

BOARD OF SELECTMEN
JUNE 22, 2011
REGULAR SESSION

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

Town Administrator: Michael J. Carroll

Executive Assistant: Anne Rogers

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. Abigail Crocker of The Patch was taping audio and video.

CONSENT CALENDAR

Approval of Minutes of April 27, 2011 Regular Session

Mr. Rice questioned the vote regarding the Fire Department rules and regulations and the vote concerning the letter to the Planning Board re: SRPEDD appointment.

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

VOTED: To postpone the vote on the minutes of April 27, 2011.

PUBLIC HEARING

Liquor License Transfer from Bugaboo Creek Holdings, Inc. to Not Your Average Joes, Located at 1125 Fall River Avenue, Seekonk MA, Seth Caplan, Manager

Chairman Parker opened the hearing at 7:05 p.m.

Mr. Stephen Silverstein, President of Not Your Average Joes, Manager Seth Caplan, and Atty. Stephen Navega were in attendance.

Atty. Navega advised the liquor license was bought out of the bankruptcy court.

The proposed opening is prior to Thanksgiving.

The public hearing closed at 7:14 p.m.

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

VOTED: To approve the liquor license transfer from Bugaboo Creek Holdings, Inc. to Not Your Average Joes, located at 1125 Fall River Avenue, Seekonk, MA

NEW BUSINESS

Consider Ratification of Contract for Pamela Nolan, New Town Administrator

Chairman Parker advised that Mrs. Nolan had accepted and signed the contract. Details will be made available following this meeting.

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

VOTED: To appoint Pamela Nolan as Town Administrator, effective July 18, 2011.

Memorial Day Parade Update and Discussion

Mr. Whelan said that issues were brought to his attention by the American Legion, and he expected Veterans Agent Seth Bai would be in attendance. He didn't realize it would be a scheduling conflict.

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

VOTED: To postpone discussion on the Memorial Day Parade.

Prior to the vote, Mr. Cavaco suggested it should be done as soon as possible. Members of the Memorial Day Parade Committee, the Veterans Agent, and representatives of the American Legion should be in attendance.

Mr. Carroll said that the Veterans Agent is in class every Wednesday night.

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

VOTED: To reschedule until the first meeting in July to discuss overall Veterans concerns and the Memorial Day Parade.

Chairman Parker apologized to members of the American Legion in attendance.

Mr. McLintock wanted to make sure they are notified about the next meeting.

OLD BUSINESS

Consider Reappointments to Community Preservation Commission, Cultural Council, Property Tax Work Off Committee, Taxation Aid Fund Committee, GATRA

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

VOTED: To reappoint Mr. William Mason to the Community Preservation Commission.

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

VOTED: To reappoint Ms. Deborah Block to the Cultural Council.

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

VOTED: To reappoint Ms. Marjorie Chapman to the Property Tax Work Off Committee.

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

VOTED: To reappoint Ms. Jane Damini to the Taxation Aid Fund Committee.

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

VOTED: To reappoint Bernadette Huck as GATRA representative.

With regard to questions raised at the previous meeting about David Bowden, his appointment to the Municipal Capital Improvement Committee will expire in 2013. According to Section 2b of the Town By-Laws, an individual is not allowed to serve more than six years. Mr. Bowden was appointed to a one-year term, and reappointed in 2008.

Mr. McLintock suggested that Mr. Rogers send Mr. Bowden a letter regarding that.

Consider Reappointment of Constable

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

VOTED: To reappoint Tina Potrias as Constable (3 year term).

Consider Reappointment of Special Police Officer

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

VOTED: To reappoint Stephen Lucke as Special Police Officer.

Mr. Rice indicated he has a problem with the reappointment process. He will discuss it at another meeting.

COMMUNITY SPEAKS

Mrs. Ellie Wiseman suggested that "Community Speaks" should be at the end of the meeting.

It was the consensus of the Board that "Community Speaks" would be at the end of the agenda.

TOWN ADMINISTRATOR'S REPORT

Mr. Carroll said that he received an e-mail from Framingham. A vote was taken at Town Meeting to request that federal and state representatives file legislation to eliminate all federal and state mandates and that the town manager should notify all towns about this request.

Mr. Carroll understood that Rep. Howitt has filed something along this line.

Mr. Carroll said that now that Town Meeting has acted, the appropriation for the Fire Department salary line item is lower for call and greater for career firefighters. He will meet with Chief Jack, Capt. Healy, and Mr. Alexander.

The Chief is doing testing to fill a vacancy in the career ranks.

Mr. McLintock mentioned that the Board had discussed the 24/7. He felt the Board had made it clear that it was not in the best interest of the Town due to the exposure through the contracts as far as overtime is concerned. He felt there needs to be open discussion with Chief Jack.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Cavaco suggested there should be a final walk through before the final payment (\$15,901.61) is made to Vasco.

Mr. Rice felt it would be inappropriate for Board members to do that; it should be done by employees qualified to do the job.

Mr. Carroll stated that every requisition had been reviewed by the Building Inspector. The Asst. Building Inspector reviewed the project and came up with items that he will look at with the vendor.

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

VOTED: 4 Ayes; 1 Nay; To withhold payment to Vasco in order to allow two Selectmen and the Building Inspector to conduct a final inspection of the work done at Town Hall.

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

Mr. Whelan said he would be available as long as it is 7 or 8 o'clock in the morning.

Mr. Cavaco said he has a request for reimbursement from Mr. McLintock in the amount of \$131.06. There is no authorization for payment. This was for a trip to the State House in Boston. He questioned payment of meals.

Mr. Whelan felt that the stipend received by Selectmen is to deter incurred costs.

Mr. Carroll signed the request for payment in the amount of \$129.26 (tip was deduced from the \$131.06).

Update from Mr. Cavaco and Mr. McLintock on Mass. Highway/DPW Sub Committee

Mr. McLintock said that they were invited to meet with Sen. Timilty and Rep. Howitt to discuss the \$1.62M owed to the Town by the State of Massachusetts. It will be brought up before the House and then go to the Senate as it relates to the formula for state aid. Both Sen. Timilty and Rep. Howitt felt it would be better to wait until after the budget is done.

Mr. Cavaco said he spoke to Sen. Timilty about additional liquor licenses. Former Rep. Phil Travis had included the traffic light on Rte. 44 in the transportation bond bill of 2006, which is gone. Sen. Timilty and he will meet with Congressman McGovern to request assistance.

Mr. Cavaco and Mr. McLintock met with MA Highway officials on June 14 regarding state aid for the design process for 114A.

Mr. McCourt of MA Highway felt it was a reasonable request and suggested the Board of Selectmen submit a request in writing.

Mr. Cavaco said they talked about issues about the depth of the asphalt on the Newman Avenue 152 project. That would be an additional cost. They should have an answer in about eight weeks.

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Chairman Parker wanted to schedule the public hearing for the first meeting in August.

He noted that this is already on next year's pavement management plan.

Mr. Cavaco said that Mr. McCourt suggested the Town submit a request for the permit with regard to the light on Route 44. Town Engineer Dave Cabral will assist the Fire Chief with the paper work.

Mr. Rice motioned, seconded by Mr. Whelan, and it was

VOTED: 3 Ayes; 2 Nays; Not to include the reappointment of David Evans to the Board of Health on the agenda.

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

Mr. Cavaco stated that he was extremely disappointed with the School Committee action at the Town Meeting. He noted that the Board has the right to put an agenda item for the next meeting to rescind the decision to sell the buses.

Mr. Cavaco said the Capital Improvement Committee threshold of \$25,000 expenditures needs to be lowered.

Mr. McLintock said it is also the definition of what a capital expenditure is. It varies from department to department.

Mr. Carroll recommended that figure. He suggested that the next Town Administrator would have the authority to change that number.

Mr. Whelan asked if he could try to talk to Congressman McGovern about the light on Route 44.

Mr. Cavaco replied that it is being taken care of. He welcomed Mr. Whelan to join him.

Mr. McLintock felt that the needs of the town should be prioritize in conjunction with department heads.

Chairman Parker listed several agenda items for July: polling places for the last meeting in July, revisiting the sign by-law, Mr. Cavaco's donation to Save-A-Pet and public hearing on the Route 152 project for August.

Also in July, Mr. Rice and Mr. McLintock will make a recommendation on computers for Board members.

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Chairman Parker invited the public to attend a reception for Mr. Carroll at 5 p.m. on Monday at the Grist Mill.

Chairman Parker also expressed his disappointment with the School Committee action. He noted the Board had met with the School Committee 20 minutes before that happen.

Mr. McLintock asked why the Finance Committee did not discuss this action with the Board of Selectmen.

He felt the Board has to set goals and objectives. He suggested that the Board meet with the Finance Director, Treasurer, and the next Town Administrator to make sure there is proper bonding on projects.

Mr. Rice said that Mr. McLintock and he were in attendance at a public School Committee meeting where they said they were going to request the Town for \$83,000; so it should not be a surprise to anybody.

Chairman Parker said the Board will meet every other week during the summer as long as the meetings are not too long.

At 8:55 p.m. Mr. Cavaco motioned, seconded by Mr. Whelan, to go into Executive Session for strategy relative to collective bargaining with United Steelworkers Clerical and Supervisory Union and strategy relative to litigation; not to return to Open Session.

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

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary