

BOARD OF SELECTMEN
MAY 8, 2013
REGULAR SESSION

Members Present: Nelson Almeida, Gary Sagar, Michael Brady,
Robert McLintock, David Parker

Town Administrator: Pamela T. Nolan

Finance Director: Bruce Alexander

Executive Assistant: Anne P. Rogers

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

He stated that in accordance with M.G.L. Chapter 30A, Section 20, anybody taping the meeting must notify the Chair.

LICENSE HEARINGS

Consider Approval or not of an Application for a Mobile Ice Cream Truck Peddler's License for Christopher Masse – Approve to Forward to Board of Health for Permit

Mr. Masse said this would be on Sundays at the flea market from 8 a.m. to 3 p.m. He has permission from the Seekonk Speedway.

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

VOTED: 4 Ayes; 1 Abstention; To approve the license request from Christopher Masse to operate a mobile ice cream truck at the Seekonk Speedway only on Sundays from 8 a.m. to 9 p.m. and forward to the Board of Health for permit.

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

BUDGETS

Communications

Finance Director Bruce Alexander advised that most of the budget was prepared by Mr. LeClerc before he went on sick leave. That budget included seven full time and one part time dispatchers plus the director. He can reduce the full time dispatcher salary line by \$37,341 as a result of the 911 support grant.

May 8, 2013

-2-

Mrs. Nolan noted there are currently 6.5 full time dispatchers. It will go up to 7.5. They requested another person since the EMD has gone into effect.

Mr. Brady advised that Emergency Medical Dispatching became mandated last fall. They have to provide basic life support information to that person if they are willing to do that.

Mr. Alexander noted that the 911 call cannot be released until the EMS arrives at the scene. The State 911 support money comes from the 50 cents per month paid on the phone bill.

Mr. Parker asked how long the grant would last.

Mr. Alexander said it is reissued every year based on the amount collected.

He estimated the meal tax income would be around \$400,000

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

VOTED: To approve the Communications budget for FY 2014.

OLD BUSINESS

Review Insurance Requirements for Snow Plow Drivers

Mr. Lamoureux stated that the only change is to add the general liability and aggregate insurance. According to insurance companies, the general liability policy costs \$1,500 per year per vehicle. An aggregate policy is not available in Massachusetts, so they would need an umbrella policy at an additional \$1,500. He said the Town will not have any vendors with this additional insurance because the insurance would cost more than the vendors are paid.

Mr. Sagar suggested that town counsel get directly involved. He heard from a police officer that some of the vehicles were not properly registered or insured.

Mr. Lamoureux said that all vehicles had proper commercial registration and insurance. The Town of Seekonk has the highest insurance coverage than other communities. Theirs \$250,000 for bodily insurance, \$500,000 for each occurrence, and \$100,000 for property damage. The Town is \$250,000, \$500,000 and \$250,000. No other community asks for general liability or umbrella policy.

Mr. Sagar read the recommendation from Hub International.

Mr. Lamoureux advised that all paperwork was reviewed and approved by the Town Administrator and the Chairman of the Board of Selectmen.

He noted that the Town lost ten vendors this year because of insurance.

May 8, 2013

-3-

Mrs. Nolan, Mr. Alexander, Mr. Lamoureux and town counsel will discuss the matter further and report back to the Board.

Update and Discussion with Building Commissioner and Director of Human Services on Violations on Pleasant Street

Director Bernadette Huck thanked Mr. Lamoureux and the DPW crew for moving the desks at Human Services.

She advised the School Department will repair the heating system.

Building Commissioner Mary McNeil indicated she had not seen the improvements. The School Department will pay for installation of emergency lights and exit signs and also look at air conditioning. Fire extinguishers have been done. They are working on the remainder of electrical issues. Ventilation was done yesterday.

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

VOTED: To approve a 30-day extension for completion of the work at Human Services.

Mrs. Huck noted that 16% of the women who attended the recent Silver Tea were over the age of 90.

Update on Placement of Town Hall Sign

Mr. Parker advised that attempts to contact the woman at Leonard's Antiques were unsuccessful. A citizen suggested eminent domain.

Mr. Sagar asked Mrs. McNeil if it would be legal to put the sign up as it was before.

Mrs. McNeil said that the decision would have to be overturned by the ZBA. The Town does not own the property and the building is not on the same site. A legitimate sign would be on the front lawn.

Mr. Sagar asked about a variance to put the sign on the right of way.

Mrs. McNeil felt that would raise safety issues because the street is not wide enough.

Mr. Parker suggested contacting the dentist about putting the sign on that side of the street.

Mrs. McNeil advised it would still have to go to the ZBA.

Mr. Brady felt the State owns a certain portion that is retained as an easement.

May 8, 2013

-4-

Mr. Lamoureux said it might be 8 to 10 ft. He would look into it and report to the Town Administrator.

COMMUNITY SPEAKS (FIRST SESSION)

None.

NEW BUSINESS

Interview Robert Mammone for Recreation and Youth Commission **Vote to Appoint or not Robert Mammone to Recreation and Youth Commission for a Three Year Term to Expire June 2016**

Mrs. Nolan advised that Mr. Mammone could not attend because he works on Wednesdays. He indicated he really wants to serve on this committee. She recommended the appointment.

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

VOTED: To appoint Robert Mammone to the Recreation & Youth Commission for a three-year term to expire on June 30, 2016, subject to a CORI check..

Mr. Parker talked about the popularity of the Recreation Program in the Town of Seekonk.

There is still a vacant position.

Mrs. Nolan suggested that interested individuals should complete a talent bank form and return the Town Administrator's office.

Consider Approval or not of Student Government Day Sponsored by Seekonk Kiwanis for May 30, 2013

Mrs. Nolan advised that the students are from the Hurley Middle School students. They will meet at Town Hall and then go to the various departments. She said the Animal Control Officer felt it is dangerous to have students at the shelter.

Mrs. Nolan felt that some of the students would like to go there.

Mr. Brady was disappointed that the ACO did not want to participate.

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

VOTED: To approve participation in Student Government Day and direct the Animal Control Officer to participate.

Vote on Length of Contract for DPW Superintendent

Mr. McLintock felt it was out of order to have this on the agenda. He noted that on December 12, 2012 the Superintendent was given a one-year extension. There was no second to his motion to postpone indefinitely.

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

VOTED: 3 Nays; 2 Ayes; To direct the Town Administrator to re-date the contract with the Superintendent of Public Works to a three-year contract.

The vote: Mr. McLintock – Nay; Mr. Brady – Nay; Mr. Sagar- Nay; Mr. Parker – Aye; Chairman Almeida – Aye.

Mr. Brady and Mr. Sagar voted only on the grounds that they cannot vote for a contract because there is no appointment and no protection of employment.

Prior to the vote, Mr. Parker stated that he put this on the agenda because it is the only one-year contract.

He said this particular department has more letters of commendation than any other department.

Mr. Sagar explained that Mrs. Nolan was not in favor of a three-year contract. She wanted an opportunity to work with Mr. Lamoureux for one more year. That was why he voted Present. He spoke to Mrs. Nolan yesterday. She indicated they would be able to work together although the relationship may not be perfect. They have both worked very hard to make this happen. She noted that Mr. Lamoureux is a very hard working individual and he is good with the public. The problems are administrative.

Mr. Sagar noted that the original vote was two in favor, two against and he voted with the Town Administrator. He felt it would be proper to postpone and take action at the next meeting.

Mr. Brady felt the proper way would be to put it on the next meeting. He would vote against it if it goes forward the way it is. He felt there needs to be an appointment and then a contract.

Mr. Parker said the agenda indicates it is to vote on the length of the contract for the Superintendent of Public Works.

He noted that the Veterans Agent was reappointed for three years.

Mr. Brady said that Atty. Joe Fair advised the Board cannot appoint for less than three years according to Charter.

May 8, 2013

-6-

Mr. Sagar requested the item be on the next agenda with an appointment recommendation from the Town Administrator and request to enter into negotiations for a contract.

Consider Approval or not of Contract Renewal for Cintas Uniform Rental Service for DPW

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

VOTED: To approve the contract with Cintas Uniform Rental Service as presented.

Review and Approve or not Easement with National Grid for Drainage System on Newman Avenue

Mr. Lamoureux explained that part of the drainage system ends up on property owned by National Grid. He started this process back in October asking for an easement or lease agreement to get on the National Grid property to do drainage work on Newman Avenue. There is no cost.

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

VOTED: To approve the document, contingent upon complying with insurance requirements.

Review and Approve or not Administrative Policy #68 on Compliance with Regulations Associated with Tax Exempt Governmental Purpose Bonds

Town Treasurer/Collector Christine DeFontes was in attendance.

Mrs. Nolan said that Unibank advised the Town has to have this policy.

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

VOTED: To approve Administrative Policy #68 Compliance with Regulations Associated with Tax Exempt Governmental Purpose Bonds.

Review of Vacant Buildings, Current Status and Discuss Plans for Buildings

Mr. Lamoureux advised that the tax assessor and he looked at all the buildings.

Old Town Hall – CPC money will pay for removal of hazardous materials. Electricity and water were turned on at the Town's expense. They will be putting in emergency lights and extinguishers. If a roof is needed, that will be out of CPC money. The Historical Commission has plans for the outside of the building and will have a small office on the second floor. The

May 8, 2013

-7-

Wampanoag tribe will put in a handicapped bathroom. The tribe will also have an office. This will be a community building.

School Street – No plans for this building. The heating system is no good. The Town would have to do another hazardous material study. The building has asbestos.

Chairman Almeida felt it would make a good fire station or museum in the south end.

Mr. Parker said they talk about this year after year. In the meantime, the price for removal is going up.

Mr. Lamoureux suggested they could negotiate the price of remediation into the selling price.

He stated that these buildings are checked twice a week.

Old Police Building – The building does not contain asbestos. There is a heating system. Conservation got involved a few years ago.

Mr. Brady felt there should be a person responsible for capital asset management.

He said the old police building should be demolished.

Mr. Lamoureux suggested that he meet with other department heads and perhaps Jim Roy of the School Department to make a determination on what to do with the buildings and report back to the Board.

Mr. Brady suggested the School Street building could be used for storage, etc. It can't be used as a public building because it is not handicapped accessible.

Mrs. Nolan will meet with Mr. Lamoureux and Mrs. Gabriel and report to the Board at the next meeting.

Consider 2% Increase for Non Contractual Personnel and Individually Contracted Personnel

Mr. Parker did want to be part of the discussion.

The matter was referred to executive session.

Consider Approval or not Request from the Holy Ghost Brotherhood of Charity to use Taunton Avenue on August 18, 2018

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

May 8, 2013

-8-

VOTED: To approve the request from the Holy Ghost Brotherhood of Charity to use Taunton Avenue for approximately one hour beginning at 12 noon on August 18, 2013

Review and Approve or not Draft Warrant for June 10, 2013 Town Meeting

Mrs. Nolan advised it is still in draft form. She is waiting to hear from town counsel.

Mr. McLintock found a mistake in a petitioned article.

Mrs. Nolan said it has to stay the way it is written. The warrant has to be posted on May 20, 2013.

Mr. Brady wanted to hear from legal.

Mr. McLintock said he did not know what the numbers are for the senior center.

Mrs. Nolan said an amount could be put in at Town Meeting.

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

VOTED: 3 Ayes; 2 Nays; To tentatively approve the warrant as presented, subject to Town Counsel approval.

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

Mrs. Nolan advised that bond counsel had changed the article for the senior center. That wording was not included in this warrant.

Mr. Brady cautioned about taking action on a document that is not a final.

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

VOTED: To reconsider the previous vote.

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

VOTED: To table the warrant until the next meeting.

Articles 1-11 are usual for annual town meeting.

Mr. Brady asked about the roof at the library. It seemed like a new roof was put on within the past five years.

May 8, 2013

-9-

Mrs. Nolan said it is the drainage system that comes off the side and is rotting the inside of the building. The contractor who did the roof was contacted but this was not covered.

Mrs. Nolan will try to get the projects from CPC for the meeting of May 15th.

There are two petitioned articles.

Consider Approval of Regular Session Minutes of March 20, 2013

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

VOTED: 4 Ayes; 1 Abstention; To approve the Regular Session minutes of March 29, 2013.

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

OTHER BUSINESS

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

Mrs. Nolan received a request today from Mr. Kinniburgh to establish a revolving fund for the purposes of the Seekonk Armed Services Memorial Park. Mr. Alexander told her the money is in the gift fund.

Mr. Kinniburgh said the money is intermingled with other funds. The committee is raising its own money. They want a separate revolving fund. They cannot get into that account without authorization from the Veterans' Agent.

Mr. Parker said the time limit is over for petitioned articles.

Mr. Brady felt it should be a segregated account.

TOWN ADMINISTRATOR'S REPORT

None.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. McLintock said that Mass Highway is completing the project in the north end. He recommended they review the paperwork to make sure the Town is not charged for any of this final work.

May 8, 2013

-10-

Mr. Brady said that he is getting telephone calls regarding the animal shelter. He recalled that the original \$100,000 was to renovate and repair the existing shelter.

Mr. Parker said it was to repair, renovate, and expand.

Mr. Brady said the presentation to the voters was clear about what the money was for. The money sat for a number of years and repairs were not done.. The same issues exist. He wanted to make sure the money is used for the intended purpose. He will review the DVD of Town Meeting.

He noted that as a member of the Finance Committee he asked many times why the repairs were not done using the \$100,000.

Mrs. Nolan advised that DPW did a lot of repairs at the shelter. The CIC is working on a facilities study. Departments are waiting for that report.

She said that Mrs. Cloutier has talked about the roof. CIC got an estimate of \$340,000 for the roof. Mrs. Cloutier got an estimate of \$20,000. That has caused confusion.

Mr. Brady said that money was given to this Board to do those repairs. At that time, he voiced concern that he was uncomfortable giving them the money without a plan. He suggested they be prepared to answer to citizens that the money was not used for the intended purpose.

Finance Committee member Robert Blanchard stated that he went to the Animal Shelter Building Committee meeting and asked questions. He reviewed the wording of the warrant for the appropriation. It reads as the Board said.

Members of the building committee told him the Board of Selectmen indicated the money was for the new building and that no funds of the \$100,000 would go towards repairs. He did further research and looked at the article at Town Meeting that authorized the Town Moderator to appoint a three-member building committee, under the Board of Selectmen, to oversee and expend funds for designing, constructing, equipping and furnishing improvements for the animal shelter. This was done a year later. The committee was formed in 2010 and the appropriation was in 2011.

Mr. Brady felt the Board needs to be honest with citizens.

Mrs. Nolan advised that members of the Animal Shelter Building Committee are Sharon Hall, Pat Cloutier and Karen McHugh.

Mr. Parker advised that Safe-A-Pet will sponsor a craft fair in September at the middle school. More information in July. Dog licenses are now due. The deadline is May 31, 2013 at noon.

May 8 2013

-11-

He received an e-mail from Lisa Nelson of Congressman Joe Kennedy's office regarding passports. They are not accepting new applications at this time, but she will contact the Boston office.

Mr. Sagar referred to Chief Mace's monthly report and information about ATVs in the French Drive area and in The Meadows. The Police Department held a meeting a month or so ago. A resident who attended was very happy with the police and said he would write a letter to Capt. John. Mr. Sagar encouraged the resident to do so.

Chief Mace is looking to obtain ATVs and get the environmental police involved. He inquired about using Rehoboth's ATV.

The Board will meet next Monday with the School Committee.

COMMUNITY SPEAKS – SECOND SESSION

None.

EXECUTIVE SESSION

At 8:46 p.m., a motion was made Mr. Parker, seconded by Mr. Sagar, to go into Executive Session for Collective Bargaining Strategy with respect to Police contract and MOA and for an update on contract negotiations with Dispatch Union; to return to Open Session, if needed.

The vote: Mr. Sagar – Aye; Mr. Brady – Aye; Mr. McLintock – Aye; Chairman Almeida – Aye; Mr. Parker – Abstained. He will not participate because of contracts.

RECONVENE TO OPEN SESSION

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

VOTED: To approve the contract with the Fraternal Order of Police Mass. C.O.P. Local #215 for July 1, 2013 to June 20, 2016 and also the Memorandum of Agreement.

The vote: Mr. Sagar – Aye; Mr. Brady – Aye; Mr. McLintock – Aye; Chairman Almeida – Aye. Mr. Parker was not in attendance.

May 8, 2013

-12-

ADJOURNMENT

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

VOTED: To adjourn at 9:07 p.m.

The vote: Mr. Sagar – Aye; Mr. Brady - Aye; Mr. McLintock – Aye; Chairman Almeida – Aye.

Respectfully submitted,

Michael S. Brady, Clerk

Patricia Gamer, Secretary