

BOARD OF SELECTMEN
JUNE 13, 2012
REGULAR SESSION

Members Present: Francis Cavaco, Gary Sagar, David Parker

Absent: Robert McLintock

William Rice resigned.

Town Administrator: Pamela T. Nolan

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

A moment of silence was observed for Mr. McLintock's son Gary and for former Police Chief and Selectmen James Healy. Both gentlemen passed away this week.

In accordance with M.G.L. Chapter 30A, Section 20, Chairman Cavaco stated that anybody taping the meeting must notify the Chairman. The Board of Selectmen was recording the meeting via audio and video.

CONSENT CALENDAR

Approval of May 2, 2012 Minutes

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

VOTED: To accept the minutes of May 2, 2012.

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

Resolve that Town Administrator has Authority to Sign Electric Supply Contract

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

VOTED: To accept the electricity purchase agreement with Constellation NewEnergy, Inc. and that all Board members in attendance sign the document.

Toll Road Acceptance

Mrs. Nolan said she spoke to Chief Charron. The form had not been returned to the Town and proof of insurance has to be provided.

Mr. Kyle DeGagne from Grace Gospel Church, Swansea was in attendance. He stated that he returned the form and that they don't need insurance because they are non-profit.

The matter was deferred until the next meeting.

NEW BUSINESS

Appoint Priscilla Dunn to Community Preservation Committee

Mrs. Dunn said she is very interested in conservation and preservation.

Mrs. Nolan recommended the appointment.

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

VOTED: To appoint Priscilla Dunn of 156 County Street to fill the vacancy on the Community Preservation Committee until June 2013.

Discuss Summer Hours for Board of Selectmen and Discuss By-Weekly Meetings and Vote

Mr. Parker said that he had reservations with meeting every other week after the summer.

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

VOTED: To set a summer schedule for Board of Selectmen meetings as follows: July 11, 2012, July 25, 2012, August 8, 2012, and August 22, 2012.

Mr. Parker noted that he has a prior engagement on July 11th.

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

VOTED: To set a tentative scheduled for September 12, 2012 and September 26, 2012.

Discussion on Special Town Election due to the Fact that William Rice Resigned (per Charter)

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

VOTED: To set a special town election for September 24, 2012 to fill a vacancy on the Board of Selectmen, with nomination papers due back on August 6, 2012. The term expires on April 1, 2014.

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

VOTED: To authorize the Chairman to send the Town Clerk written notification of the special election.

Chairman Cavaco moved item D under “New Business” to follow item A under “Old Business.”

GeoTMS Contract for Software & Services

Mrs. Nolan advised that many towns joined with SRPEDD to apply for computer services enabling the public to download forms at home.

The Fire Department was awarded money under this grant. SRPEDD had negotiated and came up with GeoTMS. The cost is \$5,000, which will be paid with CIC grant funds by SRPEDD.

A motion by Mr. Sagar, seconded by Mr. Parker, to authorize the Town Administrator to sign the contract was withdrawn in order to get more information.

Deferred until next week.

OLD BUSINESS

Country Liquors

Mr. George Collias of 1201 Fall River Avenue was in attendance.

Chairman Cavaco stated that Mr. Collias was sent a letter on June 11, 2012 requesting that he appear before the Board of Selectmen to provide proof that employees received proper training.

Mr. Sagar said he completed the course today beyond the 60 day he was supposed to do it.

Mr. Collias said he couldn't afford to do it until today. because of the unprecedented fine they got. He felt he responded to the Board's request – three days late. Three employees completed the training today.

Mr. Sagar said it should have been done and received by the Board of Selectmen on June 5, 2012.

Chairman Cavaco said the document was received today. The training was done once Mr. Collias received his letter. Mr. Collias violated the order, and he would have been even later if he didn't receive the letter.

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Chairman Cavaco stated that Mr. Collias, d/b/a Country Liquors, is in violation of the order issued by the Board of Selectmen on April 5, 2012. If he had difficulty paying for the training, he should have come to the Board of Selectmen.

He said the Board could take this matter under advisement or take immediate action.

Mrs. Nolan suggested the 27th for notification purposes.

Mr. Sagar motioned to suspend the license for three more days.

Mr. Parker asked about the cost of training.

Mr. Collias said \$40 each for three employees.

Mr. Parker noted that a Selectman who is not in attendance felt this is a very serious offense and any future offense would be dealt with severely. He asked why for \$120 Mr. Collias couldn't get employees trained. He agreed with the Chairman that Mr. Collias would not have complied with the order if he hadn't received the letter.

Mr. Parker continued that the Board bent over backwards. He will not support three days closed. He recommended a week closed.

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

VOTED: To close Country Liquors for seven consecutive days, from June 15 to June 21, 2012.

Chairman Cavaco stated that he has no tolerance with liquor violations. He asked Mr. Collias if he feels that Board members are fools. They are not going to play games

He said that Mr. Collias has to surrender his license to the Police Department on Friday morning.

NEW BUSINESS

Discuss Administrative Policy for Safe Serve for all Alcohol Licenses and Vote (per minutes of June 17, 2009)

Chairman Cavaco referred to page 2 of the June 17, 2009 minutes regarding an administrative policy that those who apply for a new or renewal license must produce TIP certified verification.

Mr. Parker recalled that restaurant managers were supposed to come before the Board to talk about any adverse effect this might have. Representatives from Grist Mill, Applebee's, and Chris Gasbarro's will be invited to the July 11, 2012 meeting.

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Mr. Sagar suggested an amendment to the policy “to serve or sell.”

OLD BUSINESS

Log for Employees – Gary Sagar

Mr. Sagar wanted to set up a data base monthly report for Planning, Health, Conservation, Building, and DPW (Mr. Lamoureux and Mr. Cabral) to be used when employees go out in the field and interact with the public.

Central Avenue Change Orders – David Cabral

Deferred until June 27, 2012.

Discussion on Quote Estimates for Asbestos Removal at 69 School Street

Mrs. Nolan said she spoke to Mr. Lamoureux. The first step is to identify all the hazardous materials to be removed. The cost is \$1,400. The second part would be to obtain quotes for asbestos removal. That could cost from \$20,000 to \$30,000.

Mr. Neil Abelson, Chairman of the Planning Board, advised that he looked at the building with Mr. Sagar. The building contains lead paint, asbestos, and mold. It needs roof repairs.

He said the Planning Board would like to be involved. It might be possible to put out a proposal for some kind of housing.

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

VOTED: To ask the Planning Board to do a study of the building at 69 School Street and make a recommendation to the Board of Selectmen.

Chairman Cavaco said as long as it is in accordance with Town Meeting.

TOWN ADMINISTRATOR’S REPORT

Mrs. Nolan had a brick which will be sold and placed at the Veteran’s Garden outside Town Hall.

Mr. Donald Kinniburgh advised that size brick is \$50. Applications can be downloaded from the Veterans Agent website. There will be another size to be designated as corporate and a different colored one to honor residents who gave their life for our country.

Mrs. Nolan advised that the Animal Shelter Building Committee will attend the Board meeting on June 27. She is writing the RFP. She noted that it looks like the animal shelter, Banna Fire Station, and the senior center will be under construction at the same time. The senior center might take a little longer because they need to get an architect.

BOARD OF SELECTMEN COMMENTS

Accounts Payable

Chairman Cavaco said there was a question with one of the bills but the Town Administrator will take care of it.

In response to the debate on Town Meeting floor concerning Mr. Sagar's involvement in plans for the south end fire station, Mr. Sagar provided that individual with a copy of the April 29, 2009 vote of the Board of Selectmen and a disclosure form which he provided the Town Clerk.

Mr. Sagar asked for an update on the Serve Safe Policy.

Chairman Cavaco said that Ms. Rogers and Chief Charron are working on it.

Possible dates for the Fall Town Meeting will be an agenda item for the next meeting.

Mr. Parker asked about the Annual Report. He checked with the printing company and it is not there.

Mrs. Nolan said it is a different printer.

Mr. Parker advised that additional tickets are available for the PawSox game in commemoration of the Town's 200th birthday celebration.

Chairman Cavaco advised the EPA audit has been changed to Wednesday, June 20, 2012, at 10 a.m. Notice has been posted.

COMMUNITY SPEAKS

Chairwoman of the Capital Improvement Committee Lauren Walsh talked about the three projects mentioned by the facilities study – south end fire station, DPW building, and School Department buildings.

With regard to the property on School Street, Ms. Walsh suggested that the Board consider putting just the building up for someone to remove at whatever cost. She felt that someone might want to relocate the building. She said this is a CIC issue. It is great that the Planning Board will be looking at this property but it should be before the CIC at some point.

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She felt the Town Meeting would hold the BOS accountable for that. She said that land property maintains its value. It could become a valuable resource for the Town in years to come.

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

VOTED: To adjourn at 8:10 p.m.

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

Respectfully submitted,

Gary Sagar, Clerk

Patricia Gamer, Secretary