

BOARD OF SELECTMEN
AUGUST 22, 2012
REGULAR SESSION

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

Town Administrator: Pamela T. Nolan

Chairman Cavaco opened the meeting at 7 p.m. followed by the Pledge of Allegiance and moment of silence. In accordance with M.G.L. Chapter 30A, Section 20, he stated that anybody taping must notify the Chair and that the meeting is taped via audio and video and televised on Cable 9.

Mr. Jonathan Friedman of The Patch was taping audio and video.

OLD BUSINESS

Appointment by Moderator of Robert Blanchard to the Finance Committee

Mr. Blanchard responded to questions from Town Moderator Michelle Hines regarding his interest and experience.

Ms. Hines appointed Mr. Blanchard to the Finance Committee for a term to expire in June 2014.

**Appointment by Moderator, School Committee Chairman and Board of Selectmen
Chairman of Douglas Brown to Tri-County Regional Vocational Technical School
Committee**

Town Moderator Michelle Hines and School Committee Chairman Mitchell Vieira were in attendance.

Mr. Brown responded to questions. Mr. McLintock talked about what Tri-County has to offer. He said it is a great school.

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

VOTED: 2 Ayes; 1 Nay; To appoint Douglas Brown to the Tri-County Regional Vocational Technical School Committee for a term to expire in June 2015.

The vote: Mr. Vieira – Aye; Mr. Cavaco – Aye; Ms. Hines – Nay.

Appointment by Board of Selectmen of James Robbins to Armed Forces Memorial Committee

Mr. Robbins stated that he is a veteran of the Korean War and he is 100% disabled. He does a lot with the veterans.

Mrs. Nolan advised that both she and Veterans Agent Seth Bai are recommending Mr. Robbins.

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

VOTED: To appoint Mr. James Robbins to the Armed Forces Memorial Committee.

Appointment by Board of Selectmen of Charles Waddington to Arts Council

Mr. Charles Waddington advised that he had previously served on this committee. He is a published author and artist. He felt he could make a contribution to the Town.

Mrs. Nolan recommended Mr. Waddington's appointment. She felt he would be a great addition to the committee.

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

VOTED: To appoint Mr. Charles Waddington to the Arts Council; term to expire in June 2015.

Interview by Board of Selectmen of Guy Boulay and Sean Healey for Open Position on Human Services Council

Mr. Boulay stated that he spent 27 years in education in Woonsocket, RI. He did marriage counseling. He has volunteered in a number of capacities.

Mr. Healey has lived in Seekonk since 1971. He was a volunteer for the State of Rhode Island Family Court, representing at-risk children. He worked for Family Services in Newport. He also volunteers at the high school.

Mrs. Nolan noted that they are both very qualified candidates. She liked Mr. Boulay's background in psychology. She urged whoever is not put in this position to talk to her about another position.

Consider Appointment by Board of Selectmen to Human Services Council

Based on the Town Administrator's recommendation, Mr. Sagar motioned, Mr. Parker seconded, and it was

VOTED: 3 Ayes; 1 Nay; To appoint Guy Boulay to the Human Services Council; term to expire in June 2014.

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

Mr. McLintock said he was impressed with Mr. Healey’s presentation.

Mr. Healey was asked to contact Mrs. Nolan. There are other boards with vacancies.

Declare 1982 Pierce Arrow Fire Truck and an Aluminum Boat as Surplus

Chief Alan Jack requested authorization to declare this vehicle a surplus piece of equipment. It was taken off the road about 6 years ago. It is not insured. It is 30 years old and was a used vehicle when purchased.

The Chief recommended the Board accept the bid of \$5,650.

Mr. McLintock noted the vehicle has low mileage. The Town got \$10,000 on the last vehicle.

Mr. Sagar said the actual wear and tear on a fire vehicle is equivalent to more miles. He was surprised at the \$5,650 figure.

Chief Jack said he could get \$6,000 to \$7,000 a few years ago but the Board at that time did not want to surplus it.

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

VOTED: 3 Ayes; 1 Nay; To surplus the 1982 Pierce Arrow Fire Truck.

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

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

VOTED: 3 Ayes; 1 Nay; To declare the aluminum boat as surplus.

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

Approve the Fire Chief to Accept Grant Funds Totaling \$9,765.00 from the Firefighter Charitable Foundation, SAFE, Decon and MEMA

Chief Jack advised all four grants total \$9,765. The Firefighter Charitable Foundation grant is in the amount of \$350. The Student Awareness Fire Education (SAFE) grant (state funded) has been received for the last eight years (\$4,665). The Decon grant is from the U. S. Department of

Health & Human Services through the Massachusetts Department of Public Health (\$2,000). It is used for hospital preparedness. This is the 9th year the Town has received the grant. The Mass. Emergency Management is a reimbursable grant in the amount of \$2,750. It will be used for gas meters to measure levels of oxygen in the air.

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

VOTED: To authorize the Fire Chief to accept grants totaling \$9,765 from the Firefighter Charitable Foundation, SAFE, Decon, and MEMA.

Discussion with Town Engineer on Drainage Improvements on St. Laurent Parkway at Bloomfield Street

Town Engineer David Cabral had a drawing showing the improvements that were made. There were discrepancies in the previous plan. It showed a catch basin on Bloomfield Street that did not exist and issues with grades out there.

Mr. Cabral said this is the best that can be done in terms of improvements to alleviate the flooding in that area. They would be tying into a control point on St. Laurent Parkway. It is a practical solution to provide some relief.

Mr. Sagar agreed that this is the best they have to work with.

Mr. McLintock said he was under the impression that the condition was caused by the Town. However, DPW Superintendent Robert Lamoureux pointed out the Town is not responsible but it never did any work out there. The current conditions don't support what was on that plan. They are working within the National Grid easement. National Grid is reluctant to give permission for the work that has to be done.

Mr. Lamoureux said the developer installed the drainage.

Mr. Cabral would report back to the Board on September 5th.

Town Engineer Report on Landfill Monitoring Duties

In response to talk about whether he could provide these services, Mr. Cabral said he spoke to Mr. Noyes at GPI. The entire work will be subbed out because of the specialty of the job. Mr. Cabral would be willing to assist if there was anything he could do to offset costs to the Town. He noted a lot of the costs are lab fees.

Mr. Sagar indicated that he spoke to Mr. Cabral and he is ready to approve.

Mr. Lamoureux noted that monitoring is a Mass. Dept of Environmental Protection requirement and could last for 30 years.

Approve/Disapprove Contract for Landfill Monitoring with GPI, Inc.

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

VOTED: To approve the contract with Greenman-Pedersen, Inc. (GPI) for monitoring of landfills at Newman Avenue and Fall River Avenue.

Approve/Disapprove Contract for Banna Fire Station Drain Closure with GPI, Inc.

Mrs. Nolan said that Mr. Warren Carpenter, Chairman of the Banna Fire Station Building Committee, was in attendance. This concerns the drain in the apparatus bay. During the mandatory walk through, one of the vendors discovered and raised an issue that has to be closed according to the DEP. The project cannot proceed until this is done. The cost will be up to \$2,500.

Mr. Carpenter said if there is contamination in there it would be sealed and they would build above it.

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

VOTED: To approve the contract with Greenman-Pedersen, Inc. (GPI) Engineering for work on drain closure at the Banna Fire Station in an amount not to exceed \$2,500.

Approve/Disapprove Contract with Blount Bennett Architects, Ltd. for Banna Fire Station Project Management

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

VOTED: To approve the contract with Blount Bennett Architects, Ltd. for Banna Fire Station Project Management.

OLD BUSINESS

Approve/Disapprove DPW Road Improvement Plan for 2013

Mr. Lamoureux advised that part of Hope and Miller Streets will be chip sealed.

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

VOTED: To amend the Road Improvement Plan to include Hebron Avenue.

Mr. Lamoureux said there will be a balance of \$19,000 left in Chapter 90 monies. The cost for Hebron Avenue would be about \$35,000. He said that \$50,000 will be put away for the traffic light at the public safety complex.

Mr. McLintock questioned doing this at this time. He worried about the economy.

Mr. Parker noted that last year the Board requested the DPW provide this list at this time.

Mr. Lamoureux said that he notifies all residents who live within the corridor of the work. He forwards a copy of the approved plan to the gas company and Water Department so that any work could be scheduled accordingly. There is a five-year moratorium on opening roads.

Mr. Sagar suggested that the Town Administrator write a letter to Columbia Gas requesting a three or five year plan.

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

VOTED: 3 Ayes; 1 Abstention; To approve the 2013 Road Improvement Plan.

The vote: Mr. Sagar – Aye; Mr. Parker – Aye; Chairman Cavaco – Aye; Mr. McLintock – Abstained. He abstained because the town is paying for gas company road openings.

Chairman Cavaco noted that at the last meeting during the vote on the liquor license, Mr. McLintock abstained, and he should have asked why according to Roberts Rules of Order.

NEW BUSINESS

Discuss the Search for Acceptable Land to Expand the Seekonk Cemetery with Town Clerk

Town Clerk Janet Parker explained that seven years ago she went before the Board of Water Commissioners because she was concerned that the Town would run out of cemetery plots. The Board offered to give the Town land as long as there was no problem with engineering.

She went back to the Water Commission with the Town Administrator a few months ago. GPI looked at the land and found too many problems.

Mrs. Nolan said, because of the water line and wetness of the land, they will have to find another place.

Mrs. Parker said there are approximately 100 graves left.

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They talked about Pleasant Street (2 to 3 acres), land behind the Ann C. Green School (2 acres), land on Howland Street or the land at the School Administration Building on School Street.

Mrs. Parker liked the Pleasant Street land.

He said a 2-acre plot could last 20 to 25 years at the current rate. The Town is less than 2 ½ years from running out of space. The State mandates that the Town provide a burial place for residents.

Mrs. Nolan needs to review the budget with Mr. Lamoureux. This will be an agenda item at the end of October.

Approve/Disapprove Recommendation from the DPW Superintendent to Reduce the Annual Trash Fee by \$4.11

There was no action on a motion by Mr. Parker, seconded by Mr. McLintock, to reduce the annual trash fee by \$4.11.

Mr. Sagar raised concern about the 27% surplus in the enterprise fund. He had a printout that showed the total gross is \$1,108,562.99 and after all bills are made the uncertified balance is \$277,915.

Mr. Lamoureux said the exact figure would have to come from the Finance Director. He had a balance of \$91,996.

Mrs. Nolan said the Town is charging too much if that's the case. She would like to meet with Mr. Alexander and Mr. Lamoureux.

Mr. Sagar requested a five-year history of income and expense.

Mr. Parker noted the 27% did not build up in one year.

Chairman Cavaco felt the Board had decided at one time not to carry a balance of more than \$20,000 to \$40,000.

Mr. Lamoureux said that was for the reserve fund for equipment.

Mrs. Nolan said it is legal to have a surplus and can only be used for trash.

Chairman Cavaco asked residents who are concerned to come to a Board of Selectmen meeting.

Consider and Approve/Disapprove New Administrative Policy on Training Requirements for Liquor License Holders and their Employees

Mrs. Nolan said the policy is modeled after another community. It says that e-training is not acceptable.

Mr. Parker noted that BJ's has a restriction that all employees have to be trained.

Mr. Sagar said he supported the mandatory training but he objected to not being able to do e-training.

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

VOTED: To amend the policy to indicate that e-training is acceptable.

Prior to the vote, Mr. Paul Buckley stated that on-line is a good way to get certified. It is very thorough and more difficult than in person.

Chairman Cavaco said it is almost impossible to get verification with e-training.

Mr. Nelson Almeida felt that the in-person class is better. There is an instructor and more information.

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

VOTED: To adopt the Administrative Policy on Training Requirements for Liquor License Holders and their Employees and to notify all license holders that it would be a condition of renewal in 2013.

Discussion to Oversee Road Opening Permits for Columbia Gas

Mr. McLintock proposed a subcommittee to deal with the gas company as related to road cuts. He felt that Columbia Gas is taking advantage of the Town.

He talked about roads sealed with infrared.

Mr. Lamoureux said that some of the older roads are deteriorated and infrared would weaken the asphalt. He put that recommendation on some of the road opening permits. He is recommending that they mill and pave the entire length of the road.

He noted that Columbia Gas has offered to take responsibility for any areas of concern.

Mr. Sagar mentioned Warren Avenue. Chairman Cavaco said Newman Avenue.

Mr. Lamoureux said he has recommended in the past that they use infrared in doing permanent patch.

Mr. McLintock will provide information used in Attleboro.

Mr. Parker said the entire Board needs to develop a by-law.

Mr. Lamoureux said there are road restoration standards in place. He said that Columbia Gas has been cooperative thus far.

Chairman Cavaco advised that Columbia Gas had 72 road cuts last year.

Mr. Sagar suggested that Mrs. Nolan, Mr. Lamoureux, and Mr. McLintock develop a plan for further discussion on September 5th.

Mr. Sagar said it seems like the 152 project at Central Avenue has come to a halt.

Mr. Lamoureux said the problem is with Verizon.

Chairman Cavaco reported that he had gone to Bellingham, MA because it had problems with Verizon. He got the documentation which fined Verizon \$100 per day after 90 days. He brought it to the Board of Selectmen and to the Town Administrator but nothing happened.

He asked Mrs. Nolan to talk to Rep. Howitt to contact the representative of Verizon to attend the September 5th meeting.

Approve/Disapprove Contract with GPI Engineering for Drainage Issue at Safety Complex Building

Tabled until the meeting of September 5, 2012 in order to have Mr. Piquette in attendance.

Discussion on Seekonk Bylaw, Category 2A, Item 2A6.1

Lauren Walsh, Chairwoman of the Capital Improvement Committee, suggested that it is important to revisit this bylaw - appointment procedures for town committees. It specifically states that once appointed the member will receive an appointment letter from the appointing authority and report to the Town Clerk to be sworn in. She had copies of town records from July 1 2008. She wanted to hold elected officials accountable. Ms. Walsh noted that she was appointed by the Town Moderator on June 27th and she is still waiting for an appointment letter.

Chairman Cavaco noted that the Town Moderator was not in attendance.

Ms. Walsh continued that because she did not receive an appointment letter she had to cancel a meeting in August. She had a copy of an e-mail she had later received from the Town Moderator.

Town Counsel had ruled that electronic documents are legal.

Mr. McLintock felt it should be a more professional document.

Mr. Parker said it is very clear what should be done in order to keep records up to date. He felt the Board of Selectmen has not been sending letters either.

Ms. Walsh had several copies of letter that had gone out from June 2012. She noted the Town Moderator had sent letters to the Finance Committee.

She checked on line and found that other communities go so far as to give a background on the function of the committee. It goes a long way to show professionalism and to acknowledge volunteers who give many hours of their time to this town.

TOWN ADMINISTRATOR'S REPORT

Report on RFP Submittals for Legal Services

Mrs. Nolan advised that eight firms sent in submittals on legal services for the Town of Seekonk. Mr. Sagar and Mr. McLintock will review the proposals and select three for the entire Board.

Report on Banna Fire Station Building Projects

Mrs. Nolan said there was concern that there were problems with the RFP but after many discussions with the Atty. General's office, there are no problems. The opening is on August 30, 2012.

Bids on the Banna demotion is scheduled to open on September 5, 2012. She felt they would have to wait until spring to pour the foundation.

Letter to Boston Passport Agency

Mrs. Nolan advised that she called Sen. Scott Brown's office; which, in turn, contacted Mrs. Patricia Rourke at the Boston Passport Agency.

Mr. Parker felt the letter should have said it was a clerical error.

Mr. Sagar suggested a copy of this letter should be sent to Sen. Brown with a note to follow up and get back to the Town Administrator.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Accounts Payable Warrant

Chairman Cavaco reported that the warrants are in order.

Mr. Parker said two weeks ago, in discussion about the Town Administrator's evaluation, there was a great deal of concern about his method. He will refrain from participating in the end review. He will trust his colleagues. He did receive 43 responses to his request.

Mr. Sagar felt Mr. Parker should participate. He is a senior member of the Board, and he should offer the information.

Mr. Sagar talked about a Seekonk 200 race event at the Seekonk Speedway on September 29, 2012. Sen. Brown's daughter will sing the National Anthem and the police honor guard will attend. They have requested a fly over by the Air Force. More information will follow.

Mr. Parker issued a challenge to his colleagues to walk the track together.

At Mr. Sagar's suggestion, Board of Selectmen meetings will start at 6 p.m., effective September 5, 2012.

Mr. McLintock felt it is important that Mr. Parker participate in the Town Administrator's evaluation. He objected that Mr. Parker went outside the Board strictly on his own. He was concerned about the questionnaire and obtaining information anonymously.

Mr. Parker stated that the 360 process is the most widely review method in the industry.

Chairman Cavaco talked about the \$50,000 transportation bond for the traffic light at the Public Safety Complex and Arcade/Rte. 44 and the \$50,000 from Chapter 90. The total cost is \$185,000. He has requested that Sen. Timilty and Rep. Howitt look into additional funding for the control box.

He advised that the Public Utilities Commissioner met with local legislators re: Columbia Gas and the Grist Mill and 36 Maple Avenue fires.

At the September 5th meeting, the Chairman would like to establish goals and objectives for Town Administrator.

Chairman Cavaco advised there will be further discussion on September 19th regarding the Route 114A project at the Grist Mill.

Mr. McLintock mentioned that roundabouts do work. He observed this in No. Conway, New Hampshire.

Chairman Cavaco said he would like to set up a meeting with Town Engineer David Cabral to talk about the posting of speed limits. He mentioned Brown Avenue.

He said he went to State House re: liquor licenses, and he will have more information on September 5th.

COMMUNITY SPEAKS

Mr. Bob Blanchard complained about the service from the gas company. He had to contact the president of the company in order to get the work done.

Mr. Blanchard asked if there is a written procedure for the talent bank.

Mrs. Nolan noted that Mr. Blanchard waited longer than most because they were trying to get the dates straightened out.

EXECUTIVE SESSION

At 10:30 p.m. a motion was made by Mr. Sagar, seconded by Mr. McLintock, to adjourn Open Session and go into Executive Session to discuss strategy on call firefighter's grievances and answer to grievances and discuss AFSCME negotiations for new contract; not to reconvene to Open Session.

The vote: Mr. Sagar – Aye; Mr. McLintock – Aye; Chairman Cavaco – Aye; Mr. Parker – Abstained. Mr. Parker stated that he will not participate in negotiations, although he could according to Mass. Law.

Respectfully submitted,

Gary S. Sagar, Clerk

Patricia Gamer, Secretary