

BOARD OF SELECTMEN
DECEMBER 14, 2011
REGULAR SESSION

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

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 video and audio. Mr. George Morse of the Seekonk Star was taping audio.

NEW POLE PETITION FOR NATIONAL GRID

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

VOTED: To authorize National Grid to relocate Walker Street Pole P1926 toward west by 20' +/- to avoid trespass over property/house #250.

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

VOTED: To authorize National Grid to replace guard wire on Central Avenue New P2220-84.

CONSENT CALENDAR

Consider Approval of Regular Session Minutes for October 26, 2011 and November 2, 2011

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

VOTED: 4 Ayes; 1 Abstention; To accept the Regular Session minutes of October 26, 2011.

The vote: Mr. McLintock – Aye; Mr. Rice – Aye; Mr. Cavaco – Aye; Chairman Parker – Aye; Mr. Whelan – Abstained due to absence.

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

VOTED: To accept the Regular Session minutes of November 2, 2011.

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

CONSIDER APPROVAL OF RENEWALS FOR 2012 ANNUAL ALCOHOL LICENSE RENEWALS

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

VOTED: 4 Ayes; 1 Abstention; To approve the Club license renewals (Seekonk Columbus Corp. and Ledgement Country Club).

The vote: Mr. Cavaco – Aye; Mr. McLintock – Aye; Mr. Rice – Aye; Chairman Parker – Aye; Mr. Whelan – Abstained due to potential conflict - his employment at Country Liquors, Inc. in Seekonk.

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

VOTED: To approve Inn Holder license renewals for Seekonk Hospitality, Inc. (DiParma Restaurant and J & W Corporation (Johnson & Wales)).

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

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

VOTED: To approve all Common Victualler license renewals as presented.

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

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

VOTED: To approve the Veteran's Club license renewal for American Legion of Seekonk, Inc., Post #311.

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

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

VOTED: To approve all Wine & Malt license renewals as presented.

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

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

VOTED: 4 Ayes; 1 Abstention; To approve Section 15 All Alcohol Package Store license renewals.

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

The order or business moved to:

INTERVIEW FOR BOARD OF HEALTH POSITION

Mr. Cavaco and Mr. McLintock declared that they had filed the proper notification (Form 268A) with the Town Clerk as members of the Board of Health and receive no compensation in that capacity. As Selectmen, they would act impartially in the selection process.

Mr. Douglas Brown, a licensed practical nurse, said he wants to serve his community. He is honest and trustworthy. He was a U. S. Navy hospital corpsman.

Mr. Raymond Grant has a degree in nursing and extensive background in medicine and public health.

Mr. Ralph Travers has over 50 years experience in the excavating business.

Based on the fact that Mr. Brown and Mr. Grant are in the medical profession, Mrs. Nolan recommended their appointment. Although, she noted that Mr. Travers' experience could also be considered.

Chairman Parker noted Anthony Strycharz withdrew his application.

Mr. David Saad suggested that Mr. McLintock recuse himself because Mr. Brown serves on the Republican Committee with him.

Chairman Parker said that he spoke to Town Counsel today and there are no ethics violations.

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

VOTED: To appoint Douglas Brown to fill the unexpired term of Gail Nunes on the Board of Health.

In response to Mr. Donald Kinniburgh's question, Chairman Parker advised that Mr. Cavaco and Mr. McLintock were appointed to three-year terms.

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

VOTED: To appoint Raymond Grant to fill the unexpired term of Dr. Brown on the Board of Health.

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

VOTED: That the appointments take effect immediately after swearing in by the Town Clerk.

Chairman Parker advised that Town Counsel provided an opinion that the two members of the Board of Selectmen who serve on the Board of Health cannot comment and/or vote on anything that comes under the purview of the Board of Health. The appointment of people to the Board of Health comes under the purview of the Board of Selectmen.

Mr. David Saad argued that Mr. Cavaco and Mr. McLintock should not have appointed these two gentlemen. He felt this would open the Town to a lawsuit.

OLD BUSINESS

Consider Approval of Snowplow Vendors

Mrs. Nolan recommended the Board consider the snowplow vendors as submitted at the previous meeting. The Town does not have the number of vendors needed to adequately plow the Town.

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

VOTED: 3 Ayes; 2 Nays; To approve the snowplow vendors as submitted and recommended by the Town Administrator with the stipulation that vehicles have commercial plates.

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

In discussion prior to the vote, Mr. McLintock advised that he received information from Mass. Highway on guidelines for insurance.

Mr. Cavaco opened discussion on a Registry of Motor Vehicles law that requires vehicles to have commercial plates in order to plow.

He said some of the vendors have passenger plates.

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Chairman Parker said, in that case, the Town had been in violation for the past 15 years.

NEW BUSINESS

Veterans Agent Request to Extend Veterans Park for Continued Beautification

Veterans Agent Seth Bai explained that he would like to extend the Veterans Park area outside Town Hall and also establish a committee of seven members to help with the continued beautification of the area.

He has already spoken to Mr. David Viera of the American Legion.

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

VOTED: To authorize the Veterans Agent to extend the area in the front of
Town Hall for the Veterans Park.

