

BOARD OF SELECTMEN
MARCH 7, 2012
REGULAR SESSION

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

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 and asked if anyone in the audience was taping.

PROMOTION OF PATROLMAN DAVID ENOS TO SERGEANT IN THE SEEKONK POLICE DEPARTMENT

Police Chief Ronald Charron, the Police Honor Guard and fellow officers were in attendance.

Police Chief Ronald Charron recommended the appointment of David Enos to Sergeant.

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

VOTED: To approve the promotion of David Enos to the rank of Sergeant.

Sgt. Enos was sworn in by Town Clerk Janet Parker.

Chairman Parker said he was so proud to see the Seekonk Police Honor Guard present the colors at the Celtics/Knicks game in front of about 15,000 fans. It is a very prestigious unit. He expressed disappointment that it was not televised.

Chief Charron said the officers do it on their own.

The order of business moved to **OLD BUSINESS**.

Amendment to Traffic Rules and Orders in Accordance with Central Avenue Control Agreement

Town Engineer David Cabral said the State had requested the amendment. It is in addition to the traffic control amendment and has to do with over signage.

March 7, 2012

-2-

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

VOTED: To approve the amendment to traffic rules and orders in accordance with the Central Avenue Control Agreement.

Board members signed copies of the Amendment and Mrs. Parker notarized.

CONSENT CALENDAR

Request to Play Candidate Interviews on Government Channel #15 – John Turner

Mr. Turner unavailable at this time.

INTERVIEW CANDIDATES FOR VARIOUS COMMITTEES

Town Moderator Michelle Hines was in attendance.

Finance Committee

Mr. Robert Richardson responded to questions from Ms. Hines. He mentioned his six years in public service as a member of the School Committee and Board of Selectman.

Banna Fire Station Building Committee

Ms. Hines noted that, according to a vote taken at Town Meeting, an appointment must be made from a member of the Capital Improvement Committee. There is no interest at this time.

Mr. Norman Champigny said he watched last week's meeting. He commended the Town Administrator for the proper pronunciation of his name. It was mentioned that he was a call firefighter. He was never a call firefighter. He has been a special police officer for ten years.

He talked about the need for satellite stations for a prompter response. He is retired and has the time to dedicate to this committee.

Mr. Evan Akers, a current firefighter, felt he could help the other members of the committee.

Ms. Hines appointed Mr. Richardson to the Finance Committee.

As previously noted, she has to wait to see if anybody comes forward from the Capital Improvement Committee.

She appointed Mr. Champigny to the Banna Fire Station Committee.

Mr. McLintock questioned the idea of a member of the CIC on the Banna Fire Station Committee.

Chairman Parker noted there is an article for Town Meeting to remove that stipulation.

Economic Development

Mr. Todd Ouellet was not in attendance. There are no other volunteers.

Mr. Rice explained that Mr. Ouellet has his own business. He expressed an interest in this committee.

OLD BUSINESS

Central Avenue Update on Overall Contingency Budget Consideration of Approval of Item #13

Town Engineer David Cabral said he presented this item at the last meeting. Items 6 through 12 were approved at that meeting.

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

VOTED: To approve Item #13 in the amount of \$40,668.31.

Discussion on 25% Submittal Documentation on 114A Project

Mr. Cavaco mentioned that documentation was missing from the 25% submittal to Mass. Highway. Relocation of utility poles and curb information was not included. These items would not hold up the project but need to be submitted. He noted that the Town paid about \$56,000 to the engineering firm for the 25% submittal. He does not want this to be like the 152 project.

Mr. Cabral suggested that the Scope of Services requires further review.

Mr. McLintock noted that the engineering firm doing the 75% submittal will have to go back and do that; and, obviously it will not be done for nothing.

Chairman Parker suggested that the firm that did the 25% submittal should be responsible to correct the problem at no charge.

Mr. McLintock commended Mr. Cabral for taking care of the pole situation.

He felt the Board has to make sure the engineers do the work the right way the first time.

Discussion of \$5,000 from DPW Current Budget

DPW Superintendent Robert Lamoureux referred to a Board vote a couple of weeks ago to take money from the reserve fund to pay GPI additional fees for the work done on the Central Avenue project. He noted there is a line item in the DPW budget for engineering services. There is about \$14,926 in that line item. He suggested using that account. Mrs. Nolan agreed.

