY**

The following Policy pertains to the Town House located at 2 Precinct Street and the Town Office Building located at 346 Bedford Street. Guidelines for availability and conditions for using the Town House and Town Office Building are set by the Board of Selectmen.

The Board of Selectmen and the Historical Commission welcome the use of the Town House and Town Office Building by community organizations and residents of Lakeville for fundraising efforts of a non-profit nature.

### **A. *PRIORITY OF USE***

Organized community groups, agencies of government and individual citizens may reserve the events at the Town House according to the following priorities:

1. Events which are sponsored by the Town, including Town Organizations, Boards, and Committees;
2. Events sponsored by Lakeville residents for non-profit fundraising efforts; and
3. Events which are sponsored by local non-profit organizations.

### **B. *INSURANCE and INDEMNIFICATION***

Any individual or group using the Town House or Town Office Building ("Applicant") will be required to provide a Certificate of Insurance, upon approval of use, naming the Town of Lakeville as Additional Insured in the amount of \$1,000,000.00. If the Applicant does not fall under a current insurance policy, a request may be submitted, in writing, for a waiver from this provision from the Board of Selectmen.

Applicants must submit, with the Application, a signed version of the Release of Claims, Indemnity and Hold Harmless Agreement, which requirement shall not be subject to waiver.

### **C. *EQUAL ACCESS***

The Town House and Town Office Building are made available on an equitable, first come-first serve basis, regardless of the beliefs or affiliations of individuals or groups requesting the use of the property. Permission to use the Town House or Town Office Building does not in any way constitute or imply endorsement of the users' policies, beliefs or programs by the Town of Lakeville. The Selectmen shall endeavor to make its facilities equally available, upon request, to groups with different or opposing viewpoints.



D. *RESERVATIONS*

1. *Application*

Requests to use the Town House or Town Office Building may be submitted by filing a completed application form provided by the Selectmen's Office. Applications for use should be submitted at least one (1) month in advance. Please keep in mind that the Board of Selectmen meet twice a month and all applications must be placed on a Meeting Agenda.

2. *Criteria for Consideration*

In determining whether to approve or deny the application for use, the Board of Selectmen may take into consideration the application, history of the Applicant's compliance with the Property Use Policy and such other information as the Board may deem appropriate. If this Property Use Policy is violated by any Applicant, the Board of Selectmen may not approve future use. Application review and final determination of use rests with the Board of Selectmen. Written notice of the decision will be sent to the Applicant following the determination.

The Selectmen reserve the right to refuse the use of the Town House or Town Office Building or cancel any approval when it deems the action to be in the best interest of the Town. The Board of Selectmen reserves the right to restrict use of the Town House and Town Office Building for non-Town sponsored events to a reasonable annual maximum.

E. *CONDITIONS OF USE*

1. The Board of Selectmen reserves the right to seek monetary reimbursement of costs to clean or make any repairs that are determined to have been caused by the Applicant or the event.
2. It is the responsibility of the user to inspect the premises prior to the event date for cleanliness and condition. If any issues are apparent, please contact the Selectmen's Office.
3. Permission to use the Town House and/or Town Office Building is not transferable by any individual or group for whom application has been approved.
4. Unlawful activity shall not be permitted.
5. Any event where minors, age 17 and under, are present, must be supervised by responsible adults at all times.
6. No smoking is allowed inside of the Town House or Town Office building. No alcoholic beverages are allowed on the Town House or Town Office Building properties.
7. No lighted candles or flames are allowed inside of the Town House or Town Office building.

8. The key to the Town House shall be picked up the day prior to the event, between the hours of 9:00 AM to 5:00 PM, at the Selectmen's Office at the Town Office Building. The key must be returned on the Monday following the event, unless special arrangements have been made with the Selectmen's Office.
9. The use of power tools of any type is not allowed at the Town House or Town Office Building without prior consent of the Board of Selectmen.
10. Groups using the interior of the Town House may arrange the tables and chairs as they choose, provided that all pieces of furniture are returned to their original positions, as specified in the attached notes from the Historical Commission.
11. Groups using the Town House should be aware that there are no restroom facilities or heat located in the building.
12. In addition to the foregoing rules, groups using the Town House property must also abide by the guidelines established by the Historical Commission, which are attached.
13. When using the Town Office Building property for car washing fundraisers, organizers should be using bio-degradable soap products.

Release of Claims, Indemnity and Hold Harmless Agreement

I, \_\_\_\_\_, in consideration of my use of the Town of Lakeville Town House and/or Town Office Building for a non-town sponsored private function, and for other good and valuable consideration hereby acknowledged, do hereby agree to forever RELEASE the Town of Lakeville, its employees, agents, officers, volunteers, or contractors (the "Releasees"), from any and all claims, actions, rights of action and causes of action, damages, costs, loss of services, expenses, compensation and attorneys' fees that may have arisen in the past, or may arise in the future, directly or indirectly, from known and unknown personal injuries which I or my guests, employees, agents, successors or assigns may have as the result of my use or the use of my guests, employees or agents of the Town of Lakeville Town House and/or Town Office Building, and all activities related thereto.

I further promise, to INDEMNIFY, REIMBURSE, DEFEND, and HOLD HARMLESS the Releasees against any and all legal claims and proceedings of any description that may have been asserted in the past, or may be asserted in the future, directly or indirectly, including damages, costs and attorneys' fees, arising from personal injuries to myself or others or property damage resulting from my use, or the use of my guests, employees or agents, of the Town of Lakeville Town House and/or Town Office Building.

I hereby further covenant for myself, my successors and assigns not to sue the said Releasees on account of any such claim, demand or liability.

I am fully aware that by signing this document I am releasing the above mentioned parties from liability that may arise as a result of intentional or negligent acts of these parties. Additionally, it is my intent to release the above mentioned parties from liability and defend and indemnify said parties for liability relating to any accident and resulting injuries and/or death that may occur as a result of my use, or the use of my guests, employees or agents, of the Town of Lakeville Town House and/or Town Office Building.

To the extent I am signing this document on behalf of an organization, corporation, association or similar entity, I represent that I am fully authorized by said entity to execute this document.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_.

Name (Printed) \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

**THIS FORM MAY NOT BE ALTERED**



OFFICE OF  
SELECTMEN  
(508) 946-8803  
Fax # (508) 946-0112

## Town of Lakeville

Town Office Building  
345 Bedford Street  
Lakeville, MA 02347

### RECYCLED PRODUCT PROCUREMENT POLICY

In recognition of the need to make more efficient use of our natural resources, create markets for the materials collected in recycling programs, reduce solid waste volume and disposal costs, and serve as a model for private and public institutions, the Town of Lakeville is committed to purchasing products which are environmentally preferable and/or made of recycled materials whenever such products meet quality requirements and are available at reasonable prices and terms.

To the maximum extent practicable, the following standards should be adhered to:

- a) For all purchases of printing and writing paper for in-house use or custom printed materials by professional printers, including copy paper, offset paper, forms, stationery, envelopes, tablets, notepads and file folders, the minimum content shall be no less than 20% post-consumer recycled materials. This minimum standard may be increased to 30% beginning December 31, 1998, to match federal standards.
- b) Town departments shall ensure that all contracts for printing require the inclusion of an imprint identifying the recycled content of the paper whenever practicable, along with the recycling symbol.
- c) For the purpose of measuring the progress of the program and success in meeting the recycling goals of the Commonwealth, each department shall report purchases of recycled products to the Board of Health by July 30th for the previous fiscal year.

This policy is adopted pursuant to President Clinton's 1993 Executive Order, U.S. Environmental Protection Agency's guidelines and Commonwealth of Massachusetts "Buy Recycled" effort under Executive Order #350:

Adopted by the Board of Selectmen  
on October 6, 1997.

*George F. Rose*  
*Deputy R. White*  
*[Signature]*

**TOWN OF LAKEVILLE**

**REGULATIONS FOR RESIDENTIAL AND BUSINESS**

**DRIVEWAYS AND CURB CUTS**

**Under Town Curb Cut General By-Law**

**Amended July 29, 2015**

**Amended November 8, 2021**

**PURPOSE AND GENERAL PROVISIONS**

1. To limit the potential area of traffic conflict and promote safety while maintaining reasonable access for motor vehicles to be stored conveniently off-street, to service residential properties, to protect the rural character, visual aesthetic qualities and property values of neighboring properties, to provide conformity in design and construction of entrances and exits onto public ways within the Town of Lakeville, to provide maximum protection to the public through the orderly control of traffic moving on to and from a public way, to minimize slope erosion, to provide necessary drainage to areas adjacent to public ways, and to provide for uniform standards for the granting of driveway and access permits.
2. The Superintendent of Streets is designated by the Select Board as the permit granting authority under the Curb Cut By-Law and as further provided in these Regulations.
3. No driveway or other access to a public street shall be constructed or altered at the point of intersection with such street unless a written permit is first obtained from the Superintendent of Streets. No building permit shall be issued for the construction of new buildings or structures unless the curb cut permit has first been obtained.
4. The Superintendent of Streets shall have complete and final discretion in the application of these Regulations, subject to the provisions set forth below and shall apply the following general guidelines with as much uniformity and consistency as reasonably practicable

**GENERAL CONDITIONS**

The proposed driveway entrances shall be located to minimize points of traffic conflict, both pedestrian and vehicular. The following guidelines shall be used to achieve this standard:

1. There shall normally be not more than one driveway apron and curb cut per residential lot.

2. Entrance and exit driveways shall be so located and designed as to achieve maximum practicable distance from existing and proposed access connections from adjacent properties.
3. Driveways shall be designed with adequate turn-around space provided, so that vehicles will not need to back out of the driveway.
4. The proposed driveway shall be located at least 10 feet from all side or rear property lines, shall be 12 feet in width measured at the street line, and shall flare out at the curb line to a greater width as shown on Figures R-1 and R-2.
5. Safe stopping sight distances of approximately 250 feet in both directions are to be provided at driveway openings on all major streets and 150 feet on secondary and minor streets.
6. No sign, opaque fence, hedge, or similar obstruction located along the frontage property line and adjacent to proposed driveway shall be permitted to block vision at eye level (2 ½ to 3 feet) above street grade within ten (10) feet of each side of driveway.
7. Sight line-height restrictions: No fence, plantings or objects which obstruct vision shall exceed 3' in height within approximately 15 feet of street pavement edge along the lot line that contains driveway entrance (or exit). (See Figure R-2, Height Restriction Lines.)
8. Driveways shall be so located and designed as to prohibit vehicular traffic from using driveways to avoid intersections, to cut corners, or to avoid stop signs.
9. Where a driveway crosses a sidewalk, the driveway shall hold the grade of the sidewalk.
10. Within 40 feet of the sideline of the street, the grade shall not exceed 10%.
11. If the Wetlands Protection Act applies, proposed driveways shall meet all conditions imposed by the Conservation Commission. If necessary, the Superintendent of Streets may request review by certain applicable Departments. Their comments shall become part of the permit.
12. If required as part of the proposed construction, culverts installed in driveways shall be a minimum of 12" in diameter. Material of pipe shall be high density polyethylene (HDPE). Engineers for proposed residential or commercial developments shall be responsible for designing the size of the culvert and providing proposed inverts. Culverts shall be installed as such to provide positive stormwater flow below the new driveways. Applicants shall be responsible to

provide proposed driveway culverts for review as part of the curb cut review process.

13. The Superintendent of Streets may impose other reasonable conditions or requirements not covered in these Regulations.

### **PROCEDURES**

1. One (1) copy of the application for a permit for a residential or business driveway or curb cut shall be filed with the Superintendent of Streets. All applications shall be delivered to the Select Board's Office at the Town Office Building. The Superintendent of Streets shall review the application within 14 days and provide a decision. -Applications and permits will be mailed to applicants. Copies of the permits will be forwarded to the Select Board's Office.
2. A suitable bond, in an amount determined by the Superintendent of Streets, **may** be required to be posted with the Town. The bond shall cover the cost of the proposed construction, plus the cost of any damage to a Town owned roadway and facilities caused by or resulting from the operations authorized by such permit.
3. Any driveway constructed without a curb cut permit shall be removed and the area shall be restored to its original condition at the expense of the property owner.
4. A violation of this By-Law shall be subject to a fine of \$300.00. Each day shall be considered a separate violation. The Select Board shall enforce violations of this Regulation.

### **APPLICATION REQUIREMENTS**

1. All driveways shall be located and designed so as to minimize conflict with traffic on public streets and provide good visibility and sight distances for the clear observation of approaching pedestrian and vehicular traffic. No portion of an entrance or exit driveway at the street line shall be closer than 25 feet from the intersections of minor and secondary streets, and 50 feet from the intersection of two major streets or a secondary or minor street with a major street. These distances shall be measured from the near edge of the driveway to the extension of the closer street line of the intersecting street. In the case of a State highway, a State Highway Access Permit must be issued by Mass DOT. (See Figures R-1 and R-2.)
2. Prior to commencing driveway construction, a property owner/applicant desiring access to a Way shall make written application as provided above for a Curb Cut Permit. Each request for location or relocation of driveway aprons and curb cuts

shall state the reasons for the driveway. The application shall include the following:

- (a) For new homes, an engineered plan at the scale of 1" = 20 feet showing the lot, its total area and perimeter dimension. Also, the plan should indicate the location of all existing driveways, location of the proposed driveway, and the intersection of the driveway with the Way. The relationship of the proposed driveway to any intersection and neighboring driveways should be shown as well. The plan should also show the driveways of the abutting lots, as well as, lots and driveways directly across the street.
  - (b) For existing homes requesting a new driveway location, a sketch showing the lot, its total area and perimeter with necessary dimensions to property lines, intersections or existing driveways.
  - (c) Specific details of drainage when required.
  - (d) Specific provisions to minimize slope or soil erosion, if necessary.
  - (e) Such other required information that may be requested by the Superintendent of Streets.
3. The sketch submitted with the driveway permit application shall indicate that adequate precautions have been taken to provide for storm drainage and surface run-off at the proposed driveway entrance. The proposed work shall be designed to avoid interrupting existing drainage flows and to prevent surface run-off from flowing down the proposed driveway and out into the public street. This shall be accomplished using catch basins, leaching basins, perforated drainage pipe in driveways, drainage swales, etc. Furthermore, collected surface water and/or sub-drain run-off from private property will not be allowed to discharge into public streets or public storm drainage systems without the specific permission of the Superintendent of Streets. All drainage structures must be regularly maintained by the owner.

### APPEAL

Any person aggrieved by the denial of a curb cut or driveway permit by the Superintendent of Streets may appeal such denial to the Select Board. Any appeal shall be filed within 20 days from the date of the denial, or the applicant forfeits all rights to appeal.



**AGENDA ITEM #8  
JUNE 26, 2023**

**DISCUSS STRATEGIC PLANNING PROCESS AND POSSIBLE  
MEETING DATE(S)**

**AGENDA ITEM #9  
JUNE 26, 2023**

**UPDATE ON TOWN ADMINISTRATOR'S EVALUATION AND  
POSSIBLE VOTE TO APPOINT A DESIGNEE TO COMPILE REVIEW  
MATERIALS**

**AGENDA ITEM #10  
JUNE 26, 2023**

**BUILDING COMMITTEE UPDATES**

- A. Senior Center Feasibility Study: Member Fabian will provide an update
  
- B. Fire Station Building Committee: Member Carboni will give an update on the project and will discuss the following items:
  - i. Possible amendment to the Committee's charge to include identifying a Fire Station Location (attached)
  
  - ii. Possible vote to approve the Building Committee's recommendation for selection of an Owner's Project manager (OPM) (attached is Pomroy's OPM presentation and their response to the Request for Qualifications)

**TOWN OF LAKEVILLE**  
**FIRE STATION BUILDING COMMITTEE**

**Approved December 19, 2022**

**MEMBERSHIP**

The Select Board shall appoint a Fire Station Building Committee (hereinafter referred to as Committee) which shall consist of nine (9) Members to be appointed for a one (1) year term. The Committee will consist of a Member of the Select Board or their designee, the Fire Chief, Town Administrator, Building Commissioner, a designee from the Finance Committee and three (3) Members-at-large. The Select Board shall endeavor to appoint individuals with technical expertise in design, construction, engineering, and/or project management, or have other skills and knowledge to assist the Board in the construction of a new facility.

The Committee Members shall meet at designated dates, times and locations that are convenient to its Members, as well as, promoting public participation. All meetings are to properly posted and open to the public, in accordance with the Massachusetts Open Meeting Law. Minutes of each meeting shall be prepared and approved by the Committee within 30 days of any meeting and distributed to the Select Board.

**CHARGE**

The Committee shall be responsible for the administrative oversight of the construction of a new Fire Station in the Town of Lakeville. Duties of the Committee shall include, but not be limited to, the following:

1. Supervise the work of the Project Manager and Project Architect and administer their services agreements respectively;
2. Work with the Project Manager and Project Architect to identify a preferred location from the three potential sites identified in the 2022 feasibility study.
3. Work with the Project Manager and Project Architect to insure that the general contractor selected for the project constructs the new building in accordance with the plans, specifications and contract requirements developed by the Project Architect or other such parties;
4. Provide periodic reports, no less frequent than quarterly, to the Select Board to provide project status as it relates to construction progress, funding status and other such issues as deemed necessary;
5. Conduct site meetings periodically as suggested by the Project Manager. Said meetings shall include the Project Architect, Project Manager and representative (s) of the general contractor, to discuss project status, construction progress and time schedule, site/building

issues, questions regarding specification or plan details, and other such matters that need to be addressed/coordinated;

6. Work with the Project Architect and Project Manager to coordinate the delivery of furniture, furnishings and equipment in anticipation of building occupation;
7. Review with the Project Architect and Project Manager requests for payment from the general contractor or various independent vendors and submit requests for payment (full or partial) to the Town Accountant in accordance with Contract requirements and/or Massachusetts General Laws;
8. With the advice of the Project Architect and Project Manager, make decisions on matters necessary to allow continued construction progress by the general contractor or his subcontractors. Decisions having a financial impact on the project shall be codified by a formal Change Order. Change Orders in an amount of \$20,000 or less may be requested by the Building Committee and approved by the Town Administrator. Change Orders exceeding this amount shall be presented to the Town Administrator and will require approval of the Select Board to proceed. Such work associated with any Change Order shall not be undertaken until the Change Order has been approved, unless an emergency exists or circumstances arise that require the work to be effectuated before the opportunity exists to submit the Change Order to obtain approval from the Select Board. In such instance, the Change Order must be presented to the appropriate parties as soon as practicable;
9. Work with the Project Architect and Project Manager to develop at or near project closeout a punch list of work remaining to be done to insure that either the work gets completed or the Town receives a credit for such incomplete work;
10. Work with the Project Architect, Project Manager, Fire Chief and other Department personnel to develop a coordinated, sequential move of staff and functions from the existing Fire Station to the new facility. Given that emergency services are provided on a 24/7 basis, it is imperative the move be seamless, particularly as it relates to the operability of communications, dispatch and computer equipment;
11. Work with the Project Architect and Project Manager to insure that any and all documents, communications, as-built plans and specifications, manufacturer's product information and warranties be archived in an orderly and coordinated fashion;
12. Work with the Project Architect and Project Manager to coordinate testing of systems to insure code, warranty and specification compliance, and to submit any paperwork necessary to maintain warranty coverages; and
13. Any other responsibilities necessary to successfully accomplish the construction of the new Fire Station in accordance with the terms and conditions of the project's plans and specifications and the funding allocated for the project.

# POMROY ASSOCIATES



## LAKEVILLE FIRE STATION - OPM PRESENTATION

WE CONSIDER "ABOVE AND BEYOND"  
JUST A GOOD PLACE TO START.

1

### Pomroy Team

- Project Director & Principal – Richard Pomroy
- Senior Project Manager & Partner– Taylor MacDonald
- Assistant Project Manager – Alex Murphy
- On-Site Manager/Clerk – Robert Rice
- Cost Estimator – Noriko Hall
- QA/QC – Charles Fox, Virgil Pacheco, Robert Rice, Anthony Fonseca, Neal Provost, Richard Pomroy & Taylor MacDonald

### Who You Will See?

#### Richard Pomroy (MCPPO, CSL, OSHA 10, CPMP)

- An effective communicator and negotiator;
- Has extensive design, development and budget management experience;
- Possesses a keen sense to problem solving; and
- Excels at public presentations and representations.

#### Taylor MacDonald (MCPPO, LEED AP, CSL, OSHA 10)

- Possesses a keen sense of team awareness;
- An excellent communicator with strong organizational and delegation skills; and
- Possesses the natural ability to effectively manage the varying complexities of consultants, contractors and clients.

#### Alex Murphy (MCPPO (in training), OSHA 10)

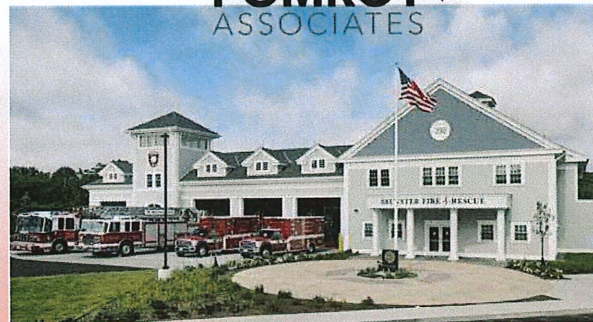
- Highly detailed and organized professional;
- Experienced in procurement and pre-qualification actions;
- Manages multiple complex projects at once.

#### Robert Rice (CSL, OSHA 10) – Completed the Lakeville Police Station

- A client oriented professional with over 30 years of hands-on construction experience;
- Extremely qualified site manager with the ability to handle multiple trades and disciplines;
- Proficient in construction related quality control & assurance, documentation and record keeping; and
- Promotes active communication and team building on every project.

## LAKEVILLE PROJECT TEAM

POMROY ASSOCIATES



Brewster Fire – Silver Medal  
Recipient from Fire House  
Magazine

2

# The Public Safety culture at PA

## • Current Knowledge of Elements Critical to Public Safety Buildings

- ✓ Safety
- ✓ Security
- ✓ Response Time
- ✓ Integrated Technology
- ✓ Equipment
- ✓ Operations
- ✓ Adjacencies
- ✓ Budgetary understanding
- ✓ Design
- ✓ Consultants



- Brewster Fire Headquarters
- Chatham Fire Headquarters
- Mashpee Fire Station #2
- Bridgewater Fire Station #2
- Norwell Police Headquarters
- Wellfleet Police Headquarters
- Orleans Police Headquarters
- Marion Police Headquarters



- FreeTown Police Headquarters
- Lakeville Police Headquarters
- Dighton Police Headquarters
- Dartmouth Police Headquarters
- Bridgewater Police Headquarters
- Chatham PD & Annex Closeout
- Plymouth Emergency Operations Center
- Bourne Fire & Rescue Substation
- Southeastern Mass Regional Dispatch Center
- Hanover Fire Substation



- North Plymouth Fire Substation
- Plymouth Fire #2, #4, #5
- Raynham Public Safety
- Abington Fire Headquarters
- Sloughon Fire Headquarters and Station #1
- Sandwich Fire Substation #2
- Sandwich Fire Headquarters
- Sandwich Police Headquarters
- Southbridge Fire Headquarters

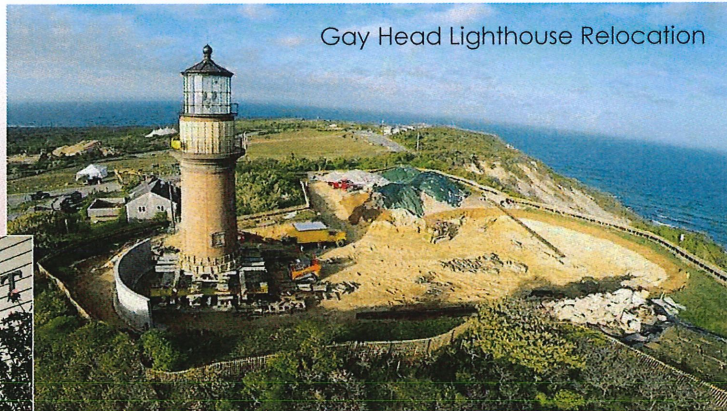
3

## YOUR PROJECT – PLANNING

### CRITICAL ITEMS

- Hiring of the Design Team
- Site Analysis
- Establish budget and Schedule
- Owner Vender Item Planning
- Estimating
- Marketing
- Town Liaison
- Quality Control Review
- Contractor Pre-qualification
- Bidding

**POMROY** <sup>pa/</sup>  
ASSOCIATES



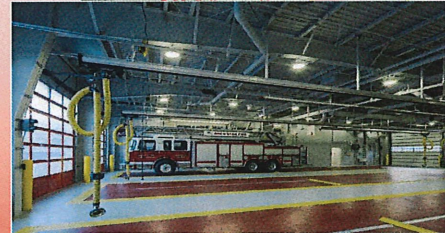
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# YOUR PROJECT – CONSTRUCTION



## CRITICAL ITEMS

- Schedule
- Budget Management
- Promote a collaborative rather than adversarial relationship among all parties.
- Design Team Oversight
- Town / Client Management
- GC Management & Oversight
- Daily progress monitoring
- Coordinate inspections and Utilities
- Change Order Management
- Punch Lists & Action Logs
- Fire Station Building Committee Meetings
- Owner Vender Management
  - Radios, Furniture, IT, AV, Security, FD Equipment, Material Testing, Geotech, Alerting System, Vehicle Exhaust Recovery System, Commissioning, Phones, Utilities...etc.



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# YOUR PROJECT – CLOSEOUT



## CRITICAL ITEMS

- Warranty Management
- Punch list close out
- Move management
- Maintenance Schedule
- Closeout Documents
- Turnover Documents
- Owner vendor sign offs
- 1 Year Walkthrough
- "Never Gone"



6



## How We ADD Value to the Project



- Focus on Owner Needs
- Organizing & Planning
- Team Coordination
- Communications
- Delegation & Team Accountability
- Strategic Outlook
- Strengthen buy-in to the Project
- Control and Evaluate Risk to the Project
- Deliver on Commitments
- Budget and Cost Management
- Schedule Management and Meeting Owner Schedules
- Record Keeping

7

## Why are we the Best Fit for Lakeville?

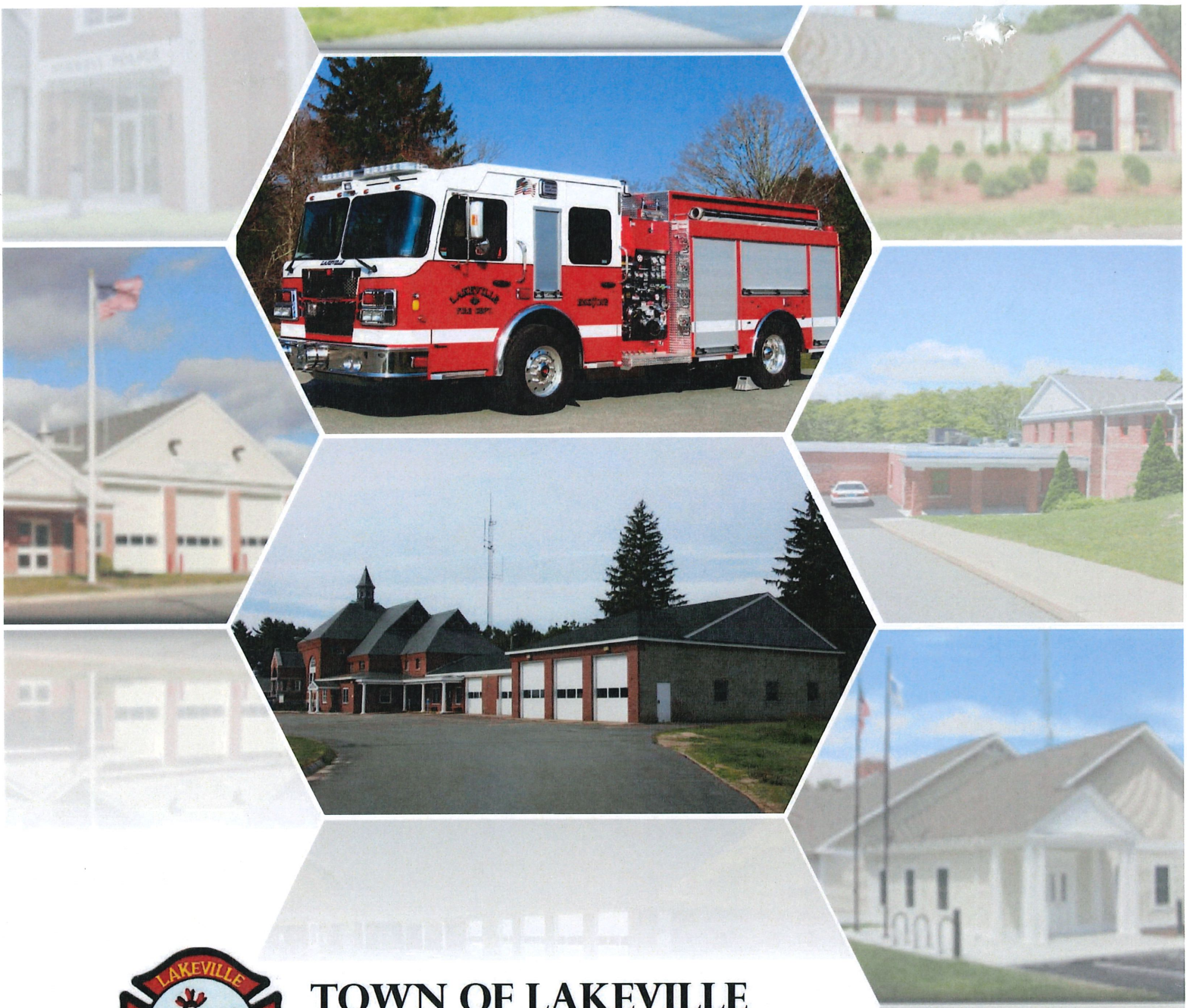


- Proven Results
- We know the players
- Local knowledge and location
- Natural heritage coordination
- Green communities' coordination
- Town meeting results
- Size of our company
- Through knowledge of radio infrastructure
- Relationships with GC's and Designers
- Public Safety and Fire Station Experts

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THANK YOU **POMROY** <sup>pa</sup>  
ASSOCIATES





# TOWN OF LAKEVILLE

Responses to RFQ: Owner's Project Manager Services  
for Lakeville Fire Station Construction Project

RECEIVED  
APR 26 2023  
SELECTMEN'S OFFICE

Prepared By:

**POMROY**   
ASSOCIATES

**Pomroy Associates LLC**  
49 Bedford St.  
P.O. Box 445  
East Bridgewater, MA 02333  
Office: 508.456.4232

Prepared For:



**Town of Lakeville**  
Ari J. Sky  
Town Administrator  
346 Bedford Street  
Lakeville, MA 02347



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## **B. Previous Project Experience**

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## **C. References and Reputation**

## **D. Project Approach**

- Proposed Scope of Work & Services with Time Frames

## **E. Proposed Staffing**

- Resumes
- Certifications

## **F. Firm Stability & Capacity**

## **G. Required Forms**

- Standard Designer Application Form for Municipalities and Public Agencies not withing DSB Jurisdiction
- Certification of State Tax Compliance
- Certificate of Non-Collusion
- Insurance Certificate

April 27th, 2023

**Town of Lakeville**

Mr. Ari J. Sky  
Town Administrator  
346 Bedford Street  
Lakeville, MA 02347

**RE: "Lakeville Fire Station – OPM RFQ"**

Dear Mr. Sky and OPM Selection Committee,

It is our pleasure to submit to you Pomroy Associates' ("PA") Response to RFQ for OPM Services for the Lakeville Fire Station Project for your consideration. PA acknowledges and confirms that it meets all of the required qualifications noted in the RFQ and information addressing these items can be found herein.

Overview

Pomroy Associates is a Limited Liability Company established in 2003 engaged in the practice of providing project management services for the construction and supervision of construction of buildings, including its staff, and all its sub-consultants. The LLC operates out of its main office in East Bridgewater at 49 Bedford Street. Our principal business is providing Owner's Project Management ("OPM"), Clerk of the Works ("Clerks"), and Construction Financial and Document Analysis Services to Owners and municipalities in both the public and private sectors with a specialization & competitive advantage in public safety facilities.

We understand that the Town is interested in procuring an OPM to represent the Owner during the selection of an architectural consultant/architect and engineers as well as during the design, bidding and construction phases of the new fire station as outlined in the RFQ. We have thoroughly reviewed the documentation provided to gain an understanding of the main goals and objectives for this facility. PA has been involved with numerous projects from this stage and we have the appropriate qualifications/experience to serve in this capacity.

Previous Project Experience

PA has performed OPM services for numerous Chapter 149 public building projects and the public safety culture is inherent in our history and current workload. A few examples of our recently completed public safety projects include **The Lakeville Police Headquarters**, Brewster Fire & Rescue Headquarters, Sandwich Public Safety – Police and Fire, Chatham Fire & Rescue Headquarters, Wellfleet Police Station, Orleans Police Station, and the Lakeville Police Headquarters. We thoroughly enjoyed working with the town of Lakeville during the Police Station project and hope to continue that relationship.

PA is also currently overseeing the design and construction for several fire headquarters, fire substations, and combined police and fire facilities including:

- Abington Fire Station
- Southbridge Fire Station
- Hanover Fire Substation
- Plymouth Fire Station #2 Phase II
- Plymouth Fire Stations #4 & #5 Renovation/Expansion
- Stoughton Fire Stations
- Raynham Public Safety



➤ **Additional information regarding these projects and many others can be found throughout our response.**

When it comes to Public Safety projects, we at PA feel that we have a true competitive advantage as this has been a sector, we have focused our efforts on over the past 20 years, and we are very excited about the opportunity presented with this project. Having recently overseen the design and construction of numerous fire facilities, we would be able to provide valuable insight to ensure that Lakeville Fire Station is constructed to meet both the needs of the Town and the Departments it would serve.

### Key Management Personnel

The team at PA represents a diverse group of professionals from the architectural, construction and finance industries that are ideally suited to provide the Lakeville Fire Station Project with superior OPM services. **Richard Pomroy** has over 30 years in the supervision of construction and design of public buildings and will be the Project Director for the duration of your project. Together with business partner **Taylor MacDonald**, a LEED AP certified professional, **Neal Provost**, and (7) additional support staff members, our qualified team will work to ensure that the new facility meets the end users immediate and long-term goals all the while maintaining a strong demand for a fiscally responsible design.

- *Staff bios exemplifying the experience and qualifications of the professionals which will be dedicated to your project can be found in Tab E along with full resumes.*

### Conclusion

Ultimately, the success of this project is going to be dictated by the management approach and the effectiveness of the OPM you select. Based on the qualifications of our key personnel, our previous project experience, and our thorough knowledge of applicable laws & procedures, we believe our Project Management Team is qualified to provide the requested professional services for successful completion of this project.

PA takes pride in developing long lasting relationships with the towns and clients we work with, and this is evidenced by our long list of repeat clients including the Towns of Plymouth, Sandwich, Mashpee, Chatham, Brewster, and multiple towns on Martha's Vineyard. We strongly recommend that you and your committee speak with our clients/references (some of which are listed below) to fully appreciate the effectiveness of our management approach and learn how the Town can benefit from our services on this project.

- George "Bud" Dunham, Town Manager – Town of Sandwich; (508) 888-5144
- Chief Robert Moran, Fire Chief – Town of Brewster; (774) 353-7017
- Jill R. Goldsmith, Town Manager – Town of Chatham (508) 945-5105
- Fran Bruttaniti, Procurement Officer - Town of Stoughton; (781) 341-1300, ext. 9164

In closing, we appreciate the opportunity to present our statement of qualifications for Owner's Project Management Services for the Lakeville Fire Station Project. If you would like any additional information, I can be reached by email at [rpomroy@pomroyassociates.com](mailto:rpomroy@pomroyassociates.com) or by phone at 508.456.4232 (office) or 781.603.2061 (cell).

Sincerely yours,



Richard Pomroy  
Principal & Managing Member  
**Pomroy Associates LLC**  
49 Bedford St.  
P.O. Box 445  
East Bridgewater, MA 02333



Taylor MacDonald, Partner



Mary Lee Pomroy, Partner

### **PA acknowledges the following:**

- No addenda were issued in response to this RFQ.
- PA meets all of the required qualifications noted in the RFQ and information addressing these items can be found herein.
- This response has been signed (above) by Richard Pomroy, Principal & Managing Member of Pomroy Associates, along with Partners Taylor MacDonald and Mary Lee Pomroy.

## **PREVIOUS PROJECT EXPERIENCE**

## ***Overview of Recent Project History & Public Safety Experience***

Pomroy Associates core business is providing Owner’s Project Management services to Massachusetts Municipalities and we have established a strong presence throughout Massachusetts including, but not limited to, the following public projects:

- Brewster Fire Headquarters
- **Lakeville Police Station**
- Southeastern MA Regional Comms Center
- Chatham Fire & Rescue Headquarters
- Plymouth Emergency Operations Center
- Orleans Police Station
- Wellfleet Police Station
- Dartmouth Police Station
- North Plymouth Fire Station
- Freetown Police Station
- Sandwich Public Library
- Sandwich Public Safety Complex (Police, Fire #2, & Fire #3)
- Mashpee Public Library
- Norwell Public Library
- Dighton Police Station
- Norwell Police Station
- Gay Head Lighthouse Relocation

➤ ***Please see our project history chart in the following pages for more information regarding project size and scope.***

Over the past 10 years, PA has completed 17 major projects (over \$1.5M), the majority of which have been completed within the last 5; however, at PA, we do not focus on volume of projects, we concentrate on quality projects and effective Project Management and only go after projects that we can successfully handle within our existing and projected workload.

When it comes to Public Safety projects, we at PA feel that we have a true competitive advantage as this has been a sector, we have focused our efforts on over the past decade; in the past 10 years we have completed 15 public safety facilities and have several more in design at this time including Abington Fire Station, Southbridge Fire Station, Plymouth Fire Station #2 (Phase II), Plymouth Fire Station #4, and the Stoughton Fire Stations Project (renovation of an existing fire station and a new fire headquarters). PA is also currently serving as the OPM for the feasibility study of the Raynham Public Safety Project (a combined police and fire facility), Plymouth Fire Station #5, and a new fire substation in Hanover.

Having overseen the design and construction of numerous public safety facilities, PA has current knowledge of the following elements that are critical to their design, construction, and operation:

- |                            |                               |
|----------------------------|-------------------------------|
| ✓ Safety/ Decontamination* | ✓ Operations                  |
| ✓ Security                 | ✓ Adjacencies                 |
| ✓ Alerting & Response Time | ✓ Budgetary Understanding     |
| ✓ Integrated Technology    | ✓ Circulation & Linear Design |
| ✓ Equipment                | ✓ Consultants                 |

\*Having real time experience involved with the critical design elements of public safety facilities, and in particular Fire Station facilities, is of the utmost importance when designing and planning. The significance of the knowledge highlighted above cannot be understated when considering the health and wellbeing of the fire fighters, support staff and the public. The Team at PA stresses the importance of establishing the Hot, Cold and Transition Zones for “return from call” decontamination and safe transitioning into the facility.

## ***Past Performance & Statement on Legal Proceedings***

In our 20 year history we have not had (1) public or private project which has been over budget or not completed within an appropriate timeline. There have been instances where the construction schedules necessitated adjustments or changes because of weather, project changes and/or unforeseen conditions, but in all instances the schedule impacts were kept to a minimum and had little to no effect to the overall budget. Also, we have had no accidents or safety violations, and our projects have not been involved with any legal actions. As far as litigation, neither Pomroy Associates LLC nor members of Pomroy Associates LLC have been debarred, the subject of legal proceedings, arbitration demands, complaints or legal administrative proceedings, which is a direct result of our management approach.

➤ **Please see our project history chart in the following pages.**



# Project History

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www.pomroy.com

## Completed Projects Over \$1.5M

Name & Location	Client	Role & Responsibilities	Building Use & Const. Type	Completion Date	Delivery Method	Sq Ft	Total Project Value	Construction Value	Reference Name and Contact Info	Additional Comments
Sandwich Public Library Sandwich, MA	Town of Sandwich	Full OPM & Limited/Part-Time Clerk-of-the-Works responsibilities from Bidding through Construction and End User Turnover. Project Highlights: •Relocation of existing library to temporary quarters •Construction through Covid-19	Library, Reno	Aug, 2021	Chapter 149	15,665	\$3,475,000.00	\$2,225,000.00	George Durham, Town Manager, (508) 888-5144; gdurham@townofsandwich.net  Joanne Lamothe, Library Director, (508) 888-6625; jlamothe@ocdn.org	This project included the redesign and reallocation of space within the footprint of the existing historic building. The interior was selectively demolished to make way for the new layout and finishes were upgraded to create a more modern and inviting space for library patrons.
Norwell Public Library Norwell, MA	Town of Norwell	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights: •MBC Grant Submission •Relocation of existing library to temporary quarters •Construction through Covid-19	Library, New	May, 2021	Chapter 149	22,300	\$15,353,000.00	\$11,378,000.00	Judy McConary, Library Director, (781) 659-2015; jmcconary@ocdn.org	PA worked closely with the Town to complete a feasibility study and grant application with the Mass Board of Library Commissioners ("MBC"). In July of 2017 the Town of Norwell was granted a first round provisional grant by the MBC and in December 2017 the Town approved the project at a special town meeting and subsequent ballot vote. PA was the project liaison with all local agencies and provided public and committee presentations for the project. The new library was constructed at the site of the existing library which necessitated the temporary relocation of library operations during the work and the demolition of the existing structure.
Dennis Senior Center Renovation & Addition Dennis, MA	Town of Dennis	OPM responsibilities from Bidding through Construction and End User Turnover. Project Highlights: •Facility in operation throughout construction •Construction through Covid-19	Senior Center	Mar, 2021	Chapter 149	11,000 (addition)	\$5,954,000.00	\$4,984,000.00	Gary Barber, Building Committee Chair (508) 385-5941; gbarber@comcast.net	Included renovation of the main entrance and an 11,000 sq ft addition to the existing senior center. The new vestibule will be used to access the newly constructed program space and will allow for the existing building to undergo renovations at a later date, without impeding on overall operation of the facility.
Southeastern MA Regional Emergency Communications Center Fodorough, MA	Southeastern MA Regional 911 District	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights: •Construction through Covid-19	Dispatch Center, Renovation	Nov, 2020	Chapter 149	20,000	\$10,367,000.00	\$8,870,000.00	Robert Verdone, Executive Director; (774) 265-0185; rverdone@se-mass911.org	The project included the renovation of an existing 20,000 sq. ft. concrete building (formally used as a communications bunker) into a regional dispatch center; included the replacement of all mechanical systems, a new roof and a new 30' x 60' sky light opening.
Freetown Police Station Freetown, MA	Town of Freetown	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights: •Construction through Covid-19	Police Station, New	Nov, 2020	Chapter 149	22,335	\$13,128,000.00	\$9,988,000.00	David DeManche, Town Administrator (508) 644-2202 x1 townadministrator@freetownma.gov	The design of the station includes a large training and operating center that will also be able to house meetings by town governing boards and other organizations. In addition, the new station received radio and telecommunications equipment upgrades, including a brand new, 180-foot-tall telecommunications tower.
North Plymouth Fire Station Plymouth, MA	Town of Plymouth	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights: •Separate demolition of an existing residential building. •Construction through Covid-19	Fire Station, New	Jul, 2020	Chapter 149	12,600	\$7,900,000.00	\$5,163,000.00	Edward Bradley, Fire Chief, ebradley@townhall.plymouth.ma.us  Marlene McCollem, Asst. Town Manager, (857) 222-9513; mmccollem@townhall.plymouth.ma.us	PA oversaw the complete demolition of the residential building on site and the preparation of the building footprint.







Completed Projects Over \$1.5M

Name & Location	Client	Role & Responsibilities	Building Use & Const. Type	Completion Date	Delivery Method	Sq Ft	Total Project Value	Construction Value	Reference Name and Contact Info	Additional Comments
Dartmouth Police Headquarters Dartmouth, MA	Town of Dartmouth	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights: •Separate demolition of an existing school building	Police Headquarters, New	Sept, 2019	Chapter 149	21,800	\$13,467,000.00	\$9,072,700.00	Brian Levesque, Chief of Police (508) 910-1736; blevesque@dartmouthpd.org Shawn MacInnes, Town Administrator, (508) 910-1813; smacines@town.dartmouth.ma.us	The Dartmouth Police Headquarters Project consists of a new 21,800 Sq. Ft., 2-story facility constructed at the site of the former Gidley School. PA oversaw the complete demolition of the existing building on site and the preparation of the building footprint. The project also included a pre-engineered metal auxiliary building and a gas only fuel depot.
Sandwich Public Safety Complex Sandwich, MA	Town of Sandwich	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights: • 3 separate buildings as part of one project	Police Headquarters, Reno / New	Aug, 2019	Chapter 149	PD 15,497 FD 11,190 FD 1,637	\$17,015,000.00	\$12,423,000.00	George Dunham, Town Manager, (508) 888-5144; gdunham@townofsandwich.net John Burke, Fire Chief (508) 888-0525 jburke@townofsandwich.net	The Sandwich Public Safety Project consists of (3) new buildings: (1) 15,497 Sq. Ft. Police facility to replace the existing, (1) 11,190 Sq. Ft. Fire Sub Station and new administration offices, and (1) 1,637 Sq. Ft. addition to the existing Fire Substation #2.
Fire Station #2 RT- 6A Fire Station Reno [New Police Headquarters]										
Lakeville Police Station Lakeville, MA	Town of Lakeville	Full OPM & Clerk-of-the-Works through Construction and End User Turnover.	Police Station, New	Aug, 2019	Chapter 149	16,800	\$8,800,000.00	\$5,600,000.00	Matthew Perkins, Chief of Police (508) 947-4422; chief@lakevillepd.org Nathan Darling, Building Commissioner (508) 946-8804; ndarling@lakevillema.org Sgt. Shawn Cronin, Building Committee, (508) 208-7737; sronindpd@comcast.net	The Lakeville Police Station Project consists of a new 11,200 Sq. Ft. single level building with a 600 Sq. Ft. out building for storage.
Dighton Police Station Dighton, MA	Town of Dighton	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover.	Police Station, New	Jan, 2019	Chapter 149	8,400	\$5,948,000.00	\$4,616,000.00	Ren Fiset, Retired Chief of Police, (774) 836-5299 Harry Terkanian, Former Town Administrator, (508) 737-6060; harry.terkanian@wellfleet-ma.gov	Renovations included a secure prisoner processing and detention area, better organized circulation, and updated technology throughout the building. This project also included the replacement of all mechanical systems, a new roof and exterior, and a small addition to the existing facility. The department was relocated to a temporary off-site facility while construction was underway.
Wellfleet Police Station Wellfleet, MA	Town of Wellfleet	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights: •Relocation of Dept. to temp quarters	Police Headquarters, Reno / New	Jun, 2018	Chapter 149	10,387	\$7,500,000.00	\$5,330,000.00	Charles Summer, Retired Town Admin, (774) 353-7033 Mike Embury, Former Town Administrator, (401) 641-0663; Chief Robert Moran, Fire Chief, (774) 353-7017; rmoran@brewster-ma.gov	The site constraints and challenges for this project were very unique; the site was backed by wetlands and buffer zones to the south and southwest that construction could not impede on. Also, the existing Council on Aging to the East and the existing Fire Headquarters on the southeast side had to remain in operation and without impediment. Thorough diligent planning and daily coordination, both buildings were able to remain in operation without issues.
Brewster Fire Station Brewster, MA	Town of Brewster	Full OPM & Clerk-of-the-Works through Construction and End User Turnover. Project Highlights include: •Extensive Town approvals •Condensed project site	Fire Headquarters, New	Summer 2018	Chapter 149	24,155	\$13,767,000.00	\$9,943,800.00		



**Completed Projects Over \$1.5M**

Name & Location	Client	Role & Responsibilities	Building Use & Const. Type	Completion Date	Delivery Method	Sq Ft	Total Project Value	Construction Value	Reference Name and Contact Info	Additional Comments
Orleans Police Station Orleans, MA	Town of Orleans	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights include: •Relocation of Dept. to temp quarters	Police Headquarters, New	Summer 2018	Chapter 149	17,830	\$11,457,850.00	\$9,183,383.00	Chief Scott MacDonald, Chief of Police, (508) 255-0117; smacdonald@orleanspd.com  Ron Collins, Director of Facilities (508) 958-0839; rcollins@townoforleans.ma.us	PA was retained as the OPM in August of 2015 to head up the project team through a fast-track design and bidding program in an effort to have "bids in hand" for the Spring 2016 Annual Town Meeting. Bids were received in March 2016 and came in under budget. This state-of-the-art facility was constructed in the exact location of the current facility. Therefore, the department was housed in a temporary off-site facility constructed as part of this project.
Chatham Fire Station Chatham, MA	Town of Chatham	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights include: •Relocation of Dept. to temp quarters •Separate demolition bid •Extensive hazardous material clean up	Fire Headquarters, New	June, 2016	Chapter 149	20,600	\$10,344,635.00	\$6,978,000.00	Chief Michael Ambrisco, Retired Fire Chief, (508) 237-1515 (cell);  Terry Whalen, Principal Projects & Operations Admin., (774) 353-7532; twhalen@chatham-ma.gov  Chief Peter Connick, Retired (508) 681-5868;	PA was hired in 2013 to resurrect this previously-failed project and guide it through a new feasibility study, local & town meeting approvals, design, bidding, & construction. In addition to construction, the project called for a temporary facility to house the FD operations during construction; hazardous material abatement; demolition; subsurface remediation; and unsuitable materials. This project was further complicated by its location in town as the site was immediately adjacent to the Chatham Elementary School and sat on the corner of two high traffic thoroughfares and the Cape Cod Rail Trail.
Edgartown Public Library Edgartown, MA	Town of Edgartown	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights include: •Separate demolition of existing school building completed during design •MBLC Grant Submission	Library, New	Feb, 2016	Chapter 149	15,000	\$10,211,552.00	\$7,732,602.00	Chris Scott, Past Building Committee Chairman, (774) 980-0921; scott@mvpreservation.org  Lisa Sherman, Library Director, (508) 627-4221; director@edgartownlibrary.org  Chief Theodore Ross, Chief of Police, (781) 789-4783; Tross@norwellpolice.com	The first phase of the project included designer selection, project programming, site selection, and the creation of a grant proposal for the Massachusetts Board of Library Commissioners which was completed in January of 2011. After being awarded grant funding in 2012, the team set out to complete phase two, which included final design, bidding, and construction of the new library.
Norwell Police Station Norwell, MA	Town of Norwell	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights include: •New police station constructed as an addition to the existing fire station	Police Headquarters, Reno / New	Dec, 2014	Chapter 149	12,000	\$5,528,000.00	\$4,400,000.00	Chief Edward Bradley, Fire Chief, (774) 454-9635; ebradley@townhall.plymouth.ma.us	The project was constructed adjacent, and connected, to the existing Norwell Fire Headquarters to create what is now called the "Norwell Public Safety Complex". The development took place on a very constricted site and required exact planning and phasing to ensure that both operations would be able to co-exist once operational, and to ensure limited interruptions with the existing fire department's operations during construction.
Plymouth Emergency Operations Center Plymouth (Cedarville), MA	Town of Plymouth	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover.	Emergency Operations, Reno/New	June, 2011	Chapter 149	3,673	\$1,580,400.00	\$1,119,850.00	Retired Chief Lincoln Miller (508) 922-4715 lpema5@comcast.net	Project consisted of a 4,000 Sq. Ft. masonry and steel frame addition to the existing Cedarville Fire Station. Work was coordinated and phased to keep all utilities and operations for the existing fire station on-line throughout the entire project.
Marion Fire Station #2 Marion, MA	Town of Marion	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover.	Police Headquarters, New	June, 2010	Chapter 149	11,686	\$3,800,000.00	\$2,773,835.00	Catherine Laurent, DPW Director & Director of Facilities, (508) 539-1420 claurent@ci.mashpee.ma.us	This 20,100 square foot, two-story facility was constructed in the heart of Mashpee Commons and received a LEED Silver Certification. This project was constructed under the Massachusetts Board of Library Commissioners (MBLC) grant program and Pomroy Associates served as Owner's Project Manager during all phases of the project. PA was also the lead for the MBLC Grant, LEED Certification, and several solar-energy grant incentives.
Mashpee Public Library Mashpee, MA	Town of Mashpee	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights include: •Relocation of existing library to temporary quarters	Library, New	Apr, 2010	Chapter 149	20,100	\$8,800,000.00	\$6,402,800.00	Catherine Laurent, DPW Director & Director of Facilities, (508) 539-1420 claurent@ci.mashpee.ma.us  George Baker, Retired Fire Chief, (774) 836-6791; gwboanbaker@gmail.com	This 20,100 square foot, two-story facility was constructed in the heart of Mashpee Commons and received a LEED Silver Certification. This project was constructed under the Massachusetts Board of Library Commissioners (MBLC) grant program and Pomroy Associates served as Owner's Project Manager during all phases of the project. PA was also the lead for the MBLC Grant, LEED Certification, and several solar-energy grant incentives.
Mashpee Fire Station #2 Mashpee, MA	Town of Mashpee	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover.	Fire Substation, New	Aug, 2008	Chapter 149	5,100	\$2,100,000.00	\$1,412,474.00		

## REFERENCES AND ACCOLADES

The information located in our Previous Project Experience pages should give the Town of Dennis an excellent example of the quality of the projects previously undertaken. Our success is driven by our capability to Perform ALL aspects of a project. We at PA are task masters and everything we do is measured by quality and milestones. The best way to demonstrate this is for you to speak to our references as they speak volumes for our abilities.

### References:

- ◆ **Dartmouth Police Headquarters, \$13,400,000.00, New Construction.**  
Reference: Brian P. Levesque, Chief of Police, (508) 910-1700
- ◆ **Marion Police Station, \$3,800,000.00, New Construction.**  
Reference: Paul Dawson, Town Administrator, (508) 748-3550; pdawson@marionma.gov  
Reference: Chief Lincoln Miller, Retired Chief of Police, (508) 922-4715; Lpema5@comcast.net
- ◆ **Sandwich Public Safety Complex (Fire & Police), \$17,000,000.00, New Construction.**  
Reference: George Dunham, Town Manager, (508) 888-5144; gdunham@townofsandwich.net  
Reference: John Burke, Fire Chief, (508) 888-0525; jburke@townofsandwich.net

### *Capability to Work Collaboratively*

One, if not our strongest, quality is managing the Project Team (owner, designer, contractor and end user). We are the project nucleus; we control without being controlling; everyone has a voice, but we have the ability to channel each voice and ensure that the project benefits. We encourage you to speak with some of the architects below that we have worked with on numerous projects for confirmation that PA has the ability to work collaboratively with designers to achieve a common goal.

- i. **Brewster Fire Station\*\* & North Plymouth Fire Station**  
Mark Saccoccio, CDR Maguire Inc., (401) 741-0728 cell
- ii. **Dartmouth Police Headquarters**  
Greg Carell, The Carell Group, Inc. Architects, (508) 497-0909 office / (508) 208-6323 cell
- iii. **Chatham Fire & Rescue**  
Michael J. McKeon, Kaestle Boos Associates, (508) 549-9906 office

The Brewster Fire Station Project was awarded the Silver Medal in the *Firehouse Magazine* 2018 Station Design Awards. PA is honored to have been part of this project and works to ensure that each new facility we are involved with reflects the community it serves, is designed to meet the end users immediate and long-term goals and is a fiscally responsible building that will live well beyond its life expectancy.

## PROJECT APPROACH

Pomroy Associates' approach to Project Management and Team Building for the success of a construction/development project is universal in nature. We understand that every project is unique in many ways and may require varying levels of attention to specific components of the approach, but the constants will always be: *communication, attention to detail, and accountability*. Our philosophy on public buildings is that any new municipal facility should;

- Reflect the community it serves.
- Be designed to meet the end users immediate and long-term goals.
- Be constructed with quality materials.
- Live well beyond its life expectancy
- Be a fiscally responsible building.
- Be easily maintained/cost of operation should be as minimal as possible.

**To accomplish this, our Key Elements to Successful Project Management are;**

- ☑ Serving as the Owner's advocate, the point person, the mediator and the driving force for the project.
- ☑ Maintaining a strong demand for fiscally responsible designs, operating systems and materials.
- ☑ Strong financial and budget management throughout the entire duration of the project.
- ☑ Quality control in the design documents equates to low change orders and no litigation.
- ☑ Effective contract management throughout the construction phase of the project.



## What makes us different?

To best answer this, we put this question out to the architects, contractors, and Town Managers we have worked for. Below are some of the responses we received.


1. **Pomroy Provides Personalized Service**  
 The Owners of the company are directly responsible for the projects. We know our competitors do not and cannot provide the level of service we provide, simply because they can't afford to. We are not tied down to large overheads or company quotas, so we over dedicate to our projects.
2. **Pomroy is "Hands On" in all Aspects of the Project**  
 We make it a point to be involved in every aspect of the project, regardless of who's responsibility it is.
3. **Pomroy is There For its Clients**  
 We take pride in developing long lasting relationships with the towns and clients we work with, and we strive to be there for our clients from the first introductions through the completion of the project...and even years later.
4. **Pomroy Deals with all Team Members on a Fair, Even & Consistent Basis**  
 This statement came from a contractor, and we believe it speaks volumes to our ability of successfully managing the entire Project Team (owner, designer, contractor and end user). We are the project nucleus; everyone has a voice, but we can channel each voice and ensure that the project benefits.

### **But above all, we have the experience.**

When it comes to Public Safety projects, we at PA feel that we have a true competitive advantage as this has been a sector, we have focused our efforts on over the past 20 years.




***In order to assure high quality standards of performance on projects, our team provides;***


-  **Project Management** – The professionals at PA have developed and utilize very effective communication and organizational skills to manage the projects they are involved in. They can control without being controlling, which is essential when dealing with public entities, committees, and contractors. In addition, effective and efficient scheduling begins day one and we work with the entire team to establish obtainable goals and milestones for deliverables, reviews, approvals, decision making, cost estimating, permitting, public forums, presentations, bidding, etc. PA is also thoroughly knowledgeable with most


web-based project management software used by project architects and general contractors including ProCore, Submittal Exchange, and NewForma for managing documentation. We have also included the use of Microsoft Project for project scheduling and task management.


In addition, we employ the following tracking tools to keep the project on track and moving forward:


- “Critical Path Scheduling” for deliverables during the design of the project
- “Project Action Logs” for project milestones, communication and general items needing action
- “Design Decision Matrixes” for design development decisions and records
- “Development Budget and Forecast Reports” for financial forecasts, tracking and reporting


 **Project Communication** - PA relies on several means of communication when dealing with clients throughout a project; however, the single and most important factor for communication which we enroll at the onset of every project is our Client POC (Point of Contact). One of the largest and most detrimental management faults we see time and time again with failed projects is the failure to establish and maintain a client POC. This is not to say that communication does not exist between the OPM and other members of the Client’s team, but we are a firm believer that the Client POC needs to be fully informed and up to speed on every aspect of the project. We also believe that every communication which concludes in an action, direction and/or response requires written documentation in the form of an e-mail, letter or memo to file. Communication is traditionally performed through e-mail messages and/or telephone conversations, but also utilizes Action Tracking methods noted above.

 **Review of Design** – When coming on board, Pomroy Associates traditionally performs an audit of the existing project program to ensure that it both meets the needs of the client, but also that the design reflects the needs of the program. This measure is used by many entities to validate/confirm the findings of the feasibility study. We also believe that all design disciplines (including the OPM) should complete and be responsible for a full Quality Control (“QC”) review of the completed documents prior to bidding.

 **Planning** – The mark of any successful project is in its planning, preparation, and organization. We ensure that the end user has a seat at the table and plays a very active role in all planning. Two main questions we work to answer are: “What are the specific needs of the client?” and “How do we accomplish those needs?” Understanding these elements and developing a Project Program to act as a road map is an effective and essential tool in Pomroy Associates Management Plan for all its projects.

 **Financial Analysis** – The financial analysis aspect of the project also begins on day one of the project and never ends. Cost control during design and construction is essential for the success of any project and the Team at Pomroy Associates maintains a very aggressive stance on costs and budgets during all phases of a project. The project committee will receive monthly budget reports (and audits) every step of the way accompanied by historical and projected changes to the project budget.


 **Cost Estimating** - Cost control during design and construction is essential for the success of any project and the Team at PA maintains a very aggressive stance on costs and budgets during all phases of a project. During design, we continually review the project design and proposed materials from a cost and longevity perspective to ensure that the budget remains under control and the client is fully aware of the impact of decisions made during the design process. We strongly recommend that complete project estimates are performed at the Schematic Design, Design Development and Construction Documents phases of the design. PA estimates individual elements and Change Orders but does not perform cost estimating for total projects and traditionally utilizes a third-party estimator. We feel that this scope of work is best suited for estimators who perform the service on a day-to-day basis and have their finger on the pulse of the industry. Please feel free to speak to our clients for confirmation that PA has an excellent track record of successfully maintaining budgets throughout the duration of the project using this approach.

 **Life Cycle Cost Analysis** – Life Cycle Cost Analysis is also an important tool to determine the most cost-effective option among competing alternatives and Pomroy has worked with Owners to evaluate various



building systems on numerous projects we have been involved with. Please see below for just one example of a recommendation PA has made to the Owner and the associated savings involved;

**Example:** Pomroy Associates in concert with Garcia, Galuska & DeSousa conducted a 25-year building lifecycle cost analysis for various mechanical systems for the Mashpee Public Library. The systems were analyzed and compared based on Gross Capital Investment, Annual Electric and Gas Consumption, Annual Maintenance Costs and Simple Payback. Also considered during the evaluation were the appearance and comfort values which were not part of the initial analysis but were weighted factors in the end comparison. The exercise was very successful, and the Owner went with a system with a higher upfront cost but yielded the greatest savings over the 25-year period. The system chosen projected a total net savings of more than \$285,000.00 over 25 years.

 **Value Engineering** – Value Engineering never stops, and Pomroy Associates has provided a number of very successful constructability and value engineering reviews which have saved our clients millions of dollars. *Our goal is to achieve the highest quality building possible within project constraints.*



**Claims Avoidance & Administration of a Construction Contract** – As an OPM, effective Contract Management and Administration is paramount. Our responsibility is to make sure that the Designer and Contractor are in full compliance with their contracts. Issues do come up on projects; however, the most important aspect is how the issues are mitigated. The first element we stress is “What does the contract say and what is owned under the contract?” The Team at PA are experts in contract administration and have successfully mitigated many project issues to the benefit of the Owner and the Project.



**Construction Management** – There is a vast difference between Project and Construction Management. During construction PA stresses control and accountability and our on-site clerk supervises the General Contractor each day of construction to ensure that the building is built according to drawings and specifications. The clerk performs numerous critical tasks daily, including but not limited to;

1. **Daily Field Report and Photo Documentation**
2. **Monitor All Construction Activities**
  - a. Ensure that the work performed by the GC has been submitted and approved by the architect.
  - b. Report all deliveries to the site as well as material removal.
  - c. Record all visits to site including daily GC/Subcontractor manpower.
3. **Special Inspections**
  - a. Schedule material testing company as needed for concrete, rebar, soils, etc.
  - b. Maintain all physical material soil samples in office trailer.
4. **Project Management**
  - a. Review all RFIs, PCOs, Submittals, RFPs, ASIs, etc.
5. **Architect/Engineer**
  - a. Communicate field activities with the architect.
  - b. Schedule inspections with the architect/engineer of record as required in the specifications.
  - c. Report any deviations from the specifications in the work to the architect.
6. **Construction Meetings**
  - a. Coordinate all weekly/bi-weekly meetings with the Owner, GC, Arch and Senior PM
  - b. Attend all trade pre-construction meetings – Inform Architect in advance of all meetings.
7. **Safety**
  - a. Ensure that the GC maintains a safe work environment for all workers.
  - b. Monitor the GC's maintenance of the site, fence, SWPP and housekeeping.
  - c. Record any/all injuries for record



**Change Order Process Management** – When a Change Order Proposal is received, an evaluation is immediately performed to determine i.) Is the change order valid? ii.) If valid, is the cost reasonable? iii.) What is the reason for the change? After taking these three components into consideration, a recommendation to approve or deny the requested change is made to the Owner group responsible for ultimately making the decision. All Change Orders are recorded in a tracking log which makes note of all open potential exposures as well as previously accepted/denied items, so the Owner is always fully aware of the impact of change orders.

## *Project Understanding & Proposed Work Plan*

We understand that the Town is interested in procuring an OPM to represent the Owner by acquiring the services of an architectural consultant/architect, and all aspects of the design, bidding and construction project phases as outlined in the RFQ. We have thoroughly reviewed the documentation provided to gain an understanding of the main goals and objectives for the renovation and expansion. PA has been involved with numerous projects from this stage and we have the appropriate qualifications/experience to serve in this capacity.

As standard with all of our projects, we will tailor our services to accommodate the needs of the Town and ensure that all project goals are accomplished. We are available to start immediately on this project and we would begin with the following steps:

### **Immediate Actions**

- ☑ PA will perform an in-depth review of all available project documentation (i.e., existing Project Program, Feasibility Study, Schematic Design solution) to verify their suitability for moving forward. If necessary, update/refresh all components of the study to reflect the current goals and objectives of the department.
- ☑ The Pomroy Team will also immediately assist the Town in the procurement of a qualified design firm which possesses the necessary experience to develop a design solution accurately and effectively for the new facility. As standard with all our projects, PA will monitor the Designer during all aspects of the project on behalf of the Town in efforts to ensure that the Project Program is withheld and/or advise the Town of modifications which may be considered.
- ☑ The financial analysis aspect of the project also begins on day one of the project and never ends. PA will fully examine any proposed budget to confirm it is fully adequate for the proposed scope of work and will closely monitor the development budget for the remainder of the project.
- ☑ Lastly, PA will work with the Town to refine any existing project milestones at the onset of the project and will consistently always reevaluate them to ensure optimal delivery of the project.

Ultimately, the success of this project is going to be dictated by the management approach and the effectiveness of the OPM you select. Based on the qualifications of our key personnel, our previous project experience, and our thorough knowledge of applicable laws & procedures, we believe our Project Management Team is qualified to provide the requested professional services for successful completion of this project.

**Please see our draft expanded scope for all required work with time frames for completion in the following pages for additional information.**

## PROPOSED STAFFING

The professionals at Pomroy Associates can think outside the box when problem solving and controlling a budget, the insight to understand the multitude of varying needs and requirements of the different users, and the ability to keep every user in the loop during design development and construction.

- ***Education, Certification, and Professional License information for each proposed staff member can be found in respective resumes located at the end of this section.***

The PA Team has successfully managed numerous municipal projects through the Massachusetts General Law, Chapter 149 public bidding process and we are thoroughly knowledgeable with Massachusetts construction procurement laws, regulations, policies, procedures, and amendments. PA has been responsible for the procurement and coordination of various Owner vendor items and services on numerous projects that we have overseen as OPM including, but not limited to, the following:

- |                           |                               |                        |
|---------------------------|-------------------------------|------------------------|
| ➤ Radios/Radio Consultant | ➤ FD Training Tools/Equipment | ➤ Temporary Facilities |
| ➤ Furniture               | ➤ Wireless Systems            | ➤ Utilities            |
| ➤ Security Systems        | ➤ Internal Network Systems    | ➤ E911                 |
| ➤ Telephone Systems       | ➤ Commissioning               |                        |
| ➤ Audio/Visual            | ➤ Land Permitting/Surveying   |                        |

Several members of the proposed team are also certified with the Commonwealth of MA Office of the Inspector General in the MA Certified Public Purchasing Official Program (MCPPO) for Project Designers and Owner’s Project Managers. Copies of Certifications can be found at the end of this Section.

PA is thoroughly knowledgeable with Massachusetts State Building Code, regulations of the Architectural Barriers Board, regulations related to the Americans with Disabilities Act, and all other pertinent codes and regulations related to the successful completion of projects. The proposed Senior Project Manager and Project Manager carry unrestricted Massachusetts Construction Supervisors Licenses and are fully versed in the current edition of the Massachusetts Building Code.

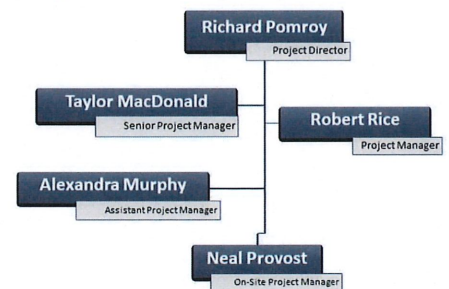
### *Proposed Team*

**Senior Project Managers** - At Pomroy Associates we traditionally utilize project management overlap. In the event of an emergency at least one of us can always be reached or present if needed. This strategy has been proven helpful on all projects and guarantees our client’s seamless service. Richard Pomroy & Taylor MacDonald will be the Senior Project Managers for the duration of the project. They are backed by support staff at the office as well as the project managers in the field. Rick and Taylor have worked together in this capacity on well over (25) Chapter 149 projects including, but not limited to:

- |   |  |
|---|--|
| ➤ Brewster Fire Headquarters            | ➤ Marion Police Station                |
| ➤ Chatham Fire & Rescue                 | ➤ Wellfleet Police Station             |
| ➤ Sandwich Public Safety Complex        | ➤ Plymouth Emergency Operations Center |
| ➤ Orleans Police Station                | ➤ Brewster Eddy School                 |
| ➤ Freetown Police Station               | ➤ Edgartown Public Library             |
| ➤ Southeastern MA Regional Comms Center | ➤ Mashpee Public Library               |

Both Rick and Taylor continually play leading management roles in every aspect of the planning, design, budgeting, permitting, building commissioning, quality control reviews, value engineering, sustainable design, life cycle costing and project estimating.

### Organizational Chart



**Richard W. Pomroy**, *Principal-in-charge/Project Director*, is a management professional with over 30 years of combined experience in the architectural, construction, and financial industries. Rick directly oversees all aspects of the planning, design, budgeting, permitting, building commissioning, quality control reviews, value engineering, sustainable design, life cycle costing and project estimating on behalf of client. He is also responsible for complete budget control of all project related costs and expenses including monthly budget reports accompanied by historical and projected changes to the project budget.



Individual References:

- Jill Goldsmith – Town Manager, Town of Chatham; (508) 945-5105
- Charles Sumner - Retired Town Administrator, Town of Brewster; (774) 353-7033

**Taylor MacDonald**, *Senior Project Manager & Partner*, has a comprehensive background in construction project management and development. Taylor continually plays a leading management role in every aspect of the planning, design, budgeting, permitting, building commissioning, quality control reviews, value engineering, sustainable design, life cycle costing and project estimating. In addition, Taylor oversees all of PA's project managers and on-site clerks. Taylor is an essential part of each project with a proven knack of expert management skills.

Taylor is also a LEED AP professional and has completed the Mashpee Public Library and the Edgartown Public Library Projects, both LEED Silver Certified facilities.

Individual References:

- Chief Robert Moran - Fire Chief, Town of Brewster; (774) 353-7017
- George "Bud" Dunham - Town Manager, Town of Sandwich; (508) 888-5144

**Project Representative/Clerk of the Works** – To be named at a later date depending on the timeline but we anticipate that Neal Provost may be available during the construction phase of this project.

**Neal Provost**, *Project Representative/Clerk of the Works*, brings over 30 years of experience in construction and design. Prior to joining PA, Neal's work history involved a wide variety of public and private construction projects for which he served as the construction superintendent including the Nantucket Airport FAA Maintenance Building, the Chilmark Town Hall Renovation and the Bourne Medical Center. Through his hands-on involvement in the industry, he has gained exceptional skills in document review, means and methods of construction, project oversight, scheduling, supervising of subcontractors and successfully estimating and expediting materials and cost projections.

Neal has worked directly with both Rick and Taylor on the following projects:

- Sandwich Center for Active Living (currently in construction)
- Sandwich Public Library – Sandwich, MA
- Dartmouth Police Station – Dartmouth, MA
- Brewster Fire Station – Brewster, MA
- Edgartown Public Library – Edgartown, MA

Individual References:

- Chief Robert Moran – Fire Chief, Town of Brewster; (774) 353-7017
- Greg Carrell – Architect, Dartmouth Police Station; (508) 497-0909 office / (508) 208-6323 cell

**Additional Support** - Every on-site project manager in the field is backed by support staff at our home office in addition to the other project managers on neighboring projects and the representative on this project will share those same resources. Robert Rice and Alexandra Murphy are also directly available for work on this project on an as-needed basis.

**Robert Rice**, *Project Representative/Clerk of the Works*, is a construction project manager and Clerk-of-the-Works with over 20 years of extensive experience in all phases of the Architectural Field, from Design Development to Construction Documents. Bob is responsible for tracking daily construction activities, documenting the project progress through photo documentation and daily progress reports and verifying that the work completed on site and the materials used conform to the Contract Documents and approved submittals.

**Alexandra Murphy**, *Assistant Project Manager* has a work history that encompasses a wide variety of responsibilities in facility management and capital projects in higher education. Her analytical and management strengths combined with her detail-oriented approach to construction management yields the perfect blend of experience for a construction project manager and provides PA' clients with timely and accurate project administration services.



# RICHARD W. POMROY

Principal & Project Manager

7 Bethpage Lane  
Plymouth, MA

## PROFILE

A management professional with over 30 years of combined experience in the architectural, construction, and financial industries. This experience, coupled with a strong work ethic and excellent management, communication, and leadership skills, has allowed Mr. Pomroy to represent numerous financial institutions, municipalities, and private entities (both locally and nationally) in their development and property management needs.

## CONTACT

### PHONE:

(O): 508-456-4232  
(C): 781-603-2061

### WEBSITE:

[www.pomroy-pa.org](http://www.pomroy-pa.org)

### EMAIL:

[rpomroy@pomroyassociates.com](mailto:rpomroy@pomroyassociates.com)

## AFFILIATIONS/LICENSES

- Certified Massachusetts Public Purchasing Official (MCPPO)
- MA Unrestricted Construction Supervisor's License #CS 096172
- Member of the Project Management Institute, Mass Bay Chapter, Since 2010
- Certified Project Management Professional (PMP)
- Builders Association of Greater Boston, Since 2002
- Board of Directors – CO-OP, North Dighton, MA – (2014 to present)
- Board of Directors - Community Care Services, Taunton, MA (2010 – 2012)

## EDUCATION

BS, Architectural Engineering, 1981  
AD, Building Construction Technology, 1979  
Wentworth Institute of Technology

## WORK EXPERIENCE

### **Pomroy Associates, LLC** - East Bridgewater, MA

2003-Present

#### **Principal & Project Manager**

- Principal-in-Charge/Senior Project Manager for all Pomroy Associates projects that require an Owner's Project Manager.
- Directly oversees all aspects of the planning, design, budgeting, permitting, building commissioning, quality control reviews, value engineering, sustainable design, life cycle costing and project estimating on behalf of client.
- Responsible for complete budget control of all project related costs and expenses including monthly budget reports accompanied by historical and projected changes to the project budget.

### **Meditrust Corporation** – Needham, MA

1994-2002

#### **Corporate Officer and Vice President of Development**

- Directly responsible for the company's construction management and development financing departments which controlled the development and accounting functions for the company's development projects which achieved an annual growth from \$52 million in 1994 to over \$300 million per year in 1999.
- Oversaw all aspects of the development process including: planning and zoning through end user turnover and final occupancy, accounting control, monthly and annual cash disbursement forecasting, payment requisition reviews, fund disbursements, lien reviews, and loan/lease document compliance.

### **Continuum Care Corporation** – Needham, MA

1991-1994

#### **Project Executive/Construction Manager**

- Responsible for the development of healthcare properties for the company and third-party operators across the US which included site selection, design development, planning and zoning, contract bidding, estimating, construction management, quality control, and end user turnover.

### **Mapean, Inc.** – Norwell, MA

1988-1991

#### **Vice President of Construction**

- Responsible for the Company's construction administration, which included estimating, bidding, purchasing, construction management, and field supervision.

## Highlighted Projects;

Selection of Municipal projects include:

- Wellfleet Police Station
- The Gay Head Lighthouse Relocation
- Edgartown Public Library
- Mashpee Public Library
- Dighton Police Station
- Bridgewater Middle School
- Bridgewater Mitchell Elementary
- Plymouth South Middle School
- Mashpee Combs School
- Norwell Public Library
- Orleans Police Station
- Norwell Police Station
- Marion Police Station
- Brewster Ladies Library
- Mashpee Fire Headquarters
- Chatham Fire Headquarters
- Brewster Fire Headquarters
- Plymouth Emergency Op Center

Selection of Private clients include:

- Schiffer Residence, Chappaquiddick
- The Vineyard Nursing Association
- Bristol County Savings Bank
- The Cahoon Museum
- Citizens Union
- Nationwide Healthcare Properties
- Chappaquiddick Beach Club Assoc.
- The Cape Cod Cranberry Assoc.
- Bridgewater Savings Bank
- HarborOne Bank
- Webster Bank
- Tremont Realty Capital



# TAYLOR D. MACDONALD

Partner & Project Manager

15 Ashford Lane  
Bridgewater, MA

## WORK EXPERIENCE

**Pomroy Associates, LLC** - East Bridgewater, MA  
*Partner & Project Manager*

2006-Present

**Pomroy Associates, LLC** - East Bridgewater, MA  
*Project Manager and Project Clerk of the Works*

- Tracking daily construction activities, documenting the project progress through photo documentation and daily progress reports and verifying that the work completed on site and the materials used conform to the Contract Documents and approved submittals.
- Daily communication with the project superintendent on the jobsite as well as the project architect.
- Successfully maintained direct and frequent contact with committee members, vendors, and town officials.
- Responsible for the tracking and filing of all project related documents, Cost Estimating, coordination meetings and reports, LEED tracking (as applicable), and the reviewing of monthly requisitions and participates in bi-monthly construction reports as well as committee meetings.
- Daily verification that the construction taking place on site coincides with that of the specs and drawings including reviewing and verifying materials and application methods before, during, and after their installation.
- Maintained a two-week outlook schedule for the construction of the building, RFI log, Project Change log, updates the general action log of outstanding issues, and kept a list of critical items both construction and overall project related.
- Also during his employment, Mr. MacDonald has successfully represented Bridgewater Savings Bank & Bristol County Savings Bank in a number of their bank building repair projects as well as monthly construction financing inspections.

## PROFILE

Mr. MacDonald is driven professional with a proven knack for construction oversight and project management. His strong management background coupled with savvy construction sense allows him to represent the clients he serves with excellence and quality.

Specializing in construction, project and property management of real estate development and operations.

## CONTACT

PHONE:  
(O): 508-456-4232  
(C): 508-648-2061

WEBSITE:  
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tmacdonald@pomroyassociates.com

## AFFILIATIONS/LICENSES

- Certified Massachusetts Public Purchasing Official (MCPPO)
- MA Unrestricted Construction Supervisor's License #CS105680
- Boston Builder Association of Greater Boston
- LEED AP
- OSHA 10 hr Certification

## EDUCATION

BS, Business Management  
Providence College, Providence, RI

## Highlighted Projects:

- **Mashpee Public Library, 20,100 SF, \$8,800,000.00, New Construction.**  
Provided both Asst Project Management and Clerk of the Works services for the duration of the project.
- **Marion Police Station, 8,500 SF, \$3,880,000.00, New Construction.**  
Provided both Asst Project Management and Clerk of the Works services for the technology integration, consultant management and project close-out for this highly complex and sensitive project.
- **Plymouth Emergency Operations Center, 3,500 SF, \$1,500,000.00 Reno/New Construction.**  
Served as the Assistant Project Manager and Clerk of the Works for this renovation and new construction project.
- **Norwell Police Station, 25,000 SF, \$6,000,000.00 New Construction.**  
Served as the Project Manager for this renovation and new construction project.
- **Mashpee Needs Assessment & Roofing Project;**  
Worked with a group of architects and engineers to produce a full Capital Needs Assessment for (6) municipal buildings. The study included assessment of architectural details, MEP systems, and building envelopes; The Town of Mashpee elected to replace and repair (3) municipal roofs in which Mr. MacDonald was the lead Project Manager.
- **Taunton Holiday Inn & Conference Center;**  
Provided Asst Project Management throughout the project.



# NEAL A. PROVOST

Project Manager/Clerk of the Works/Site Representative

91 Pine Bluff Road  
Brewster, MA 02631

## PROFILE

A Commercial and Residential Construction Project Manager, Clerk-of-the-Works and Construction Superintendent with over 30 years of experience.

Possesses exceptional skills in document review, means and methods of construction, project oversight, hiring and management of manpower and trades, scheduling, supervising of subcontractors and successfully estimating and expediting materials and cost projections.

## CONTACT

PHONE:  
(O): 508-456-4232  
(C): 508-237-2165

WEBSITE:  
www.pomroy-pa.org

EMAIL:  
nprovost@pomroyassociates.com

## AFFILIATIONS/LICENSES

- Massachusetts Construction Supervisor's License #011521
- State of Rhode Island Fork Lift License #00010303
- OSHA 10 & 30

## EDUCATION

Construction Estimating, Construction Law and Understanding Construction Contracts Coursework  
Northeastern University, Boston, MA

Construction Estimating and MA State Building Code Coursework  
Cape Cod Community College

## WORK EXPERIENCE

**Pomroy Associates, LLC** - East Bridgewater, MA 2014-Present  
**Project Manager/Clerk of the Works/Site Representative**

- Tracking daily construction activities, documenting the project progress through photo documentation and daily progress reports.
- Daily communication with the project superintendent on the jobsite as well as the project architect. Also maintains direct and frequent contact with committee members, vendors, and town officials.
- Tracking and filing of all project related documents, cost estimating, coordination meetings and reports, LEED tracking (as applicable), and the reviewing of monthly requisitions and participates in bi-monthly construction reports as well as committee meetings.
- Daily verification that the construction taking place on site coincides with that of the specs and drawings including reviewing and verifying materials and application methods before, during, and after their installation.
- Maintains a two-week outlook schedule for the construction of the building, RFI log, Project Change log, updates the general action log of outstanding issues, and kept a list of critical items both construction and overall project related.

**Northland Residential Group** - Burlington, MA 2005 – 2012  
**Construction Superintendent**

- Oversaw daily operations for condominium build out project, The Villages at Brookside, Bourne, MA

**A.P. Whittaker & Sons, Inc.,** - W. Bridgewater, MA 2000 – 2005  
**Construction Superintendent**

- Project supervision for various commercial projects throughout south eastern MA including; Nantucket Airport FAA Maintenance Building; Chilmark Town Hall Renovation, Martha's Vineyard; Plymouth Savings Bank, Taunton, MA; Bourne Medical Center, Bourne, MA

**Northland Residential Group** - Burlington, MA 1998 – 2000  
**Construction Superintendent**

- Oversaw daily operations for construction of condominium build out project, Stratford Ponds, Mashpee, MA

## Other Notable Employment Highlights

- Eastern General Contractors, Springfield, MA
- Falcon Associates, Bristol, PA
- G.L. Provost Construction, Springfield, MA
- Davenport Building Co., S. Yarmouth, MA

## Highlighted Projects;

### In Construction

- **Sandwich Center for Active Living**, 24,800 SF, \$16,500,000.00, New Construction
- **Sandwich Public Library**, 15,000 SF, \$ 2,300,000.00, Renovation.

### Completed

- **Freetown Police Station**, 17,000 SF, \$ 13,128,000.00, New Construction (2020)
- **Dartmouth Police Headquarters**, 21,800 SF, \$13,400,000.00, New Construction (2019)
- **Brewster Fire Station**, 24,100 SF, \$13,700,000.00, New Construction. (2018)
- **Edgartown Public Library**, 15,000 SF, \$ 10,200,000.00, New Construction. (2016)



# ROBERT G. RICE

Project Manager/Site Representative/Clerk of the Works

4 Kris Roy Drive  
Rockland, MA 02370

## PROFILE

A Commercial and Residential Construction Project Manager, Clerk-of-the-Works and Construction Superintendent with over 30 years of experience. Robert possesses extensive experience in all phases of the Architectural Field, from Design Development to Construction Documents. Has the ability to set goals and meet client's needs and timetable.

## CONTACT

PHONE:  
(O): 508-456-4232  
(C): 781-630-2719

WEBSITE:  
www.pomroy-pa.org

EMAIL:  
brice@pomroyassociates.com

## AFFILIATIONS/LICENSES

- Massachusetts Unrestricted Construction Supervisor's License #CS-063415
- OSHA 10 Safety & Hazard Recognition Training Course

## EDUCATION

Boston Architectural Center, Boston, MA - Architecture

Wentworth Institute of Technology, Boston, MA - Architectural Engineering

## COMMUNITY SERVICE

- Past Rockland Planning Board Member
- Metropolitan Area Planning Council
- Vice Chairman Beech Street Solar Committee

## WORK EXPERIENCE

**Pomroy Associates, LLC** - East Bridgewater, MA 2017-Present  
**Project Manager/Clerk of the Works/Site Representative**

- Tracking daily construction activities, documenting the project progress through photo documentation and daily progress reports.
- Daily communication with the project superintendent on the jobsite as well as the project architect. Also maintains direct and frequent contact with committee members, vendors, and town officials.
- Tracking and filing of all project related documents, cost estimating, coordination meetings and reports, LEED tracking (as applicable), and the reviewing of monthly requisitions and participates in bi-monthly construction reports as well as committee meetings.
- Daily verification that the construction taking place on site coincides with that of the specs and drawings including reviewing and verifying materials and application methods before, during, and after their installation.
- Maintains a two-week outlook schedule for the construction of the building, RFI log, Project Change log, updates the general action log of outstanding issues, and kept a list of critical items both construction and overall project related.

**Go Modular Inc.** - Lincoln, RI 2015 - 2017  
**Project Manager/Designer**

- Responsible for meeting with clients and designing modular homes per client's specifications as well as coordinate all phases of construction and scheduling. Robert maintained constant communication with client to meet their needs, timetable, and budget. Robert also gained experience with Softplan and Sketchup.

**MDA Architecture** - Braintree, MA 2014 - 2015  
**Project Manager**

- Responsible for CAD production, Project Management, Shop Drawings / RFI's, and job Site Meetings

**Pomroy Associates, LLC** - East Bridgewater, MA 2013 - 2014  
**Project Manager/Clerk of the Works/Site Representative**

- Robert acted as the on-site representative and project Clerk of the Works and was responsible for all project oversight, compliance and record keeping as well as documentation of all progress, manpower and quality control.

## Highlighted Projects:

### Completed

- **Norwell Public Library**, 22,300 SF, \$15,353,000.00, New Construction. (2021)
  - LEED Silver Certification in Progress
- **Lakeville Police Station**, 11,200 SF, \$8,800,000.00, New Construction. (2019)
- **Wellfleet Police Station**, 10,387 SF, \$7,500,000.00, Reno/New Construction.(2018)

### Other Notable Projects (Strekalovsky Hoit & Raymond Architects):

- Algonquin Regional High School - Northborough, MA
- Cottage Street Elementary School - Sharon, MA
- Freetown Elementary School - Freetown, MA
- Deer Hill Elementary School - Cohasset, MA



# ALEXANDRA L. MURPHY

Assistant Project Manager

25 Ashford Lane  
Bridgewater, MA 02324

## PROFILE

Alex's work history encompasses a wide variety of responsibilities in facility management, event management and capital project planning and management in both public and private higher education institutions.

Her analytical and management strengths combined with her detail-oriented approach to construction management yields the perfect blend of experience for a construction project manager and provides Pomroy Associates' clients with timely and accurate project management services.

## CONTACT

PHONE:  
(O): 508-456-4232  
(C): 603-475-8254

WEBSITE:  
www.pomroy-pa.org

EMAIL:  
amurphy@pomroyassociates.com

## AFFILIATIONS/LICENSES

- OSHA 10

## EDUCATION

Master of Education  
Merrimack College  
Bachelor of Science  
Merrimack College

## WORK EXPERIENCE

**Pomroy Associates, LLC** - East Bridgewater, MA November 2022-Present  
*Assistant Project Manager*

- Immediate support to the Principal-in Charge, Senior Project Manager, Project Manager and Clerk-of-the-Works in every day functions of the construction project as well as providing a direct link from Pomroy Associates and its clients, vendors, and contractors.
- Creating and managing project documentation and filings including change order logs, meeting minutes, funding forecasts, and other miscellaneous reporting as necessary.
- Budgetary control of all project related costs and expenses including monthly budget reports with historical and projected changes.
- Solicitation and procurement of proposals from subcontractors and vendors for Owner provided services and equipment.
- Processing invoices and providing an accounting recap on a monthly basis.
- Maintaining purchase order logs with corresponding expenditures
- Maintain direct and frequent communication with clients, vendors, contractors, and Town officials.

**Bridgewater State University** Bridgewater, MA 2021-2022  
*Assistant Director for Commencement and Special Events*

- Oversaw all event management for University Commencement and Presidential, Alumni and other campus-wide institutional events.

**Northeastern University** Boston, MA 2018-2021  
*Assistant Director of Athletic Facilities and Event Services*

- Managed all facility and event operations for Matthews Arena (including managing arena staff), and assisted with capital projects and improvements for the Arena
- Oversaw all on-campus events requiring facilities services including set-up teams, electrical,

**Florida State University** Tallahassee, FL 2015-2018  
*Assistant Director of Athletic Facilities and Event Management*

- Oversaw all facility maintenance, capital projects and events for Tully Gymnasium (volleyball), the Seminole Softball/Soccer Stadium, and Seminole Golf Course Building
- Assisted with the facility and event management of Doak Campbell Stadium (football)

**Merrimack College** North Andover, MA 2012-2015  
*Operations/Scheduling Manager/Director of Club Sports*

- Managed all athletic facilities and athletic events for all 20 varsity sports
- Oversaw all budgeting, hiring of coaches and coordination of scheduling for 12 club sports

## Highlighted Projects:

### Current Assignments

- Swanseae Free Public Library Renovation/Expansion (In Design)
- Abington Fire/DPW Administration Building and Complex (In Design)
- Stoughton Fire Department Station No. 1 (Currently Bidding)
- Sandwich Public Schools Admin Offices and Misc. Projects



### MCPPO Certifications

### LEED AP Certification



The Commonwealth of Massachusetts  
Office of the Inspector General  
One Ashburton Place, Boston, MA 02108



**Massachusetts Certified Public Purchasing Official Program**

Hereby presents this certificate to

**Richard W. Pomroy**

For successful completion of the seminar

**Recertification for School Project Designers & Owner's Project Managers**

Boston, Massachusetts  
April 12, 2011

*Gregory W. Sullivan*  
Gregory W. Sullivan  
Inspector General



7 CPE credits - "In accordance with the standards of the National Registry of CPE Sponsors, CPE credit has been granted based upon a 50 minute hour." The Commonwealth of Massachusetts Office of the Inspector General is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State Boards of Accountancy have final authority on the acceptance of individual courses for CPE credits. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Ave. North, Ste. 700, Nashville, TN 37219-2417, [www.nasba.org](http://www.nasba.org), Sponsor ID#103556. Field of Study: Specialized Knowledge and Applications Instructional / Delivery Method: Group-Live



GREEN BUSINESS CERTIFICATION, INC. CERTIFIES THAT

**Taylor MacDonald**

HAS ATTAINED THE DESIGNATION OF

**LEED AP<sup>®</sup> Building Design + Construction**

by demonstrating the knowledge and understanding of green building practices and principles needed to support the use of the LEED green building program.

10520962-AP-BD+C

ISSUED: 27 JUL 2012

EXPIRES: 25 JUL 2020

*Melissa Kavanagh*  
MELISSA KAVANAGH  
PARTNER & CEO, GREEN BUSINESS CERTIFICATION, INC.



The Commonwealth of Massachusetts  
Office of the Inspector General  
One Ashburton Place, Boston, MA 02108



**Massachusetts Certified Public Purchasing Official Program**

Hereby presents this certificate to

**Taylor MacDonald**

For successful completion of the seminar

**Certification for School Project Designers & Owner's Project Managers**

Boston, Massachusetts  
May 30, 31 & June 6, 7, 2012

*Gregory W. Sullivan*  
Gregory W. Sullivan  
Inspector General



27 CPE credits - "In accordance with the standards of the National Registry of CPE Sponsors, CPE credit has been granted based upon a 50 minute hour." The Commonwealth of Massachusetts Office of the Inspector General is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State Boards of Accountancy have final authority on the acceptance of individual courses for CPE credits. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors through its website: [www.nasba.org](http://www.nasba.org). Sponsor ID#103556. Field of Study: Specialized Knowledge and Applications Instructional / Delivery Method: Group-Live

## **FIRM STABILITY & CAPACITY**

### *History and Ownership*

Pomroy Associates was established in 2003 out of a growing need for qualified and practical Project Management services in the municipal sector. Richard Pomroy, founder of PA had spent many years managing multi-million-dollar development projects and real estate portfolios across the country when he decided to stay local to Massachusetts and his family and concentrate on filling this small market niche. What has evolved over the last 20 years is an impressive record of accomplishments and satisfied clients.

PA is a Limited Liability Company (“LLC”) whose principal business is providing Owner’s Project Management (“OPM”), Clerk of the Works (“COW”), and Construction Financial and Document Analysis Services to Owners and municipalities in both the public and private sectors with a specialization in municipal, public safety, educational and commercial projects. The LLC operates out of its main office in East Bridgewater at 49 Bedford Street. The names, titles and addresses of the Directors are as follows:

Richard W. Pomroy – Managing Member	Ownership = 80%
Taylor MacDonald - Partner	Ownership = 10%
Mary Lee Pomroy - Partner	Ownership = 10%

### *Financial Stability*

Neither Pomroy Associates nor its members have filed for bankruptcy or had any financial problems. Pomroy Associates is a completely liquid company in the sense that we own all our equipment, vehicles, office furniture, technology systems, etc. Pomroy Associates also maintains a 6-figure line of credit with Bristol County Savings Bank which remains current and is available to us if necessary. PA would be happy to provide any additional information upon request.

### *Firm Capacity & Current Workload*

PA acknowledges that it has the firm capacity and individuals to dedicate themselves to this project, be regularly available, and meet all deadlines. PA is currently involved with the following:

#### In Construction Phase

- Dennis Senior Center Reno Phase II – Dennis, MA: \$4.5 Million, Est completion July 2023
- Sandwich Public Schools Central Offices Renovation – Sandwich, MA \$2 million, Est completion November 2023
- Plymouth Fire Station #2 Phase II – Plymouth, MA: \$10 Million
- Stoughton Fire Station #1 – Stoughton, MA - \$18 Million
- Scituate Lighthouse Restoration – Scituate, MA

#### In Design Phase

- Stoughton Fire Station - Freeman St Headquarters – Stoughton, MA
- Chatham Council on Aging – Chatham, MA
- Raynham Public Safety – Raynham, MA: \$30 Million
- Abington Fire Station & DPW Facility – Abington, MA: \$56 Million
- Southbridge Fire Station – Southbridge, MA: \$25.7 Million
- Swansea Public Library – Swansea, MA: \$19 Million
- Plymouth Fire Station #4 Renovation/Expansion – Plymouth, MA
- Plymouth Fire Station #5 Renovation/Expansion – Plymouth, MA

#### Feasibility Study

- Chatham Council on Aging – Chatham, MA
- Hanover Fire Station – Hanover, MA
- Bourne Fire Station – Bourne, MA

This represents an excellent opportunity for the Town of Lakeville and Pomroy Associates.



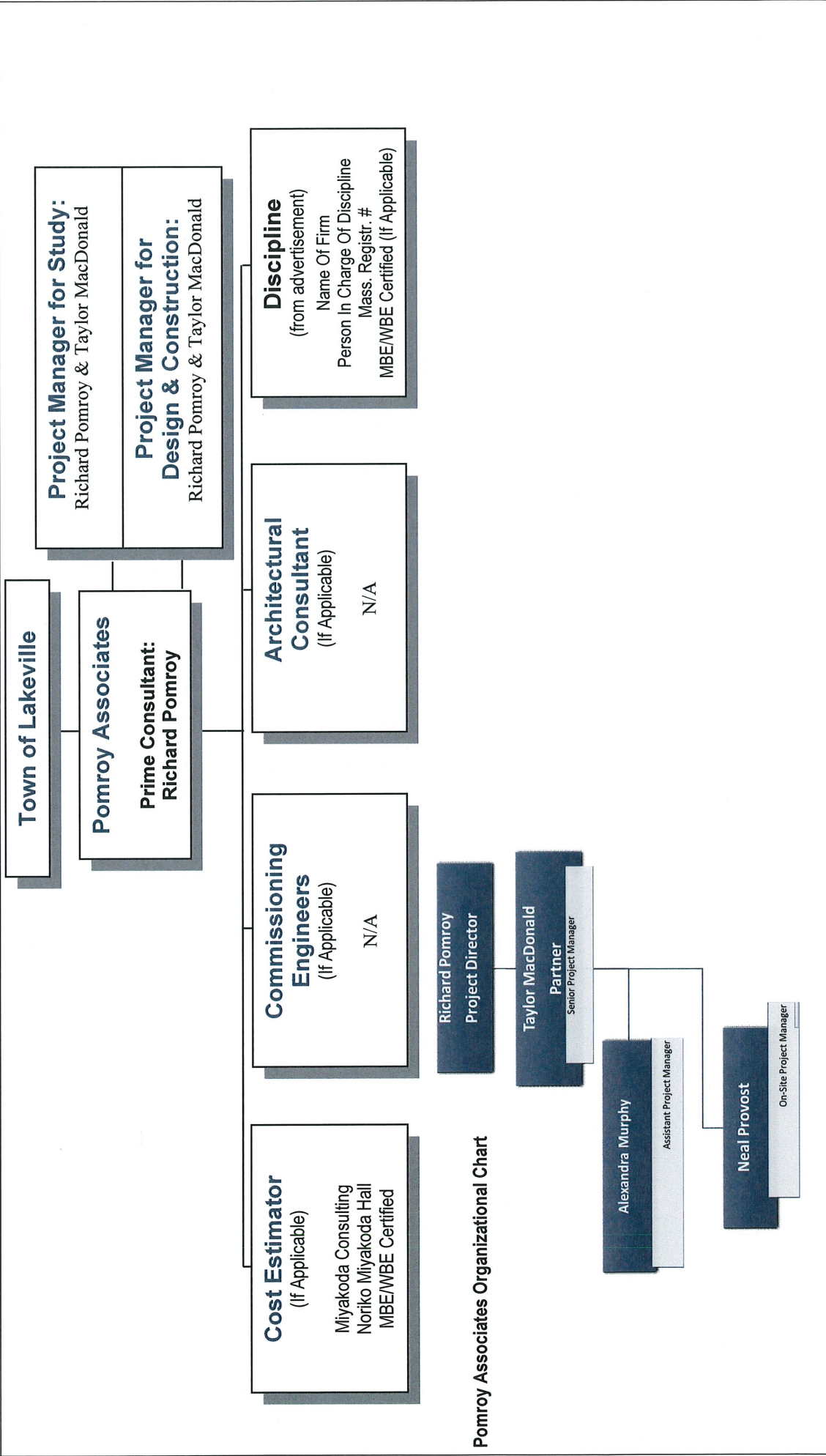


## REQUIRED FORMS

- ***Standard Designer Application Form for Municipalities and Public Agencies not withing DSB Jurisdiction***  
*Completed form can be found in the following pages.*
- ***Certification of State Tax Compliance***  
*Executed certification can be found in the following pages.*
- ***Certificate of Non-Collusion***  
*Executed certificate can be found in the following pages.*
- ***Statement of MGL and Building Code***  
*Statement can be found in the following pages.*
- ***Insurance Certificate***  
*A copy of Pomroy Associates' Insurance Certificate can be found in the following pages. PA is open to discussion if the Awarding Authority requires modifications to be made to existing coverages.*

<b>Commonwealth of Massachusetts</b> <b>Standard Designer Application</b> <b>Form for Municipalities and Public</b> <b>Agencies not within DSB</b> <b>Jurisdiction (Updated July 2016)</b>	1. Project Name/Location for Which Firm is Filing:  Lakeville, MA Lakeville Fire Station	2. Project # N/A  This space for use by Awarding Authority only.																																																																																								
3a. Firm (Or Joint-Venture) - Name and Address Of Primary Office To Perform The Work: Pomroy Associates, LLC 49 Bedford Street East Bridgewater, MA 02333	3e. Name Of Proposed Project Manager: For Study: Richard Pomroy For Design: Richard Pomroy																																																																																									
3b. Date Present and Predecessor Firms Were Established:  July 2003	3f. Name and Address Of Other Participating Offices Of The Prime Applicant, If Different From Item 3a Above:  N/A																																																																																									
3c. Federal ID #: 26-0071333	3g. Name and Address Of Parent Company, if Any:  N/A																																																																																									
3d. Name and Title Of Principal-In-Charge Of The Project (MA Registration Required):  Richard W. Pomroy, Principal  Email Address: <a href="mailto:rpomroy@pomroyassociates.com">rpomroy@pomroyassociates.com</a> Telephone No.: 508-456-4232      Fax No.: 508-456-4227	3h. Check Below If Your Firm Is Either: (1) SDO Certified Minority Business Enterprise (MBE) <input type="checkbox"/> (2) SDO Certified Woman Business Enterprise (WBE) <input type="checkbox"/> (3) SDO Certified Minority Woman Business Enterprise (M/WBE) <input type="checkbox"/> (4) SDO Certified Service Disabled Veteran Owned Business Enterprise <input type="checkbox"/> (5) SDO Certified Veteran Owned Business Enterprise (VBE) <input type="checkbox"/>																																																																																									
4. <b>Personnel From Prime Firm Included In Question #3a Above By Discipline (List Each Person Only Once, By Primary Function -- Average Number Employed Throughout The Preceding 6 Month Period. Indicate Both The Total Number In Each Discipline And, Within Brackets, The Total Number Holding Massachusetts Registrations):</b> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">Admin. Personnel</td> <td style="width:10%;">2</td> <td style="width:10%;">( n/a )</td> <td style="width:10%;">Ecologists</td> <td style="width:10%;">( )</td> <td style="width:10%;">( )</td> <td style="width:10%;">4</td> <td style="width:10%;">( 4 )</td> <td style="width:10%;">Other</td> <td style="width:10%;">( )</td> <td style="width:10%;">( )</td> </tr> <tr> <td>Architects</td> <td>( )</td> <td>( )</td> <td>Electrical Engrs.</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>Proj. Mgrs.</td> <td>( )</td> <td>( 3 )</td> </tr> <tr> <td>Acoustical Engrs.</td> <td>( )</td> <td>( )</td> <td>Environmental Engrs.</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>( )</td> <td></td> <td>( )</td> <td>( )</td> </tr> <tr> <td>Civil Engrs.</td> <td>( )</td> <td>( )</td> <td>Fire Protection Engrs.</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>( )</td> <td></td> <td>( )</td> <td>( )</td> </tr> <tr> <td>Code Specialists</td> <td>( )</td> <td>( )</td> <td>Geotech. Engrs.</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>( )</td> <td></td> <td>( )</td> <td>( )</td> </tr> <tr> <td>Construction</td> <td>( )</td> <td>( )</td> <td>Industrial Hygienists</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>( )</td> <td></td> <td>( )</td> <td>( )</td> </tr> <tr> <td>Cost Estimators</td> <td>( )</td> <td>( )</td> <td>Interior Designers</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>( )</td> <td></td> <td>( )</td> <td>( )</td> </tr> <tr> <td>Drafters</td> <td>( )</td> <td>( )</td> <td>Landscape Architects</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>( )</td> <td>Total</td> <td>( )</td> <td>( 6 )</td> </tr> </table>			Admin. Personnel	2	( n/a )	Ecologists	( )	( )	4	( 4 )	Other	( )	( )	Architects	( )	( )	Electrical Engrs.	( )	( )	( )	( )	Proj. Mgrs.	( )	( 3 )	Acoustical Engrs.	( )	( )	Environmental Engrs.	( )	( )	( )	( )		( )	( )	Civil Engrs.	( )	( )	Fire Protection Engrs.	( )	( )	( )	( )		( )	( )	Code Specialists	( )	( )	Geotech. Engrs.	( )	( )	( )	( )		( )	( )	Construction	( )	( )	Industrial Hygienists	( )	( )	( )	( )		( )	( )	Cost Estimators	( )	( )	Interior Designers	( )	( )	( )	( )		( )	( )	Drafters	( )	( )	Landscape Architects	( )	( )	( )	( )	Total	( )	( 6 )
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5. Has this Joint-Venture previously worked together? <input type="checkbox"/> Yes <input type="checkbox"/> No      N/A																																																																																										

6. List **ONLY** Those Prime and Sub-Consultant Personnel Specifically Requested In The Advertisement. This Information Should Be Presented Below In The Form Of An Organizational Chart. Include Name Of Firm and Name Of The One Person In Charge Of The Discipline, With Mass. Registration Number, As Well As MBE/WBE Status, If Applicable.




7. Brief Resume of ONLY those Prime Applicant and Sub-Consultant personnel requested in the Advertisement. Include Resumes of Project Managers. Resumes should be consistent with the persons listed on the Organizational Chart in Question # 6. Additional sheets should be provided only as required for the number of Key Personnel requested in the Advertisement and they must be in the format provided. By including a Firm as a Sub-Consultant, the Prime Applicant certifies that the listed Firm has agreed to work on this Project, should the team be selected.

a.	Name and Title Within Firm: <b>Richard W. Pomroy, Principal</b>	Name and Title Within Firm: <b>Taylor MacDonald, Partner</b>
b.	Project Assignment: Project Director and Senior Project Manager	Project Assignment: Senior Project Manager
c.	Name and Address Of Office In Which Individual Identified In 7a Resides: <b>Pomroy Associates, LLC</b> 49 Bedford Street East Bridgewater, MA 02333	Name and Address Of Office In Which Individual Identified In 7a Resides: <b>Pomroy Associates, LLC</b> 49 Bedford Street East Bridgewater, MA 02333
d.	Years Experience: With This Firm: <u>19</u> With Other Firms: <u>25+</u>	Years Experience: With This Firm: <u>14</u> With Other Firms: <u>N/A</u>
e.	Education: Degree(s) /Year/Specialization Bachelor of Science / 1981 / Architectural Engineering Associates Degree / 1979 / Building Technology	Education: Degree(s) /Year/Specialization Providence College: Bachelor of Science / 2008 / Business & Project Management
f.	Active Registration: Year First Registered/Discipline/Mass Registration Number Massachusetts Unrestricted Construction Supervisor's License MCPPO Member of US Green Building Counsel Builders Association of Greater Boston	Active Registration: Year First Registered/Discipline/Mass Registration Number: Massachusetts Unrestricted Construction Supervisor's License OSHA 10 LEED AP MCPPO
g.	Current Work Assignments and Availability For This Project: Richard is primarily involved with the followings: Plymouth Fire Station #2 Phase II (currently being awarded), Raynham Public Safety (design), Southbridge Fire Station (design), Abington Fire Station (in design), Plymouth Fire Stations Reno/Expansion #5 (design) & #4 (feasibility), Chatham Council on Aging (feasibility), and the Scituate Lighthouse restoration (design). Richard is available immediately.	Current Work Assignments and Availability For This Project Taylor is primarily involved with the following: Sandwich Center for Active Living (construction), South Shore Country Club Maint. Facility Phase II Building (construction), South Shore Country Club Pool Complex (currently being awarded), Dennis Senior Center Renovation Phase II (construction), Stoughton Fire Stations (design), Swansea Free Public Library (feasibility) and Hanover Fire Station (feasibility). Taylor is available immediately.
h.	Other Experience and Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, if Not Current Firm): Richard is the Principal-in-Charge/Senior Project Manager for all PA projects that require an Owner's Project Manager. Sample of completed projects include: Sandwich Public Safety Complex, Wellfleet Police Station Reno, Brewster Fire Station, Chatham Fire Station, Mashpee Library and the Gay Head Lighthouse Relocation and Renovation.	Other Experience and Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, if Not Current Firm): Taylor is a partner and oversees PA's project managers and on-site clerks. Taylor is an essential part of each project with a proven knack of expert management skills. Sample of completed projects include: Freetown Police Station, Southeastern MA Regional Emergency Comms Center, Brewster Fire Station, Edgartown Public Library, and Marion Police Station.

7. Brief Resume of ONLY those Prime Applicant and Sub-Consultant personnel requested in the Advertisement. Include Resumes of Project Managers. Resumes should be consistent with the persons listed on the Organizational Chart in Question # 6. Additional sheets should be provided only as required for the number of Key Personnel requested in the Advertisement and they must be in the format provided. By including a Firm as a Sub-Consultant, the Prime Applicant certifies that the listed Firm has agreed to work on this Project, should the team be selected.

a.	Name and Title Within Firm: <b>Alexandra Murphy, Assistant Project Manager</b>	Name and Title Within Firm: <b>Neal Provost, On-Site Project Manager / Clerk of the Works</b>
b.	Project Assignment: On-Site Project Manager	Project Assignment: On-Site Project Manager
c.	Name and Address Of Office In Which Individual Identified In 7a Resides: <b>Pomroy Associates, LLC</b> 49 Bedford Street East Bridgewater, MA 02333	Name and Address Of Office In Which Individual Identified In 7a Resides: <b>Pomroy Associates, LLC</b> 49 Bedford Street East Bridgewater, MA 02333
d.	Years Experience: With This Firm: <u>1</u> With Other Firms: <u>10</u>	Years Experience: With This Firm: <u>8</u> With Other Firms: <u>30</u>

e.	Education: Degree(s) /Year/Specialization Merrimack College – BA And Masters	e.	Education: Degree(s) /Year/Specialization Northeastern University, Boston, MA Cape Cod Community College
f.	Active Registration: OSHA 10 Hour Safety and Hazard Recognition Training	f.	Active Registration: Year First Registered/Discipline/Mass Registration Number Massachusetts Unrestricted Construction Supervisor's License State of Rhode Island Fork Lift License OSHA 10 & 30 Hour Safety and Training Courses.
g.	Current Work Assignments And Availability For This Project: Alex is currently involved with the Stoughton Fire Station Project and Swansea Library Project	g.	Current Work Assignments And Availability For This Project: Neal is currently overseeing construction of the Sandwich Center for Active Living Facility. We anticipate that he may be available for this project when it enters into construction.
h.	Other Experience and Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, if Not Current Firm): A project manager with over 10 years of extensive experience. Alex possesses exceptional skills in coordination, project oversight, and supervising.	h.	Other Experience And Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, if Not Current Firm): A Commercial and Residential Construction Project Manager, Clerk-of-the-Works and Construction Superintendent with over 30 years of experience. Neal possesses exceptional skills in document review, means and methods of construction, project oversight, hiring and management of manpower and trades, scheduling, supervising of subcontractors and successfully estimating and expediting materials and cost projections.

7.	Brief Resume of ONLY those Prime Applicant and Sub-Consultant personnel requested in the Advertisement. Include Resumes of Project Managers. Resumes should be consistent with the persons listed on the Organizational Chart in Question # 6. Additional sheets should be provided only as required for the number of Key Personnel requested in the Advertisement and they must be in the format provided. By including a Firm as a Sub-Consultant, the Prime Applicant certifies that the listed Firm has agreed to work on this Project, should the team be selected.		
a.	Name and Title Within Firm: <b>Noriko Miyakoda Hall, Principal</b>	a.	Name and Title Within Firm:
b.	Project Assignment: Cost Estimating, Value Engineering	b.	Project Assignment:
c.	Name and Address Of Office In Which Individual Identified In 7a Resides:  Miyakoda Consulting PO Box 47 Raynham, MA 02767	c.	Name and Address Of Office In Which Individual Identified In 7a Resides: MBE <input type="checkbox"/> WBE <input type="checkbox"/> SDOVBE <input type="checkbox"/> VBE <input type="checkbox"/>
d.	Years Experience: With This Firm: 10 With Other Firms: 28	d.	Years Experience: With This Firm: _____ With Other Firms: _____
e.	Education: Degree(s) /Year/Specialization B.A. Colby College; Certificate, Building and Construction Technology; Northeastern University	e.	Education: Degree(s) /Year/Specialization
f.	Active Registration: Year First Registered/Discipline/Mass Registration Number N/A	f.	Active Registration: Year First Registered/Discipline/Mass Registration Number
g.	Current Work Assignments And Availability For This Project: Noriko is available immediately to provide cost consulting services on this project.	g.	Current Work Assignments And Availability For This Project:
h.	Other Experience and Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, if Not Current Firm): • NEW CONSTRUCTION Freetown Fire Station; Freetown, MA • RENOVATION / ADDITION Harwich Fire Station; Harwich, MA • NEW CONSTRUCTION Hyannis Fire Station; Hyannis, MA • NEW CONSTRUCTION / RENOVATION Mendon Police Department; Mendon, MA • NEW CONSTRUCTION Lakeville Police Department; Lakeville, MA • NEW CONSTRUCTION Boston Police Headquarters; Boston, MA • NEW CONSTRUCTION Quincy Public Safety/Police Station; Quincy, MA	h.	Other Experience And Qualification Relevant To The Proposed Project: (Identify Firm By Which Employed, if Not Current Firm):

8a. Current and Relevant Work By Prime Applicant Or Joint-Venture Members. Include **ONLY** Work Which Best Illustrates Current Qualifications In The Areas Listed In The Advertisement (List Up To But Not More Than 5 Projects).

a. Project Name and Location Principal-In-Charge	b. Brief Description Of Project and Services (Include Reference To Areas Of Experience Listed In DSB Advertisement)	c. Client's Name, Address and Phone Number. Include Name Of Contact Person	d. Completion Date (Actual Or Estimated)	e. Project Cost (In Thousands) Construction Costs(Actual, Or Estimated If Not Completed)	Fee For Work For Which Firm Was Responsible.
(1) Brewster Fire Station Brewster, MA  Richard W. Pomroy Taylor MacDonald	The Brewster Headquarters was a new 24,704 Sq. Ft., 2-story facility constructed to replace the existing facility on site. Services included full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights include; •Extensive Town approvals •Condensed project site	Chief Robert Moran, Fire Chief 774-353-7017; <a href="mailto:rmoran@brewster-ma.gov">rmoran@brewster-ma.gov</a>  Mike Embury, Former Town Admin. 401-641-0693	June 2018	\$9,943	\$420
(2) Southeastern MA Regional Emergency Comms Center Foxborough, MA  Richard W. Pomroy Taylor MacDonald	Renovation of an existing 20,000 SF concrete building into a regional dispatch center. Included the replacement of all mech. systems, site improvements, a new roof and exterior, as well as a new 30' x 60' sky light opening cut into a 14" concrete deck. Services included full OPM & Clerk-of-the-Works responsibilities from Bidding through Construction and End User Turnover. Project Highlights include; •Extensive renovations	Rob Verdone, SEMRECC – Director 774-265-0185; <a href="mailto:rverdone@se-mass911.org">rverdone@se-mass911.org</a>	Nov 2020	\$8,745	\$195
(3) Sandwich Public Safety  Richard Pomroy Taylor MacDonald	The Sandwich Public Safety Complex Project consisted of (3) new buildings – a 15,497 Sq. Ft. Police facility to replace the existing, a 11,190 Sq Ft. Fire Sub Station and new administration office building, and a 1,637 Sq. Ft addition to the existing Fire Substation #2. Services included full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights; •Contractor Prequalification Process •3 Separate buildings as part of one project	George Dunham, Town Manager (508) 888-5144; <a href="mailto:gdunham@townofsandwich.net">gdunham@townofsandwich.net</a>  John Burke, Fire Chief (508) 888-0525; <a href="mailto:jburke@sandwichmass.org">jburke@sandwichmass.org</a>  Peter Wack, Chief of Police (508) 888-1212; <a href="mailto:pwack@townofsandwich.net">pwack@townofsandwich.net</a>	August 2019	\$13,013	\$516
(5) Orleans Police Station Orleans, MA  Richard Pomroy	The Orleans Police Station was a new 17,883 Sq. Ft., state-of-the-art facility constructed in the exact location of the current facility. Services included full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights; •Relocation of Dept. to temp quarters	Police Chief, Scott MacDonald 508-255-0117 ext 102; <a href="mailto:smacdonald@orleanspd.com">smacdonald@orleanspd.com</a>	June 2018	\$9,180	\$428
(5) Chatham Fire Station Chatham, MA  Richard W. Pomroy Taylor MacDonald	Full OPM & Clerk-of-the-Works responsibilities from Designer Selection through Construction and End User Turnover. Project Highlights include; •Relocation of Dept. to temp quarters •Separate demolition bid •Extensive hazardous material clean up	Jill R. Goldsmith, Town Manager (508) 945-5105; <a href="mailto:jgoldsmith@chatham-ma.gov">jgoldsmith@chatham-ma.gov</a> Michael Ambriscoe, Retired Fire Chief (508) 237-1515 Terry Whalen, Principal Projects & Operations Admin. (774) 353-7532; <a href="mailto:twhalen@chatham-ma.gov">twhalen@chatham-ma.gov</a>	June 2016	\$6,978	\$354

8b. List Current and Relevant Work By Sub-Consultants Which Best Illustrates Current Qualifications In The Areas Listed In The Advertisement (Up To But Not More Than 5 Projects For Each Sub-Consultant). Use Additional Sheets Only As Required For The Number Of Sub-Consultants Requested In The Advertisement and They Must Be In The Format Provided.

Sub-Consultant Name: <b>Miyakoda Consulting</b>						
a. Project Name and Location Principal-in-Charge	b. Brief Description Of Project and Services (Include Reference To Areas Of Experience Listed In DSB Advertisement)	c. Client's Name, Address and Phone Number (Include Name Of Contact Person)	d. Completion Date (Actual Or Estimated)	e. Project Cost (In Thousands)		
				Construction Costs (Actual, Or Estimated If Not Completed)	Fee for Work for Which Firm Was Responsible	
(1) Boston Police Headquarters Boston, MA Principal-in-Charge: Noriko Hall	Cost estimating services for construction of a new addition, renovation and/or new construction of the Boston Police Headquarters	Kaestle Boos Associates, Inc Michael McKeon (508) 549-9906	2020	\$85,000	\$10	
(2) Mansfield Public Safety Mansfield, MA Principal-in-Charge: Noriko Miyakoda Hall	New construction of a public safety building & associated sitework.	Kaestle Boos Associates, Inc Michael McKeon (508) 549-9906	2017	\$7,000	\$13	
(3) Sharon Fire and Police Station Sharon, MA Principal-in-Charge: Noriko Hall	Cost estimating for construction of new connected fire and police station.	Kaestle Boos Associates, Inc Michael McKeon (508) 549-9906	2017	\$15,000	\$25	
(4) Freetown Police Station Freetown, MA Principal-in-Charge: Noriko Hall	Cost estimating services for a new police station.	Pomroy Associates, LCC Taylor MacDonald (508) 456-4232	2020	\$10,600	\$7	
(5) Town of Sharon, Town Hall Principal-in-Charge: Noriko Hall	Cost estimating services for new Town Hall and/or Town Offices	Kaestle Boos Associates, Inc Michael McKeon (508) 549-9906	2019	\$13,000	\$15	

9. List All Projects Within The Past 5 Years For Which Prime Applicant Has Performed, Or Has Entered Into A Contract To Perform, Any Design Services For All Public Agencies Within The Commonwealth.						
# of Total Projects: 29		# of Active Projects: 15		Total Construction Cost (In Thousands) of Active Projects (excluding studies): \$ 118,580		
Role P, C, JV , *	Phases St., Sch., D.D., C.D., A.C. *	Project Name, Location and Principal-in-Charge:	Awarding Authority (Include Contact Name and Phone Number)	Construction Costs (In Thousands) (Actual, or Estimated if Not Completed)	Completion Date (Actual or Estimated) (R)Renovation or (N)New	
P	St., Sch., D.D., C.D., C.A	1. Scituate Lighthouse Restoration Scituate, MA	Town of Scituate Nancy Holt, Finance Director/Town Acct 781-545-8811 nholt@scituate.ma.gov	N/A	N/A	
P	St.	2. Hanover Fire Substation Hanover, MA	Town of Hanover Jason Cavallaro 781-826-3151 jason.cavallaro@hanover-ma.gov	\$9,000	N/A	
P	Sch., D.D., C.D., C.A	3. Abington Fire Station Abington, MA	Town of Abington Scott Lambiase, Town Manager 781-982-2100 SLambiase@abingtonma.gov	\$26,700	N/A	
P	Sch., D.D., C.D., C.A	4. Southbridge Fire Station Southbridge, MA	Town of Southbridge Michael McCall, Town Manager 508-764-5405 mmccall@southbridgemass.org	\$19,195	N/A	