OLD BUSINESS

Update on Banna Station, Including Alternative Fuel Consider/Sign Contract for Demolition Inspection and Summary Report for Banna Station

Chairman of the Building Committee Arthur Foulkes explained that RI Analytical identified a few items. Testing to determine what should be done will cost about \$1,000. The boiler has to be replaced and probably the floor tiles.

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

VOTED: To accept the Demolition and Summary Report for Banna Station
and authorize the Town Administrator to sign the contract.

Chairman Parker did not allow comments by Mr. Foulkes about natural gas because it was not an agenda item.

NEW BUSINESS

Fire Chief's Request to Declare 1989 E 450 Ford as Surplus

Chief Alan Jack advised that the vehicle had not been used for more than 2 years. He would like to trade it in towards the purchase of a new vehicle – bid opening the following day. The vehicle should be taken off the insurance.

Mr. McLintock asked about the mileage on the vehicle.

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

VOTED: To authorize the Fire Chief to declare the 1989 E 450 Ford as surplus.

Assessor's Request to Declare One Safe as Surplus

Town Assessor Theo Gabriel advised that the safe is about 40–50 years old and weighs about 3,000 lbs.

Mrs. Nolan said it should be disposed of before the new carpet is put in Town Hall.

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

VOTED: To declare the safe in the Assessor's Office as surplus.

OLD BUSINESS

Discussion on Quote/Proposal for Repair and Refurbish Sign for Town Hall

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

VOTED: 4 Ayes; 1 Nay; To expend \$800-\$1,000 to refurbish the original sign and re-install it, including a light, at the entrance to Peck Street.

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

TOWN ADMINISTRATOR'S REPORT

Discussion on Board of Selectmen Meeting for December 21, 2011 and December 28, 2011

A meeting was tentative scheduled for December 21, 2011 for a license renewal. There will not be a meeting on December 28, 2011.

Discussion on a Night for Work Session with Fire Department for Staffing Tentatively Scheduled for January 12, 2012

Mrs. Nolan said that firefighters asked if they would be allowed to speak at the meeting.

Chairman Parker said “no” but they might be asked to respond to questions from the Board.

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He added that Board members could submit any questions in writing to the Town Administrator prior to the meeting.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. McLintock requested an agenda item for the next meeting to rescind the vote taken to allow the ZBA to hire an attorney.

Chairman Parker requested that the Town Administrator notify the Chairman of the ZBA not to take any action at this time. Also, that she invite the ZBA, Planning Board, and Building Commissioner to attend the Board of Selectmen meeting on December 21, 2011.

Mrs. Nolan advised that Mr. Sagar, Vice Chairman of the ZBA, requested that the Board of Selectmen and the ZBA meet with the individual to discuss the matter. She told Mr. Sagar it is a matter of litigation; and, therefore, should be in Executive Session. He does not want that.

She advised that the Planning Board voted to be the board to make the appeal.

Chairman Parker questioned why Mr. Hansen had previously said it had to be done by the Board of Selectmen.

Accounts Payable Warrant

Mr. Cavaco advised that for five weeks in a row the warrants are in order.

Mr. McLintock asked about the budget process.

Mrs. Nolan said that budgets have to be in by the end of the year and should be given to the Board in January.

Mr. McLintock requested that Mrs. Nolan and Town Counsel clarify the role of the Board of Selectmen with Cable 9 and the 501C.

Chairman Parker said that the Board has always chosen not to be involved. He noted that the equipment in Town Hall has all been donated by Cable 9. They have always cooperated with the Board of Selectmen.

Mr. McLintock questioned why the Board signed a 10 year contract and has no control.

Mr. Cavaco advised that the Seekonk Junior Warriors Cheerleading Squad placed 5th in national competition.

He requested that the law regarding the contractors' responsibility for roads for five years be included on the next Town Meeting Warrant.

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Mr. Rice requested that the Board form Energy and Economic Development Committees. He felt the Town could be eligible for grants for various energy projects. This is part of the Master Plan.

Mr. McLintock inquired about the electrical problems at Town Hall.

Mrs. Nolan said she will rely on Mr. Fisk.

Chairman Parker advised the dinner dance to celebrate the Town's 200th Anniversary will take place on Saturday, January 21, 2012 at Johnson & Wales. The cost is \$50 per person. Tickets are available in the Town Clerk's office. He noted that Rehoboth Selectmen and officials from East Providence will attend.

Tickets are still available for the Celtics/Knicks nationally televised game to be held on Sunday, March 4, at 1 p.m. The cost of admission and bus transportation is \$95 per person. The Seekonk Police Honor Guard will present the colors and some children under the age of 14 will be allowed to hi fi the players.

Other activities are planned throughout the year.

COMMUNITY SPEAKS

Mr. Kinniburgh asked about getting copies of legal bills.

Chairman Parker suggested he ask Mrs. Nolan.

Mr. Ed Wiseman talked about playing Santa.

He suggested the cheerleaders should be allowed to go to the Celtics game to perform on the floor.

Chairman Parker noted that there was no interest from the high school cheerleaders and dance studios in the area to raise the money to attend.

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

VOTED: To dissolve at 9:27 p.m.

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

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Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary