

BOARD OF SELECTMEN
FEBRUARY 3, 2011
REGULAR SESSION

Members Present: Robert Richardson, David Parker, Michael Brady,
Francis Cavaco

Absent: John Whelan

Town Administrator: Michael J. Carroll

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

The meeting was rescheduled due to a snowstorm.

Mr. Parker advised that the meeting was taped via audio and visual. George Morse of the Seekonk Star was recording audio.

Mr. Cavaco motioned, Mr. Parker seconded, and it was unanimously

VOTED: To move the order of business to Item A under New Business.

NEW BUSINESS

Consider Appointment and Swear in Probationary Firefighter

Fire Chief Alan Jack recommended the appointment of Aaron Grillo to the position of probationary firefighter.

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

VOTED: To appoint Aaron Grillo as probationary firefighter, as recommended by the Fire Chief.

Firefighter Grillo was sworn in by Town Clerk Janet Parker.

CONSENT CALENDAR

Accounts Payable Warrant

Mr. Carroll referred to two memos in the packet from the Finance Director regarding the information requested at previous meetings. Mr. Alexander was unable to be in attendance.

Consider Approval of Minutes of January 5, 2011

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

VOTED: 3 Ayes; 1 Abstention; To approve the Regular Session minutes of January 5, 2011.

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

Consider Acceptance of Carter's Way for June 2011 Town Meeting

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

VOTED: That the Board of Selectmen intends to lay out Carter's Way and refer to the Planning Board.

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

VOTED: To schedule a public hearing on March 9, 2011 at 7:10 p.m. to layout Carter's Way.

Consider Forwarding Request for Route 6 and Anthony Street Rezone to Planning Board

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

VOTED: To forward a request to rezone Route 6 and Anthony Street to the Planning Board.

OLD BUSINESS

Town Meeting Timeline

Mr. Carroll recommended the Town Meeting be held on Monday, June 6, 2011.

Mr. Parker felt the Board should use the extra time and schedule the Town Meeting on June 20, 2011.

Mr. Carroll said it has to be done before the end of the fiscal year.

Mr. Parker motioned, Mr. Brady seconded, (discussion), and it was unanimously

VOTED: To schedule the Town Meeting for June 20, 2011.

Prior to the vote, Mr. Robert McLintock talked about the School Committee's contractual obligations with bargaining units.

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

VOTED: To open the warrant on February 4, 2011 and close at the end of business on March 18, 2011.

Continued Discussion on Petty Cash Policy with Director of Finance

Tabled until the next meeting.

Continued Discussion on Warrant Process and Procedure for Bill Paying

Mr. Carroll noted that "Accounts Payable Warrant" is now included as an agenda item. There is a form to list the items to be withheld so that other items can be released. There are memos from the Director of Finance providing information on particular items previously withheld.

Mr. Cavaco said that Board members had talked about coming in prior to the start of the meeting to review the bills. He mentioned that comments have been made on local TV about him looking at the bills. He felt that other Board members should also take on the responsibility; it is not micromanaging. It should also be an item at the end of the agenda.

He said that Board members should come into Town Hall to sign warrants. He noted that Ms. Rogers or Mr. Alexander usually have to take documents to one of the selectmen.

There was no action on a motion by Mr. Cavaco, seconded by Mr. Brady, to do away with the rubber signature stamps.

Mr. Brady said there is a greater problem than reviewing the bills. He felt the Board needs to think about accountability of certain employees who continue to submit incomplete material.

Mr. Parker said that day-to-day activities are not the job of Selectmen, according to the charter.

Mr. Carroll said that bills can be withheld if they are fraudulent, excessive or illegal.

Mr. Parker said the Board cannot continue to withhold bills for reasons other than what Mr. Carroll stated. He felt that is micromanaging.

Mr. Parker and Mr. Brady questioned how bills pass through the finance office and are not properly checked out.

Mr. Parker suggested that Mr. Alexander meet with department heads to explain what is acceptable when bills are submitted for payment.

There was discussion about the bills from the Assessor's office and also that department heads are signing their own approvals.

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

VOTED: To release previously held bills for snowplowing.

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

VOTED: To release a previously held bill for reimbursement to Save-A-Pet for Accounts Payable of January 14, 2011.

The library petty cash still on hold.

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

VOTED: 3 Ayes; 1 Abstention; To release payment of \$264 to the Veterans Agent for reimbursement of payment for emergency lodging of a veteran.

Mr. Robert McLintock felt that the Board should be looking at the warrants and it is not micromanaging.

Mr. Foulkes agreed.

Town Hall Siding

Mr. Carroll said the original contract approved by the Board was for \$141,568.00. Minor change orders reduced that to \$132,911. Following letters received from Mass. Dept. of Labor in response to an anonymous complaint submitted to that office, the contractor tested for mold within 18" of the ground. Tests were positive. A change order to encapsulate and remove the bottom layer of sheathing costs \$20,770.00, and would increase the contract \$12,000 above the original amount. Work cannot proceed until that is completed.

On another matter, Mr. Carroll said that he asked Mr. Lamoureux to get an estimate of the cost to reinsulate the attic. This would prevent freezing of pipes and reduce utility costs.

Contractor Greg Vaslet was in attendance and left to get documentation as requested by Mr. Cavaco.

There was further discussion upon Mr. Vaslet's return. He will have another change order for the next meeting to address concerns of Board members that the project is properly completed.

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

VOTED: To approve the change order to Vasco in the amount of \$20,201.00 for mold abatement.

