

BOARD OF SELECTMEN
OCTOBER 2, 2013
REGULAR SESSION

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

Acting Town Administrator: Bruce Alexander

Chairman Almeida called the meeting to order 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.

WORK SESSION (NO PUBLIC INPUT)

Discussion with Wampanoag Tribe for the Lease of Old Town Hall

Chairman Almeida advised that this item was moved to Executive Session for discussion with town counsel.

OLD BUSINESS

Sign Contract for DPW Superintendent

DPW Superintendent Robert Lamoureux advised that he read the contract and it appears to be in order.

Mr. Sagar referred to Section XVII – Notices. The official person notified for the Town should be the Town Administrator.

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

VOTED: To approve and sign the contract with Robert Lamoureux,
Superintendent of Public Works, as amended.

Sign Contract for Town Engineer

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

VOTED: To approve and sign the final version of the contract with
Town Engineer David Cabral, as presented.

Discussion on Strategy for Hiring an Interim Town Administrator

Mr. Sagar felt the Board should move forward and hire an Interim Town Administrator. It should be a person who would not be a candidate for the position.

Mr. Brady said he liked the service offered by one of the presenters to place an interim here for three days a week. However, he would not be opposed to have a retired town administrator who does this for a short time.

He felt it would be an easy transition if the interim was from the consultant's firm.

Mr. Sagar noted that the consultant from Municipal Resources indicated he would provide an interim only if he was selected to hire a town administrator.

Board members agreed they should make a decision at the October 16th meeting.

Mr. Sagar said he reached out to former town administrator Bill Keegan, who indicated he would come before the Board to share his thoughts. He is available on October 16th.

Consider Approval of Amended Administrative Policy #47 – “Second in Command”

Mr. Brady wanted to make it abundantly clear that it has nothing to do with the abilities of the police and fire departments. In the case of a major event, they will be busy and should not have to think about town hall, library and human services. It makes more sense to have a third person in this building communicating with the Chairman.

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

VOTED: To accept Administrative Policy #47 and authorize the Chairman to sign.

Consider Approval of Plan for Public Safety Facility Drainage

DPW Superintendent Robert Lamoureux and Engineer Jim Noyse (GPI Engineering) were in attendance.

Mr. Noyse explained that the first basin on the left has had acid problems since the day it was constructed. They looked to see how to increase the storage capacity and how to make it so that it would require less maintenance. They will increase the footprint of the basin. It won't solve all the problems. It was supposed to be a 25 year storm. The design is for a two year storm.

Mr. Sagar stated that this project cost the taxpayers a lot of money. It is disheartening to have to go back to reconstruct work that had already been done.

October 2, 2013

-3-

Mr. Tom Piquette, a member of the building committee, stated that in negotiating the closeout, the committee decided the money incurred in the closeout would have been better spent in fixing the problem than spending it in litigation. They also dealt with the site engineer who did an evaluation and came up with a fix similar to what is being proposed. There is enough money to cover the cost.

Mr. Lamoureux noted that some of the money was used for significant repairs to the building.

Mr. Alexander said there is \$40,000 left.

Mr. McLintock and Mr. Sagar agreed that there should be a group of individuals knowledgeable in construction to check these projects upon completion and payment. The work should have been done under the warranty.

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

VOTED: To approve the plan for the public safety facility drainage project at \$17,804.44.

Consider Approval of Contract with Vincent A. DiIorio, Inc., for Redundant Emergency Generator Systems

Mr. Sagar said this started with Hurricane Sandy last October. He got involved with the former chairman and town administrator. They issued a RFP and signed a contract with an electrical engineer for \$12,000. They thought the generator at the Public Safety Complex could handle this building, the animal shelter and the new senior center. The engineer estimated the total cost at \$341,000. That was rejected. The blizzard occurred in February. In August, there was concern by public safety that if anything happened they would be out of business. There would be no redundancy. Mr. DiIorio was asked if there were any alternatives.

He proposed a smaller generator next to the existing one at public safety. That would be primarily for this building and the animal shelter. It would back up the public safety generator and the public safety generator would be back up to this generator. The senior center would have its own generator. The cost would be \$125,000 for the second generator and all controls.

Mr. Lamoureux explained there would be an automatic transfer switch between generators.

Mr. Parker felt this is an item for the Capital Improvement Committee.

Mr. McLintock concurred.

Mr. Brady questioned how it could be cheaper to run the wires for two generators than one.

October 2, 2013

-4-

Mr. Sagar felt this is a priority. The engineer sent this information to the Town Administrator at the beginning of September and it did not get distributed until the end of the month. He would like to see it on the warrant for the November Town Meeting.

Mr. Brady said this needs further discussion. He questioned the amount of \$125,000 compared to \$341,000.

He would like to see natural gas generators.

Mr. Parker endorsed the concept but did not feel it was an emergency.

Mr. Sagar suggested that Mr. DiIorio come before the Board. They could enter into a contract with him for design and put it on the spring town meeting.

Mr. Lamoureux noted that Mr. DiIorio indicated his preference was diesel.

Mr. Sagar said a disaster would interrupt the delivery of diesel.

Board members felt they need a work session with Mr. DiIorio.

There was further discussion about the CIC.

Mr. Parker said the CIC reports to the Town Administrator, who would report to the Board.

Mr. Brady noted that the CIC is an advisory committee to the Board of Selectmen.

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

VOTED: To table the contract with Mr. DiIorio.

COMMUNITY SPEAKS (FIRST SESSION)

Chief Jennings from the Wampanoags asked when the meeting would be rescheduled.

Chairman Almeida said he would be notified.

Mr. David Saad asked about the money appropriated for the fire station.

Mr. Alexander advised it is a line item just before the animal control. There is \$50,000 in that line item.

Mr. Saad asked why spend \$9,000 to rent a building rather than the Newman Avenue station. There is housing, a heating system and the cost is \$12 per year.

October 2, 2013

-5-

Mr. Parker said it was the recommendation of firefighters.

Mr. Saad said it is also a big problem trying to get out of Pond Street.

Mr. Parker said the whole purpose was to decrease response time to people in the north end.

Mr. Saad stated the Board should rethink reconstituting the call fire department.

Mr. McLintock said that building would hold at least two rescues to service the north end. The central station can respond to fires in the north. The real reason is that the life support is critical in terms of how long it will take to get there. Based on the amount of money spent, opening the Newman Avenue Station for rescue might be something to think about.

Mr. Brady said he is not comfortable with discussion of the old town hall in executive session because only one side is in attendance. He wants to hear from the Historical Commission and the Wampanoag tribe.

Mr. McLintock advised that Mr. Alexander and he met with Mr. John Alves of the CPC.

Mr. Paul MccPherson, President of the Seekonk Call Firefighters Association, wanted to clarify statements made a few weeks ago during discussion on the Banna Fire Station.

It was stated that the Newman Avenue building is owned by the Call Association. It is owned by the Central Volunteer Fire Association; a totally separate group.

An individual stated that he spoke to the President of the Call Association. That individual never spoke to him.

It was also stated the traffic light was put there because of accidents.

The Central Volunteer Association fought to get the light installed to prevent accidents.

Mrs. Christine Allen announced that the Seekonk Water District will have a special meeting on October 10, 2013 for an election to fill an unexpired term. The term will end in April 2015. Nominations will come from the floor and the election to follow. The meeting will be at 6:30 p.m. at the Hurley Middle School.

NEW BUSINESS

Consider and Appoint Thomas Pimental, Jr. as a Full Time Dispatcher

Mr. Pimental was in attendance. He is a registered nurse and paramedic. He has a degree in engineering in addition to his paramedic training. He also has a degree in fire science.

October 2, 2013

-6-

Mr. Alexander advised that the position was advertised and applications and resumes were reviewed by Mrs. Nolan, Chief Jack, Chief Mace, and Lynda Lyon. Ten individuals were chosen for the written and oral test; seven showed up. Six passed and were interviewed.

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

VOTED: To appoint Thomas Pimental, Jr. as full time dispatcher, pending CORI check. Employment to start on October 13, 2013.

Consider and Appoint David Sullivan Sr. to the Armed Forces Memorial Park Committee

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

VOTED; To appoint David Sullivan Sr. to the Armed Forces Memorial Park Committee.

Consider and Appoint James Reinke as Clerk of the Works for the Construction of the Banna Fire Station

Mr. Sagar advised that the Building Committee had voted to recommend Mr. Reinke to the Board of Selectmen.

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

VOTED: To appoint James Reinke as Clerk of the Works for the construction of the Banna Fire Station.

Mr. McLintock thanked Mr. Reinke for the work he did on the senior center project.

Request from Shawn Finan to Appeal the Notice of Violation

Mr. Finan asked to have it postponed.

There was no action on a motion by Mr. Parker, seconded by McLintock, to indefinitely postpone.

Mr. Brady said Mr. Finan should go to court if he wants reconsideration of the Board's decision.

Mr. Lamoureux said he was not sure what Mr. Finan wants to do. The type of tree he was directed to plant would cost between \$1,500 and \$2,000. In lieu of that, the Board voted to administer a \$500 fine which would be waived. He suggested Mr. Finan could pay the fine which is the same fine as imposed on the tree company.

Chairman Almeida felt the tree should be replaced.

October 2, 2013

-7-

Mr. McLintock said the tree may have been on private property.

Mr. Sagar noted that the individual is not in attendance. He suggested further discussion on October 16th.

Mr. Brady added the fine will stand if Mr. Finan does not attend.

Mr. McLintock asked for a certified drawing of the road.

Mr. Lamoureux said it would require a survey which is costly.

Mr. McLintock said he went to the site. The tree was five to six feet on Mr. Finan's property.

Mr. Lamoureux stated that he had submitted to the Board a copy of the lay of the road in a previous packet. He said ownership is spelled out in M.G.L. Chapter 87.

Mr. Alexander will send a letter to Mr. Finan that he should attend the next meeting or the fine will stand.

Accept Proposal from the Department of Agricultural Resources to Acquire 87 Acres of School Street Shown on Map 2 Lot 3, the Development Rights would be Acquired to Secure the Preservation of the Land for Agricultural Purposes

Mr. Brady noted that taxes will be a lot less when it is deemed agricultural.

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

VOTED: To sign the proposal of the Mass. Department of Agricultural Resources to acquire the land on School Street (Assessors Map 2, Lot 3).

Consider, Establish, and Approve Fees for Scanner Price Verification

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

VOTED: To approve the verification fee schedule as proposed by Mr. Alexander and Mr. Watson.

Consider Warrant Articles for November 18, 2013 Town Meeting for

- 1. Town Hall, Animal Shelter, Public Safety back up generator**
- 2. To fund from free cash a sum (to be determined) to purchase and install traffic light on Taunton Avenue at the entrance to the Public Safety Complex**

Mr. Sagar said that Rep. Howitt advised that the Town would probably not get funding for the light on Rte. 44.

October 2, 2013

-8-

Mr. Sagar suggested that they go to Town Meeting and ask for funding for this project.

Mr. Lamoureux said that he spoke to Mr. Noyse of G.P.I. Improvements are needed at the intersection of Arcade Avenue and Route 44 at an additional \$20,000 plus \$1,300 for the permit. He recommended they ask for \$110,000, which would cover the cost of the installation of the signals and preemption systems at the public safety complex and the intersection of Route 44 and Arcade Avenue.

Mr. McLintock said the State is reneging. That is a State highway.

Mr. Brady said that he was told several years ago that the governor had approved the money for the light at the public safety complex.

Mr. Sagar felt it should be on the warrant for Town Meeting, and he would be more than happy to defend it.

Mr. Parker said it is not an emergency. There haven't been any accidents at that location. He said to put it to the Capital Improvement Committee and talk about it in the spring.

Mr. Brady said he wants answers from the State in writing.

He felt the project should go through the Capital Improvement Committee.

Board members agreed to contact Rep. Howitt and Sen. Timilty for assistance.

Discussion on Draft Warrant for November 18, 2013 Town Meeting

On Article 2, \$35,000 for rental of DPW equipment, Board members agreed that such items should be built into the DPW budget in the future.

Article 5 added, "every subsequent offense."

Article 8 is for non-union contract personnel.

Article 9 is for the Town Clerk.

Article 10, Mr. Sagar said he is adamantly opposed to this.

Article 11, Elimination of benefits for part time elected officials.

Article 12, 13, and 14 are voter petitions.

Library Director Peter Fuller advised that the trustees were not quite clear on how to proceed.

October 2, 2013

-9-

Article 16 transfer of land from Conservation.

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

VOTED: To forward the petition to the Planning Board.

Consider Approval of Regular Session Minutes of August 21, 2013

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

VOTED: To accept the Regular Session minutes of August 21, 2013.

OTHER BUSINESS

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

None.

TOWN ADMINISTRATOR'S REPORT

None.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Sagar announced on behalf of the Banna Fire Station Building Committee that demolition would begin on Friday.

He would like to have an agenda item on budget priorities for October 16, 2013.

Mr. Alexander said that budgets went out and final copies are due on January 1, 2014.

Mr. Brady talked about the Veterans Memorial. He felt a subcommittee should be appointed to meet with the Veterans Memorial Park Committee and the Board of Library Trustees to negotiate and alleviate commotion at Town Meeting.

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

VOTED: 4 Ayes; 1 Abstention; To appoint Mr. McLintock and Mr. Brady to represent the Board of Selectmen in negotiations with the Board of Library Trustees and the Veterans Memorial Park Committee.

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

October 2, 2013

-10-

Mr. Brady noted the Board needs to appoint a building management committee made up of Town employees (Mr. Lamoureux, Mr. Cabral, Mrs. Hallal, Ms. DeBlander, and/or Mr. Hansen). He will not sign the warrant until they inspect all work.

Mr. Parker said that is the responsibility of the Clerk of the Works.

Starting with the drainage project, Mr. Brady said he will not sign any warrant until he has verification in writing from GPI that it was completed properly.

Mr. Parker announced that the Annual Pasta Supper will be held on Thursday, October 24, 2013, from 4:30 to 7:30 p.m. This benefits the fuel assistance program through Human Services. Tickets are \$10 and can be obtained at the Town Clerk's office.

Mr. McLintock would like the Board to have test borings taken at the library to see if the gravel is there. Taxpayers paid \$1.2M for that product. Mr. Noyse from GPI had said that stuff was removed.

Chairman Almeida said it could be on the agenda but they need costs.

Mr. Parker wanted a legal opinion re: the statute of limitation.

Mr. Sagar advised that the hours at the landfill have been extended starting Saturday, October 5. He didn't think there should be two employees there.

Mr. Alexander reported that the website has been updated.

Chairman Almeida noted that schools are open. Sports have started. He thanked all those involved in sport programs.

COMMUNITY SPEAKS (SECOND SESSION)

Mr. Robert Blanchard thought animal shelter bids were to be opened on September 30th.

Mr. Alexander said the sub bids were opened. There was an extension on the general bids.

Mr. Brady suggested Mr. Blanchard contact a member of the building committee.

Mr. Donald Kinniburgh advised that Mr. Steve Arruda and he will be the ones meeting with Mr. McLintock and Mr. Brady.

October 2, 2013

-11-

At 8:22 p.m. Mr. Sagar motioned, seconded by Mr. Brady, to go into Executive Session for discussion re: the lease for Old Town Hall, discussion on grant of easement for 22 Pine Street during construction of the Banna Fire Station, discussion on strategy for the hiring of an Interim Town Administrator, and to consider approval of Executive Session minutes of August 21, 2013; not to return to Open Session.

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

Respectfully submitted,

Michael Brady, Clerk

Patricia Gamer, Secretary