

TOWN OF LAKEVILLE
Selectmen's Meeting Minutes
August 12, 2013 - 6:00 PM

On August 12, 2013, the Board of Selectmen held a meeting at 6:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Belliveau at 7:00 PM. Selectmen present were: Selectman Belliveau, Selectman Burke and Selectman Powderly. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary. Cindy Dow of The Middleboro Gazette was recording the meeting.

Interview Finalists for the Superintendents of Streets Position

Barney Taylor, Interim Superintendent of Streets, was present for the discussion.

6:00 PM – Christopher Gallagher *Christopher Gallagher was present for the interview.* Mr. Gallagher thanked the Board for the opportunity to meet with them. He said that he has been with the Town of Westwood for ten (10) years. He has worked his way up to Deputy Director of the Department of Public Works, and has been in that position for a little over three (3) years. Mr. Gallagher said he is looking for a new challenge. Selectman Burke said he did not want to commandeer the interview time as he had already had an opportunity to interview the candidates. Chairman Belliveau asked Mr. Gallagher about his experience with Chapter 90 funding. Mr. Gallagher said he has been working with Chapter 90 for four (4) or five (5) years as far as handling the paperwork and distribution of funds. Westwood has the BETA Pavement Management Program in place that he has been working with. He stated that he would have to look at the pavement preservation techniques that are out there on the Town roads at this time and make some determinations. Some people may not like them, but they will hold the road in place for up to 20 years. You spend the money once, and you don't have to go back for 20 years. Westwood spends approximately \$30,000 a year in crack sealing, which helps to hold the roads together for an additional four (4) or five (5) years. We have been experimenting with Felix Moreno out of Peabody where they seal the road curb to curb.

Chairman Belliveau asked about Mr. Gallagher's expertise working with MassDOT. Mr. Gallagher said DOT did a full reconstruction of Route 109, which is the main roadway in Westwood. He was the Assistant Engineer at that time, and spent every day working with the contractor and the MassDOT engineer. Chairman Belliveau said a concern for Lakeville is that the repaving and widening of Route 79 is being discussed, and the Town needs 25% design money to go forward. Mr. Gallagher said it is good to use MassDOT's resources, but it takes time to get to the construction point, once you actually get the funding. When they redid Route 109, it was designed in 1996, but was actually done until 2004. Chairman Belliveau said that the present Superintendent of Streets was also overseeing the Transfer Station. Presently there are some issues down at the Transfer Station regarding funding and resources. How familiar are you with grant writing? Mr. Gallagher said he has written a few grants working with the Department of Environmental Protection (DEP). Westwood just went with a fully automated trash collection system. DEP puts out grants every year, and they can be pretty open ended. His Town was awarded \$25,000 for a Recycling Coordinator for 18 months to look at its curbside trash program. He admitted that he was not as familiar with a Transfer Station.

Selectman Powderly asked how many people worked for Mr. Gallagher directly. Mr. Gallagher said he has one (1) Facility Manager and the Superintendent. He has held the Director position as Interim in between Directors for several months working with the union guys on a daily basis. He has less interaction now with the employees. Selectman Powderly said he considers Lakeville's Highway Department and Park Department to be small compared to a lot of towns. How do you motivate employees? Mr. Gallagher said you have to show them that you appreciate the work they do, and that you respect their skills. If you have someone who has lived in Town for 30 years, they have a lot of knowledge about the Town. We had a Director that bought the trucks that he wanted to buy and run things the way he wanted. We now bring the staff in before we order equipment, and ask their opinions regarding day to day use to try to give them the equipment that will help them excel. It gives the employees a feeling that their input is appreciated. Selectman Powderly said that Lakeville's Superintendent of Streets is a hands on Superintendent. He assists in the plowing, mowing, etc. Has Mr. Gallagher ever done that? Mr. Gallagher said he has until approximately two (2) years ago. He does not have a CDL license, but he plowed with a pickup truck on his own route. He has been involved with putting pipe in the ground and doing surveying. He likes his work boots, but he enjoys the paperwork side as well. Selectman Powderly asked about the high end of the salary at \$75,000, since it appears to be \$8,000 less than Mr. Gallagher is making today. Why would he take a pay cut? Mr. Gallagher said that is something he needs to take into consideration. He believes that the experience of getting hands on day to day experience will help him with his career. Where he sits now, his expansion is limited. Mr. Gallagher said the money is secondary.

Chairman Belliveau asked if Mr. Gallagher was familiar with Stormwater Management. Mr. Gallagher said he has been involved with that. Chairman Belliveau said that Lakeville contains a lot of water. Mr. Gallagher asked if the Board saw the Department staying as is with the small ten (10) man crew. He noted that the Town does not have Town Water and Sewer. Chairman Belliveau said that there are areas of Town that need sewer. Taunton water is being expanded where possible. Selectman Powderly said that the Board cannot predict the size of the crew, the Town is small and budgets are watched very closely.

6:30 PM – Edward Buckley *Edward Buckley was present for the interview.* Mr. Buckley stated that he lives in the vicinity, and was interested in an opportunity to work in the region.

Chairman Belliveau mentioned that Mr. Buckley is presently working for the Town of Plymouth. How familiar is he with working on MassDOT projects? Mr. Buckley responded that MassDOT is planning on making improvements to the old Route 44 (Samoset Street); however, he has not recently done a lot of work directly with MassDOT. Plymouth has its own engineering division that takes care of interaction with MassDOT, but he would be comfortable with it. Chairman Belliveau stated that Lakeville's former Superintendent of Streets put the reconstruction of Route 79 (Rhode Island Road) project forward to MassDOT, and the Town has to come up with 25% of the funds for the design work. Lakeville is a small town, and there are not a lot of resources available. The Town works with a Pavement Management Plan from BETA to track the condition of the roads. Lakeville would like to do as much as possible with the resources it receives. Mr. Buckley stated that initially an important thing for him to do would be to spend time inspecting the roads, to find out from Town Officials where they see the

priorities are, use the BETA report, and then prioritize from that where the most important areas are to spend the money. He would look at what tips for resurfacing BETA would have, and what can be done to stretch the money out as much as possible, like crack sealing, etc. Chairman Belliveau asked how familiar Mr. Buckley was with Stormwater Management. Mr. Buckley stated that he has not worked on developing a Stormwater Management Plan, but is aware what would go into it. He would take a good look over what is presently in place, and look into all available resources in order to develop a good plan for Lakeville.

Selectman Powderly noted that Mr. Buckley's resume states that he works with 28 Highway Division Employees; do they all report to him? Mr. Buckley responded that there are 26 employees at the moment, with a high of 32. There are presently six (6) vacancies. Mr. Buckley schedules the work for all 26 employees. There are three (3) Highway Foremen below him and Lead Men below them. They can handle their own smaller construction projects. He doesn't interact with all 26 every morning. He gives the work to the Foremen, and then they distribute it accordingly. The trash people interact with him, but he plans most of the project work with the Foremen and talks to the staff about it when he sees them. Selectman Powderly asked him if the fact that Lakeville doesn't have a large department, and the Superintendent needs to write grants, be the supervisor, be a worker and do all the paperwork is intimidating. Mr. Buckley responded that he is aware of that. It would be a balancing act. He understands that some aspects would take him away from administrative work. Selectman Powderly stated that Mr. Buckley is coming from a big town to a small town. Why would you want to take a step back, so to speak? Mr. Buckley responded that he could see the reward in a smaller environment of work, however, realizes that he will have fewer resources to do the work. Mr. Buckley would want to look at what is available for resources, and see if the crew is grossly understaffed to handle demands of the Department. There is more potential to see what can be done with hard work in a smaller environment. He enjoys the work, but is just looking for another type of experience.

Chairman Belliveau stated that the Superintendent of Streets also oversees the Transfer Station. Right now it is not producing enough revenue to cover expenses. There is a need to take a good look at it to determine if the Transfer Station should continue, or should the Town go to curbside pickup. Mr. Buckley noted that there is a Solid Waste Division in Plymouth, which is fragmented. Curbside pick-up will start in January, and they are reducing the number of Transfer Stations that are open. We have a truck which picks up from the Schools, the downtown area and beach areas. He does not have grant writing experience, but could learn. As far as evaluating the best way to go, he would see what other towns are doing, and look for ways to increase the revenue at the Transfer Station.

Mr. Buckley asked the Board what they see as the biggest challenge for the Highway Department over the next few years. Chairman Belliveau responded the Route 79 project and the Transfer Station. Also, the Town still has the gasoline spill at the Highway Barn. Selectman Powderly stated that road and tree safety is a priority. Snow removal is also important. We pride ourselves with the condition of our roads. Mr. Buckley asked how many were on the staff for the Transfer Station. Mr. Taylor replied that there is a full time employee at the Transfer Station. He mainly oversees it, and if he has any troubles he calls us. He does the repairs there. Chairman Belliveau said we need to see if the Transfer Station is a viable entity going forward,

or if we should change over to curbside pickup. Mr. Buckley stated that it is nice to have the option, but it may not be feasible for everyone.

Mr. Buckley said that he hoped the Board would consider him as a candidate for this position. He would work very hard for the Town, if he came here. He works well with people and would develop good relationships with the public and the employees. It is one of his strengths. He believes in the team process, you can't do it all yourself.

7:00 PM Jeremy Peck *Jeremy Peck was present for the interview.* Mr. Peck entered and thanked everyone for the opportunity to be present. He stated that the position that is open is a great opportunity. Selectman Burke stated that since he already has had the opportunity to interview with Mr. Peck, he will allow the other Board members to ask their questions.

Chairman Belliveau asked Mr. Peck how familiar he was with working with MassDOT. The former Superintendent of Streets was working on a reconstruction project for Route 79 with MassDOT. The Town must pay 25% for the design work. Mr. Peck stated that he was involved in the downtown revitalization project in Franklin, and he submitted the 25% design review. MassDOT likes to see the 25% design funding from the Town upfront, so he has knowledge about that. Chairman Belliveau asked Mr. Peck how familiar he was with Stormwater Management. Mr. Peck responded that the final regulations are expected to come out this winter, and he has been trying to keep up with it. There is a lot to it with the street sweeping, cleaning out the catch basins, keeping track of the salt, etc. For Lakeville, it would be more about the maintenance issues and how to fund it. Mapping will be required, and you will have to have wet and dry sampling done.

Chairman Belliveau stated that part of the Superintendent's job is also to oversee the Transfer Station. Right now it is not covering the expenses. The new Superintendent will be required to investigate the feasibility of continuing with the Transfer Station, or determine if the Town should go to curbside pickup. Mr. Peck stated that his degree in Business Administrator and his engineering background would help him see what changes can be made, what is going well and what is not. A study would be necessary to determine the issues. Chairman Belliveau asked Mr. Peck if he has experience with writing grants. Mr. Peck responded that he doesn't have specific experience with that. However, anyway that Towns can get free money is beneficial to the community and the residents. Sometimes it also takes a little funding from the Town, but the Town should take advantage of grants, when it can. Chairman Belliveau noted that Lakeville's Chapter 90 funds have mainly been used for the gasoline spill at the Highway Barn over the past ten (10) years. Due to that, not a lot of road paving has been done in the Town. Mr. Peck stated that it is extremely important to have a pavement plan in place to understand which roads need to be paved and what sort of treatment they need to make the Chapter 90 money go as far as you possibly can.

Selectman Powderly noted that Mr. Peck certainly has a lot of experience with roadway management, but what does his current employer (Weston and Sampson) do? Mr. Peck responded that they are mainly known for water and sewer projects. They purchased a small transportation firm, so that is where he has been for approximately 13 years. They also focus on downtown revitalization projects. He has done a lot of MassDOT work, bridge rehabilitation,

bike paths, etc. Selectman Powderly asked him about roadway repairs. What does it encompass? Mr. Peck responded that it can be a drainage issue with a road flooding out. Like in Hopkinton, we assessed the matter, put together the documents, then we put it out to bid for contractors. He does some of the resident engineering as well, like water, sewer, culvert and landfill work. Selectman Powderly asked why someone in the private sector would want to go into the public sector. Mr. Peck responded that when he went to get his Bachelor's Degree in civil engineering, he knew he wanted to design roadways. It is extremely important to have a good plan going forward for Paving Management and Stormwater Management. Selectman Powderly asked if he could discuss the process of road maintenance. Mr. Peck responded that a road in poor condition is factored with the amount of traffic that takes place daily. If that is significant, the road will get full reclamation or full depth reconstruction, depending on the materials that are under the road. Reclamation is fine, if there are good materials already there. Full depth reconstruction is removing everything and starting from scratch. You could also mill and overlay the street, which would be removing an inch and a half of pavement, put down some tack, and then repave it. It may not fix all the issues, and it would have to be a street that warrants it. The third type would be crack sealing, to get as much life as you can get out of roads. Selectman Powderly stated that Mr. Peck would be supervising approximately 12 employees who are union and nonunion. How do you involve them, or do you involve them in decision making? Mr. Peck responded that it is good to communicate with them, and get their perspective to determine what is good for the Town and the Department. He is not a micromanager. He is for making sure that we are doing the most efficient and cost effective process.

Chairman Belliveau asked if Mr. Peck has questions for the Board. Mr. Peck responded that he did not, but again, wanted to take the opportunity to thank the Board for the interview. It is an honor to be sitting here with you, and appreciates the opportunity very much. Mr. Peck exited the meeting.

Selectman Burke stated that the Search Committee was made up of good members. They made sure that the candidates interviewed were qualified. He felt all three (3) were good candidates and did not know how to make the decision between them. He would like to develop a procedure for Search Committees so there is some consistency. Selectman Burke would like to follow the same procedure for the Building Commissioner Search.

Chairman Belliveau asked if anyone has checked references. Selectman Burke responded that that is something that needs to be done. Chairman Belliveau stated that if the Board makes a decision and the references do check out, we could move forward on that. Selectman Powderly stated that references can depend on the questions that are asked. Selectman Burke said if the Board wants to consider references, then perhaps we should put this on hold. Chairman Belliveau stated that it was his understanding that the Search group ranked the candidates. Is this something the Board wants to be aware of? Selectman Powderly stated that from a skill set, all the candidates are skilled enough. It is whether their personalities will meld well with our people, and if we can all move forward and do things better. They all seem to have people skills. When the school publicized their ranking, the second and third ranked candidates bowed out. He didn't want to get into ranking people in public. He believes that is a big mistake, and we should just pick who is the most appropriate for the job. Selectman Burke noted that the ranking was

interesting, but it did not necessarily provide the best candidate since, it did not rank such things as the people skills. The Committee then just added up the numbers. The people who scored the highest were those with job experience with the specific questions we asked. Chairman Belliveau stated that he felt these were three (3) strong candidates. His question is who has the “hands on” approach, and how long would they be interested in staying here. Is this a stepping stone job for someone, or will they stay for a long time. Selectman Powderly stated that he wouldn’t want a stepping stone candidate. If the Town has to train someone, then it is investing time and money. We cannot predict if people will stay long term. Selectman Powderly stated that he did not see a weakness with any of the three (3) candidates that were interviewed. He would rely on Selectman Burke’s recommendation. Chairman Belliveau suggested that maybe the Board should rank the candidates, and see if we come up with a consensus. Selectman Powderly stated that all things being equal, he wouldn’t have an opinion of eliminating any of them. That is why he would go with Selectman Burke’s recommendation since he spent more time with them.

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

VOTED: To appoint Edward Buckley as Superintendent of Streets, contingent upon checking his references, which will be done by Selectman Burke.
Unanimous in favor.

Review Final Draft of the South Coast Rail Corridor Plans

Ms. Garbitt said the State owned property on Bridge Street has been reclassified as a combined Priority Area and a Priority Protection Area. SRPEDD held a meeting with Secretary Bialceki from the Department of Housing and Community Development. He was very impressed with the plan that SRPEDD prepared for their 27 communities, and they are using this as a pilot project. When a business approaches the State, they go to these maps automatically and will use them to guide businesses for development. Selectman Belliveau said the Economic Development Committee discussed this. He asked who determined what areas were designated as what, especially the Bridge Street parcel. Selectman Burke asked if comments were received from any other Boards or Committees. Ms. Garbitt said that the Planning Board and Conservation Commission did comment. Discussion occurred regarding the public meeting that was held at the Library on May 28, 2013, which was sparsely attended. Selectman Burke said he didn’t know how much this designation effects how much gets developed. Does the Town need to provide any oversight or not? Chairman Belliveau responded that he thought that it is more that our Planning Board would need to decide about the development. This is just a guide from the State. Selectman Powderly stated that the Harding Street development area is mostly governed by wetlands. The new development going into the old nursery has had to spend a lot of money; perhaps \$100’s of thousands of dollars, to develop that site. He sees the former Lakeville Hospital Site as the most available.

Discuss FY14 SRPEDD Municipal Assistance

Ms. Garbitt stated that the Town receives 40 hours a year from SRPEDD for municipal assistance. She has provided the Board with a list of what the hours can be used for. It was

noted that Sylvester Zienkiewicz, Planning Board delegate, will ask his Board about some projects that he would like the Planning Board to work on. Last year, 20 hours was used for SRPEDD to work on a Mission Statement for the Economic Development Committee (EDC). Without a Hazard Mitigation Plan, the Town would not get FEMA reimbursement if the Town got flooded again. Ms. Garbitt said perhaps the EDC could use a few more hours regarding GIS mapping. The Town has received Green Community Status, and has completed the Expedited Permitting. Selectman Burke suggested having SRPEDD work on the goals for the EDC, since a lot of the members are new, and it would help to get everyone pointed in the right direction.

Chairman Belliveau suggested finding out how many more hours would be needed for GIS mapping. The rest can be given to the EDC. If there are infrastructure needs for businesses to come in that might be something EDC could use the hours for. Chairman Belliveau stated that the Board will wait until the Planning Board gets back to us. We can also call and find out how many hours is needed with the GIS mapping.

Review Update from Town Counsel regarding Zoning for Medical Marijuana

Ms. Garbitt explained that the moratorium is in effect until June 30, 2014. There is a draft bylaw that the Zoning Board can use for the warrant article to decide where they would want to rezone. The Town would need to start holding hearings in March and go through the process. Selectman Powderly stated that he does not want a change of the bylaw, unless they are adopting a Kopelman and Paige “sample” one for the Town. He added that he does not want to spend money going back and forth with what we agree should happen. Ms. Garbitt stated that Town Meeting has to designate the zone for it. Selectman Burke agreed that it should be a sample bylaw from Kopelman and Paige.

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

VOTED: To forward the Overlay District Bylaw to the Planning Board strongly recommending that they follow a sample bylaw from Town Counsel.
Unanimous in favor.

Appoint Superintendent of Schools Dr. Nash to Lakeville Emergency Planning Committee (LEPC)

Ms. Craig stated that she spoke to Dr. Nash, and she is willing to be appointed to the Lakeville Emergency Planning Committee.

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

VOTED: To appoint Dr. Nash to the Lakeville Emergency Planning Committee.
Unanimous in favor.

Vote to accept Resignation Letter from James Curley from the Cable TV Advisory Committee Member

Chairman Belliveau said the Selectmen received a resignation letter from James Curley from the Cable TV Advisory Committee.

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

VOTED: To accept James Curley's resignation letter from the Cable TV Advisory Committee and to send him a letter of thanks for time served.
Unanimous in favor.

Review Requests for One Day Liquor Licenses – Ted Williams Camp – Wedding Reception – August 17, 2012, Poker-Run-Travis Albert Circle of Friends-August 31, 2013, and Wedding Reception – September 11, 2013

Chairman Belliveau read the requests for One Day All Alcohol Liquor Licenses for three (3) events at Ted Williams Camp.

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

VOTED: To approve the One Day All Alcohol Liquor License at the Ted Williams Camp on August 17, 2013 from 9:30 AM to 6:00 PM for their 6th annual Poker Run Travis Albert Circle of Friends.
Unanimous in favor.

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

VOTED: To approve the One Day All Alcohol Liquor License at the Ted Williams Camp on August 31, 2013 from 4:00 PM to 12:00 PM for a wedding reception.
Unanimous in favor.

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

VOTED: To approve the One Day All Alcohol Liquor License at the Ted Williams Camp on September 1, 2013 from 4:00 PM to 12:00 AM for a wedding reception.
Unanimous in favor.

Review and vote to approve Board of Selectmen Meeting Minutes for April 4, 2013, May 29, 2013, June 10, 2013 and June 19, 2013

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

VOTED: To approve the Joint Selectmen Meeting Minutes of April 4, 2013 and May 29, 2013 as presented.
Unanimous in favor.

Upon a motion made by Selectman Burke with Chairman Belliveau stepping down to second and stepping back up to vote it was:

VOTED: To approve the Selectmen Meeting Minutes of June 10, 2013 as presented.
Two (2) in favor, One (1) Abstention (Selectmen Powderly).

Upon a motion made by Selectman Powderly seconded by Chairman Belliveau stepping down to second and stepping back up to vote it was:

VOTED: To approve the Selectmen Meeting Minutes of June 19, 2013 as presented.
In favor 2, Abstain 1 (Selectman Burke)

New Business

Selectman Powderly referenced the letter that was written from the Water Advisory Committee to the residents of the neighborhoods targeted for potential Taunton Water. In the letter, it mentioned how much the annual water expense might be. It also referenced that the hookup might cost at least approximately \$6,000. He believed that residents may potentially be looking at a \$26,000 bill due to the distance from the street to the house. Ms. Garbitt noted that there are water improvement fees to the City of Taunton and contractor fees. Selectman Powderly said that Mr. Zienkiewicz' letter did not imply that, and the people will be paying \$7,500 or more. He did not outline the cost to the people, and it is important for people to know it is not just \$20,000.

Chairman Belliveau stated that he will be attending the meeting Wednesday night. Residents need to be told that it could be as much as \$7,500 or more. Selectman Burke stated that he didn't want another letter written until more concrete numbers were known. Selectman Powderly stated that he would just like everyone to be aware that the cost would be at least \$20,000. Selectman Burke noted that he has received phone calls about the connection from residents against being tied in. Chairman Belliveau stated that he felt that \$20,000 is an inflated number, and you will never get it exact. Selectman Powderly noted that he did not want to mislead people that it is lower if it is actually higher than the \$20,000. Chairman Belliveau stated that he felt \$20,000 is overstating the cost. It is about \$15,000, but there are also other fees involved, such as the connection fee, the meter, etc. Selectman Powderly asked if residents would say yes if they believed the price would be higher than quoted to them in the letter. Chairman Belliveau stated that he will bring this up with Mr. Zienkiewicz at the meeting Wednesday night. If more than half the people do not agree to this, then it will let us know that the people do not want it.

Other Items

1. Letter from Mass DOT regarding Chapter 90 Authorization for FY14
2. Opposition to Comcast Cable Communications, LLC's Petition for Special Relief
3. Notice from Jill Reddish regarding Channel and Programming Changes to the FIOS Lineup
4. Mass Wildlife Newsletter #7
5. Woodard & Curran Summer Newsletter

6. Agenda for Joint Transportation Planning Group Meeting on August 14, 2013
7. Information Resource package from Mickey Martin, Consultant, for Uplifting Health and Wellness, a Medical Cannabis Wellness Provider
8. Response from Interim Building Commissioner regarding Complaint-53 Myricks Street
9. DOR Informational Guideline Release regarding Waivers to Education Reform Spending Requirements and Minimum Required Local Contributions

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

VOTED: To adjourn the Selectmen's Meeting at 8:17 PM
Unanimous in favor.