

**BOARD OF SELECTMEN**  
**AUGUST 25, 2010**  
**REGULAR SESSION**

Members Present: Robert Richardson, David Parker, John Whelan, Francis Cavaco  
Michael Brady arrived at 8:40 p.m.

Town Administrator: Michael J. Carroll

Chairman Richardson called the meeting to order at 7:04 p.m. followed by the Pledge of Allegiance and moment of silence.

Mr. Parker announced that the meeting is being taped via audio and video and anyone in the audience who is taping must notify the Chairman.

**PUBLIC HEARING**

Executive Assistant Anne Rogers was in attendance.

**Liquor License Transfer from Vinny T's Restaurant Corp. d/b/a Vinny T's of Boston to BUCA Restaurants, Inc. d/b/a Buca di Beppo, Jennifer Broderick Manager**

Atty. Matthew Fogelman, Chace Romero, and Jennifer Broderick were in attendance.

Atty. Fogelman said that Buca Restaurant is a family style Italian restaurant.

Ms. Rogers advised that the license would take from six to seven weeks.

Atty. Fogelman said that he has spoken to the ABCC, and he will continue to be in touch with them.

The hearing closed at 7:09 p.m.

Mr. Parker motioned, seconded by Mr. Whelan, and it was unanimously

**VOTED:** To approve the liquor license transfer from Vinny T's Restaurant Corp. d/b/a Vinny T's of Boston to BUCA, Inc. d/b/a Buca di Beppo.

**CONSENT CALENDAR**

**Consider Approval of Minutes of June 30, July 14, July 28, and August 13, 2010 Open Sessions**

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

**VOTED:** To accept the Open Session minutes of June 30, 2010.

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

**VOTED:** To accept the Open Session minutes of July 14, 2010.

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

**VOTED:** To amend the Open Session minutes of July 28, 2010 as follows:  
to include the following in the contract of Mr. Cabral, and that he  
make his best effort to submit documents to the State for certification  
in Massachusetts within six months.

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

**VOTED:** To accept the Open Session minutes of July 28, 2010 as amended.

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

**VOTED:** To accept the Open Session minutes of August 13, 2010.

Mr. Parker stated that three selectmen showed up. They were handed a 26-page document and told it had to be signed in order to meet a deadline. He felt betrayed.

Mr. Carroll said that he got a telephone call from Atty. Solomon while Chairman Richardson was in his office. Atty. Solomon explained that there were legal requirements. Mr. Carroll didn't attend the meeting because he didn't have any further information.

Mr. Cavaco said that he had told Mr. Carroll he had a medical appointment. He noted that once again the Board is getting material at the 11<sup>th</sup> hour.

### **Consider Approval to Purchase Trees with DCR Tree Grant**

DPW Superintendent Robert Lamoureux advised that the Town has been awarded a \$10,000 grant from the Department of Conservation and Recreation. It will be used to replace trees removed by National Grid three years ago.

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

**VOTED:** To approve the purchase of trees with DCR grant money (\$10,000).

### **Consider Forwarding Zoning By-Law Amendments – Neighborhood Style Retail and Drive Thru Facilities**

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

**VOTED:** To forward the Zoning By-Law Amendments to the Planning Board for review and public hearing.

**Consider BOS Intention to Accept Layout of Letendre Drive**

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

**VOTED:** To accept the layout of Letendre Drive and forward to the Planning Board.

This will be a warrant article for the November Town Meeting.

**NEW BUSINESS**

**Discussion with Town Clerk for Proposed Poll Worker Reorganization**

Town Clerk Janet Parker explained that since all voting is centralized in one location only one warden is needed and each precinct will have a clerk. The wardens will become clerks.

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

**VOTED:** To approve the proposed poll worker reorganization as reflected in M.G.L. Chapter 54, Section 24 and presented by the Town Clerk.

**Discussion with Town Clerk on Warrant Article for 200<sup>th</sup> Anniversary**

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

**VOTED:** To include a warrant article for the Fall Town Meeting to set up a revolving account in the amount of \$10,000 as seed money for the 200<sup>th</sup> Anniversary of the Town.

**Consider Staffing of Communications Department**

Communications Director Dennis LeClerc advised that a dispatcher working in his probationary term is unable to perform his duties. He requested permission to terminate the employment and proceed with recruitment process. He has the necessary documentation.

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

**VOTED:** To terminate the employee in question effective August 10, 2010 and authorize the Communications Director to fill the open position.

**Discussion on Light on Route 44 at Exit for Public Safety Complex**

Mr. Carroll advised that he spoke to Chief Charron, Chief Jack, Mr. Lamoureux, and others and there appears to be an interest in having a traffic control device controlled by the station.

Mr. Lamoureux said about two years ago he spoke to Mr. Gregory at the DOT. The Town would be responsible for the cost of \$150,000 to \$400,000.

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

**VOTED:** To forward a request to Sen. Timilty regarding the installation of a traffic control signal on Route 44 at the exit to the Public Safety Complex.

**Discussion on Stop Red Light Running with R. Lamoureux**

Mr. Lamoureux said that SRPEDD had done a study identifying Route 44/Arcade and Route 6/Route 114A intersections. He read his letter to Mass. DOT.

**Update on Baker's Corner Project**

Town Engineer David Cabral advised that the engineer is looking to get final revisions done. The project should be advertised on Saturday, September 4. Mr. Cabral has sent out 79 notices of takings.

Mr. Whelan commended Mr. Cabral.

Mr. Cavaco said he has been getting calls from business owners about impact on their businesses.

Mr. Cabral noted that he met with property owners. Businesses will not have to shut down for an extended time.

Chairman Richardson signed the Notice of Takings per M.G.L., which had been approved by Town Counsel.

**Discussion on Tree Removal List**

Mr. Lamoureux provided a list of trees identified as a public safety hazard. The contractor has started to remove the trees.

Mr. Cavaco requested a monthly updated, beginning on September 29, 2010.

**Discussion on Foreclosed Property**

Mr. Cavaco said that some communities are charging a fee when a property is foreclosed and recorded with the Registry of Deeds. That money is used to maintain the property.

Mr. Whelan said the town could only get involved if it is a health issue.

Mr. Parker said that taxpayer dollars cannot be used to maintain property.

**Discussion on Final Payment for Job Descriptions**

Board members agreed to release the funds. The total amount of the contract was \$10,000.

## **OLD BUSINESS**

### **Job Descriptions**

A work session to review job descriptions was scheduled for Monday, September 13, 2010, from 7 p.m. to no later than 10 p.m.

### **Discussion on Bi-Weekly Pay for 12 Town Employees**

In response to Mr. Parker's question, Mr. Carroll stated that he was directed to start with administrators. The bi-weekly payroll for the entire town will start in January, 2011.

## **BOARD OF SELECTMEN COMMENTS**

Mr. Carroll responded to several questions from Mr. Parker.

Mr. Miller (DPW) is working on an attachment to the computer system to provide telephone service to the animal shelter.

Mr. Parker said it is unacceptable that the shelter has been without telephone service for a month.

Mr. Brady suggested the town look into Comcast as a provider. He requested copies of the contract and telephone bills.

Mr. Carroll had a printout of legislation indicating that the liquor license conversion passed the third reading.

Mr. Parker requested a copy of the asbestos report on the old town hall. The generator will be disposed of by town auction.

It appears that roads damaged during the storm in March will not be repaired until next year.

In mid September, the Community Preservation Committee will have recommendations for town meeting.

Mr. Parker announced that the Town had received a total of \$140,000 from the meals tax. The money will be deposited into free cash.

The Inspector General's office has discontinued the investigation regarding double payments on the 152 project. The people who complained did not come forward.

Mr. Cavaco said that he would motion at the September 22 meeting to extend the sign moratorium because of the holidays.

Chairman Richardson advised that the Seekonk School Department did not get funding from the Race to the Top because the President of the Teachers' Association refused to sign the document because one of the requirements is to evaluate teachers. The School Committee will address the

matter on Monday night. Finance Committee Chairwoman Kim Lienson will attend that meeting.

The Board discussed the possibility of purchasing the Showcase Cinema which will close at the end of the year. Mr. Carroll and Chairman Richardson will meet with the real estate management.

Chairman Richardson requested that the September 8, 2010 agenda include the proposal to outsource payroll.

### **TOWN ADMINISTRATOR'S REPORT**

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

**VOTED:** To solicit a RFP for a grant writer.

This will not be solely for the senior center.

Mr. Carroll distributed a letter from the City Manager in Lowell regarding steps taken to file a Home Rule Petition.

Mr. David Bowden, Chairman, advised that the Community Improvement Committee had voted to prepare a warrant article to provide additional money so that the Town Hall could be sided using the better quality materials.

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

**VOTED:** To rescind the vote taken at the July 14, 2010 meeting regarding the vinyl siding option.

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

**VOTED:** To go with the Hardi Plank option for the siding at Town Hall in the amount of \$141,568.

### **Warrant Articles for Town Meeting**

Mr. Brady felt that #13 on the warrant is not necessary because it is a local licensing option.

### **Selectmen's Office Part Time Position**

Mr. Carroll advised that there are 19 applicants. Mr. Parker will sit in on interviews.

Mr. Carroll advised that Chief Jack is proceeding with the recruitment process for a career firefighter.

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He announced a Sustainable Seekonk seminar scheduled for Thursday, September 16, 2010 from 6:30 to 8 p.m. at the library.

The Mass. Municipal Association Regional Meeting is scheduled for Wednesday, September 15, 2010 at Francis Farms.

### **COMMUNITY SPEAKS**

Ms. Carol Bragg, 44 Hope Street, spoke about several issues.

Mrs. Ellie Wiseman of 12 Westdale Avenue thanked the police and fire for their prompt response to a medical emergency.

The Kiwanis Club of Greater Seekonk will have a clam boil on October 8, 2010 at 7 p.m. at the Seekonk Rod & Gun Club.

Seekonk Firefighters Local 1931 will conduct a telemarketing campaign from August 11 for about six weeks and sponsor a comedy show in October.

The landfill capping bill is \$20.75 per unit for FYø11. Last year it was \$36.32.

Chairman Richardson read an anonymous letter regarding temporary override of Proposition 2 ½.

He noted that what is proposed is a debt exclusion; it is not Proposition 2 ½.

Members reacted to the letter.

Mr. Cavaco wanted to make sure the annual disposal bill can be paid in two payments.

### **Approval of Executive Session Minutes of July 14, 2010**

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

**VOTED:** To accept the Executive Session minutes of July 14, 2010.

### **Grievance – Call Firefighters**

In attendance: Fire Chief Alan Jack; David Reis, President of the Call Firefighters Association; James Gorrott; and David Sullivan; Secretary.

Mr. Cavaco questioned why Mr. Sullivan was in attendance.

Mr. Sullivan said he resigned in 2008 but he is the secretary of the association. He went home to get the by-laws.

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The grievance of August 9 concerned the Town's failure to provide minimum state approved credit hours of EMT. James Gorrott and James Vieira have a short amount of hours left to do.

Mr. Gorrott said it is in the contract.

Chief Jack acknowledged that it is in the contract but the State has pulled back on the credits.

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

**VOTED:** To designate the Town Administrator and Fire Chief to within 14 days (September 8, 2010) produce a plan to comply with Article 5, Section 3 of the call firefighters' contract to put the 15 mandatory and 24 refresher hours for Mr. Gorrott and Mr. Vieira.

The vote: Mr. Brady ó Aye; Mr. Cavaco ó Aye; Mr. Parker ó Aye; Mr. Whelan ó Aye; Chairman Richardson ó Aye.

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

**VOTED:** To deny the grievance concerning Article 8, Section 3 on the grounds that it is not a violation, however, the Town will actively recruit additional call firefighters.

Mr. Reis distributed a packet of information that outlines the third grievance.

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

**VOTED:** To continue the hearing until Wednesday, September 1, 2010 at 6:15 p.m.

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

**VOTED:** To adjourn at 11:45 p.m.

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary