

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
April 28, 2014 - 7:00 PM

On April 28, 2014, the Board of Selectmen held a meeting at 7:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Powderly at 7:15 PM. Selectmen present were: Selectman Powderly, Selectman Burke and Selectman Hollenbeck. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. LakeCAM and Matthew Ferreira of the Middleboro Gazette were recording the meeting.

7:00 PM Meet with Lakeville Members of Regional School District Committee to appoint Old Colony Regional Vocational Technical High School Committee Member

This item has been placed on an upcoming Selectmen's Meeting.

7:05 PM Meet with LakeCAM to review Financial Statements

Jose Invencio, Donald Foster, James Kenney, Robert Marshall and Ruth Gross from LakeCAM, were present for the discussion. Mr. Invencio stated that Comcast used to record four (4) meetings a month for the Town. In 2013, LakeCAM began taping almost every scheduled meeting that took place within the Town, with the exception of a few. Mr. Invencio said a copy of LakeCAM's 2013 financials have been provided to the Selectmen. Mr. Invencio asked if there was anything that the Board felt that LakeCAM could be doing better.

Chairman Powderly stated that he felt that the coverage was fine. LakeCAM is attending all the important meetings. He asked if they attend any of the Park Department meetings. Mr. Marshall responded that they had attended one (1). Basically it comes down to personnel availability. Until recently the Board of Assessors meetings had not been covered. Chairman Powderly stated that the Park Commission meetings are important to film. A discussion occurred regarding the importance of taping Park Commission meetings. Mr. Invencio noted that residents like to be aware of when the triathalons will be taking place. Ms. Garbitt stated that the Park Department holds one (1) event annually. The other events are by private organizations. Mr. Invencio asked if the announcements could be provided to LakeCAM so that the information could be displayed for residents. Selectman Burke stated that another benefit of taping the Park Commission meetings is to possibly increase the interest in the Park Department, then perhaps people will come to Town Meeting to support the Park Commission.

Mr. Marshall stated that LakeCAM is always looking for volunteers, but does provide a stipend for taping meetings. Anyone out there who would like to record meetings, with a bit of training, can have a pretty decent part time job covering a variety of meetings. If anyone is interested please contact LakeCAM. Selectman Hollenbeck stated that they are all doing a great job and providing a benefit to the Town. It helps that this information is being broadcast for residents that are unable to attend meetings in Town. She asked if they have any restrictions with capital money. Mr. Marshall explained that in the License it refers to capital. Mr. Marshall explained that the stipend that the volunteers are paid helps cover the School Committee and Selectmen meetings. Mr. Marshall spoke about the LakeCAM studio. LakeCAM is running out

of space, though it never had enough of it. If anyone knows of some space that is available and reasonable, LakeCAM is definitely interested. LakeCAM needs and wants to live within its annual revenues, rather than dip into reserves. Chairman Powderly asked if they could tell how many people were watching? Mr. Marshall responded that they cannot.

Review Request from Park Commission to apply for a Department of Conservation and Recreation Park and Acquisitions and Renovations for Communities Grant

Chairman Powderly stated that the Park Commission is seeking approval from the Board to apply for a Park Acquisitions and Renovations for Communities (PARC) Grant. The Town would be reimbursed 60%, and would be eligible to receive up to \$400,000. Selectman Burke stated that he did not think that the Town can apply until it does a project. Ms. Garbitt stated that the Town needs to be approved for the grant first before it does a project. However, the project needs to be presented initially. Selectman Hollenbeck asked if it was known how much the projects were going to cost. Ms. Garbitt explained that Nancy Yeatts would work with the Park Commissioners on this matter. Initial approval is needed from the Selectmen, then the matter can go to Town Meeting. The Park Commissioners are looking to finish the athletic fields and the roadway, or at least make some improvements to the roadway. They have not put any numbers together yet.

Selectman Burke asked if the Board was to make an approval without any estimates. Chairman Powderly stated that the real question is whether the Town has the ability to come up with the 40% of \$400,000. The cost for the road is \$207,000. Selectman Hollenbeck noted that the population requirements were on page 2. Ms. Garbitt stated that the renovations were mainly for the parking areas. Further details will be provided at the mandatory PARC meeting that is upcoming. Selectman Hollenbeck stated that she would like to know the cost of the project first. Ms. Garbitt stated that June 18th is the informational meeting, then in July there will be a power point presentation. Chairman Powderly asked if they have provided a business plan. Selectman Burke responded that they had not. Chairman Powderly stated that the Board was clear in its expectation that it set in September of 2013 with the Park Commissioners regarding a business plan for the Camp. Selectman Burke said he had a conversation with Michael Nolan and Dan Hopkins of the Park Commission, and they are working on it. The reimbursement for this grant is only 60%. If they apply for the grant and put forward \$500,000 worth of items to be done, then the Town has a problem.

Chairman Powderly stated that the Board cannot approve any capital improvements for the Park Commission without a business plan. Also, the Board needs to know what their income stream is to pay the bills. They do get a small subsidy every year from the Town. There are a lot of things that they want to do at the Camp, including paving the parking lot and road and finishing the new fields. However, how will they do that with a definite shortfall. He could not envision the Town coming up with 40% of any number. Ms. Garbitt stated that since Chairman Powderly is the liaison to the Parks, maybe he could attend one of their meetings and speak with them. Selectman Hollenbeck stated that she would be open to it, since she did not want the Town to miss out on some funding. However, it would be important to know the business plan first. Chairman Powderly explained that all he was aware of at this time is that they want to pave and complete the fields for lacrosse and football, but they do not have enough money to pay off

the loan that was given to them through the Town. Selectman Burke asked what happened about obtaining road grindings to set down in areas of the park roads. Ms. Garbitt stated that she has sent a formal request to P.J. Keating, but has not heard back. Selectman Burke asked if there is a place for the grindings when they come in. Chairman Powderly explained that the grindings were to be dumped at night and spread during the day. Chairman Powderly stated that Dan Hopkins and Jeremy Peck have been communicating on a plan of action. Selectman Burke stated that he does not want the grindings just dumped in a pile and left because then the pile would harden and the grindings could not be used. He added that he just wanted to see that the Park Commission has a plan in place for the grindings. If not, maybe the Selectmen could look into how we could help with obtaining the grindings and having them spread, or it will be a huge waste of time for everyone. Chairman Powderly suggested scheduling Mr. Hopkins and Mr. Peck on the Selectmen's agenda to discuss this. Ms. Garbitt stated she would do that for May 12th. Also, the Board could do a site visit at the Camp. Chairman Powderly recommended not approving this at this time. Selectman Burke suggested to table it until more information is provided. Ms. Garbitt stated that Ms. Yeatts will be attending the workshop in early May, and then possibly some of the Park Commissioners could attend the Selectmen's May 12th meeting to answer questions.

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

VOTED: To table the request from the Park Commissioners until the May 12th meeting of the Board of Selectmen.
Unanimous in favor.

Discuss memo from Police Chief regarding Overdose Protocol

Chairman Powderly read the memo into the record. Selectman Burke asked who is paying for this. Ms. Garbitt responded that she believed that it was Morton Hospital.

Vote to approve and adopt the layout of Spring Brook Lane

Chairman Powderly noted that Spring Brook Lane is a new development off Kingman Street. Jeremy Peck, Superintendent of Streets, has inspected the roadway and sent a letter to the Planning Board. He is asking for a holdback of \$4,000 to cover future situations. Ms. Garbitt noted that the Board needs to vote to adopt the layout of Spring Brook Lane, and then the matter returns to the Planning Board.

Chairman Powderly stated that he would like to make sure that with all that will ultimately be accepted by the Town are inspected before final paving. Some of the roads that the Highway Department are currently using Chapter 90 money to repair seem to be roads that had imperfections with the layering process that took place when they were initially laid out. Then the Town ends up accepting the road, which looks good initially. However, after some time it starts to sag and becomes a problem. This seems to be happening with roads throughout the Town, and then the Town has to rip it up and do it over again. The Town needs to make sure that the road has not started breaking apart before the top coat is put on. It seems that the final coat is done before anyone knows if the layering was done correctly. Ms. Garbitt stated that the current

Superintendent of Streets does do a check off list on the roadways. Chairman Powderly stated that he would like a list from the Planning Board on current road projects provided to Mr. Peck.

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

VOTED: To adopt the layout of Spring Brook Lane.
Unanimous in favor.

Review and vote to award bids for Crack Sealing Services, Asphalt and Pavement Reclamation of Highway Department

Ms. Garbitt stated that, in speaking with Town Counsel and Mr. Peck, the Town is holding off on awarding the asphalt bid, due to an issue with the bids. A discussion occurred regarding joining SERGE, which is an organization that goes out to bid for a group of municipalities. The cost to join is \$4,100 a year. Mr. Peck will budget that amount for next year.

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

VOTED: To award the bid for Pavement Reclamation to Murray Paving & Reclamation Inc., at a cost of \$1.98 per square yard, for a quantity of 20,800 per square yard for a total amount of \$41,184.
Unanimous in favor.

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

VOTED: To award the bid to Sealcoating, Inc., in the amount of \$29,075.
Unanimous in favor.

Discuss Road Line Painting Bid Response for Highway Department

Chairman Powderly stated that the Town only received one (1) bid, and Mr. Peck would like to go back out to bid on the road line painting.

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

VOTED: To re-advertise the bid for Road Line Painting.
Unanimous in favor.

Request for Road Opening Permit-71 Rhode Island Road – Columbia Gas

Chairman Powderly said that Mr. Peck has inspected the site and submitted a recommendation letter. Mr. Peck's letter pointed out that the gas main is in the roadway pavement on the same side of the house, and they will have to cut the road to get to it.

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

VOTED: To approve the request for a Road Opening Permit at 71 Rhode Island Road for Columbia Gas to install a new natural gas service with the Superintendent of Streets recommendations.
Unanimous in favor.

Request for Lakeville Arts Council to use Dickran Diran Square and Town House for 2014 Arts and Music Festival

Chairman Powderly said the Selectmen have received the request from the Lakeville Arts Council to use Dickran Diran Square and the Town House for the 2014 Arts and Music Festival on October 3 & 4, 2014.

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

VOTED: To approve the request for the Lakeville Arts Council to use Dickran Diran Square and the Town House for the 2014 Arts and Music Festival on October 3 and 4, 2014.
Unanimous in favor.

Request for reappointment of Danielle Elliot as Constable

Chairman Powderly read the letter from Danielle Elliot requesting to be reappointed as a Constable.

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

VOTED: To approve the request to reappoint Danielle Elliot as Constable with a new expiration date of May 15, 2015.
Unanimous in favor.

Request to appoint Brad Day as Volunteer Observer – M/L Herring Fishery Commission

Chairman Powderly read the request from the M/L Herring Fishery Commission to appoint Brad Day as a Volunteer Observer.

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

VOTED: To approve the request to appoint Brad Day as Volunteer Observer for the M/L Herring Fishery Commission with an expiration of September 30, 2014.
Unanimous in favor.

Request for One Day All Alcohol Liquor Licenses for Ted Williams Camp: May 2, 2014; May 24, 2014; June 14, 2014; and June 28, 2014

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

VOTED: To award the following licenses for the purposes indicated on the applications: May 2, 2014 from 6:00 PM to 12:00 AM for a Birthday Party; May 24, 2014 from 5:00 PM to 11:00 PM for a Confirmation Party; June 14, 2014 from 6:00 PM to 12:00 AM for a Retirement Party; and June 28, 2014 from 5:00 PM to 11:00 PM for a Shower.
Unanimous in favor.

Other Items

1. Notice of Reorganization: Board of Library Trustees and Cemetery Commission
2. Notice of Reorganization: F/L Regional School District Committee
3. Mass Interchange Spring Newsletter
4. Notice from State Ethics Commission regarding monthly seminars on Conflict of Interest Law
5. Notice of South Coast Rail Task Force Meeting – May 14, 2014
6. Letter from Comcast regarding Changes in Service
7. Newsletter from Retired State, County and Municipal Employees Association of Massachusetts
8. Invitation from Town of Berkley to attend Town Hall Groundbreaking
9. DOR Bulletin regarding New Officials Forum to be held on June 5, 2014
10. NPDES PII Small MS4 General Permit Annual Report for 2014

At 8:17 PM, upon a motion made by Selectman Burke; seconded by Selectman Hollenbeck it was:

VOTED: To enter Executive Session and not return to Open Session pursuant to M.G.L. c.30A, §21a (3) to discuss strategy with respect to collective bargaining, specifically the Firefighter's Union and the Police Union; and to discuss strategy with respect to potential litigation because an open meeting may have a detrimental effect on the litigating position of the Board, and the Chair so declared.
Polled Vote: Selectman Hollenbeck-Aye, Selectman Powderly-Aye, and Selectman Burke-Aye.

List of documents for 4-28-14 Select

1. Letter of interest Gary Mansfield
2. LakeCAM financial statements
3. Memo from Park Commission to apply for a Department of Conservation and Recreation Park Acquisitions and Renovations for Communities Grant
4. Memo from the Police Chief regarding overdose protocol
5. Vote to approve and adopt the layout of Spring Brook Lane
6. Information regarding bids for crack sealing services, asphalt and pavement reclamation bids to award
7. Road line painting bid response for Highway Department
8. Road opening permit request from Columbia Gas for 71 Rhode Island Road
9. Letter from the Lakeville Arts Council to use Dickran Diran Square and Town House for 2014 Arts and Music Festival
10. Request for reappointment of Danielle Elliot as Constable
11. Letter from Middleborough/Lakeville Herring Fishery Commission requesting a Volunteer Observer appointment
12. Applications for One Day All Alcohol Liquor Licenses for Ted Williams Camp for May 2, May 24, June 14 and June 28, 2014