

BOARD OF SELECTMEN
SEPTEMBER 5, 2012
REGULAR SESSION

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

Town Administrator: Pamela T. Nolan

Chairman Cavaco called the meeting to order at 6 p.m. followed by the Pledge of Allegiance and moment of silence.

In accordance with M.G.L. Chapter 30A, Section 20, he advised the meeting was taped via audio and video and that anybody taping must notify the Chair.

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

OLD BUSINESS

Update with Senator Timilty on Status of New Liquor Licenses Approved by the Joint Committee for Consumer Protection and Professional Licensure

Sen. James Timilty and Rep. Steven Howitt provided an update. A hearing was held last week before the joint committee for consumer protection. There was a request for further clarification. It is a minor clarification that should go through the Board of Selectmen. One bill was approved in the Senate and forwarded to the House. It should be done on Monday. It should be ready for Town Meeting.

Sen. Timilty stated that Seekonk has distinguished itself through the efforts of Chairman Cavaco, Mrs. Nolan and Ms. Rogers.

Chairman Cavaco replied that the Town would not have been able to get the 12 additional liquor licenses and three conversions without the help of Rep. Howitt and Sen. Timilty. It means additional revenue through the restaurants that would come into town. Currently two restaurants are interested.

Board members congratulated them on securing Chapter 70 money for the Route 114 project. The Town received \$236,000.

Mr. Sagar talked about access for a fire station in the south end through Department of Transportation property.

Sen. Timilty said that he asked the Lt. Governor to come to Seekonk to discuss a municipal partnership.

September 5, 2012

-2-

Chairman Cavaco stated that the Board of Selectmen is committed to do what is best for the community to bring additional revenue and benefits to Seekonk citizens.

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

VOTED: To amend the bill (Senate No. 2420) by striking out in lines 3, 4, 19, 20, 34 and 35 the words “all alcoholic” and inserting in place thereof, in each instance, the following words “wines and malt.”

Approve/Disapprove Contract for Drainage Review at Public Safety Complex with GPI Engineering

Mr. Tom Piquette, a member of the Public Safety Complex Building Committee, explained that the committee was guided by Atty. Jack Jacobi of Attleboro, MA, who specifically deals with this type of building issues.

Mr. McLintock asked why the person responsible for drainage was not held responsible in the first place.

Mr. Piquette said it was included on a punch list. There were litigations with several subcontractors. The area was rebuilt and worked pretty well to this date. This was part of the closeout process; to redesign the pond.

Mr. Parker asked why spend the money if it is working.

Mr. Piquette responded that it is an insurance policy. There is still money in the contingency account.

Mrs. Nolan said the engineering firm will do a study.

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

VOTED: To approve the contract with GPI Engineering to perform a drainage review at the Public Safety Complex.

Update and Discussion with DPW Superintendent and Finance Director on Annual Trash Fee History

Follow up to previous meeting.

Mr. Sagar stated that taxpayers are overcharged. There is a surplus of \$250,000. He felt that some of that should be refunded to taxpayers and trash fee should be decreased.

Finance Director Bruce Alexander advised the previous town administrator wanted to build up a fund for the purchase of equipment. He said budgeted money for more extensive monitoring of the landfills was not needed.

DPW Superintendent Robert Lamoureux said he needs to purchase a loader. The one they have is 20 years old and over \$11,000 has been spent on it for repairs. The cost to purchase a new one is \$150,260. Lease/purchase is about \$33,000 per year; adding \$15,000 to the cost of the machine. He felt he could probably get \$10,000 to \$12,000 for the old machine. It needs a new motor and it does not make sense to put a motor into a 20-year machine.

Mr. Sagar acknowledged the need for equipment; however, he felt it is not right to continually increase the trash fee to subsidize the budget.

Mr. McLintock noted that the trash fee is in addition to the taxes people are paying.

Mr. Lamoureux stated that he had no objection to lowering the trash fee. His primary concern is being able to buy equipment. He did not set up the program.

Mr. Alexander said it was done in the early 1990s.

Mr. McLintock said the financial people did not want the enterprise fund for this reason. The CIC was not in place at the time.

Mr. McLintock agreed that it needs to stop.

Mr. Sagar suggested it is the "Seekonk stimulus back to the taxpayers."

Mr. Parker stated that the enterprise fund was designed at the State level for exactly what the Town is doing.

Mrs. Nolan said it is perfectly legal. She said there is always that line that says taxpayers are overcharged and those that say we need equipment.

Mr. Lamoureux said the primary reason for this equipment is for the transfer station.

He said it would cost \$50,000 to reduce \$10 off the trash fee.

Mr. McLintock said it should go into stabilization or free cash.

Mrs. Nolan noted that the reason for Seekonk's bond rating is because of the money in the stabilization fund.

September 5, 2012

-4-

Mr. McLintock said that every department has needs for capital equipment but DPW is the only department that has a fund exclusively for it.

Mr. Lamoureux stated that all equipment he purchased has been in his plan presented to the CIC and at Town Meeting.

He emphasized that he had no objection whatsoever to reducing the trash fee.

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

VOTED: To reduce the trash fee by \$9.61 to \$180 for FY'13.

Discussion with DPW Superintendent on Costs of Asbestos Removal at 69 School Street Building

Mr. Lamoureux advised the estimate from RI Analytical has a wide range from \$22,000 to \$83,000 based on what they find. This was base on using the building for another purpose.

Mrs. Nolan said they would need a RFP.

Mr. Sagar suggested referral to the Planning Board.

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

VOTED: 3 Ayes; 1 Present; To move to Item B under New Business.

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

NEW BUSINESS

Joint Appointment with Housing Authority to Appoint Francis Cavaco to Fill an Unexpired Term until the April 2013 Election

Mr. Sagar motioned, seconded by Mr. Parker, to table until the first meeting in October and post the vacancy on the Town's website. No action on this motion.

Mr. Parker suggested a legal opinion regarding one person serving on more than one Board. He said a ruling is due this month from the Atty. General's office. Further, the position was not posted.

Mr. Sagar said the process should be transparent. This position was not advertised on the website with other vacancies. He would like to see a group of people filling out talent bank forms.

Housing Authority Chairman James Tusino and other members were in attendance.

Mr. Tusino said the Housing Authority is not a town board. He is the governor's appointee. Others are elected. There is a method in the Charter (joint meeting between Housing Authority and Board of Selectmen) to fill that position. That person would have to run in April. He stressed the need to fill the position. The Board of Selectmen was notified of the vacancy in June or July.

Mr. Sagar said he did not see the letter.

Mrs. Nolan advised the ruling was in the packet. She said it is not a town board. It does not need to have a talent bank form.

Mr. Sagar questioned the process. There have never been a whole lot of people interested in this over the years. He felt that Mr. Cavaco would do a good job. He is asking for a month to put it out there.

Mr. Tusino said it is clearly in the Charter. He noted the executive director is retiring and the Housing Authority is transitioning to a management agreement.

Mr. McLintock felt it is embarrassing the way the Board has to interview people for boards. It seems like this started when Mr. Cavaco and he were appointed to the Board of Health.

He said that people don't realize how much Mr. Cavaco has done for seniors. For example, he did the brown bags all by himself.

Mr. Sagar said his motion in no way is a criticism of Mr. Cavaco.

Mr. McLintock said there is one candidate. He thanked members of the Housing Authority for their work.

Mr. Tusino motioned, seconded by Mr. McLintock, and it was

VOTED: 5 Ayes; 1 Nay; 1 Present; To appoint Francis Cavaco to the Housing Authority to fill an unexpired term until April 2013.

Mr. Parker – voted Nay; Mr. Sagar voted Present. Others voted Aye.

OLD BUSINESS

Update from Town Engineer on Remaining Utility Work from Verizon on Central Avenue Road Project

Town Engineer David Cabral said currently there are four poles that require work. Three of those have few utilities on them. Two are in the roadway. The State notified National Grid to remove poles that no longer have utilities attached. Verizon has been out on Pond Street. It will not cause delay in paving. Road projects should be completed by the end of September or early October.

Chairman Cavaco asked about the additional work orders.

Mr. Cabral said they have talked with various owners as to where poles will go and there are two pending curb cuts. Hopefully, work will resume by next Monday.

Mr. Sagar said that asphalt is separating on Maynard Avenue.

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

Mr. Cabral said the parties have discussed the limitations and improvements. They are waiting for the easement from National Grid. He will report back to the Board in two weeks.

Discussion with Town Engineer on Speed Limitations on Brown Avenue (possibly others)

Mr. Cabral advised he met with Capt. Mace to go over old regulations. Brown Avenue is posted at 30 miles per hour. A number of streets are not properly posted. He suggested Brown Avenue should be posted at 40 miles per hour.

Mr. Sagar suggested a study to evaluate Brown Avenue and Pine Street and then request the State to change the speed limits.

Mr. Cabral said he could have a priority list in a couple of weeks. He will report back to the Board at the October 10, 2012 meeting.

Discussion on Goals and Objectives for Town Administrator

Mrs. Nolan reviewed the goals and objectives included in the agenda packet. She will evaluate department heads. They are also preparing goals and objectives. She felt that she has established a good relationship with the School Department. She needs to work closely with Human Services. She will attend a course in municipal building projects at the end of September.

September 5, 2012

-7-

Mr. McLintock commended Mrs. Nolan for the amount of time she spends on the different committees.

Chairman Cavaco said she is trying to put things together that were left by the previous town administrator.

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

VOTED: To adopt the goals and objectives for the Town Administrator for July 1, 2012 to June 30, 2013 as submitted by her to the Board.

Consider Approval of Regular Session Minutes for July 25, 2012

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

VOTED: To accept the Regular Session minutes of July 25, 2012.

NEW BUSINESS

Consider Appointment of Clerk of the Works for Banna Building Project

Mrs. Nolan recommended the appointment of Gus Klegraeffe at a salary of \$525 per week for six months; a total of \$13,650 over the six month period. Funds would come from Banna money.

A motion by Mr. Sagar, seconded by Chairman Cavaco, to hire Mr. Klegraeffe was withdrawn.

Mr. Parker talked about transparency and felt the position should be advertised.

Mrs. Nolan said this project requires a specialist. The position will be advertised.

TOWN ADMINISTRATOR'S REPORT

Updates

Mrs. Nolan stated that she received a letter from Patricia Rourke of the Passport office in Boston. That office is not currently accepting applications. There are ten offices within 9 miles.

Mrs. Nolan advised that the legal proposals were submitted to her office. Mr. Sagar and Mr. McLintock will review with her and select three to be interviewed by the Board of Selectmen. A work session will be held at 6 p.m. on September 26, 2012.

She advised that the Fall Town Meeting warrant will close on September 14.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Accounts Payable Warrant

Chairman Cavaco said the warrants are in order and acceptable to pay.

Comments and Concerns

Mr. Parker advised that a craft fair to benefit Save A Pet was scheduled for Saturday, September 8, 2012, at the Hurley School beginning at 9 a.m.

Mr. Parker noted that Serve Safe was mentioned in discussions on liquor license restrictions. That is a company.

Board members wanted to make sure the motion did not mention Serve Safe.

Chairman Cavaco noted a representative from a training company will make a presentation at the September 19th meeting.

Mr. Sagar asked for an update on consolidation with the School Department.

Mrs. Nolan said she and Mr. Alexander will meet with the Interim Superintendent and Business Manager.

With regard to Mr. Sagar's suggestion about employee logs, Mrs. Nolan said that Mrs. McNeil has done research and she will attend a future meeting to explain to the Board.

Mr. Sagar advised that the Seekonk Speedway will have a special race in commemoration of the Town's 200th Anniversary on September 29. It will benefit the Ronald McDonald House. They have requested a fly over through the Pentagon. He will have more information at the next meeting.

Chairman Cavaco requested a print out of finances on the 152 project.

He advised he spoke to Mr. Steele of Columbia Gas. They inspected 300 valves; 76 are defective and they are working to correct the problem. He asked them to send a breakdown of locations so the police and fire chiefs will have documentation.

Mr. McLintock suggested they contact Attleboro DPW to find out what they did with Columbia Gas on road cuts. Further discussion on September 19th.

Chairman Cavaco, Mrs. Nolan and Mr. McLintock will attend a conference on regionalization at Holy Cross College.

COMMUNITY SPEAKS

Mr. Donald Kinniburgh announced that a chicken barbeque would be held on Saturday, September 22, 2012, from 1 to 5 p.m. at the Rumford Hunting and Fishing Club to support the memorial garden. Tickets are \$12.

Chairman Cavaco made a commitment to raise \$5,000 for the memorial garden. He received a written decision from Ethics with certain guidelines.

At 8:43 p.m. a motion was made by Mr. Sagar, seconded by Mr. Parker, to go into Executive Session for discussion on contracts for the Communications Director and the Executive Assistant and to consider the approval of the Executive Session minutes of July 25, 2012; not to return to Open Session.

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

Respectfully submitted,

Gary S. Sagar, Clerk

Patricia Gamer, Secretary