

BOARD OF SELECTMEN
AUGUST 17, 2011
REGULAR SESSION

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

Town Administrator: Pamela T. Nolan

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 was recording audio.

CONSENT CALENDAR

Consider Approval for Fire Department Annual “Fill the Boot” Campaign

Firefighter Shaun M. Whalen requested authorization to collect monies for the Muscular Dystrophy Association of America. The dates are August 27, 2011 and September 3, 2011 or alternate dates August 28, 2011 and September 4, 2011.

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

VOTED: To approve the “Fill the Boot” campaign, subject to approval by the Police Chief.

Consider Approval of June 15, 2011 and July 20, 2011 Regular and Executive Session Minutes

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

VOTED: 4 Ayes; 1 Abstention; To accept the Regular Session minutes of June 15, 2011.

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

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

VOTED: 4 Ayes; 1 Nay; To defer the Executive Session minutes of June 15, 2011 and July 20, 2011 for discussion later in the meeting.

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

August 17, 2011

-2-

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

VOTED: 3 Ayes; To strike out the word "unanimously" from page 5 of the July 20, 2011 minutes on the motion to proceed with the firefighter appointment.

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

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

VOTED: 3 Ayes; 2 Nays; To postpone action on the July 20, 2011 minutes until there is a corrected copy.

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

NEW BUSINESS

Update on Extending MOU with Attleboro Regarding Waste Water Treatment Plant

Mrs. Nolan advised that she received a request from Attleboro Mayor Kevin J. Dumas to update the original MOU dated 2004 because there is new construction.

Mayor Dumas was in attendance along with Mr. Paul Kennedy. The Mayor explained the City is in the process of making a modification in order to meet the nitrogen limit. The estimated cost of the electrical permit is \$49,000. The City would do all inspections but the Town could also inspect at any time.

Building Commissioner Mary MacNeil said the Board would have to vote to amend Administrative Policy #17. That would waive the fees charged by the electrical inspector for the permit for this project only.

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

VOTED: To amend Administrative Policy #17 to waive the fees for electrical inspector for this project only.

Prior to the vote, Mr. McLintock expressed concern that the Town needs to have documentation from the City of Attleboro that the Town of Seekonk is held harmless.

The Mayor referred to #1 and #2 of the Memorandum of Agreement, which would address Mr. McLintock's concerns.

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

VOTED: To include the word, "electrical" and the language stipulated by the Mayor.

Mr. Cavaco wanted to make sure the Board reviews the amended documents before any action is taken.

Mr. Rice wanted more information.

Mrs. Nolan said to sign contingent upon receiving the language specified to Mayor Dumas (hold harmless and including ðelectricalö).

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

VOTED: To authorize the Town Administrator to sign the documents.

Discussion with the Town Clerk Regarding the Need to Replace Voting Machines

Town Clerk Janet Parker advised that the Clerks have been waiting for the State to certify voting machines, which was not done. Majority of the Clerks have decided to go along with replacing the machines in anticipation of next year's presidential election. The new machines will be in place for the September 2012 preliminary election. If approved by the Board, she will have an article for Town Meeting for approximately \$18,000.

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

VOTED: To authorize the Town Clerk to replace the OpTech Eagle Machines with Accuvote OS machines.

Mr. McLintock felt it might be considered an unanticipated expenditure.

Mrs. Parker said she would go to the Finance Committee.

Discussion with the Town Clerk Regarding 2012 Fishing/Hunting Licenses

Mrs. Parker advised that it would no longer be worthwhile for her office to process these licenses. There are additional requirements and the Town would have to set up a special account. She noted that residents can apply on line or at the library. The Town gets \$1.50 out of the \$28.50 fee.

Interview Candidates for Appointments to Parks and Recreation (2); MCIC (1 BOS and 1 Moderator); Board of Health (2)

David Pinsonneault (Recreation), Tina Tinley (Recreation), Ginny Pacheco (Recreation), Jason Adamonis (Recreation), David Viera (MCIC), Jeff Creamer (MCIC)

Mr. Cavaco noted that Ms. Tinley had asked to be interviewed at another time. She had a death in her family.

Ms. Ginny Pacheco and Mr. Jason Adamonis stated the reasons they wanted to be appointed to the Recreation Commission.

Mr. Cavaco felt that Ms. Pacheco would put her whole heart and soul for the children of this community.

He said he interviewed parents about Mr. Adamonis, and they felt he would be good for the program. Mr. Cavaco and Mr. McLintock noted that Mr. Adamonis does not have children who could benefit by the programs.

Applicants for MCIC were not in attendance. The item was deferred until later in the meeting.

Town Moderator Michelle Hines will interview at the August 31, 2011 meeting.

Chairman Parker noted that there are still vacancies on some of the Boards and Commissions.

Update on Annual Town Report Procedures

Mrs. Nolan suggested that the Annual Report should be available for Town Meeting. She felt department head reports should be in by the first of February. She will prepare a timeline for the next meeting.

OLD BUSINESS

Discussion on Charges by Board of Health on Violation of Open Meeting Law; Atty. General's Response and Legal Fees Paid to Date

Chairman Parker advised that the Board of Health charged the Board of Selectmen in violation of the open meeting law.

Legal counsel responded in ten days at a charge of almost \$1,000. The Board of Health never sent out the complaint. It eventually did go out. The Atty. Gen. considered the matter closed because it was over the thirty-day period.

Mr. McLintock asked if the Board of Health has permission to use legal counsel as well.

Mrs. Nolan responded not to her knowledge.

Discussion on Sign at Entrance to Town Hall

The Board had previously voted to encumber \$1,000 for this project.

Mr. Lamoureux indicated to the Chairman that he was not aware this had to be done.