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

VOTED: 3 Ayes; 1 Nay; To rescind the previous vote to go to the reserve fund for a \$5,000 payment to GPI and pay the amount from the DPW line item for engineering services.

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

On another matter, Mr. Cavaco inquired about a \$5,700 bill from D.R. Fournier Construction for the County Street fire station roof repairs. He asked Mrs. Nolan about the procedure for items over \$5,000.

Mrs. Nolan stated they usually get three quotes, choose a vendor, write a contract, and give the vendor a notice to proceed.

He asked Mr. Lamoureux about the contract. Mr. Lamoureux responded that he was not sure.

Mrs. Nolan said there was a misunderstanding of the proper process. The work is completed. Mr. Lamoureux will not start work again without the contract or notice to proceed for anything over \$5,000.

Mr. Cavaco added that, hopefully, it will never happen again. If it does, the Town Administrator needs to take appropriate action.

Discussion of the Term “Officer” with MCIC Chair

Chairwoman of the CIC Lauren Walsh addressed the Board. She said there was a request this past November and a legal opinion was issued. The person was an employee. She had an e-mail from the Town Administrator dated Nov. 2, 2011- a follow up request to make certain that person was terminated from the CIC. This came up again when a member of the Banna Station Committee resigned. Two other members of the CIC served on other committees.

Chairman Parker read from the Town Charter.

Ms. Walsh referred to the MCIC bylaws.

On another issue, Ms. Walsh said she has a problem with the word “employee.” She will raise that at another time.

Mrs. Nolan will meet with Mr. Rice, Mr. McLintock, and members of the CIC to come up with a definition of “officer.”

Finance Director Bruce Alexander was in attendance.

Mr. Alexander presented an anticipated revenue statement for the next fiscal year, including tax levy and state aid as projected from the Governor’s budget only. He had articles from the Boston Herald and State House News Service which made him feel that these numbers are very fluid. He is very uncomfortable with State projections right now.

Chairman Parker said there can’t be any discussion or votes because this is not an agenda item.

Mr. Alexander did a history on the meals tax and how much collected. He received half a year payment from the State for meals tax. It is running a little ahead of what was collected last year.

Building Department FY 2012 Budget

Chairman Parker asked why the Building Inspection Expense has an increase of \$4,000.

Mr. Alexander explained it is \$3,500. Inspectors will be paid per inspection and they have instituted a mileage amount.

Board of Health – FY 2013 Budget

Mr. Cavaco and Mr. McLintock recused themselves and left the room because they are members of the Board of Health.

Payroll had a 15% decrease because the full time inspector is no longer employed, and the work is being done by a part time inspector.

Chairman Parker noted that the part time inspector is able to complete the work of the full time person.

Animal Control FY 2013 Budget

Mrs. Nolan said there is an increase in hours for the Assistant Animal Control Officer. Ms. Hall needs additional help now and in planning for the new building.

The Board talked about where the animals will go during construction.

Mr. McLintock questioned the addition of hours into the budget at this time based on what might happen in the future.

NEW BUSINESS

Right of Way Opening Permit

DPW Superintendent Robert Lamoureux said there needs to be a public hearing. He has recommended changes. One of the changes was brought up by Mr. Cavaco back in September that a contractor be responsible to maintain the road for five years. Another change is that contractors in a new development would have to put up some kind of temporary barrier.

Mr. Gary Sagar applauded Mr. Lamoureux for doing this. He took issue with the proposed changes to the permit because he has always taken exception to charging homeowners for access to their property. He questioned the \$100 non-refundable administrative fee and the \$5.00 per square foot charge to be held for the entire road/sidewalk trench section being excavated.

Mr. Sagar felt a public hearing would be a good idea, but any changes should go through the bylaw process. He felt the process is flawed.

Mr. Lamoureux said the \$100 administrative fee has been in place for quite some time.

Mr. McLintock said the \$100 cannot be charged if it doesn't cost \$100 to issue a permit. That is a state law.

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

VOTED: To table until the meeting of March 28, 2012.

Mr. Lamoureux and Mr. McLintock will discuss this.

Consider Approval of Two Contracts for Ferreira Construction

Mr. Cavaco recused himself.

