

**BOARD OF SELECTMEN**  
**MARCH 21, 2012**  
**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 announced that the meeting was taped via audio and video and asked if anybody in the audience was taping.

**PRESENTATION OF A JOINT RESOLUTION/RECOGNITION OF SEEKONK FOR BICENTENNIAL**

**Senator James Timilty and Representative Steven S. Howitt**

Sen. Timilty and Rep. Howitt presented a Citation to Town Clerk Janet Parker in commemoration of the 200<sup>th</sup> Anniversary of the Town of Seekonk.

**Bristol County Sheriff Thomas M. Hodgson**

Sheriff Hodgson expressed his appreciation for the opportunity to work with the Board of Selectmen and the people of Seekonk.

He also presented a Citation to Mrs. Parker in recognition of the Town's 200<sup>th</sup> Anniversary.

Rep. Howitt stated that Sen. Timilty and he met with Sheriff Hodgson about six months ago at the Housing Authority to discuss various problems. Sheriff Hodgson said that he has people working on the community hall, and they will also do work on the outside of the building.

Mr. Cavaco said that the Town Administrator, Building Commissioner, and Town Planner will meet next week with representatives of a restaurant interested in building near the Raymour & Flanigan Furniture Store. He requested the assistance of Rep. Howitt and Sen. Timilty in obtaining additional liquor licenses for the Town through the overlay district.

Rep. Howitt indicated he had already been in contact with the Chairman of Licensing Board. There is a good chance it could go forward as a home rule petition.

**LICENSING HEARING**

Chairman Parker opened the hearing at 7:14 p.m.

**Countrywide Gold Buyers, LLC to be Located at 1201 Fall River Avenue, Seekonk, MA, Luis Junco Manager**

Mr. Junco was in attendance. He said there are 7 stores in Rhode Island.

The hearing closed at 7:15 p.m.

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

**VOTED:** To approve the license for Countrywide Gold Buyers, LLC to be located at 1201 Fall River Avenue, Seekonk, MA.

**CONSENT CALENDAR**

**Approve Minutes of February 8, 2012, February 15, 2012 Regular Sessions and February 28, 2012 Work Session**

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

**VOTED:** To accept the Regular Session minutes of February 8, 2012.

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

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

**VOTED:** 3 Ayes; 2 Abstentions; To accept the Regular Session minutes of February 15, 2012.

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

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

**VOTED:** 4 Ayes; 1 Abstention; To accept the Work Session Minutes of February 28, 2012.

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

## **INTERVIEW AND APPOINT CANDIDATES FOR COMMITTEES**

### **Todd Ouellet and John Macek: Economic Development Committee**

Mr. Macek was in attendance. He expressed an interest in working with town government.

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

**VOTED:** To appoint John Macek to the Economic Development Committee.

At this time, Mr. Macek is the only member of that committee.

Mr. Ouellet was not in attendance.

## **OLD BUSINESS**

### **Neal Abelson, Planning Board Chairman – Sign Moratorium**

Chairman Parker noted there are inconsistencies in the temporary sign section of the Zoning Bylaws. He asked if the Planning Board was interested in rewriting that section.

Mr. Abelson said it was discussed at a Planning Board meeting. The general consensus was to go through SRPEDD. He was surprised and would like to know exactly why it didn't pass at Town Meeting.

Chairman Parker said there were conflicts in the wording.

Mr. Abelson was not sure it is under the jurisdiction of the Planning Board to rewrite zoning bylaws nor if there is any interest in doing so. He noted that the Planning Board conducts public hearings and amendments to zoning bylaws.

Mr. McLintock said there is no one qualified to do something like that. It is important to decide how to proceed.

Mr. Cavaco asked Mr. Abelson how long it would take to get back to the Board.

Mr. Abelson responded about a month or two.

### **Decision to Lift Moratorium on Temporary Signs**

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

**DEFEATED:** 3 Nays; 2 Ayes; To lift the moratorium on temporary signs.

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

Mr. Cavaco requested the item be included on the April 4, 2012 agenda.

**Administrative Policies Update: #3 Town Counsel Opinions, #4 Workers Compensation, #6 Purchasing**

Mrs. Nolan advised that #3 does not need to be changed.

Changes on #4 are: “The Finance Director will notify the Commonwealth of Massachusetts and the insurance company” and 111F policy is for public safety workers. It is the law.

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

**VOTED:** To accept the changes to Administrative Policy #4 Workers Compensation.

Mrs. Nolan noted that she wrote a new policy #6 Purchasing. The purchasing process is implemented in the Town Administrator’s office. She is the Chief Procurement Office (CPO). Any purchase over \$500 requires a signed purchase order approved by the Town Administrator. Any purchase over \$5,000 requires a completed quote sheet providing three separate quotes from three separate vendors. Any purchase over \$5,000 requires that a contract must be written by the Town Administrator/CPO and signed by the Board of Selectmen before a “Notice to Proceed” is issued. No work is to begin before the “Notice to Proceed” is issued. Any item purchased over \$25,000 requires a bid or RFP, which must originate in the Town Administrator’s office.

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

**VOTED:** To accept the new Policy #6 Purchasing.

**NEW BUSINESS**

**Appoint Clement Brown Special Town Counsel**

Mrs. Nolan advised that a situation arose where Kopelman & Paige could not represent the Town in a matter that concerns the Police Department because that firm represents the plaintiff in another case. Chief Charron was deposed and he felt uncomfortable with providing the documents requested. Atty. Brown was recommended by Kopelman & Paige. He is Somerset’s town counsel.

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

**VOTED:** To appoint Clement Brown as special town counsel.

Mrs. Nolan said that she would respond to questions from Board members individually.

**Consider and Award Contract for DPW Generator: Power Equipment Co.**

DPW Superintendent Robert Lamoureux responded to questions from the Board.

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

**VOTED:** To approve the contract with Power Equipment of Attleboro, MA for the installation of a new natural gas fired generator for the Department of Public Works and to authorize the Town Administrator to sign the contract.

**TOWN ADMINISTRATOR'S REPORT**

**Announcement of Check from Rep. Steven S. Howitt for the Veterans Memorial Garden**

Mrs. Nolan advised that Rep. Howitt donated \$100 to the Veterans Memorial Garden.

**Department of Agriculture Notice**

Notification that the Department of Agricultural Resources (DAR) intends to purchase, rent, sell or significantly change the use of real estate in a municipality. The DAR is interested in 87 acres of land (Assessor Map 2, Lot 3 – School Street).

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

**VOTED:** To authorize the Town Administrator to sign the Confirmation of Notice.

**Letter on Taunton State Hospital for JudyAnn Bigby, M.D.**

Letter in appreciation of the letter sent to Gov. Patrick in support of the Taunton State Hospital. However, the facility will close.

**Annual Notice from Comcast**

A sample subscriber bill, rate and channel line up information, Comcast policies and procedures, etc. as required by law.

**Greater Fall River War Veterans Council and Marine Corps League - Invitation for Memorial Day Services**

Invitation to attend Memorial Day services and the relighting of the Iwo Jima Memorial at the Veterans Bicentennial Park, Davol Street, Fall River, MA on Monday, May 28, 2012 at 6:30 p.m.

**BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

**Accounts Payable Warrant**

Mr. Cavaco advised the warrants are in order.

Mr. McLintock said the increase in pricing by Comcast is over the top.

Mr. Cavaco questioned why the chairman of Cable 9 went to the Planning Board looking for a zoning change in order to purchase Araujo Farms. He felt it should first go through the Board of Selectmen.

Mr. McLintock said that he doesn't get it that the Planning Board is the only entity in town that functions on its own and answers to no one.

Mr. Cavaco wanted to submit a warrant article to change seasonal to annual liquor licenses for several vendors who came late in the process and an article for a liquor license for a restaurant that wants to build in Seekonk.

Mr. Cavaco wanted to ask Mr. David Viera a question; however, Mr. Viera said he was not on the agenda.

Mr. Cavaco asked the Town Administrator where the Town was squandering \$3M.

Mrs. Nolan replied that the budget is very tight. The Town does not have \$3M to squander.

Mr. Cavaco asked the Chairman the same question.

Chairman Parker responded that he is completely aware of what was intended and what was said. The wrong word was used. He cautioned that it is a matter of arbitration and should not be discussed.

Mrs. Nolan said it is a contract arbitration for the Police Department. She questioned how the information got out. The amount contested was not \$3M.

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She said the management representative lost it with Mr. Alexander. She felt he had underestimated revenues by over \$300,000.

Mr. McLintock felt that Cable spent a lot of money remodeling in a building it does not own.

Chairman Parker announced activities at the schools on April 9, 10 and 11 to celebrate the Town's 200<sup>th</sup> Anniversary.

The high school band will perform the symphony that was written especially for the Town of Seekonk.

The Board of Selectmen will not meet on April 11, 2012.

### **COMMUNITY SPEAKS**

Mr. Gary Sagar addressed items that had been discussed. He stated that rezoning a particular piece of property has to be initiated through the Board of Selectmen to the Planning Board for a public hearing. It is a state law.

He said the Town of Mansfield used an on line service to sell surplus property.

Mr. Sagar said the debate held on Saturday sponsored by the Republican Town Committee was videotaped and will be on that committee's website. In the interest of transparency, he requested an item on next week's agenda to discuss comments made at that debate.

Chairman Parker felt the Board of Selectmen should not be involved in politics.

Mr. Sagar requested an item on next week's agenda to discuss the cost of the lawsuit against the Zoning Board. He estimated it would cost around \$15,000.

On a positive note, Mr. Sagar congratulated firefighter Alan Grocott, who recently donated his bone marrow to an individual. He did this on his own time and expense.

Mr. Donald Kinniburgh said there is no place for politics on the Board of Selectmen.

Mrs. Ellie Wiseman felt it is a good idea to try to get more liquor licenses for the Town, especially since the Rhode Island meal tax might increase to 10%.

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

**VOTED:** To dissolve the meeting at 8:30 p.m.

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

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary