

BOARD OF SELECTMEN
FEBRUARY 6, 2013
REGULAR SESSION

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

Town Administrator: Pamela T. Nolan

Finance Director: Bruce Alexander

Chairman Cavaco opened the meeting at 6:02 p.m. followed by the Pledge of Allegiance and moment of silence.

In accordance with M.G.L. Chapter 30A, Section 20, Chairman Cavaco stated that persons taping the meeting must notify the Chair. Board of Selectmen meetings are recorded via audio and video and broadcast on Seekonk Channel 15.

Jeff Sullivan of The Patch was recording audio.

NEW CLASS II MOTOR VEHICLE DEALERSHIP HEARING

Bristol County Auto Sales, LLC, d/b/a Route 152 Auto Sales, 544 Central Avenue, Michael Meier

Mr. Michael Meier was in attendance. This matter was postponed from December 5, 2012 when Mr. Sagar requested a site plan from Planning.

Mr. Sagar stated that the site plan allows a maximum of 19 spaces.

Mr. Meier said he requested about 10 or 11 vehicles.

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

VOTED: To approve the Class II motor vehicle license for Bristol County Auto Sales, LLC, d/b/a Route 152 Auto Sales, with a limitation of 10 vehicles on the premises.

OLD BUSINESS

Discussion with Columbia Gas President Stephen Bryant

Mr. Bryant requested that this be rescheduled. He will provide dates when he is available.

Consider Approval of Contract with GPI for DPW Facility Audit

Mrs. Nolan advised that this has been in the process for some time. It deals with the work being done by Nover-Armstrong with GPI on wells MW-8D, MW-8S, and WP1. This concerns analytical data that was used to support the Class A-2 RAO Completion Statement submitted for the DPW facility in December 2011 providing regulatory closure in accordance with the Mass. Contingency Plan (MCP) 310 CMR 40.0000. It is not to exceed the total cost of \$7,500.

Mr. Sagar noted that the Board had agreed on a not to exceed amount of \$3,500.

Mrs. Nolan said that was for the first part of the work. She will have to get clarification from the company.

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

VOTED: To table until the February 20, 2013 meeting.

Mr. McLintock raised questions as to why sampling is still being done.

Mrs. Nolan said that DEP won't close the audit until the wells are retested. DEP was alarmed about the rising contaminants in one well which calls for a retest.

Mr. McLintock said the Town paid Weston and Sampson to do the work and it was supposed to be submitted to DEP.

Mrs. Nolan said the information was submitted to DEP.

Mr. Sagar noted the levels were elevated back to 2005.

Mr. McLintock said the Town took a piece of property by eminent domain to be done with this. It has cost the Town \$1.25M over the past ten years.

Mrs. Nolan said that DEP will not stop until the wells are retested.

Mr. Sagar suggested that Mr. McLintock review the report submitted two weeks ago.

Consider and Vote Appointment or Not of Alison Halaburda as a Clerk in the Assessor's Office

Assessor Theo Gabriel and Alison Halaburda were in attendance.

Mrs. Nolan advised that about 75 applications came in. Mrs. Gabriel and she reviewed the applications and selected ten individuals, who were computer tested in Excel and Word. They then interviewed the six people who got the highest scores. She felt they could probably have chosen any one of them. However, Ms. Halaburda had worked in an Assessor's office in Middletown, RI. She has agreed to start work on Monday, February 11, 2013.

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

VOTED: To appoint Alison Halaburda as Clerk in the Assessor's office, as recommended by the Town Administrator and Assessor.

Chairman Cavaco advised that, under the 48 hour rule, Town Clerk Janet Parker asked to come before the Board regarding the April 30, 2013 special election.

Chairman Cavaco recused himself because he is a candidate for reelection.

Vice Chairman McLintock assumed the Chair.

Mrs. Parker stated that she received information today that the State would allow the Town to combine two elections because the Town election is within 30 days of the State primary. The cost savings would be \$3,000-4,000 because the State reimburses 4 hours of the primary for police officers and poll workers. It would be a little more difficult for poll workers, but they will be prepared if the Board decides to go with the one election. She could add poll workers. The Board would have to schedule a special meeting to take that vote. The date to return papers would be extended to March 12 and those in office would serve another month. She asked for a consensus of the Board at this time.

Mrs. Nolan said she has a legal opinion from Kopelman & Paige.

Speaking as a candidate, Mr. Donald Kinniburgh felt it was unfair. Candidates took out papers in good faith and got them signed and submitted by the due date. He was against extending the terms of those in office and he questioned if it is legal.

Mrs. Parker suggested getting a ruling from Town Counsel.

Mr. Peter Hoogerzeil, Vice Chairman of the Seekonk Republican Committee, urged the Board not to go along with the combined election. He said the spirit of the Charter is to have non-partisan elections.

Mrs. Christine Allen, candidate for reelection to the Water Commission, concurred with both speakers. She felt the combined election would cloud the issue of a non-partisan election. She said many people do not vote in a primary.

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She said that candidates followed the rules and met the timeline for submission.

Mr. Sagar felt the negatives outweigh the positives.

Mr. McLintock said the combined election might not be the best thing for the Town.

Mr. Parker noted that no action by the Board would mean two elections.

Mrs. Parker said the State needs to change the process to fill vacant senate seats.

Sign Approved Police Union Contract

Mrs. Nolan advised this is the new contract from the last arbitration. It has been reviewed by town counsel, union representatives and counsel, and the town administrator.

For the record, Mr. Sagar noted this was negotiated.

Board members signed the contract.

Mrs. Nolan noted that the fire contract would be the next one.

Review FY 2014 Budget and Discussion on Departments to Review at Future BOS Meeting

Mrs. Nolan advised that all labor costs are included in this budget. She originally approved an additional person for DPW and Police Department but that was removed when Finance Director Bruce Alexander said it was over the 2 ½.

She felt the Board would want to meet with the Veterans' Agent because of the increase in participants. Also, the Library has to show a certain amount of money spent on books for certification.

Mr. Alexander distributed history for all line items. He will provide the department requests and Town Administrator's recommendations as the Board meets with department heads.

Mrs. Nolan said that all departments have tried to keep a level-funded budget. There is very little discretion ability in most of the budgets.

She wants capital expenses to be part of the operating budgets (approximately \$250,000 to \$400,000 per year). She noted the MCIC study came out with \$20M for infrastructure. It shows in detail how much infrastructure was neglected. Mr. Alexander has told her it could be funded from the Municipal Capital Stabilization Fund. Ideally, that is not what she wants, but it may have to be funded that way for this year.

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Mr. Alexander advised they are \$125,000 over the available revenue right now.

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

VOTED: To meet with Fire, Police, DPW, Library, Veterans, and Human Services for in-depth review of those budgets.

Mr. Sagar and Mr. McLintock felt it should be a work session.

Mrs. Nolan said she received a capital budget from DPW. She felt DPW should be done by itself.

Mr. Parker said they should talk about estimated new revenues.

Mr. Alexander said that last year they budgeted \$100,000 for Capital Improvement and the balance is \$800,000.

He said that some towns have operating budget and capital budget as separate articles.

Mr. Sagar said he wants to see the landfill recycling center open every Saturday and he wants to talk about the Sanitation Enterprise Fund (paying off the loader that is being financed).

Mr. Alexander will attend the budget meetings.

Consider Approval of Regular Session Minutes from January 9, 2013 and January 23, 2013

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

VOTED: To accept the Regular Session minutes of January 9, 2012.

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

VOTED: 4 Ayes; 1 Abstention: to accept the regular session minutes of January 23, 2013.

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

OTHER BUSINESS

Discuss Other Topics Not Reasonably Anticipated by the Chairman 48 Hours Before the Meeting

Done.

TOWN ADMINISTRATOR'S REPORT

Mrs. Nolan reminded residents that a rabies clinic was scheduled for Saturday, March 9, 2013, from 9 a.m. to 12 noon at the DPW building. Dr. Truesdale will be there.

She advised that the Recreation Committee has openings. A talent bank form was submitted and will probably be on the next agenda. Anyone interested should complete a talent bank form and submit to the Town Administrator's office.

She has a form for plans for Luther's Corner completed by Mr. Hansen and Mr. Lamoureux. It is in her office if anybody wants to see it. It was submitted to the Mass. Department of Transportation, Highway Division, hoping to get it on the TIP.

She had a copy of Form 500 from Comcast. It tells what kind of complaints received throughout the year.

Mr. Sagar wanted to talk about date for Town Meeting.

Mrs. Nolan said she thought it was set for June 10, 2013. She will check the minutes of the previous meeting. The high school is available on that date.

BOARD OF SELECTMEN LIAISON REPROTS AND COMMENTS

Accounts Payable Warrant

Chairman Cavaco advised that the warrant is in order.

Mr. Sagar said he is still waiting for more information on the law on sharp items.

Mrs. Nolan said that Mrs. Hallal has been out sick.

Mr. McLintock said that there had been a lot of rumors that the Attleboro Sun Chronicle continues to take erroneous information and print it as it relates to the senior center. He noted that the committee has been working very hard for two years now and spent up to \$18,000 until recently and another \$9,000. Two weeks ago the committee voted to go with a prefab building.

Mrs. Nolan issued a RFP. Mr. McLintock has been serving as Chair while Mr. Bowden is out sick. Mr. Bowden has been attending meetings.

Mr. Parker congratulated the Kiwanis Club for the success of the Taste of the Town, which raised thousands of dollars to be re-invested into the Town. The event was well run and well attended.

He noted that Mr. Almeida and his wife are expecting a baby.

Mr. Almeida also congratulated the Kiwanis Club. He thanked everyone who attended.

He received a call from a resident of the north end of town. She drives a school bus in Seekonk. A town official went to her house about parking the bus at her home. She explained that it is easier to have the bus right there rather than going to Taunton to get it. Today, he saw a school bus parked in a driveway.

He asked if it would be possible to coordinate with the School Department to park the vehicles on School Department property.

Mr. Sager said that years ago the ZBA agreed that a school bus could be parked in a driveway as long as there were no complaints. The buses were owned by the Town. Currently, it is a private contractor.

Mr. Parker said the contractor is well aware of the Town's bylaws. It saves a lot of time if the driver can start the route from home. If there is a complaint by a neighbor, the vehicle has to be removed immediately.

Chairman Cavaco asked Mr. Parker if he had anymore information about passports.

Mr. Parker said that Rep. Howitt is following up.

Chairman Cavaco suggested that he and Mr. Parker go to Boston to meet with the passport official and local legislators. They might be successful.

He is waiting to hear from the Under Secretary of Housing in Boston. He prepared a video showing the conditions of the housing property. He did a video on the conditions of senior housing. The maintenance budget is \$87,000. Chairman Cavaco is looking for \$500,000 for repairs.

Members of the Housing Authority and residents will come before the Board sometime in March. Chairman Cavaco noted that, as elected officials, they have a responsibility to the residents of this community.

Mrs. Nolan said a young girl from the high school has asked to volunteer at Town Hall. She wants to learn about government and politics.

Board members approved the request.

Mrs. Nolan advised that archiving of all the files will start next week.

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Mr. Almeida asked about the driver/laborer vacancy at DPW.

Mrs. Nolan said the deadline is at the end of the week. There are lots of applications.

Chairman Cavaco said e mails were generated last week that certain Board members want to see the old police firing range.

Mrs. Nolan said that Mr. Lamoureux will set it up.

Mr. Parker said he would trust the recommendation of the Town Administrator and other town officials.

COMMUNITY SPEAKS

Mr. David Viera clarified an issue that came up at the Finance Committee meeting. The American Legion will not receive the \$5,000 for the Memorial Day Parade. The Town of Seekonk has contributed monies for the Memorial Day Parade except for the few years he raised the money when he was fire chief. The money is more or less seed money. The \$5,000 will be replenished from donations for next year; and, hopefully, will become perpetual. All bills are paid by the Town. There is a Memorial Day Parade line item.

Mr. Donald Kinniburgh announced the Pasta Night on March 15, 2013 from 4:30 to 7 p.m. to raise money for the Memorial Park outside Town. Tickets are \$15 for all you can eat catered by Young's Caterer.

Mr. Peter Hoogerzeil, a high school teacher, encouraged the Board to have an internship program and for students to get involved.

At 7:34 p.m. Mr. Sagar motioned, seconded by Mr. Parker, to go into Executive Session for discussion on strategy on negotiations for police and fire union contracts, Banna Fire Station negotiations, and to consider approval of the Executive Session minutes of January 9, 2013 and January 23, 2013; not to return to Open Session.

The vote: Mr. Sagar – Aye; Mr. Parker – Aye; Mr. Almeida – Aye; Mr. McLintock – Aye; Chairman Cavaco – Aye. Mr. Parker would not be in attendance during negotiations.

Respectfully submitted,

Gary S. Sagar, Clerk

Patricia Gamer, Secretary