Consider the Purchase and Sale Agreement and the Acceptance of Deed for Lot 5 Arcade Avenue

Mr. Carroll advised that the Town had appropriated \$150,000 of Community Preservation funds at Town Meeting to purchase Lot 5 on Arcade Avenue. The transaction includes a legal matter against the Town that will be discussed in Executive Session.

A motion was made by Mr. Parker, seconded by Mr. Cavaco (discussion), and it was

VOTED: 3 Ayes; 1 Nay; To approve the payment of \$150,000 to satisfy the purchase and sale agreement for Lot 5 on Arcade Avenue, as per approval at Town Meeting.

Mr. Cavaco opposed because he felt \$150,000 is an excessive amount of taxpayers' money to pay for wetlands.

Discussion on Sign By-Law

Mr. Carroll said he received a proposed draft for temporary sign by-laws - Article 12.7 of Zoning By-laws. Building Commissioner Mary MacNeil advised that definitions are almost done and she will prepare a draft by-law amendment for temporary directional signs. The moratorium has expired and needs to be extended.

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

VOTED: To extend the moratorium on enforcement of zoning by-laws on temporary signs until such time as approved by Town Meeting or July 30, 2011, whichever comes first.

COMMUNITY SPEAKS

Mr. Arthur Foulkes raised several issues about the Town Hall siding project. He said he submitted a request for information and did not receive a response within ten days.

Mr. Carroll responded that Ms. Rogers had replied to Mr. Foulkes's request. However, Mr. Foulkes requested that Mr. Carroll find the documentation in question with a date commensurate with that.

Mr. Al Silva inquired about rezoning on Anthony Street for a CVS. He asked for an update on discussion that Selectmen are not paid if they don't attend meetings.

Mr. Parker said that will be address in a warrant article for the upcoming Town Meeting that says all Board members in town who receive a stipend will be paid on an annual basis divided by the number of meetings based on attendance.

Mr. Cavaco said he intends to recommend the elimination of payment to the Board of Selectmen.

Mr. Parker said that he would not go for that because of mileage and the number of tickets Board members are requested to buy.

Mr. Bob Blanchard commended the snow removal crew. He felt they did a great job.

Mr. Carroll advised that thus far the Town appropriated \$96,000 for snow removal - \$66,000 for vendors and materials and the balance for overtime. At the moment, the deficit is \$103,000, but there is an outstanding invoice for salt in the amount of \$35,000 and overtime costs would put that deficit at approximately \$143,000 provided there is no more snow.

2012 Budget Discussion with Finance Department

Deferred.

Town Administrator Recruitment

Mr. Parker distributed a document for review by the Board and discussion at the next meeting.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Parker advised that the Annual Save-a-Pet Auction will take place on March 22-23, 2011. They are accepting donations. Annual rabies clinic is scheduled for March 12, 2011 at the DPW garage. The cost is \$10 per animal.

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Mr. Cavaco said the contracts for clerical and supervisors are not signed.

Mr. Carroll said those two are part of the Steelworkers Union. A Memorandum of Understanding was inserted and sent to the union representative on several occasions and not returned. He asked the union president to follow up.

Mr. Cavaco advised that the ABCC does not have final approval on the liquor license conversions.

He requested that Mr. Carroll contact Sen. Scott Brown about possible funding for the senior center.

Mr. Cavaco asked Mr. Carroll about a town employee who had been arrested. He felt the Board should have been notified.

Mr. Carroll said the department head had notified him, but it cannot be discussed in open session. The Board had previously been notified that this person had problems.

Mr. Cavaco asked if an individual commits a crime in another state it would not show up on a CORI check in Mass.

Mr. Brady responded that is correct.

Mr. Brady commended the snow plowing operation.

Mr. Parker questioned why school department vehicles cannot be used to assist in snow plowing.

Chairman Richardson said the "Taste of the Town" was a great event.

TOWN ADMINISTRATOR'S REPORT

Mr. Carroll advised that Chief Charron is preparing to interview for police officer and requested a representative of the Board of Selectmen to assist with the interviews.

Chairman Richardson requested that the hiring process to be on next week's agenda.

Mr. Carroll advised that Town Clerk Janet Parker is working with counsel on language and requirements to notify citizens on charter changes. There will be a massive mailing on the charter changes voted at Town Meeting last year and it will also be on the Town's website.

He received a notice from the Town Treasurer that over \$6,000 donated to the Elderly Taxation Aid Committee was distributed to assist with 2012 real estate tax bills.

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Mr. Carroll noted that firefighters have been shoveling hydrants. He asked residents to please not cover or hide hydrants and keep walkways clear.

In response to the request of some Board members and if the Board is interested, Mr. Carroll said he would prepare a draft by-law to require property owners to remove snow from sidewalks in front of their property.

Mr. Brady questioned how that could be mandated.

Mr. Carroll responded that Chapter 40, Section 21, Par. 3 allows the Town to establish such by-laws and one is to remove snow and ice from sidewalks.

Chairman Richardson said that he was asked about assistance for the elderly during snow storms.

Mr. Parker said that Ms. Bragg had an idea to set up an emergency system of volunteers to help the elderly. It could probably be students who need to do community service. He hopes to set up a databank of people who want to volunteer.

Mr. Cavaco suggested the Town could purchase fuel oil at a cheaper rate in the summertime if there was a local facility for storage.

At 9:18 p.m., a motion was made by Mr. Cavaco, seconded by Mr. Parker, to adjourn Open Session and go into Executive Session for update on litigation from Kopelman & Paige and approval of Executive Session minutes of January 5, 2011; not to return to Open Session.

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

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary