

BOARD OF SELECTMEN
JUNE 23, 2010
REGULAR SESSION

Members Present: Robert Richardson, David Parker, John Whelan,
Michael Brady, Francis Cavaco (arrived late)

Town Administrator: Michael J. Carroll

A motion was made by Mr. Brady, seconded by Mr. Parker, and it was unanimously

VOTED: To open the regular meeting.

The Board decided that all meetings would begin at 7 p.m. Executive sessions will be held after the open meeting. The Town Administrator will decide if topics are executive session material.

Mr. Carroll distributed information provided by Atty. Joseph Fair regarding the Ethics Law.

He advised that he contacted the District Attorney's office regarding an investigation into the release of April 14, 2010 Executive Session minutes. He was told to submit a written request; however, it would probably be some time before an investigation would take place.

Mr. Carroll advised that Chief Jack and Mr. Lamoureux have consulted their attorneys regarding their contracts.

Mr. Brady wanted a legal opinion that none of the language in the contract would supersede provisions of the Charter.

Mr. Carroll said that negotiations with the police union are concluded and should be discussed in executive session.

A motion was made by Mr. Brady, seconded by Mr. Parker, to go into Executive Session per Chapter 39, Section 23B for matters related to collective bargaining, litigation, grievance, and personnel, followed by return to Open Session.

The vote: Mr. Brady – Aye; Mr. Parker – Aye; Mr. Whelan – Aye; Chairman Richardson – Aye. Mr. Cavaco was not in attendance at the time of the vote.

At 7:05 p.m. Chairman Richardson opened the meeting followed by the Pledge of Allegiance and moment of silence.

Public Hearing for Change of Location - Country Liquors, Inc.

Chairman Richardson opened the hearing at 7:06 p.m. Mr. Whelan recused himself and left the room because he has a financial interest. Owner George Collias was in attendance.

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Administrative Assistant Anne Rogers stated that she has all the pertinent documents. The lease will be signed upon approval by the ABCC.

Mr. Cavaco inquired about the hours of operation.

Mr. Collias explained that the store will be open from 9 a.m. to 10 p.m. Monday through Saturday and closed on Sunday. He would like to keep the Sunday option on the license if that is acceptable to the Board.

Mr. Cavaco asked why John Whelan, as manager, had signed Form G – Certification of Abutters List.

Mr. Collias said the Town Clerk and Assessor's office indicated that would be acceptable.

Mr. Carroll noted that it was done with the owner's knowledge.

Ms. Rogers indicated there haven't been any violations of this liquor license.

In responding to Mr. Parker's question about hours of operation, Ms. Rogers indicated that Mr. Bill Kelley, legal counsel for the ABCC, said the Town has the right to enforce the law as long it is consistent with every establishment within the Town. He suggested the Town get a legal opinion from town counsel and have a written policy.

There was discussion about the meaning of the word "may."

Mr. Carroll noted that the matter before the Board is relocation. The owner would have to receive notice if the Board intends to discuss hours of operation.

A motion was made by Mr. Parker, seconded by Mr. Brady, and it was

VOTED: 4 Ayes; To approve the change of address for Country Liquors from 1275-1355 Fall River Avenue to 1205 Fall River Avenue.

Mr. Whelan did not participate in the vote.

Chairman Richardson closed the hearing at 7:22 p.m.

A motion was made by Mr. Parker, seconded by Mr. Cavaco, and it was unanimously

VOTED: To reopen the hearing at 7:23 p.m. to allow public comments.

No comments.

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A motion was made by Mr. Brady, seconded by Mr. Parker, and it was unanimously

VOTED: To reaffirm the motion to change the address for Country Liquors.

The hearing closed at 7:24 p.m.

CONSENT CALENDAR

Accept \$6,000 State 911 Training Grant Presented by Communications Director

A motion was made by Mr. Parker, seconded by Mr. Whelan, and it was unanimously

VOTED: To accept the \$6,000 State 911 Grant as presented by Communications Director.

Accept \$36,672 State 911 Support and Incentive Grant Presented by Communications Director

A motion was made by Mr. Parker, seconded by Mr. Whelan, and it was unanimously

VOTED: To accept the \$36,672 State 911 Support and Incentive Grant as presented by Communications Director.

Approve Regular Session Minutes of April 7, 2010, May 19, 2010 and June 2, 2010

A motion was made by Mr. Parker, seconded by Mr. Brady, and it was

VOTED: 4 Ayes; 1 Abstention: To accept the regular session minutes of April 7, 2010.

Mr. Whelan abstained.

Mr. Cavaco suggested that Mr. Carroll contact Sen. Timilty to discuss the stimulus package.

A motion was made by Mr. Whelan, seconded by Mr. Cavaco, and it was unanimously

VOTED: To accept the regular session minutes of May 19, 2010.

Mr. Cavaco requested that the tabled item to accept the gift of a veteran's display case be rescheduled.

Mr. Carroll said it would have to be done without the Veterans' Agent because he attends school on Wednesday night.

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A motion was made by Mr. Whelan, seconded by Mr. Parker, and it was unanimously

VOTED: To accept the regular session minutes of June 2, 2010.

OLD BUSINESS

Update on COPS Hiring Recovery Program Application by Police Chief

Update on COPS Grant, the Secure of Schools Grant by Police Chief

Chief Ronald Charron said that he is not optimistic that these grants will be funded. This is a continuation of the 2009 grant process. The Secure of Schools grant in the amount of \$14,770 requires a match that will be done by the School Department. He noted that the School Resource Officer works on a regular patrol during the summer. During school time, he is in the schools all the time from 7 a.m. to 3 p.m. Monday through Friday. Most of the time, he is at the high school and middle school.

NEW BUSINESS

Consider Reappointments of Special Police Officers, Matrons and Constables as Requested by Police Chief (see attached)

A motion was made by Mr. Parker, seconded by Mr. Whelan, and it was unanimously

VOTED: To reappoint the following Constables: Chief Ronald Charron, Capt. Gary Jones, Capt. Craig Mace, Lt. Frank John, Lt. David Dyson, Sgt. Anthony Araujo, Sgt. David Ciszkowski, Sgt. Michelle Hines, Sgt. Edward Dyer.

A motion was made by Mr. Parker, seconded by Mr. Whelan, and it was unanimously

VOTED: To reappoint the following Matrons: Myra Cavallaro, Katelyn Butterworth, Sandra Phillips, Kathleen Alves, Elaine Delano.

A motion was made by Mr. Whelan, seconded by Mr. Parker, and it was unanimously

VOTED: To reappoint the following Special Police Officers:

Anthony Azulay	Gary McNally	James Roy
David Bourque	David Miller	Arthur St. Hillaire
Richard Bradley	Jason O'Hara	Nancy Sheldon
William Dallaire	Lebro Palazzi	Dennis Smiley
Scott Dumond	Richard Phillips	Joseph Sousa
Brian Everett	Thomas Piquette	Michael Veader
Mark Ferrick	Robert Pope	Robert Walmbolt
Stephen Lucke	John Pozzi	Edward Whalen
Edward McDonald	Ronald Rickey	

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Chief Charron advised that special officers have been put on notice that they have got to work more hours.

He said all the above would all be sworn in before June 30, 2010.

Year End Transfers

A motion was made by Mr. Brady, seconded by Mr. Whelan, and it was unanimously

VOTED: To approve the year end Chapter 44, Section 33B transfer request as submitted by Finance Director Bruce Alexander.

TOWN ADMINISTRATOR'S REPORT

Draft Policy of Use and Operation of Town Motor Vehicles

Mr. Carroll and the Board reviewed the draft policy.

Mr. Carroll stated that 11 talent bank forms were received for the senior center building committee. The moderator will make appointments and schedule a meeting on July 14 to organize. The building committee would then meet with the Board of Selectmen for direction.

He advised that Mrs. Huck is preparing qualifications for a grant writer for funding to construct, equip, and furnish the building. The appropriation for a grant writer is \$50,000.

Mr. Carroll said that Kopleman and Paige will conduct training on the new open meeting law. The tentative date is July 27, 2010. He suggested extending an invitation to Attleboro, Dighton, Rehoboth, and Swansea to also attend and to have it recorded by Cable TV. It needs to be in a location that could accommodate a large group.

In order to be ready for the July 1st effective date, Mr. Parker suggested putting postings in a binder to be kept at Town Hall and at the public safety complex at the end of the day.

Mr. Carroll asked if the Board intends to interview all persons to be reappointed to boards and commissions.

Mr. Brady was adamant that all meetings are televised. He suggested updated equipment in the Board of Selectmen meeting room and in the Planning Department. He added that he would not vote to reappoint any member who does not want to be televised.

It will not be necessary to interview all individuals but they will be asked to sign off that they are not opposed to televised meetings.

There was discussion about Cable TV.

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Mr. Carroll advised that a meeting was held on June 10 with citizens who are interested in updating the sign by-law. The next meeting is scheduled for July 15 and commercial signs will be discussed.

He reported that during the current fiscal year the Town has incurred almost \$57,000 to respond to labor matters brought forward by unions. Approximately one half of those are resolved. He will prepare a breakdown.

Chairman Richardson asked if Mr. Carroll had talked to Atty. Fair about the response to Mr. Sagar.

The Chairman announced a summer schedule for Board of Selectmen meetings – July 14, July 28, August 11, and August 25, 2010 at 7 p.m.

Mr. Carroll advised that he will meet with Mr. McLintock and a representative of Tri County Vocational High School on Friday morning to discuss possible work at the animal shelter.

Chairman Richardson said the animal shelter has gift accounts totaling \$25,000 that can be used on buildings. Mr. Carroll met with Ms. Hall and Mr. Bowden. Mr. Carroll said that this is premature because Safe a Pet has not been approached formally. According to Mr. Bowden, a reasonable addition to the building could cost around \$50,000. It might be that the town appropriated money would not have to be used at all. It will be necessary to go to the ZBA. Prior to that Safe-A-Pet and the animal control officer would have to come before the Board to make a presentation.

Mr. Parker suggested the Board move on the question regarding the senior center. In order to be on the state ballot it needs to be submitted to the Town Clerk by August 1.

There was discussion on legal bills. Mr. Cavaco said there needs to be a better hold on this.

Mr. Carroll advised that the Town overspent \$60,000, and \$80,000 was put in.

He said that departments are supposed to go through the Chair or Town Administrator for authorization to seek legal services. He notified counsel that any bills not approved will not be paid.

Board members requested a complete breakdown, including what is covered under the \$35,000 retainer.

Mr. Cavaco questioned how the Board could justify hiring additional personnel at this time. He referred to items on the town meeting warrant for an additional laborer for DPW and \$16,000 for the BOS/TA office.

He suggested that Ms. Gamer continue transcribing the minutes and that Ms. Rogers' hours return to what they were before being reduced.

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Mr. Brady and Chairman Richardson opposed to using the tape recorder. Mr. Brady said that he will not attend another executive session if the tape is in use.

Chairman Richardson said that Ms. Gamer was hired to attend the meetings and take notes.

Ms. Gamer noted that she was hired in August 2007 to bring current two years of minutes and to attend an occasional meeting. Ms. Rogers got sick and was out of work for an extended period of time. The previous Town Administrator asked Ms. Gamer to attend the meetings. Later on, Mr. Carroll felt it would be more productive to tape the meetings and have Ms. Gamer work 19 ½ hours in the office.

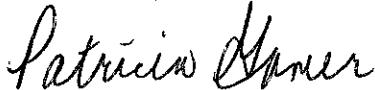
The matter was deferred until the next meeting.

A motion was made by Mr. Whelan, seconded by Mr. Brady, and it was unanimously

VOTED: To adjourn at 9:27 p.m.

Respectfully submitted,

John Whelan, Clerk



Patricia Gamer, Secretary