P	St., Sch., D.D., C.D., C.A	5. Plymouth Fire Station #2 (Phases I & II) Plymouth, MA	Town of Plymouth Marlene McCollem, Former Asst. Town Manager, 857-222-9513; mmccollem@townofpoune.com	\$10,500	Phase I complete Phase II Bidding
P	D.D., C.D., C.A	6. Dennis Council on Aging Phase II Dennis, MA	Town of Dennis Gary Barber, Building Committee Chair 508-385-5941; gabme@comcast.net	\$4,500	July 2023 (R)
P	St.	7. Swansea Free Public Library Swansea, MA	Town of Swansea Eileen Dyer, Library Director 508-674-9609 edyer@sailsinc.org	\$15,000	N/A
P	St., Sch., D.D., C.D., C.A	8. Raynham Public Safety Raynham, MA	Town of Raynham Robert Iafrate, Building Commissioner 508-824-2708; riafrate@Town.raynham.ma.us	\$26,500	N/A
P	St.	9. Stoughton Fire Stations (Originally Public Safety but only Fire is moving forward at this time) Stoughton, MA	Town of Stoughton Fran Bruttaniti, Procurement Officer 781-341-1300 x9164	\$27,000	N/A
P	Sch., D.D., C.D., C.A	10. South Shore Country Club Maint. Facility (Sitework & Building) & Pool Complex Hingham, MA	Town of Hingham Kevin Whalen, SSSC Executive Director 781-804-2580 whalenk@hingham-ma.gov	\$2,200 / \$6,785	Sitework Complete Maint Bldg Mar 2023 (N) Pool Complex Bidding
P	St.	11. Plymouth Fire Stations #4 & #5 Renovation/Expansion Plymouth, MA	Town of Plymouth Marlene McCollem, Former Asst. Town Manager, 857-222-9513; mmccollem@townofpoune.com	N/A	N/A
P	D.D., C.D., C.A	12. Sandwich Public Library Renovations Sandwich, MA	Town of Sandwich George "Bud" Dunham, Town Manager, (508) 888-5144; gdunham@townofsandwich.net	\$1,990	Aug 2021 (R)
P	Sch., D.D., C.D., C.A	13. Sandwich Center for Active Living Facility Sandwich, MA	Town of Sandwich George "Bud" Dunham, Town Manager, (508) 888-5144; gdunham@townofsandwich.net	\$13,200	Sept. 2022 (N)
P	C.D., C.A	14. Dennis Transfer Station & DPW Improvements Dennis, MA	Town of Dennis David S. Johansen, Dir. of Public Work 508-760-6220	\$3,200	Oct 2021 (R) & (N)
P	St., Sch., D.D., C.D., C.A	15. Chatham Council on Aging Chatham, MA	Town of Chatham Terry Whalen, Principal Projects & Operations Admin. 774-353-7532; twhalen@chatham-ma.gov	\$5,300	N/A
P	D.D., C.D., C.A	16. Southeastern Regional 911 Emergency Communications Center Foxborough, MA	Southeastern MA Regional 911 District Robert Verdone, Executive Director 774-265-0185; rverdone@se-mass911.org	\$5,000	Nov 2020 (R) & (N)
P	St., Sch., D.D., C.D., C.A	17. Norwell Public Library Norwell, MA	Town of Norwell Judy McConarty, Library Director, 781-659-2015; jmcconarty@ocln.org	\$11,378	May 2021 (N)
P	C.D., C.A	18. Dennis Council on Aging Phase I Dennis, MA	Town of Dennis Gary Barber, Building Committee Chair 508-385-5941; gabme@comcast.net	\$5,600	Mar 2021 (R) & (N)

P	St., Sch., D.D., C.D.,C.A	19. Freetown Police Station Freetown, MA	Town of Freetown Carlton Abbott, Police Chief 508-763-4017; policechief@freetownpolice.org	\$9,800	Nov 2020 (N)
P	St., Sch., D.D., C.D.,C.A	20. Plymouth North Fire Station Plymouth, MA	Town of Plymouth Edward Bradley, Fire Chief 774-454-9635; ebradley@townhall.plymouth.ma.us	\$5,163	July 2020 (N)
P	St., Sch., D.D., C.D.,C.A	21. Brewster Ladies Library Brewster, MA *On Hold -Pending Grant Award*	Town of Brewster Charles Sumner, Retired Town Admin 774-353-7033 csummer@provincetown-ma.gov	\$10,300	N/A (N)
P	St.	22. Raynham Public Safety Building Addition Raynham, MA *Project scope changed and OPM RFP was reissued – See #8	Town of Raynham Robert Iafraite, Building Commissioner 508-824-2708	N/A	Sep 2019
P	St., Sch., D.D., C.D.,C.A	23. Dartmouth Police Station Dartmouth, MA	Town of Dartmouth Brian Levesque, Chief of Police 508-910-1700 blevesque@dartmouthpd.org	\$9,072	Aug 2019 (N)
P	St., Sch., D.D., C.D.,C.A	24. Lakeville Police Station Lakeville, MA	Town of Lakeville Nathan Darling, Building Commissioner 508-946-8804; ndarling@lakevillema.org	\$5,600	Jul 2019 (N)
P	St., Sch., D.D., C.D.,C.A	25. Sandwich Public Safety Complex Sandwich, MA	Town of Sandwich George Dunham, Town Manager 508-888-5144; gdunham@townofsandwich.net John Burke, Fire Chief 508-888-0525; jburke@sandwichmass.org	\$12,423	Jul 2019 (N)
P	St., Sch., D.D., C.D.,C.A	26. Dighton Police Station Dighton, MA	Town of Dighton Sgt. Shawn Cronin, Building Committee, 508-208-7737; scronindpd@comcast.net	\$4,513	January 2019 (N)
P	St., Sch., D.D., C.D.,C.A	27. Wellfleet Police Station Wellfleet, MA	Town of Wellfleet Harry Terkanian, Former Town Admin 508-737-6060 harry@outermostsystems.com Ron Fisetite, Retired Chief of Police 774-836-5299	\$5,330	July 2018 (R) & (N)
P	St., Sch., D.D., C.D.,C.A	28. Brewster Fire Station Brewster, MA	Town of Brewster Charles Sumner, Retired Town Admin 774-353-7033 csummer@provincetown-ma.gov Chief Robert Moran, Fire Chief 774-353-7017; rmoran@brewster-ma.gov	\$9,940	June 2018 (N)
P	St., Sch., D.D., C.D.,C.A	29. Orleans Police Station Orleans, MA	Town of Orleans Scott MacDonald, Chief of Police 508-255-0117 smacdonald@orleanspd.com Ron Collins, Director of Facilities 508-958-0839; rcollins@town.orleans.ma.us	\$9,180	April 2018 (N)

\* P = Principal; C = Consultant; JV = Joint Venture; St. = Study; Sch. = Schematic; D.D. = Design Development; C.D. = Construction Documents; A.C. = Administration of Contract

10. Use This Space To Provide Any Additional Information Or Description Of Resources Supporting The Qualifications Of Your Firm And That Of Your Sub-Consultants For The Proposed Project. If Needed, Up To Three, Double-Sided 8 1/2" X 11" Supplementary Sheets Will Be Accepted. **APPLICANTS ARE ENCOURAGED TO RESPOND SPECIFICALLY IN THIS SECTION TO THE AREA OF EXPERIENCE REQUESTED IN THE ADVERTISEMENT.**  
 The Team at PA prides itself in its diversification of expertise and management skills for all levels of projects. PA has successfully represented many municipalities in MA in architect selection, project design development, development budget management, coordination and quality control of contract bid documents, value engineering, oversight and control of public project bidding and award as required under Chapters 30 and 149 of the Massachusetts General Laws and construction project management services. PA's proposed team possesses extensive construction experience and is also well equipped to oversee projects of all size and scopes.

11. Professional Liability Insurance:  
 Name of Company Everest National Ins Co. Aggregate Amount \$2,000,000.00 Policy Number PL5EO00505211 Expiration Date 01/01/2024

12. Have monies been paid by you, or on your behalf, as a result of Professional Liability Claims (in any jurisdiction) occurring within the last 5 years and in excess of \$50,000 per incident? Answer **YES** or **NO**. If YES, please include the name(s) of the Project(s) and Client(s), and an explanation (attach separate sheet if necessary).  
 No  
 Neither Pomroy Associates LLC nor members of Pomroy Associates LLC have ever been debarred or been the subject of any type of censorship by any local, state or federal governmental unit, body or agency in connection with the provision of project management services or any other related discipline.  
 Neither Pomroy Associates LLC nor members of Pomroy Associates LLC have ever had a contract terminated by any owner on any project for any reason.

13. Name Of Sole Proprietor Or Names Of All Firm Partners and Officers: **N/A**  
 Name Title Status/Discipline Name Title MA Reg #  
 a. d.  
 b. e.  
 c. f.

14. If Corporation, Provide Names Of All Members Of The Board Of Directors: **N/A**  
 Name Title Status/Discipline Name Title MA Reg #  
 a. d.  
 b. e.  
 c. f.

15. Names Of All Owners (Stocks Or Other Ownership):  
 Name and Title % Ownership MA Reg.# Status/Discipline Name and Title % Ownership MA Reg.# Status/Discipline  
 a. Richard W. Pomroy 80% Managing Member d.  
 b. Mary Lee Pomroy 10% Member e.  
 c. Taylor MacDonald 10% f.

16. I hereby certify that the undersigned is an Authorized Signatory of Firm and is a Principal or Officer of Firm. I further certify that this firm is a "Designer", as that term is defined in Chapter 7C, Section 44 of the General Laws, or that the services required are limited to construction management or the preparation of master plans, studies, surveys, soil tests, cost estimates or programs. The information contained in this application is true, accurate and sworn to by the undersigned under the pains and penalties of perjury.  
 Submitted By (Signature) Printed Name and Title Richard W. Pomroy, Principal Date 8/17/2022

N/A

**CERTIFICATE OF CORPORATE AUTHORITY**

At a duly authorized meeting of the Board of Directors of \_\_\_\_\_

held on \_\_\_\_\_ it was VOTED that:  
(Date)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Officer)

of this corporation, be and he/she hereby is authorized to execute contracts, deeds and bonds in the name and on behalf of said corporation, and affix its corporate seal hereto; and such execution of any contract, deed or obligation in this corporation's name on its behalf by such \_\_\_\_\_ under seal of the company, shall be valid and binding upon this corporation.

A True Copy,

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

PLACE OF BUSINESS: \_\_\_\_\_

\_\_\_\_\_

DATE OF THIS CERTIFICATE: \_\_\_\_\_

I hereby certify that I am the clerk of the \_\_\_\_\_  
that \_\_\_\_\_ is the duly elected \_\_\_\_\_ of  
said corporation, and that the above vote has not been amended or rescinded and remains  
in full force and effect as of the date of this contract.

\_\_\_\_\_  
(Clerk)

CORPORATE SEAL:

**CERTIFICATE OF TAX COMPLIANCE**

Pursuant to Chapter 62C of the Massachusetts General Laws, Section 49A(b), I, Taylor MacDonald, authorized signatory for Pomroy Associates, LLC do hereby certify under the pains and penalties of perjury that said contractor has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

**STATEMENT ON MGL AND BUILDING CODE**

I certify, on behalf of the Proposer named below, that all information provided to the Town of Lakeville in response to the Town's RFQ for Owner's Project Manager services for the Town's Fire Station Project is submitted under penalties of perjury and that I am familiar with the State Building Code and also Massachusetts General Laws, Chapter 149, Sections 44A-44H and Section 44M, Chapter 193 of the Acts of 2004, and General Laws Chapter 30, Section 39M.

DATE: 4.24.23

BY: Taylor MacDonald Taylor MacDonald  
Name of person signing bid or proposal

SEAL if proposer is by corporation

Name of business: Pomroy Associates

Street Address: 49 Bedford St.

City, State and Zip: E. Bridgewater MA 02333

Telephone: 508-456-4232

Email Address: tmacdonald@pomroyassociates.com



Reference: 1994908A

161 Worcester Rd., Suite 301  
Framingham, MA 01701

Contact:  
E-mail:  
Phone:  
Fax:  
Date

Dave Perkins  
dave.perkins@usrisk.com  
(508) 283-6701  
December 13, 2022

**Professional Liability**

**INSURED:**

Pomroy Associates, LLC  
PO Box 445  
East Bridgewater, MA 02333

**PRODUCER:**

Contact: Sandra Semedo  
FBinsure, LLC  
128 Dean Street  
Taunton, MA 02780  
Phone: (508) 824-8666  
Fax: (508) 880-0142

**DESCRIPTION OF OPERATIONS:**

Architect

**CARRIER:**

Everest National Ins. Company  
A+

**EXPIRING POLICY NO.:**

PL5EO00505221

**QUOTE EFFECTIVE DATE:**

1/1/2023

**TERMS AND CONDITIONS:**

**Attachments / Subject To:**

PER THE ATTACHED MARKET QUOTATION

**ALL OTHER TERMS AND CONDITIONS APPLY PER FORM**

**PREMIUM AND FEES:**

Policy Premium:	\$19,771.00	
<b>TOTAL:</b>	<b>\$19,771.00</b>	✓ RWP, 12/15/22

**Commission: 10%**

*Note: For all Excess and Surplus Lines policies, this quote is conditional upon receiving a fully completed Diligent Search Affidavit.*

**Disclosure:**

This is a quote. U. S. Risk is a wholesale broker. We rely upon you (our producer) and the insured to determine the adequacy of the terms and conditions of this quote; and for instructions to bind. Please review the terms and conditions carefully with the insured as they may not be as broad as requested. This is intended to be only an outline of the terms and conditions of coverage. There are no FLAT CANCELLATIONS after binding unless agreed to in writing by the carrier. Please note that the carrier cannot bind coverage until all subjectivities have been performed. All risks are subject to inspection. Producer must notify us in writing of any premium financing. This quote is valid for 30 days, or until the effective date of coverage, whichever is earliest.

**AUTHORIZED REPRESENTATIVE**

**Randall G. Goss Chairman/CEO**

**Richard W. Pomroy, Pomroy Associates**

**DATE ISSUED: December 13, 2022**

**December 15, 2022**

**Architects & Engineers Professional Liability**

**NAMED INSURED:** Pomroy Associates LLC

**ADDRESS:** PO Box 445  
E. Bridgewater, MA 02333

**POLICY PERIOD:** January 1, 2023 – January 1, 2024

**INSURANCE COMPANY:** Everest National Insurance Company  
(This is an admitted Insurance Company)

**A.M. BEST RATING:** A+ (Superior) Class XV

**COVERAGE:** Architects & Engineers

**POLICY FORM:** EEO 00 518 12 07

**PROPOSAL TERMS:**

<u>Limit of Liability</u>	<u>Aggregate Limit of Liability</u>	<u>Deductible</u>	<u>Premium</u>
<b>\$2,000,000</b>	<b>\$2,000,000</b>	<b>\$20,000 Per Claim</b>	<b>\$19,771</b>

**RETROACTIVE DATE:** January 1, 2010

**ENDORSEMENTS:**

<b>Endorsement Title</b>	<b>Form Number</b>
Massachusetts Amendment Professional Services	EEO 04 566 07 09
Pollution Liability Endorsement	EEO 04 582 08 10
Notice To Policyholders Restriction Of Coverage	EN EO 1 MU 07 09
Construction Management Endorsement	EEO 22 507 02 02
Split Retroactive Date Endorsement	EEO CWM008A-10317
SANCTIONS NOTICE	EIL-CWN010A-1 1020

**SUBJECT TO INFORMATION:**

This Quote is subject to receipt, review and acceptance of the following additional underwriting information:

N/A

Please note that if between the date of this Quotation and the Effective Date of the Policy there is a material adverse change in the condition of the Applicant or an occurrence which could substantially alter the underwriting evaluation of the Applicant, the Company, at its' option, may withdraw the quote with written notice thereof. The Company also reserves the right to modify the final terms and conditions upon review of the information received in satisfaction of the aforementioned conditions.

## **ADVISORY NOTICE REGARDING TRADE OR ECONOMIC SANCTIONS**

No coverage is provided by this Notice nor can it be construed to replace any provisions of the policy. Please read the policy and review the Declarations page, if applicable, for complete information on the coverages provided.

This Notice provides information concerning possible impact on insurance coverage due to any applicable trade or economic sanctions law or regulation, including but not limited to, trade or economic sanctions laws or regulations of the United Nations, European Union, Switzerland, United Kingdom, Canada or the United States Treasury Department's Office of Foreign Assets Control.

**Please read this Notice carefully.**

If it is determined that you or any other insured, or any person or entity claiming the benefits of this insurance has violated any applicable trade or economic sanctions laws or regulations, including but not limited to those of the United Nations, European Union, Switzerland, United Kingdom, Canada or the United States Treasury Department's Office of Foreign Assets Control, this insurance will be considered a blocked or frozen contract and all provisions of this insurance are immediately subject to restrictions. When an insurance policy is considered to be such a blocked or frozen contract, no payments or premium refunds may be made without authorization from the applicable regulator. Other limitations on the premiums and payments also apply.



**AGENDA ITEM #11**  
**JUNE 26, 2023**

**NEW BUSINESS**

**AGENDA ITEM #12**  
**JUNE 26, 2023**

**OLD BUSINESS**

**AGENDA ITEM #13  
JUNE 26, 2023**

**TO ENTER INTO EXECUTIVE SESSION PURSUANT TO M.G.L. C.30A SEC. 21(A)(3) TO DISCUSS STRATEGY WITH RESPECT TO COLLECTIVE BARGAINING, SPECIFICALLY WITH THE LABORER'S INTERNATIONAL UNION, IF AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE BARGAINING POSITION OF THE PUBLIC BODY AND THE CHAIRMAN SO DECLARES AND PURSUANT TO M.G.L. C.30A SEC. 21(A)(7) TO COMPLY WITH THE OPEN MEETING LAW, M.G.L. C.30(A) SEC. 22(F): APPROVAL OF EXECUTIVE SESSION MINUTES FOR FEBRUARY 10, 2023, AND APRIL 24, 2023 AND NOT TO RETURN TO OPEN SESSION**