Discussion on Rte. 44 Design Study for Traffic Light at Public Safety Complex

Town Engineer David Cabral advised that \$2,000 of Chapter 90 monies allocated for the 114A project could be used for the design work. The light would be yellow until triggered by an emergency vehicle or fire truck coming from the Public Safety Complex.

Mr. Cavaco said, when the Public Safety Complex was done, the Board of Selectmen at that time did not follow through the process. The paperwork should have been done for the permit even though the Town did not have the money.

He proposed that \$50,000 of the \$214,000 the Town was able to recoup for the 114A project be set aside for the design of the light.

He will contact Sen. Timilty and Congressman McGovern about construction money.

Mr. Cabral said money will not be available until next spring. In the meantime, it can be reallocated.

Mr. McLintock felt the police should be able to trigger the light as well.

Mr. McLintock said the 25% submittal for 114A project has been approved, so the Town can move on the 75% submittal.

Mr. Cavaco said that Rep. Howitt is trying to secure a light and control panel.

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

VOTED: To set aside \$50,000 from the 114A project for the light at Route 44.

Reconsideration of Town Hall Hours

Mrs. Nolan advised that the staff responded to her request for comments. Most staff is not uncomfortable being in the building on the Wednesday nights that the Board does not meet. They all leave at once, and a police car is usually parked outside when they leave. Most felt it was a service to the public. Some felt not many residents show up to justify it.

She recommended no changes.

Chairman Parker noted a panic button was installed in the Town Clerk's office.

Mrs. Nolan said that the Building Commissioner would like to work the regular Town Hall hours. Right now she works from 7 to 3.

Chairman Parker felt this was done to allow for early morning inspections.

Mr. Whelan said the contractors want to get an early start.

Mr. McLintock suggested the Building Commissioner coordinate her schedule with the contractors.

Mr. Cavaco noted that there should be a light at the back entrance to the building.

Mr. Rice questioned if it is justified to stay open until 7 p.m.

Chairman Parker said it was originally started by the Town Clerk about ten years ago and then people started to come into Town Hall for other reasons.

NEW BUSINESS

Interview Candidates for MCIC

At this time, the Board interviewed Mr. David Viera and Mr. Jeff Creamer for the Municipal Capital Improvement Committee.

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

VOTED: To suspend the rules so that the Moderator can conduct her interviews.

Mrs. Hines stated that these two candidates have already satisfied the part of the bylaw regarding interviews. A third candidate could be interviewed at the August 31, 2011 meeting along with Finance Committee candidates.

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

VOTED: To return to the regular order of business on the agenda.

Mr. Rice suggested there should be a deadline on submission of applications.

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

VOTED: That the third applicant for MCIC is the final applicant to be accepted.

OLD BUSINESS

Discussion on Fall Board of Selectmen Meetings

The Board will meet every week starting in September. Every other week will be a work session. Public input is not allowed during the work session but the Board can vote. All items have to be listed on the agenda.

TOWN ADMINISTRATOR'S REPORT

Mrs. Nolan said she had five union meetings this week.

While attending a "Change of Pace" program at Cable 9, she spoke to the director about producing a program "Seekonk Works." An employee is interviewed while at work. It shows taxpayers what they are paying for.

Board members approved.

Mrs. Nolan said she met with Mr. Robert Brown, independent auditor. He felt the financial offices in this town are sound and the financial team is excellent.

At Mr. Hansen's request, she has reviewed proposals for affordable housing on Gude Street. The information was forwarded to town counsel and can now go out to bid. The contract should be awarded in the fall.

Mrs. Nolan and Chairman Parker will talk to the Water Board about fees for the Banna Fire Station.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Accounts Payable Warrant

Mr. Cavaco reported that a town employee is using personal funds for purchases and submitting request for reimbursement. There is an Administrative Policy on that.

The Town Administrator will discuss this at the next department head meeting.

Mr. Rice commended the people who serve on town boards and commissions. He felt the Town is well represented.

Mr. Cavaco advised that Mr. McLintock and he will attend a meeting at Mass. Highway. He will post it.

He said that Boards and Commissions should post agendas and minutes on the website.

Mr. Cavaco said that he spoke to Mr. Lamoureux about a problem on Metropolitan Park Avenue at the corner of Central Avenue.

It has come to his attention that a town employee felt his \$300 donation to Save-A-Pet should have gone to Human Services and that the Board of Selectmen never does anything for senior citizens. He noted that he donates his stipend to various charities within the Town. He is responsible for the brown bag project and he had a fundraiser which raised \$1,100 for the Taxation Aid Program. The \$300 to Save-A-Pet was the result of a fun bet between Chairman Parker and himself.

Mr. Cavaco noted if that individual continues to make those kind of comments, that person will be before this Board for discipline.

Chairman Parker said that he got an e-mail at home regarding the traffic in the north end of Town. He commended Police Chief Charron.

Mr. Whelan added commendations for the south end of Town at the bridge work.

Mrs. Nolan advised that Town Counsel will conduct mandatory training on the Open Meeting Law. All board and commission members should attend.

Mr. McLintock said he has the name of telephone number of an individual in Randolph. There is money available for I pads.

He said he was very impressed with the Wal Mart public hearing process. Wal Mart officials came in with a third option to address concerns. The Chairman of the Conservation Commission did an excellent job.

Mr. McLintock requested that Weston & Sampson attend a work session.

At 9:10 p.m. a motion was made by Mr. Cavaco, seconded by Mr. Whelan, to go into Executive Session per Chapter 30A, Section 21, to discuss collective bargaining for police union and AFSCME, 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.

Chairman Parker left at this time.

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary