

BOARD OF SELECTMEN
SEPTEMBER 28, 2011
REGULAR SESSION

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

Absent: John Whelan

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. Mr. George Morse of the Seekonk Star was taping audio and Ms. Abigail Crocker of the Patch was taping audio and video.

Mr. Michael Durkay, Chairman of the Library Board of Trustees, spoke about the untimely death of Ms. Sharon St. Hilaire, Director of the Seekonk Public Library. Ms. St. Hilaire worked at the library for 34 years.

A memorial book will be placed at the front desk in the Library.

Chairman Parker said she will be missed as a department head, leader, and friend.

CONSENT CALENDAR

Consider Approval of Minutes – August 31, 2011 Regular Session and September 7, 2011 Work Session

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

VOTED: To accept the Regular Session minutes of August 31, 2011.

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

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

VOTED: To accept the Work Session minutes of September 7, 2011.

NEW BUSINESS

Discussion and Consideration with Gary Sagar and Town Clerk Janet Parker for Additional Polling Places

Mr. Gary Sagar stated that in April of this year he asked that the Board amend the existing policy of one voting location at the high school. He said in no way is this a criticism of the Town Clerk, and he applauded her for trying to save money. It was done based on the decision of the previous Board of Selectmen and former Town Administrator.

September 28, 2011

-2-

He suggested three sites (Seekonk High, Martin, and Hurley Schools). All three meet ADA requirements.

He obtained financial data from 2008. The Finance Director indicated that police details are the biggest cost. He felt the Board should do whatever possible to make voting available to all residents.

Mr. Sagar noted the Town receives a small reimbursement from the State for expenses. He requested that the Board try the three locations on a trial basis until April 2013 and include it as a ballot question.

Town Clerk Janet Parker stated that in 2008 department heads were asked to save money in their budgets. She polled other towns and found that many of the towns bigger than Seekonk have gone to one polling place. The Superintendent of Schools at that time allowed the Town to use Seekonk High School as the one location for voting. Mrs. Parker felt there is more control of the election and it is also cost effective to have one location.

She noted that, with the new federal census, people will be changed from one precinct to another. The Town only needed one auto mark machine because it was one location. There are two policemen ó one in the parking lot and one inside the building. Also, anyone who has a problem can vote absentee ballot.

She said that in a few years residents will be able to vote at Town Hall two or three weeks ahead of time.

Mrs. Parker encouraged the Board to keep it the way it is.

Mr. Cavaco said the fairest way is to have a ballot question.

Mrs. Parker felt, if that happens, the residents will want all voting places reopened.

Mr. McLintock thanked Mr. Sagar for the information. He said it would be difficult to use the Martin School because of the population there. He would like to look at the material presented by Mr. Sagar. He noted that the upcoming elections are very important nationally and locally.

He questioned the need for a police officer in the parking lot.

Mrs. Parker said it is because of the school buses.

Mr. Rice also wanted to look at the material.

Chairman Parker said that any changes would mean 5,200 registered letters would have to go out to voters and the Town would have to get another machine.

Mrs. Parker said any changes would have to be approved by the Secretary of State's office.

September 28, 2011

-3-

Mr. McLintock asked for a comparison of the turnout now and before the change was made.

Mrs. Parker felt that all voters are serviced at the one polling place and nobody is denied the right to vote.

Following discussion, a motion was made by Mr. McLintock, seconded by Mr. Cavaco, and it was unanimously

VOTED: To table the matter until the meeting of October 26, 2011
to allow the Board to review the information.

At this time, the order of business moved to:

OLD BUSINESS

Update on 200th Anniversary Celebration with Town Clerk

Mrs. Parker talked about the 200th Anniversary. The School Department is selling hats and T-shirts. Each school has a different back on the T-shirts that was designed by students. There will be activities each month, including a Celtics Night in March and a barbeque in June. A semi-formal or period costume dinner dance will be held at Johnson & Wales in January. Tickets are \$50 and can be purchased in the Town Clerk's office.

NEW BUSINESS

Discussion with Gas Company

Mr. Lamoureux introduced John Menton and Meghan Bernier from Columbia Gas.

Mr. Cavaco said there are questions re: the Gas Company obtaining permits from the Town for openings in certain locations throughout the Town. He is concerned about settling in several areas.

Mr. Menton said a subcontractor will be doing the work in about a week. They wait until settlement occurs.

Mr. Cavaco said a permit issued on August 11, 2011 for a job at Kent Drive was not visible on the site.

In response to Mr. Cavaco's question, Mr. Lamoureux advised that he was notified several years ago that the Gas Company would be using a subcontractor.

Mr. McLintock said he has had complaints about the Gas Company for quite some time about the way they opened Newman Avenue and went back and filled in the holes. About a month ago, he looked at the road cuts. He felt the Gas Company, as a private entity, is subsidized by taxpayers. The Gas Company is not paying to open the roads.

September 28, 2011

-4-

He had pictures of road work done in the north end of town.

Mr. Menton said he would pass along the concerns.

Mr. Rice noted that the pictures do not have street names.

Mr. McLintock said most of them are from Central Avenue.

Mr. Rice wanted to know every instance there is a road opening.

Mr. Lamoureux noted he provided a copy of all permits issued.

The matter was referred to the October 26, 2011 meeting.

Discussion on Administrative Policy – Chapter 90

Mr. Cavaco stated that as a member of the subcommittee appointed to oversee road projects, he learned that additional stimulus money might be available for shovel ready projects. In order to qualify, there must be an affidavit filed with Mass. Highway that Chapter 90 funds will be utilized and the project meets Mass. Highway standards.

Mr. Lamoureux noted in order to do Newman Avenue over according to Mass. Highway standards, accommodations have to be made (bike lanes, ADA accessibility, etc). Instead of doing 6,000 ft, only 500 ft. can be done for the same amount of money.

Mr. Rice felt the cost of meeting those standards is high.

Mr. Lamoureux said it would be counter-productive to use Chapter 90 monies. He felt that Mr. Cavaco was referring to roads that would qualify for stimulus money. Those roads should meet Mass. Highway standards.

Mr. McLintock felt the Board needs to adopt rules so that any money being spent is not good money thrown after bad, and the roads that are done will be done right.

Mr. Lamoureux insisted that Mr. McLintock name the roads that were improperly done.

Mr. McLintock replied that it is not his job.

Mr. Lamoureux felt it would be a mistake to adopt a policy for all roads.

Mrs. Nolan expressed concern about the cost to obtain those standards.

Mr. Lamoureux talked about Prospect Street. He said the road is not wide enough and will need a design waiver from Mass. Highway.

He said that Mass. Highway standards are mentioned in the Planning Board regulations.

September 28, 2011

-5-

The Town Administrator will come back to the Board with a recommendation in a few weeks.

Consider Awarding Bid for Catch Basin Cleaning Services to Vigeant Equipment Company

Mrs. Nolan advised that this meets all standards and the laws of the Commonwealth. She noted the significant difference between the low bidder and the next bid. She said this might be the last year for this company.

There was no action on a motion by Mr. Cavaco to award the contract to Vigeant Equipment Co. at \$7.50 per catch basin for a total amount not to exceed \$14,250.

Prior to the vote, Mr. McLintock raised several concerns about the low bidder. He felt the proposal was unprofessional. He said there has to be local contractors who do this kind of work. He questioned why there is such a gap between the low bidder and the other bids.

Mrs. Nolan said this firm has been doing this for a long time and will no longer do it. She noted there will be a significant increase in cost next year.

Mr. McLintock referred to drainage problem that occurred, which Mr. Lamoureux stated had nothing to do with catch basins.

A motion by Mr. Rice, seconded by Chairman Parker, was

DEFEATED: 2 Ayes; 2 Nays; To award the contract to Vigeant Equipment Co. for catch basin cleaning at \$7.50 per catch basin; not to exceed \$15,000.

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

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

VOTED: 3 Ayes; 1 Nay; To award the contract for catch basin cleaning to Vigeant Equipment Co. of 2594 Acushnet Avenue, New Bedford, MA at \$7.50 per basin; not to exceed \$14,250 and to authorize the Town Administrator to sign the contract.

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

OLD BUSINESS

Discussion on Town Wide Brush Pick Up

Chairman Parker said he didn't think DPW was going to pick up brush. No further discussion.

Consideration on Agenda Format

Mr. Rice suggested that the times be deleted from the agenda and that Community Speaks should be at the beginning of the meeting.

Chairman Parker said he would do better in the future in planning the agenda. He will move people upfront who want to talk. Community Speaks will stay where it is

TOWN ADMINISTRATOR'S REPORT

None.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Accounts Payable

Mr. Cavaco stated that the Town had purchased gas from Direct Energy. The Town is now purchasing from Columbia Gas without authorization of the Board. He asked Mrs. Nolan to look into it.

Mr. McLintock said that the electric company should be moving the poles in the Bakers Corner area.

Chairman Parker advised that the 114A project is on the TIP for 2015.

Mr. Rice reported that Mrs. Nolan and he met with the Chairman of the Board of Health and the Health Agent. They agreed to keep communication open.

Mr. Cavaco stated that he attended the Planning Board Public Hearing on the overlay district. There was no opposition.

Mrs. Nolan, Mr. Hansen, Ms. Rogers and he will travel to Boston to meet with Rep. Howitt and a representative of the Licensing Board to talk about the overlay district.

Mr. Cavaco talked about the need for outside lights at the animal shelter.

Mr. McLintock noted that the Town Hall parking lot was well lit.

September 28, 2011

-7-

Mr. Cavaco requested paperwork on the Town Hall generator.

He said that some committees do not have minutes on the website.

It was noted that the joint meeting (Board of Selectmen and Recreation Commission) scheduled for Thursday, September 29, 2011 had been properly posted by both boards. This will take place at the Police Association building behind the library.

Mr. Rice advised that the Planning Board requested a work session on either October 5 or October 19, 2011 to discuss the Master Plan.

Mr. Cavaco noted that the Board had accepted gifts at previous meetings in violation of the open meeting law. It will be on a future agenda.

He said that Town Planner John Hansen has suggested an Energy Committee.

He suggested replacing two DPW employees at the landfill with two under the tax work-off program.

Mrs. Nolan advised that cannot be done.

Mr. Cavaco requested an agenda item to talk to representatives of Weston and Sampson about job performance.

Mr. Rice requested documentation.

Mr. McLintock said it is time to replace them.

Mr. Viera stated that the Board of Selectmen at the time agreed to hire an assistant to Mr. Lamoureux, and that it would be an engineer. The Board hired an individual who was not an engineer but has worked towards it.

Bill Rice noted that Mr. Cabral is an engineer.

Mr. Cavaco indicated he is preparing a warrant article to change the rules and regulations regarding road openings.

COMMUNITY SPEAKS

Mrs. Wiseman spoke in support of one polling place at the high school.

Mr. Donald Kinniburgh suggested that Board members should receive documents prior to the meeting.

September 28, 2011

-8-

Mr. Bob Blanchard said it is more important to look into how to people get to the polls instead of how many voting places.

He listened to the debate between Mr. McLintock and Mr. Lamoureux about Mass. Highway standards. He questioned why spend money so that town roads meet MA Highway standards. He asked why Mr. McLintock didn't answer Mr. Lamoureux when he asked what roads were not done properly.

Mr. Donald Kinniburgh felt this in violation of the open meeting law because the department head was not in attendance.

Mr. Ed Wiseman suggested the Town offer a service to transport residents to the polls.

Chairman Parker noted that all candidates do that.

Mr. Rice felt the Board should be notified if there are additional materials to be picked up after the packets are distributed.

Chairman Parker said that presenters are supposed to have material in the office on Friday.

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

VOTED: To go into Executive Session at 9:40 p.m. to consider approval of March 15, 2011, August 17, 2011, and August 31, 2011 Executive Session minutes and discuss collective bargaining negotiations with DPW and Dispatch; not to return to Open Session.

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

Chairman Parker advised he would not be in Executive Session.

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary