

BOARD OF SELECTMEN
SEPTEMBER 4, 2013
REGULAR SESSION

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

Town Administrator: Pamela T. Nolan

Finance Director: Bruce Alexander

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

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

OLD BUSINESS

Appoint Steven Przeszlo and Jonathan Martel as Seekonk Firefighters
Swearing in of Firefighters Przeszlo and Martel by Seekonk Town Clerk Janet Parker

Fire Chief Alan Jack recommended the appointment of Mr. Przeszlo and Mr. Martel.

Mrs. Nolan concurred with the recommendation.

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

VOTED: To appoint Steven Przeszlo and Jonathan Martel as probationary Seekonk firefighters.

They were sworn in by Town Clerk Janet Parker.

Approval and Sign Individual Fire Agreements

Chief Jack advised that Mrs. Nolan was able to negotiate this agreement. It goes back to the collective bargaining agreement of Local 1931 in the contract of 2011-2013.

Mrs. Nolan said these are the first individuals to fall under this provision. If they leave within five years, they would pay the Town \$5,000 as reimbursement for the fire academy and other training costs.

Mr. Brady said that such agreements are not always upheld in court.

Board members signed the Agreements.

Discussion with Seekonk Citizen Shawn Finan on Tree at 250 Walker Street

Mrs. Nolan advised that Mr. Finan requested this be rescheduled.

Mr. Parker suggested the matter be rescheduled on a date that is agreeable to Mr. Lamoureux.

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

VOTED: To indefinitely postpone the discussion with Shawn Finan.

Discussion with Superintendent of DPW on Trash Fees and Approval of Trash Fees

DPW Supt. Robert Lamoureux noted that the Board previously expressed an interest in reducing the annual trash fee. On page 6 of the document, there is about \$85,000 in the retained earnings non-committed line. Most likely he will be going back to Town Meeting to ask to utilize \$40,000 for a rental tub grinder and screener. It will leave \$45,000 in that account. Every dollar reduced represents a \$5,200 reduction in revenue.

Mr. Sagar asked about the \$110,940 on page 6.

Mr. Alexander explained that the Town Meeting approved \$75,000, and he did not update that number.

Mr. Lamoureux explained the right of way lease is the entrance to the transfer station paid to the American Legion.

He said the current trash contract will expire on June 30, 2014. He suggested they should talk to the trash contractor and go over new scenarios. It might be better financially to stay with the same company. He has had very few complaints about this contractor.

He said that some of the vehicles are equipped with automatic pick up. He has talked to the contractor about single stream recycling. That means trash does not have to be separated.

Mr. Sagar suggested getting the Recycling Committee involved.

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

VOTED: To set the FY 2014 Annual Trash Fee at \$179.

Mr. Lamoureux noted that this is a decrease of \$6.50 from the previous year.

Discuss DPW Superintendent's Letter to Mass. DOT Concerning Opticon

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

VOTED: To authorize the Chairman to sign the letter to Mass. DOT requesting financial assistance for the signal at the entrance to the Public Safety Complex and to mention that there is a balance in the contingency budget from the Route 152/Central Avenue project.

Mr. McLintock felt that Sen. Timilty and Rep. Howitt should be aware of this.

Discussion and Approval of Snowplow Policy 2013-2014

Mrs. Nolan advised that they have asked for the general liability coverage that will cost vendors a minimum of \$1,500. Page 7 includes language that guarantees vendors a minimum of \$2,000 per year. That would assure that vendors can purchase the general liability insurance.

Mr. Lamoureux is still concerned about being able to attract vendors. He noted the application is eight pages. The driving record was not included last year.

Mr. Parker felt the problem is not with the amount paid to the vendors. He questioned the requirement of \$250,000 property damage. He noted that some towns don't have general liability.

Mr. Sagar said they increased the rates and are guaranteeing vendors \$2,000. He is not willing to take risks and subject taxpayers to anything less. In order for the umbrella to kick in, the contractors must have \$1M.

Mr. McLintock asked how the contractors would be paid.

Mr. Alexander said they would be paid per storm.

Mr. Parker said he would not support it.

Mr. Brady said he can't support the general liability. He said the more direction given to vendors, the more liability on the municipality.

Mr. Lamoureux said he gives vendors a route to plow. Periodically, he goes around to see if they are on their routes and doing what they are supposed to do.

Mr. Brady does not see \$1M worth of damage when just plowing. It was a recommendation from an agent who sells insurance. He disagrees. He would have preferred a legal opinion.

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Mr. Alexander suggested the Board go with the agent's recommendation.

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

VOTED: 2 Ayes; 3 Nays; To approve the snowplowing policy for 2013-2014.

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

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

VOTED: 3 Ayes; 2 Nays; To approve the snowplowing policy as submitted with the deletion of the general liability, removal of the stipend provision, and keep the rates as presented.

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

As per Mr. Sagar's request, discussion on the wing plow will be on the agenda for September 18, 2013.

Mr. McLintock suggested it should be a work session to discuss equipment.

COMMUNITY SPEAKS (First Session)

Mrs. Christine Allen announced that the Seekonk Water District has scheduled a special meeting on Thursday, September 19, 2013, at 6:30 p.m. at the Hurley Middle School to elect a water commissioner to fill an unexpired term which will end in March 2015. This is the result of a citizen petition.

NEW BUSINESS

Accept, with regret, Resignation of Frank Cordeiro from the Armed Services Committee

Mr. Parker noted that such resignations must be submitted to the Town Clerk.

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

VOTED: To accept, with regret, the resignation of Frank Cordeiro from the Armed Services Committee.

Announcement of Retirement of DPW Foreman Cliff Harris

Mr. Lamoureux commended Mr. Harris. He has been with DPW for 42 years. Mr. Harris will be at the next meeting.

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

VOTED: To accept the retirement of Cliff Harris with regret.

Discussion and Approval of Union Posting for Internal Promotion to DPW

Mrs. Nolan advised there were over 100 applications for the driver/laborer position. A part time employee has applied.

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

VOTED: To approve the union posting for internal promotion to DPW foreman.

The Chairman added the following under the 48 hour rule.

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

VOTED: To approve the union posting for internal promotion of driver/laborer to operator/laborer.

Discussion and Approval to Use Existing Applications (Current) to Fill Another Truck Driver/Laborer Position to Replace Mr. Harris

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

VOTED: To authorize DPW to hire a truck driver/laborer from existing applications to replace Mr. Harris.

Discussion on Allowing Commercial Trucks in the Transfer Station with DPW Superintendent

Chairman Almeida advised that a landscaper had asked if it would be possible to use the landfill.

Mr. Lamoureux advised the landfill is near full capacity and that is just accommodating residents and DPW pickups. They would also need a tub grinder, screener and additional employees.

Mr. Sagar noted that Mr. Lamoureux was supposed to report on counts. They had also discussed putting a camera at the landfill.

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Mr. Lamoureux requested approval to open the transfer station for a full day rather than the half day on the two Saturdays it is open. He wanted to try this in October and November.

Mr. Sagar felt there should be somebody there every Saturday on a full time basis.

Mr. Lamoureux noted that the afternoons are slow. The matter was deferred until September 18, 2013 for a cost estimate.

Mr. Parker noted that Mr. Lamoureux is running the DPW on a budget and it is insulting for Board members to tell him what equipment to buy and what hours to be open.

Announcement of Resignation of Building Commissioner

Letter of resignation from Mrs. Mary McNeil. Mrs. Nolan advised that the Town is currently represented by John Santos from Rehoboth and Mr. Ernest Watson is working one day a week.

The Board needs to begin the process to hire a building inspector.

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

VOTED: 4 Ayes; 1 Nay; To accept, with regret, the resignation of Mary McNeil as Building Commissioner.

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

Prior to the vote, Mr. Sagar asked if Mrs. Nolan had conducted an exit interview.

Mrs. Nolan advised that Mrs. McNeil left because she felt that department heads are not allowed to do their jobs. She felt discriminated by Chairman Almeida when he asked her to work on weekends. She is a union employee. She felt there was too much micromanagement. She got an awful lot of interference on the sign by-law. She has not been happy for some time.

Mr. Sagar said he spoke to Mrs. McNeil last Friday. She felt she had been pushed as far as she could be pushed. The Board of Selectmen needs to allow department heads to do their job.

He noted that he never applied nor received a building permit from Mrs. McNeil in his capacity as a builder. She was the first Building Commissioner in this town. She is the fifth building inspector in ten years. That is not a good track record. Mrs. McNeil was well respected by her peers. She did a great job in stabilizing her office.

Her biggest problem was the constant mirage of e-mails from the Chairman; a minimum of two per day.

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He said the revolving door has to stop. They need to evaluate that position and department.

Mr. Sagar said he is sad to see Mrs. McNeil leave. When she left, she didn't have another job but within three days she was hired by another community. He felt her departure could have been prevented. He wished her well. She did a great job in Seekonk.

Mr. McLintock said she had been thinking about leaving a year ago. He begged her to stay. He felt that Mrs. McNeil was one of the most professional people in that office.

He could not understand why she was hassled about signs. It is unfortunate the Town of Seekonk has lost her.

He felt the Board of Selectmen should never have that kind of close contact with department heads doing their job and being told they are not doing a good job. He felt the number of e-mails flowing through this town in the last week and the comments in them are outrageous.

Mr. McLintock said there have been eight town administrators since 2002. It is time for Board members to start working together. He mentioned the resignations within the past few weeks.

Mr. Brady said that Board members need to back off or more people will leave. They need to hold people accountable, but they need to look at how to go about it. He noted that, except for meetings, he has been in Town Hall two or three hours at the most since he was elected in April.

He hoped that Narragansett will let Mrs. Nolan do her job.

Mr. Parker agreed that Mrs. McNeil was a professional person. However, he questioned why she only gave two days notice.

He said that micro-managing started two years ago. He felt that Mr. Lamoureux is the "poster child" for that.

Mrs. McNeil gave him some reasons why she was leaving but he would not comment. She did not mention the Chairman.

Chairman Almeida said the only time he is in Town Hall is for meetings and to review bills. He spends about 20 minutes every other Thursday doing the agenda. He has been on the Board for almost a year and last week was the first time he was in Mrs. McNeil's office. He wished her the best of luck and thanked her for her service. He said it will be hard to replace her.

He sent her about a dozen e-mails. He has them all. None were to demand or tell her how to do her job.

Approval of Steelworkers Union Posting of Building Commissioner Position and Advertising to the General Public

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

VOTED: To authorize the Town Administrator to advertise the position of Building Commissioner and advertise to the general public.

Discuss Position with Local Building Inspector Ernie Watson

Mr. Watson advised that he works full time on Wednesdays. He has always been available to do inspections until a full time inspector is hired. He thanked the Board for having confidence in him.

Mrs. Nolan was confident that Mr. Santos could do the job until a permanent building inspector is hired.

Accept, with Regret, the Resignation of Communications Director Dennis Leclerc

Mr. McLintock said that he went to visit Mr. Leclerc a week ago. He is doing OK. He is grateful to the Town.

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

VOTED: To accept, with regret, the resignation of Dennis Leclerc as Communications Director.

Discussion of the Position and Approve the Advertisement to the General Public of Communications Director Position

Mrs. Nolan advised that currently this position has been part time (19 ½ hours). Both chiefs and the senior dispatcher feel it could continue to be a part time position. She felt it might appeal to a retired policeman or fireman. Dispatchers now have to provide emergency medical procedures.

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

VOTED: To authorize the Town Administrator to advertise the position of Communications Director.

Refer Zoning By-Law Changes to Planning Board

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

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VOTED: To indefinitely table the Zoning Bylaw changes.

Consider Approval of Regular Session Minutes of June 12, 2013

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

VOTED: To accept the regular session minutes of June 12, 2013.

OTHER BUSINESS

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

Mr. McLintock requested that reorganization of the Board be an agenda item for the next meeting.

TOWN ADMINISTRATOR'S REPORT

Reminder of 911 Ceremony

Mrs. Nolan advised the ceremony is scheduled for Thursday, September 12, 2013, at 6 p.m. at the Public Safety Complex. The 911 victims, Seekonk residents who helped clean up at the site, Boston Marathon victims, veterans, and police and fire will be honored. Seekonk firefighters will honor the 19 Arizona firefighters who lost their lives this year.

Mr. Parker suggested notifying residents through the Reverse 911.

Mrs. Nolan announced that Mr. Francis Cavaco informed her that the Housing Authority will receive \$450,000 in State funding for a single window and siding replacement project at The Commons.

Mrs. Nolan advised that she will be leaving her position as Town Administrator on September 30, 2013 to accept the position of Town Manager in Narragansett, RI.

The bids for the Animal Shelter expansion project are due on that day. She wants to handle that.

She will be submitting a written resignation.

The following was added to the agenda under the 48 hour rule.

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

VOTED: To accept, with regret, Mrs. Nolan's resignation as Town Administrator, effective September 30, 2013.

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Prior to the vote, Mr. Sagar asked if Mrs. Nolan would be available to serve as a consultant with respect to the three building projects.

Mrs. Nolan said she put her heart and soul into these projects. She could not be compensated, but she would be willing to help. It is difficult for her to leave these projects.

Mrs. Nolan noted the Town has a serious problem in that she is the 8th Town Administrator since 2002.

Mr. McLintock noted that a person wrote a letter to the Atty. Gen. office re: the senior center.

Mrs. Nolan said that architects for the senior center and the Banna fire station are working on that.

Mr. Sagar asked if Mrs. Nolan would consent to a public exit interview.

Mr. Brady advised against it.

Mrs. Nolan thanked the Board of Selectmen and residents.

Chairman Almeida thanked her for her services and he wished her the best of luck.

Mr. Parker suggested an agenda item for the next meeting in order to discuss the procedure for selecting an Interim Town Administrator.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Sagar explained the information he provide re: wind farms is for information only.

He asked about the complaint re: the Banna Fire Station bid.

Mrs. Nolan advised a complaint was filed on the day the bids were due.

They have spent a month trying to get an appointment with the Atty. General's office. Sen. Timilty attended a meeting of the building committee. He indicated he would go to the Atty. General's office. They have lost the building season. It will cost an additional \$200,000 if they have to build conventionally.

Mr. Sagar suggested the Board be proactive and include a warrant article in November for funding.

Mr. Brady said it is disturbing that a government agency could stop something without an investigation.

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Mr. McLintock noted the same person is now complaining about the senior center.

Mr. Brady asked if legal had been consulted regarding any recourse against any person who makes an allocation against the town.

Mrs. Nolan reported the animal shelter expansion project is out to bid.

Mr. Parker said the Town Hall sign should be up within the next few weeks.

COMMUNITY SPEAKS

None.

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

VOTED: To adjourn at 8:22 p.m.

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

Respectfully submitted,

Michael Brady, Clerk

Patricia Gamer, Secretary