

**BOARD OF SELECTMEN**  
**APRIL 18, 2012**  
**REGULAR SESSION**

Members Present: Francis Cavaco, Robert McLintock, Gary Sagar, David Parker

Absent: William Rice

Town Administrator: Pamela T. Nolan

Executive Assistant: Anne P. Rogers

Chairman Cavaco called the meeting to order at 7 p.m. followed by the Pledge of Allegiance and moment of silence.

In accordance with M.G.L. Chapter 30A, Section 20, Chairman Cavaco asked if anybody in the audience was recording. He announced the meeting was recorded both audio and video.

**Not Your Average Joe's Request to Expand Liquor License to Include Outside Patio Located at 1125 Fall River Avenue**

Ms. Rogers corrected the agenda item for a public hearing. She said it is a request from Not Your Average Joe's to expand the liquor license to include an outside patio. A public hearing is not required.

Atty. Stephan Navaga, represented Not Your Average Joe's. He said that it is an existing patio and does not have access from the outside.

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

**VOTED:** To approve the request of Not Your Average Joe's to expand the liquor license to include outside patio at 1125 Fall River Avenue.

**CONSENT CALENDAR**

**Consider Approval of Regular Session Minutes of March 7, 2012 and March 21, 2012**

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

**VOTED:** 3 Ayes; 1 Abstention; To accept the Regular Session Minutes of March 7, 2012 and March 21, 2012.

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

**Refer Zoning By-Law Amendment – Section 12.7 – Temporary Signs to Planning**

A motion was made Mr. Parker, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To refer the rewrite of the Zoning By-Law Amendment – Section 12.7 temporary signs to the Planning Board.

**OLD BUSINESS**

**Update on Veterans' Budget**

Veterans Agent Seth Bai presented additional information on his proposed budget.

Mr. Parker said that Mr. Bai had requested the budget increase because he had more veterans applying for benefits.

Mrs. Nolan noted that the Veterans Agent came forward on his own to clarify the information he presented at the previous meeting. She is satisfied with this budget.

Mr. Bai said he presented it to the Finance Committee.

Mr. Parker noted that Mr. Bai would have to justify an 88% increase at the public hearing and at Town Meeting.

**Discussion on Legal Fees**

Chairman Cavaco talked about an Administrative Policy that requires department heads to get permission from the Town Administrator in order to go to town counsel. It should also apply to the Board of Selectmen. The legal bill for this month is \$16,612.32.

Mr. Parker felt the Chairman should be able to contact town counsel. In preparation of the agenda, there are times when the chair needs a legal opinion.

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

**VOTED:** 3 Ayes; 1 Nay; That the Town Administrator draw up an Administrative Policy about contacting legal counsel.

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

April 18, 2012

-3-

### **Discussion with TV 9 as to Possible Building Location**

Mr. John Turner, President of the Seekonk Cable Access Board of Directors, was in attendance.

Mr. Sagar asked Mr. Turner if the committee would be interested in the old school administration building.

Mr. Turner said it did come up in discussion. However, the committee is not particularly in favor because of the asbestos and septic system. They could negotiate with the Town but those things would have to be considered with regard to cost.

He will talk to Jeff Fountain at TV 9 and notify the Town Administrator.

### **NEW BUSINESS**

#### **Interview Robert McKenna and Frank Cordeiro for Veteran's Memorial Park Committee**

Mrs. Nolan recommended them.

Mr. McKenna advised that he is on the Conservation and Park Committees.

Mr. McLintock inquired about the status of people serving on multiple boards.

Mrs. Nolan responded that the legal opinion is still under review. The emphasis placed on the word "officer" pertains to considerable financial responsibility - if a member serves on a committee such as Finance or MCIC, with considerable financial responsibility.

Mr. McKenna and Mr. Cordeiro both said they wanted to get involved in the Town.

Mr. Parker proudly motioned, Mr. Sagar seconded, and it was unanimously

**VOTED:** To appoint Mr. Robert McKenna and Mr. Frank Cordeiro to the Veterans Memorial Park Committee.

Mr. McLintock noted that Mr. McKenna has done a lot of work in the School Department that should not be unnoticed.

Chairman Cavaco felt the Town is lucky to have these two gentlemen.

### **Consider Reappointment of Veterans' Agent**

Mrs. Nolan said that she had talked to Mr. Bai prior to this. He will be with the Town for only one more year. She has been proud of the way he speaks at ceremonies and the way he writes. She has never received any complaints from veterans.

April 18, 2012`

-4-

Mrs. Nolan recommended the reappointment of the Veterans' Agent for another year.

A motion was made by Mr. Sagar, seconded by Mr. Parker, and it was unanimously

**VOTED:** To reappoint Seth Bai as the Veterans' Agent for one year.

Mr. McLintock thanked Mr. Bai for getting him involved with the Veterans Administration.

Mr. Parker asked Mr. Bai why he left the local Legion.

Mr. Bai responded that he wanted to join his brother at the Attleboro Legion.

Chairman Cavaco thanked Mr. Bai for servicing the veterans.

### **Consider Reappointment of Building Commissioner**

Mrs. Nolan said that she is so glad Mrs. McNeil decided to stay in Seekonk, and she definitely recommended her reappointment as Building Commissioner. Mrs. McNeil has the respect of the police chief, fire chief, and local builders. She is honest and reliable.

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

**VOTED:** To reappoint Mary McNeil as Building Commissioner.

Mr. McLintock thanked her for staying in Seekonk. He said Mrs. McNeil is a unique individual and gets the job done. She is very helpful and works well with contractors. He is very happy she decided to stay.

Mr. Sagar said one of her real strengths in her ability to disagree in a professional manner.

Mr. Parker said her professional development has earned her the title of commissioner.

Chairman Cavaco recalled that when Mrs. McNeil came before the Board for appointment, he voted "present." He admitted he was wrong. She is very professional and she has done an excellent job.

The Chairman added that he is honored to reappoint her.

### **Consider Draft Policy for Vendor License for Purchase of Metals**

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

**VOTED:** To postpone indefinitely consideration of a draft policy for vendor license for purchase of metals.

**Consider an Actual Vote for Financial Warrants**

Mrs. Nolan advised that she checked with Mr. Alexander. If the Board meets every two weeks, vendors will have to wait an extra week to get paid.

Mr. Sagar questioned the Board arbitrarily signing warrants without a vote.

Mrs. Nolan will check with the Department of Revenue.

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

**VOTED:** To postpone until there is further information.

**Discussion on Approving Request for a Special Town Meeting for Senior Center Funding**

Mr. David Bowden, Chairman of the Senior Center Building Committee, explained the reason for the request is because the financial town meeting usually runs at least three hours. The senior citizens who would want to vote on this would not want to wait during a regular town meeting. He suggested a Saturday or Sunday morning.

There was no action on a motion by Mr. McLintock, seconded by Chairman Cavaco, to schedule a special town meeting on a Saturday in May to vote on the senior center funding.

Mr. Sagar said that he could support a special town meeting but not for one item. He noted that the School Department had also requested to move the town meeting.

Mr. Parker was dismayed that the seniors are not willing to sit through the town meeting in order to get the senior center funding.

He suggested a special town meeting within the town meeting for that item only. It would be taken up first; and, therefore, any fear that there might be reconsideration would not happen.

A motion by Mr. Parker, seconded by Mr. Sagar, and it was unanimously

**VOT ED:** To conduct a Special Town Meeting within the Annual Town Meeting for consideration of the senior center regardless of what it is.

Mr. McLintock said that the option is always there for anybody who wants to come forward for a special town meeting. The Board should accommodate residents, and it should not have to go to petition.

Chairman Cavaco reiterated what Mr. Parker had said when he served as Chair that the Board is here to set the agenda for Town Meeting, not to decide what is going on it.

April 18, 2012

-6-

Mr. Parker added that in the last three years nothing was left off the warrant.

**Discussion on RFP for Legal Counsel**

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

**VOTED:** To prepare a RFP for legal services.

In fairness to the Town Administrator, Mr. Sagar suggested this wait until after July 1<sup>st</sup>.

Chairman Cavaco would not allow Mr. McLintock's comments about engineering services.

**TOWN ADMINISTRATOR'S REPORT**

**Discussion on Transitional Hires for Summer Help**

Mrs. Nolan advised this is a high school program. The director would like to place students in town departments for approximately 10-12 hours per week. The program is funded through a grant for the School Department.

The Veterans' Agent, Conservation Agent, and the library will take advantage of this opportunity.

Mr. Parker suggested the Animal Shelter.

Mrs. Nolan noted there is a question of supervision because the Animal Control Officer works alone.

A motion was made by Mr. Parker, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To support the transitional program for summer help sponsored by the high school.

Mr. McLintock talked about a program for college students.

Mr. Parker noted that it was proposed last year to work at DPW and Mr. McLintock did not support it.

There was discussion about discrimination when advertising for jobs.

**Review Administrative Policy #9, Town Engineer**

Mrs. Nolan presented her version and a version from Mr. Lamoureux and Mr. Cabral.

April 18, 2012

-7-

A motion by Mr. McLintock, seconded by Mr. Sagar, to accept the Town Administrator's recommendation was withdrawn.

Mr. Sagar said when the original policy was written in 1985 all services were from outside. The Town now has an engineer, Mr. Cabral. He felt the DPW amendments should be included in the policy.

Mr. McLintock said that Mr. Cabral has had civil engineer designation for about a year, yet he hasn't seen anything signed by Mr. Cabral with a professional engineer stamp on it.

Mr. Parker responded there weren't any jobs that could have been signed by a professional engineer.

Chairman Cavaco cautioned that the Board should not talk about Mr. Cabral since he is not in attendance.

Mrs. Nolan said that she will reconsider this again. She is consulting with town engineers she has worked with in the past. She will bring back a recommendation to the Board.

#### **Review Administrative Policy #11, Licensing of Auctioneers**

Mrs. Nolan advised this is the same policy as in the past. Chief Charron indicated there is not a lot of activity.

A motion was made by Mr. Parker, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To indefinitely postpone Policy #11 Licensing of Auctioneers.

#### **Review Administrative Policy #13, Town Hall Smoking Policy**

Mrs. Nolan advised that smoking is only allowed outside at the rear of the building.

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

**VOTED:** To accept the Policy #13 as submitted by the Town Administrator.

Mrs. Nolan will try to put a picnic table out there.

Chairman Cavaco proposed no smoking on Town Hall property.

Mrs. Nolan said it is according to the union contract.

**Review Administrative Policy #17, Inspection Fee**

A motion was made by Mr. Parker, seconded by Mr. Sagar and it was unanimously

**VOTED:** To indefinitely postpone Policy #17 Inspection Fee.

**Massachusetts Cultural Council**

Mrs. Nolan noted that the Massachusetts House Committee on Ways & Means proposed a \$1.2M or 13 percent cut in funding for the Massachusetts Cultural Council.

A motion was made by Mr. Parker, seconded by Mr. Sagar, and it was unanimously

**VOTED:** That the Town Administrator forward a letter to local representatives asking that funding cuts are not made to the Massachusetts Cultural Council.

**Warning to Veterans**

Mrs. Nolan alerted residents that a so-called veterans' support group is soliciting donations. It is a scam and should be reported to the police.

She advised there are two finalists for the Library Director position. She urged residents to attend the interview on Tuesday, May 1, 2012 at 6 p.m. at the library. Current Acting Director Peter Fuller and Cyndee Marcoux are the two finalists. Mrs. Nolan felt either candidate would meet the library's needs.

**BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

**Accounts Payable Warrant**

A motion was made by Mr. Parker, seconded by Mr. Sagar, and it was unanimously

**VOTED:** To approve the warrant as submitted.

**Comments or Concerns (New Agenda Item as per Chair)**

Mr. Parker announced tickets are available for the Paw Sox game in July in commemoration of the Town's 200<sup>th</sup> Anniversary. Tickets are \$27 and include a barbeque, game and fireworks.

A motion was made by Mr. Parker, seconded by Mr. Sagar, and it was unanimously

**VOTED:** That the Town Administrator scheduled a Tri-Board meeting in May.



Mr. Sagar extended best wishes to Gil Ferreira who is retiring from the Fire Department after 35 years of service.

He will talk to Mr. Cabral about painting the lines in the road and the signals at Bakers Corner.

### **Items for Future Agendas (New Item as per Chairman)**

Chairman Cavaco said that all agenda items have to be in by noon on Thursday. Any items to be put on the agenda should be e-mailed to the Chair.

He said that next week's agenda will include a discussion item on a public hearing for the FY 2013 budget. The Board of Selectmen and School Department should conduct separate public hearings and have copies available to the public at least 14 days prior to Town Meeting.

Chairman Cavaco suggested that department heads keep the website updated. They were trained to do that. It is not Mr. Alexander's job.

### **Discussion on Release of Executive Session Minutes**

Chairman Cavaco said that in the past the Chair had the authority to release executive session minutes if there were no legal matters or contract negotiations. Some of these minutes are sealed. In the next few weeks, he will review the minutes with Mrs. Nolan for release to the public and to be put on the website.

Mr. McLintock questioned putting executive session minutes on the website.

### **COMMUNITY SPEAKS**

Mr. Ed Wiseman of North Seekonk thanked the Board and Fire Chief for the new rescue vehicle.

Mr. Gary Delgizzi, 24 Ford Street, complained about the traffic at Bakers Corner. He talked about the speeding on Foch Avenue and Ford Street.

Chairman Cavaco asked Mr. Delgizzi to give his phone number to Mrs. Nolan.

Mr. Nelson Almeida, Greenbrier Drive, asked if the employees at Country Liquors had been trained as per the vote of two weeks ago.

Mr. Parker said they have 60 days or the license will be revoked.

Mr. Sagar said it is their responsibility to notify the Board.

April 18, 2012

-10-

Mrs. Nolan advised the last interviews with engineering firms are scheduled for Tuesday, April 19, 2012 at 6 p.m.

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

**VOTED:** To dissolve at 9:10 p.m.

Respectfully submitted,

Gary Sagar, Clerk

Patricia Gamer, Secretary