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

VOTED: To award the contract to Ferreira Construction Co. for tub grinder and screener in the amount of \$750 a day or \$3,000 a week.

Charles Tapalian Discussion on Firefly Parking Lot -Withdrawn

Request by Greater Seekonk Kiwanis Club to Hold “Old Tyme” Soap Box Race

Mr. David Viera requested permission to host the soap box derby on May 5, 2012.

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

VOTED: To support the Seekonk Kiwanis Club request to hold an Old Tyme Soap Box Race on Saturday, May 5, 2012.

TOWN ADMINISTRATOR’S REPORT

Mrs. Nolan advised that a rabies clinic will be held on Saturday, March 10, 2012, from 9 a.m. to 12 noon at the Department of Public Works.

She received notification from Mass Highway that sweeping operations will begin along state highways on or about March 19, 2012.

The Seekonk Historical Commission is selling a special book to commemorate the Town’s 200th Anniversary. The cost is \$5 per booklet. Booklets can be purchased from the Town Clerk’s office.

Mrs. Nolan said she was pleased to announce that Building Commissioner Mary McNeil had withdrawn her application for employment elsewhere. Mrs. McNeil will stay in Seekonk.

She said the Celtics/Knicks game on Sunday, March 4th was very exciting. It was very impressive and a proud moment to see the Seekonk Police Honor Guard present the colors.

Mrs. Nolan said there are several events planned. She hoped that residents would join in celebrating the Town’s 200th Anniversary.

Chairman Parker announced the next big event will be “Seekonk Night” at a Pawtucket Red Sox game at McCoy Stadium in July.

The Save-A-Pet Auction will take place on March 13-15, 2012.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Accounts Payable Warrant

Mr. Cavaco said a bill dated 12/20/11 was just presented for payment. He said department heads should not hold onto bills.

Mr. Cavaco advised that Mr. McLintock and he spoke to Lois Tartarian of 1636 Fall River Avenue. She has a commitment from Mass Highway to pave about 1,800 ft. of road. He will give copies of the documentation to Sen. Timilty. Mr. Cavaco had concerns about comments made by Mr. Lamoureux in a letter to Mass. Highway dated January 8, 2010. He was concerned about jeopardizing the current relations with Mass. Highway.

Mr. Cavaco said that he has been reviewing the engineering proposals with Mr. McLintock and Mrs. Nolan. The firm Norfolk-Ram submitted a proposal. An employee, William J. Skully, is from M & S Transportation, the firm that owed the Town \$165,000. There was a judgment in court in favor of the Town. He questioned why Kopelman & Paige has not tried to locate this person.

Chairman Parker suggested the information should be forwarded to Kopelman & Paige.

Mr. Cavaco said that utility companies need to take down the old poles when replaced with new ones.

Mr. Cavaco said that Mr. McLintock, Mr. Cabral, Mr. Lamoureux and he met with Mr. Tim Tolman regarding Ledge Road. The sign indicating a dangerous intersection is too small.

Mr. Rice expressed the need for an Economic Development Committee.

Chairman Parker noted that restaurants are not coming into Seekonk because there are no liquor licenses.

Mr. McLintock felt it would be beneficial to pursue additional liquor licenses because the State of Rhode Island is considering an increase to 10% in the meal tax.

COMMUNITY SPEAKS

Deborah Hoch, 220 Bradley Street, complained about the sign bylaw moratorium. She asked the Board of Selectmen to remove it.

Chairman Parker asked if the Board wanted to put it back on the agenda for another vote.

Mr. Rice said he presented a revised bylaw six months ago to the Chairman of this Board and it went nowhere.

He noted that the Building Commissioner enforced the bylaw but there were objections from the businesses. He expected that either the Building Commissioner or the Planning Board would have come up with a bylaw by now.

Mr. Cavaco said that he would like to hear from the Planning Board.

March 7, 2012

-9-

Chairman Parker will have an item on the agenda for two weeks from now and the Planning Board will attend.

Mr. Bob Blanchard reminded residents to go out to vote. Anyone not registered to vote must do so by March 13th.

At 9:45 p.m. a motion was made by Mr. Rice, seconded by Mr. Cavaco, to go into Executive Session to discuss a personnel shortage in the Town Administrator's office; not to return to Open Session.

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

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary