

BOARD OF SELECTMEN
MAY 29, 2013
REGULAR SESSION

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

Town Administrator: Pamela T. Nolan

Executive Assistant: Anne P. Rogers

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

PUBLIC HEARINGS

Consider Approval or not of a Seasonal to Annual Conversion of Liquor License: Tranquil Waters Located at 1479 Fall River Avenue, June Ferreira, Manager

Chairman Almeida opened the hearing at 6:02 p.m.

Ms. Rogers advised this is a formality. It has been approved at Town Meeting.

There were no comments from the audience.

Chairman Almeida closed the hearing at 6:04 p.m.

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

VOTED: To approve the conversion from seasonal to annual liquor license
for Tranquil Waters located at 1479 Fall River Avenue.

Consider Approval or not for a Mobile Truck Peddler's License for Antone Mendoza, d/b/a Sausage King and Forward to Board of Health for Permit

Mr. Mendoza said he is a food vendor. He has had a concession at Sam's Club since 1987. He is a member of the Bay State Street Machines. He pays meals tax.

Ms. Rogers explained that Mr. Mendoza needs approval by the Board in order to go to the Board of Health for a permit. This is for Sundays only during the car shows.

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

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VOTED: To approve the mobile truck peddler's license for Antone Mendoza for Sundays only in conjunction with the Bay State Street machines Antique Car Show and that Mr. Mendoza submit his social security number and/or tax ID to the Town Administrator.

The order of business moved to:

OLD BUSINESS

Patricia Cloutier: Report on Animal Shelter Building Concerns

Mrs. Cloutier, President of the Animal Shelter Building Committee, stated that she wanted to clarify misleading comments made at a recent Board of Selectmen meeting regarding the shelter and the progress made by the committee.

She said that the Animal Shelter Building Committee consists of Sharon Hall, Karen McHugh, and Mrs. Cloutier. She said it is important that the committee is respected. She heard disheartening comments at that meeting.

The committee has had many meetings and some members of the Board of Selectmen and Zoning. The committee has met with the Town Administrator, Planning Board, Building Commissioner, Board of Health, and the senior center building committee.

There were a lot of repairs that were done by DPW. The roof has been repaired and no longer leaks.

The building committee decided to focus on the addition. That will take care of a lot of the problems. The addition has been part of this project since 2007 when the previous animal control officer submitted a very thorough request to the MCIC and asked for a \$40,000 addition. The only thing that came out of that request was they got a new van.

The addition came in between \$200,000 and \$250,000. The \$100,000 was brought to Town Meeting by the Board of Selectmen.

Approximately two or three weeks ago, she appeared before the Board and talked about the roof. That's when everything went out of control.

The animal shelter is in the MCIC report, but no money has been allocated for that. She would like to know what happened to the original request from 2007. The question is where the money would come from for the new roof. If the Board uses the \$100,000 to pay for the roof, that would set the project back.

The committee has worked hard to stay within budget and within the time frame.

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Mrs. Cloutier noted that the Town will end up with a \$250,000 addition for \$100,000 because the balance is being donated by private funds. It is a gift to the Town with no strings attached.

She suggested the Board set regulations and guidelines about Community Speaks. At one time, comments were made and members of the committee involved were not in attendance to have any input.

Mr. Parker said the facilities study had a roof price of about \$300,000+ which makes him question the report. If this Board has to decide if the roof should come out of the \$100,000, there has to be an accurate price.

Mrs. Cloutier said the committee does have estimates. She recommended the Board get a price. She has two or three estimates and the highest is \$20,000 from a certified contractor.

Mr. Brady responded that he supported this project from the start. The issue was not with the committee. He felt the Board of Selectmen asked for money before getting information. He would like to see one building done right. The building is the Town's responsibility. If the roof needs replacement, he felt it would be incompetent not to replace it. He has heard conflicting reports, such as patching the roof. He felt the money should not come from the \$100,000. He felt it is the Board's responsibility to tell the people they need more money. He wants the project to be done right the first time.

Mrs. Cloutier said the items needed at the shelter are things that have been needed for a long time.

Mr. Sagar asked about an estimated date for the groundbreaking and the amount donated by Safe-A-Pet.

Mrs. Cloutier said that Safe-A-Pet has committed \$50,000 as of this time. They have a total of \$65,000 to \$70,000 in gifts. That is why they are looking at a \$200,000-\$250,000 project.

Mrs. Nolan said they are waiting for the plans to be finalized.

Mrs. Cloutier said the contact person is on vacation for a couple of weeks.

Mr. Parker reiterated the need to know how much the roof will cost and also the kennels.

Mrs. Nolan felt it would be up to the Board to decide how the \$100,000 would be spent. If not, she would write articles for the Fall Town Meeting when there is free cash and ask to use that money.

Mr. McLintock felt that any maintenance done to that building now should come out of the maintenance account.

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DPW Supt. Robert Lamoureux advised there is \$1,200 in the maintenance account for the animal shelter.

Mr. Brady suggested line item transfers. There must be money in the insurance contingency line. A RFP is not necessary if the project is under \$25,000.

Mr. Sagar suggested a design firm for the scope of work.

Mrs. Nolan will have further information at the June 12th meeting. Mrs. Cloutier will provide her with the information she has.

Mrs. Cloutier indicated she is always available to answer questions.

Create a “Gift Account” for Save-A-Pet Donations for Animal Shelter Expansion Project

Deferred until June 12th.

Returned to Public Hearing.

Consider Approval or not of a Seasonal Beer and Wine Liquor License Transfer from 822 Fall River Avenue Leasing Corp. to JCM Petroleum, Inc., d/b/a Crossroads Auto Center, Jean-Claude Massad, Manager

Chairman Almeida opened the hearing at 6:55 p.m.

Mr. Massad was in attendance. Ms. Rogers said this is a transfer of an existing seasonal license. This will be Mr. Massad’s second license in the State of Massachusetts.

No public comments.

Chairman Almeida closed the hearing at 6:56 p.m.

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

VOTED: To approve the seasonal beer and wine liquor license transfer from 822 Fall River Avenue Leasing Corp. to JCM Petroleum, Inc. d/b/a Crossroads Auto Center, Jean-Claude Massad, Manager.

FY 2014 Annual Town Budget

Chairman Almeida opened the hearing at 6:57 p.m.

Mr. Parker stated that the FY’14 total budget amount is \$44,247,994; a .51% decrease over last year.

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Mr. Sagar repeated what he said at the last meeting. A great opportunity was missed with this budget. There were savings in some line items that were reallocated. He has issues – the entire process is flawed. They will have to do better next year. He has concerns with the warrant articles discussed last week. It is now up to the people who attend Town Meeting. He questioned whether they could sustain this kind of spending given the economic times.

Mr. David Saad asked the Board to reconsider the call firefighters because it would save the town money. He asked about staffing of the new fire station. He spoke to Chief Jack who told him he did consider dividing the fire department into EMT, paramedics and fire. The call firefighters could serve a purpose on the fire side. He asked to put \$50,000 into the budget to get the call firefighters going.

Mr. Brady noted that the only reason the budget went down a little was because the savings on debt service. That offset what was spent in the operating budget. The school and town side of the budget went up 4 to 5%.

Mr. McLintock stated that the Tri County assessment increased this year by \$77,000. The amount represents three students over last year's enrollment. It is because the State is trying to control local schools. Cities and towns have been complaining about the amount of money spent for vocational schools. The State is coming down on that. There are certain things the Board has no control over.

The Public Hearing closed at 7:07 p.m.

OLD BUSINESS

Building Commissioner Mary McNeil on "Building Safety Month"

Mrs. McNeil advised that May is Building Safety Month sponsored by the International Code Council and the Massachusetts Federation of Building Officials. She has been handing out brochures. She asked for the Board's endorsement.

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

VOTED: To endorse May as Building Safety Month.

Mr. Sagar thanked Mrs. McNeil for a job well done. He said that she is very well respected in the community.

Mr. McLintock added his appreciation.

Declare Surplus Equipment and Approve Auction

Mrs. Nolan added the communication tower at old town hall.

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Mr. Lamoureux added an old 5th wheel trailer.

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

VOTED: To approve the list of surplus equipment, including the communication tower and 5th wheel trailer.

Update on 152 Project

Town Engineer David Cabral reported the final walkthrough was held on May 14. The State compiled a list of items which are being adjusted.

Chairman Almeida inquired about a warranty.

Mr. Cabral said there is no warranty, but there is assurance from the State that items were done according to specifications.

Mr. Brady indicated he would be the first one to say no more money paid until the Board is satisfied with the work.

Mr. McLintock said that some items have not been corrected. He referred to Dumont Realty.

Mr. Cabral said he has been in contact with Dumont Realty.

They talked about the landscaping issues. That will fall within our purview.

Mr. McLintock felt it should be the State's responsibility.

Mr. Cabral advised that representatives from the State worked with Dumont Realty. Curbing was put in at the back and landscaping was supposed to be done. That was last year.

Mr. McLintock noted that some residents are cutting the grass on the sidewalks.

Mr. Cabral noted they have not signed off on the project. That item might carryover until the fall.

He pointed out that residents of Olney Street are cutting the grass on the island.

He stated that all signage is in place at 152.

Mr. McLintock had other concerns, such as power lines.

Mr. Cabral noted that a Mass. DOT District 5 representative walked through the project. In the end, this project will not cost the Town any money.

Update on Intersection Improvements at Arcade Avenue and 114

Mr. Cabral advised that a design public hearing will be held next Wednesday, June 8, 2013. It has been advertised. An outreach meeting was held with residents on May 9. He had copies of the signal plan.

There will be a 5 ft. wide landscaped area in front of the Grist Mill. They will check the grade about a sidewalk instead.

Chairman Almeida stated that he is not in agreement with the stop light at that intersection. He suggested making Mill Road a one way from Arcade Avenue to County Street.

He suggested that any comments should be brought up at the public hearing.

Mr. David Viera said that some time ago under the previous DPW Superintendent there was discussion about jersey barriers across the opening at the island for the Grist Mill.

He noted that is one of the worst intersections in the State.

Update on Low Cost Safety Enhancements at Stop-Controlled Intersections

Mr. Cabral advised that SRPEDD had asked the Town to identify intersections that need improvement. Improvements started at Arcade Avenue at Newman, Ledge Road at Arcade Avenue, Mill Road at Arcade Avenue, and Lincoln Street at Taunton Avenue.

Chairman Almeida and Mr. Brady had concerns about Ledge Road and Arcade Avenue at the high school.

Mike Brady suggested flashing warning lights for about a half hour to an hour in the morning and in the afternoon.

Mr. Cabral noted that there has been discussion about assigning a police officer there during those times.

Mr. Sagar requested a report on the status of the light for the public safety complex.

Mr. Cabral said the two components – Route 44 at Public Safety and Arcade Avenue at Rte. 44 have been combined in the design.

Update on Town Hall Sign

Mr. Cabral advised that he placed a grade stake where the State right of way ends. There appears to be room to place a sign. They would need a permit from Mass. DOT.

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

VOTED: That Mr. Parker serve as the liaison with Mass. DOT regarding the Town Hall sign

COMMUNITY SPEAKS

None.

NEW BUSINESS

Consider and Approve Contract with MBL Land Development for Land Development Design and Permitting for the New Senior Center

Mrs. Nolan asked that this be tabled. There was a question why Mr. McLintock and Mr. Bowden were named on the last page under "Authorization to Proceed" as being responsible for the reasonable cost of collection.

Mr. McLintock had left this meeting and was not available for comment.

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

VOTED: To indefinitely table the contract with MBL Land Development for land development design and permitting for the new senior center.

Reappointment of Superintendent of Public Works for Three Years

Mr. Brady noted that Mr. McLintock asked that this be tabled.

Mr. Parker indicated he requested this be included on the agenda. Mr. Lamoureux's contract expires on June 30, 2013. All contracts are now three years.

Mr. Parker motioned, seconded by Mr. Brady, and it was unanimously

VOTED: To reappoint the Superintendent of Public Works for a three-year term to expire on June 30, 2016, as recommended by the Town Administrator.

Prior to the vote, Mr. Sagar noted that when he voted present he did so to support the Town Administrator. She is now recommending the reappointment so he will support it.

Direct Town Administrator to Begin Contract Negotiations with Superintendent of Public Works

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

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VOTED: To direct the Town Administrator to immediately begin negotiations with the Superintendent of Public Works for a three-year contract to expire on June 30, 2016.

Approve Part Time (19 ½ Hour per Week) Temporary Employee at DPW and Consider Appointment or Not

Mrs. Nolan said the request is to hire two employees for 19 ½ hours per week to work during the summer while there is an employee out on workers compensation.

Mr. Lamoureux had requested authorization to hire an individual that was previously interviewed rather than readvertise.

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

VOTED: To hire Mr. Leonard Raulino as temporary employee at DPW, pending successful completion of the CORI check

Mr. Raulino was in attendance.

Discussion on IT Director for Town and School Department

Mrs. Nolan advised that, at a work session with the School Committee and Board of Selectmen, it was learned the School Department advertised and is currently interviewing for an IT Director. Board members in attendance at that meeting felt it might be a good idea to combine the Town with the School Department. MX would continue the day to day routine and cover any police and fire emergencies. She noted that the Town was not included in the job description.

In response to Mr. Parker's question, she said the position was not budgeted but there is about \$130,000 in next year's budget for IT, which includes licensing fees, maintenance fees, hardware, software, etc.

The Town would have to work out expenses with the School Department.

Chairman Almeida questioned the need for an IT Director. He said the School Department would continue with its employees and the Town would continue with MX. He asked if MX had that capability.

Mr. Brady felt it would be more cost effective to have an employee rather than a self-serving company.

Mr. Robert Blanchard noted that he was at the work session. Neither the School Department nor the Town has a person capable of providing the big picture. The IT Director would do that and

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that is what they need.

Board members will meet with school officials on June 3rd.

Consider Approval of Regular Session Minutes for April 3, 2013

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

VOTED: 3 Ayes; 1 Abstention; To accept the regular session minutes of April 3, 2013.

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

Consider Approval of Work Session Minutes for May 15, 2013

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

VOTED: To accept the work session minutes of may 15, 2013.

OTHER BUSINESS

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

None.

TOWN ADMINISTRATOR'S REPORT

Update on Hiring Process for Firefighters

Mrs. Nolan advised that 12 candidates showed up for the written test. Eight of those passed. Six are licensed MA paramedics and the other two have finished school and are waiting to finish clinical. The physical agility test will be on June 15.

Update on Pleasant Street - Senior Center Resolutions to Code Violations

Mrs. Nolan advised that she is pleased with the improvements. The final item is to move an air conditioner closer to the plug.

Martin School Third Grade Touring Town Hall

The next day is Student Government Day sponsored by the Kiwanis Club. Hurley Middle School students will be here.

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She noted that third graders from the Martin School will also be at Town Hall. They visit all the departments.

Two women from the Consumer Protection office in New Bedford came in to bring some information from the Atty. General's office.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Parker asked if the 911 tribute would still be held at Town Hall. He asked about merging veterans services with other communities.

Mrs. Nolan said it is under consideration.

Mr. Sagar advised that a local trade school had expressed an interest in helping with the construction of the new animal shelter. He gave the information to Mrs. Cloutier.

He asked for an update on the drainage issues at the Public Safety Complex.

Mrs. Nolan said she spoke to Mr. Piquette who has been in charge of that situation.

Mr. Sagar noted that Town Meeting is on June 10. He suggested that the Board set a date, including open and close of the warrant, so that it could be announced at the Spring Town Meeting.

He said that Jonathan Friedman is leaving The Patch. He has done a good job covering the Town of Seekonk.

With appointments coming up in June, Mr. Sagar felt there is no reason why individuals who are reappointed have to come before the Board. That will only be for new appointments.

He congratulated Bob Reed whose boat was first in its class in a recent race.

Mr. Sagar noted that the individual injured in a motorcycle accident recently visited the police and fire to personally thank them.

He is still waiting to hear from Columbia Gas.

Chairman Almeida received a complaint about parking on Cole Street during games. Signs are up and the Police Department is on top of it.

The Spring Fling at Martin School is on June 1, 2013.

He had a resident submit a talent bank form and two weeks went by and nothing happened.

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Mrs. Nolan said she did not know about that. She noted that Ms. Rogers was on vacation. It will be on the next agenda.

COMMUNITY SPEAKS

Mr. David Viera stated that, regrettably, the Memorial Day had to be cancelled due to the weather. He asked if the Board would consider having a Veterans Day Parade on November 8. It would be for this year only. They could also break ground for the Veterans Memorial Park on that day and a year later dedicate the park.

Mr. Sagar said the money was appropriated for the Memorial Day Parade, as per the warrant article.

Mr. Viera will check with Mr. Alexander.

Gary felt they should consider a rain date for the future.

EXECUTIVE SESSION

At 8:45 p.m. Mr. Parker motioned, seconded by Mr. Sagar, to go into Executive Session for update on contract with Town Engineer David Cabral, update on fire union negotiations, consider AFSCME dispatch negotiation proposal, and consider COLA for employees with individual contracts and those not covered by union; not to return to Open Session.

The vote: Mr. Parker – Abstained; Mr. Sagar – Aye; Mr. Brady – Aye; Chairman Almeida – Aye. Mr. Parker would not participate in negotiations.

Respectfully submitted,

Michael Brady, Clerk

Patricia Gamer, Secretary