

BOARD OF SELECTMEN
APRIL 20, 2011
REGULAR SESSION

Members Present: David Parker, William Rice, John Whelan,
Francis Cavaco, Robert McLintock

Town Administrator: Michael J. Carroll

Town Moderator: Michelle Hines

Chairman Parker called the meeting to order at 7 p.m. followed by the Pledge of Allegiance and moment of silence. He advised the meeting was taped via audio and video and asked if anybody in the audience was taping. Mr. George Morse of the Seekonk Star said he was taping audio.

REORGANIZATION OF THE BOARD

Chairman Parker said this is an agenda item because Mr. Cavaco was absent last week and it was put on the agenda at the request of one of the other Selectmen.

Mr. Cavaco congratulated the two newly-elected Board members. He did not have a problem with the reorganization but requested the chairman poll the members. There was no interest in further reorganization.

In response to a request from one of the members, Chairman Parker advised discussion on changing the day of the meeting would be on next week's agenda.

LICENSE APPROVALS

Approval of Change of Manager for Alcohol License held by Ledgemont Country Club from Nathan Marquard to John Tosone

Mr. Tosone was in attendance.

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

VOTED: To approve the request for change of manager for alcohol license held by Ledgemont Country Club from Nathan Marquard to John Tosone.

Consider Approval of a New Antique and Second Hand License for Shabby Fi Fi Antiques & Garden – Yvonne Turner, President, to be located at 642 Fall River Avenue

Mr. Patrick Turner was in attendance.

April 20, 2011

-2-

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

VOTED: To approve the antique and second hand license for Shabby Fi Fi Antiques & Garden, 642 Fall River Avenue.

Mr. Rice suggested establishing an expedited approval process.

CONSENT CALENDAR

Consider Approval of Minutes for March 9, 2011

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

VOTED: 3 Ayes; 2 Abstentions; To accept the minutes of March 9, 2011.

The vote: Mr. Cavaco ó Aye; Mr. Whelan ó Aye; Chairman Parker ó Aye; Mr. McLintock ó Abstained; Mr. Rice - Abstained.

Consider Awarding Property, Liability, and Workers Compensation Insurance Package

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

VOTED: To table until the next meeting.

OLD BUSINESS

Continued Discussion on Warrant for June 20, 2011 Town Meeting

Building Commissioner Mary MacNeil reviewed Article 23A, B, and C.

Mr. Carroll said that 23B and C are essentially the same article. The major distinction is the number of days signs can be in place.

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

VOTED: To include Article 23A, B, and C on the warrant.

Mr. Carroll noted that Article 24 was submitted by a citizenø petition.

Article 25 is a request by the Planning Board to accept Carterø Way and Gerry Drive.

April 20, 2011

-3-

Article 26 is a request from a land owner. Atty. Steven Navega was in attendance representing the land owner. He said this is an application to the Planning Board for rezone. It refers to land at the corner of Anthony Street and Route 6.

A motion was made by Mr. McLintock, seconded by Mr. Rice, and it was

VOTED: 3 Ayes; 2 Nays; To include Articles 24, 25, and 26 on the warrant.

The vote: Mr. Cavaco ó Aye; Mr. Rice ó Aye; Chairman Parker ó Aye; Mr. McLintock ó Nay; Mr. Whelan ó Nay.

Prior to the vote, there were questions as to whether there was action by the Planning Board.

Planning Board member Pheobe Lee Dunn said the plans and public hearing were held but no motion was made to make a presentation to the Board of Selectmen.

There was no action on Mr. McLintock's motion to table.

School Committee members Fran Creamer, Mitch Vieira, and Finance Administrator Barbara Hammel explained Articles 8 and 9. Article 8 is by petition for paving all schools. Article 9 is for ceiling tiles.

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

VOTED: To include Article 9 on the warrant.

Police Chief Ronald Charron explained that Article 19 concerns an increase of fine for hawking to \$200.

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

VOTED: To include Article 19 on the warrant.

Fire Chief Alan Jack and Capt. Healy explained Article 16 (Banna Fire Station).

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

VOTED: To include Article 16 on the warrant.

Community Preservation Committee member Ronald Blum explained Articles 10 and 11. Article 10 sets up figures with a 10% increase and Article 11 is an application from Seekonk Land Trust to develop trails.

April 20, 2011

-4-

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

VOTED: To include Articles 10 and 11 on the warrant.

Mr. David Bowden explained Article 6, which is a transfer of monies re: \$65,000 for first year lease payment for an ambulance, \$60,775 purchase dump/plow truck for DPW, \$66,500 epoxy paint high school pool ceiling, and \$28,900 Martin School parking lot.

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

VOTED: 4 Ayes; 1 Nay; To include Article 6 on the warrant.

The vote: Mr. Whelan ó Aye; Mr. Cavaco ó Aye; Mr. Rice ó Aye; Chairman Parker ó Aye; Mr. McLintock ó Nay.

Mr. Bowden explained that Article 15 concerns funds for the senior center. If not ready, the article will be removed from the warrant.

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

VOTED: 4 Ayes; To include Article 15 on the warrant for the June Town Meeting.

Mr. Whelan was not in the room at the time of the vote.

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

VOTED: To include Article 1 on the warrant for the June Town Meeting.

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

VOTED: To include Article 2 on the warrant for the June Town Meeting.

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

VOTED: To include Article 3 on the warrant for the June Town Meeting.

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

VOTED: To include Article 4 on the warrant for the June Town Meeting.

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

VOTED: To include Article 5 on the warrant for the June Town Meeting.

April 20, 2011

-5-

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

VOTED: To include Article 7 on the warrant for the June Town Meeting.

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

VOTED: To include Article 12 on the warrant for the June Town Meeting.

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

VOTED: To include Article 13 on the warrant for the June Town Meeting.

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

VOTED: To include Article 14 (transfer of \$177,616.12 for snow and ice) on the warrant for the June Town Meeting.

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

VOTED: 4 Ayes; 1 Abstention; To include Article 17 (Board of Health charge for inspections outside of normal business hours) on the warrant for the June Town Meeting.

The vote: Mr. Whelan ó Aye; Mr. Cavaco ó Aye; Mr. Rice ó Aye; Chairman Parker ó Aye; Mr. McLintock ó Abstained.

Article 18 withdrawn by Finance Director Bruce Alexander.

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

VOTED: 4 Ayes; 1 Abstention; To include Article 20 on the warrant for the June Town Meeting.

The vote: Mr. Whelan ó Aye; Mr. Cavaco ó Aye; Mr. Rice ó Aye; Chairman Parker ó Aye; Mr. McLintock ó Abstained.

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

VOTED: 4 Ayes; 1 Abstention; To include Article 21 on the warrant for the June Town Meeting.

The vote: Mr. Cavaco ó Aye; Mr. Whelan ó Aye; Mr. McLintock ó Aye; Mr. Rice ó Aye; Chairman Parker ó Abstained.

Article 22 was withdrawn on advice of counsel.

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

VOTED: To include Article 27 (\$1,185.80 prior year wages per collective bargaining agreement for firefighter) on the warrant for the June Town Meeting.

Town Moderator Michelle Hines suggested Articles 6, 8, and 9 should be together.

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

VOTED: To move Article 27 to follow Article 19 and renumber collectively and to accept the warrant, as amended.

Update on Townwide Facilities Study with MCIC

Consider Awarding Bid

Chairman of the Capital Improvement Committee David Bowden made the recommendation. The work should be completed by September 2011. The company will provide MCIC with updates as the project moves along.

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

VOTED: To award the bid for a town-wide study of buildings to Drummey Rosane Anderson, Inc. (DRA) in the amount of \$74,560, subject to review by legal counsel.

Continued Discussion on Hiring Freeze and a Spending Freeze

Mr. Carroll advised that the budget includes an additional \$12,000 in the Fire Department to bring in call firefighters to career firefighters to the extent they are qualified. That amount is still within the amount to be allocated to general government.

This will be an agenda item for next year.

April 20, 2011

-7-

NEW BUSINESS

Consideration of Appointment of Two Seasonal Landscaper/Field Maintenance Positions

DPW Superintendent Robert Lamoureux recommended the appointment of William Dornay and Patrick Grzegorzewski, who were in attendance. The positions are until the end of June 2011.

Mr. McLintock opposed the hiring in these economic times. He felt the jobs should be part time for college students.

Mr. Cavaco concurred.

Mr. Lamoureux noted that he is down one employee due to a retirement and this is a busy time for DPW.

There was no motion nor second, but the Board

VOTED: 4 Ayes; 1 Nay; to hire William Dornay and Patrick Grzegorzewski.

Mr. McLintock opposed.

Consider Appointments to Town Administrator Search Committee

Chairman Parker advised that eleven residents had submitted talent bank forms. Interviews will be held at the April 27, 2011 meeting to select five to serve on the search committee. Anyone with five votes will be on the committee.

Mr. Arthur Foulkes withdrew his name from consideration.

Consider Endorsing the Massachusetts Bottle Bill

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

VOTED: To authorize the Chairman to sign the Resolution in Support of Updating the Massachusetts Bottle Bill.

COMMUNITY SPEAKS

Mrs. Ellie Wiseman spoke about the need for a rescue vehicle in the north end of town.

Mr. Bob Blanchard felt the method used for selecting the screening committee is not fair to all candidates.

TOWN ADMINISTRATOR'S REPORT

Rubber Stamp

Mr. Carroll advised that the Mass. Dept. of Revenue ruled that rubber stamps cannot be used to sign the warrant. He noted it is critical for Board members to be available to review and sign warrants.

Mr. Carroll had a notice from the Superintendent of the Water District regarding restrictions. The message is on the website and also the bulletin board.

He noted that a request was made at the last meeting for a pavement management plan. He distributed a record of what was approved by the Board of Selectmen for the last five years. A letter went to every abutter so that they would have an opportunity to request work to be done in front of their house. Once a street is repaved, they would not have that opportunity for five years. A copy of Category 18 of the General Laws for opening streets and repaving was also distributed.

Mr. Cavaco stated that he spoke to Mr. Lamoureux about this quite some time ago. He would like to open the warrant to amend the amount of time utility companies are responsible from two to three years.

This matter was deferred until the next meeting.

Mr. Carroll had copies of the budgets up to this date. He asked if Board members wanted to meet with all department heads regarding budgets.

A joint meeting of the Board of Selectmen and School Committee is scheduled for Tuesday, April 26, 2011, at 7:30 p.m.

In response to Mr. McLintock's request, Mr. Carroll will contact the state regarding the formula for the 65%/35% split.

Mr. Carroll advised he contacted the Massachusetts Selectmen's Association regarding posting the advertisement for Town Administrator. That organization follows the same procedure as the MMA.

Regarding the status of unused buildings, Mr. Carroll noted there are three - School Administration Building, Old Town Hall, and the Police Association Building. The administration building is not in compliance with ADA and could not be used as a senior center. He suggested the Town hold on to that property because the location is good. The architect for the Old Town Hall has recommended preservation of that building. The lease for the sole bidder has been negotiated. Mr. Dan Horton is working on that.

April 20, 2011

-9-

Mr. Carroll met with the Chairman of the Conservation Commission for access to the Police Association Building. There are restrictions with regard to driving on that property. The building could be used for storage by the library.

Mr. Whelan suggested that be included in a letter to Rep. Howitt about the concerns of the Town.

Accounts Payable Warrant

Mr. Cavaco said he reviewed the bills. He noticed the School Department bills do not have account numbers. He felt that warrant should not have been signed. Mr. Alexander will check with the School Department.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Cavaco advised that he would meet with Rep. Howitt and Mass. DOT about stimulus money for 4.7 miles of road at Newman Avenue.

He will inquire about why there was no action on a bill that would make disturbance within 1,000 ft. of a military funeral or memorial service punishable.

Chairman Parker said he spoke to Rep. Howitt regarding the \$66,000 FEMA money for work on Woodward Avenue. Rep. Howitt will contact Sen. Scott Brown.

At 10 p.m. a motion was made by Mr. Whelan, seconded by Mr. Cavaco, to go into Executive Session per Chapter 30A, Section 21, for matters related to Collective Bargaining and to consider approval of the minutes of March 9, 2011; not to return to Open Session.

The vote: Mr. Whelan ó Aye; Mr. Cavaco ó Aye; Mr. McLintock ó Aye; Mr. Rice ó Aye; Chairman Parker ó Aye.

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary