

BOARD OF SELECTMEN
JUNE 15, 2011
REGULAR SESSION

In Attendance: David Parker, William Rice, Francis Cavaco,
Robert McLintock

Absent: John Whelan

Town Administrator: Michael J. Carroll

Chairman Parker called the meeting to order at 7 p.m. followed by the Pledge of Allegiance and moment of silence. He advised the meeting was being recording visual and audio and asked if anybody in the audience was recording. Mr. George Morse of the Seekonk Star was recording audio.

CONSENT CALENDAR

Approval of Minutes – May 11, 2011 Regular and Executive Sessions and June 7, 2011 Regular Session

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

VOTED: To accept the Regular Session minutes of May 11, 2011.

A motion was made by Mr. Cavaco, seconded by Mr. Rice, and it was unanimously

VOTED: To accept the Executive Session minutes of May 11, 2011.

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

VOTED: To accept the minutes of June 7, 2011.

Award Contract for Banna Station to Miller Engineering

Mr. Arthur Foulkes distributed copies of the contract for signatures.

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

VOTED: To award the contract to Miller Engineering for the Banna Station project in the amount of approximately \$2,800, as outlined in the correspondence from Capt. Michael Healy.

NEW BUSINESS

Consider Reappointments of Special Police Officers, Matrons and Constables

Police Chief Ronald Charron recommended the reappointments.

In response to Mr. McLintock's question, Chief Charron explained that five officers have stepped aside. He is going to reevaluate how many special police officers are needed. He said that the road jobs during the day are difficult to fill.

Chairman Parker said that Seekonk police officers are first on the list for details and then the jobs are offered to out of town officers.

Chief Charron advised that the Town collects the 10% fee. A contractor pays \$44.00 per hour (\$40.00 to officer and \$4.00 to the Town).

A motion was made by Mr. Cavaco, seconded by Mr. Rice, and it was unanimously

VOTED: To appoint Constables, Matrons and Special Police Officers,
as presented by Chief Charron (see attached).

Board of Health Complaint

(1) Alleged Open Meeting Law Violation

Mr. Carroll advised that a complaint was received from the Board of Health alleging that the Board of Selectmen discussed items that were not on the agenda. According to Statute, the Board has 14 business days to respond. He will draft a response.

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

VOTED: To table this matter until further in this meeting.

(2) Citizen Complaints

Mr. Carroll noted that it was previously discussed by the Board to schedule a joint meeting with the Board of Health. He suggested that Board members provide Ms. Rogers or him with specific items to be discussed so that the Board of Health will be prepared.

He stated that it was previously agreed that any complaints received in the Town Administrator's office would be forward to the chair or vice chair of the Board of Health.

Mr. Rice said that he has personally reached out to the Board of Health for communication between the two Boards. He asked if there was some history that the Board of Selectmen had confronted the Board of Health.

Mr. McLintock said that he spent time talking to some of the members of the Board of Health. He was disappointed because they did not make any progress. He felt there were hard feelings with the previous Board of Selectmen. It seems the Board of Selectmen had legitimate reasons to ask questions. In his opinion, there are issues brought to the Board of Selectmen because the Board of Health does not want to address them.

A motion was made by Mr. Cavaco, seconded by Mr. Rice, and it was unanimously

VOTED: To put the alleged open meeting law violation back on the table.

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

VOTED: To authorize the Town Administrator to respond to the complaint filed by the Board of Health. The response will go to the Board of Health and Atty. General's office.

OLD BUSINESS

Consider Reappointments to Board of Health, Board of Registrars, Conservation Commission, Cultural Council, Historical Commission, Human Services Council, Municipal Capital Improvement Committee, Recreation and Youth Commission, and Zoning Board of Appeals for Three-Year Terms to Expire on June 30, 2014

Executive Assistant Anne Rogers advised that she had a letter from Mr. Al Smith of the Board of Health indicating he would like to be considered for another three-year term.

She has not heard from Mr. David Evans, however, he has until June 30th.

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

VOTED: 3 Ayes; 1 Nay; To not reappoint anyone to the Board of Health as of this meeting.

The vote: Mr. McLintock, - Aye; Mr. Cavaco ó Aye; Chairman Parker ó Aye; Mr. Rice ó Nay.

Board of Health member Vicki Kinniburgh explained that Mr. Evans and Mr. Smith are away and Mrs. Hallal is sick. The Board of Health didn't know about this. The agenda was not on the web, but was located on The Patch. She felt it was not right to bring this up since the members are not here to defend themselves.

June 15, 2011

-4-

Mrs. Kinniburgh felt there is a witch hunt for the Board of Health and a Selectman has a personal agenda against that Board.

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

VOTED: To reappoint Frank Oliver to the Board of Registrars.

A motion was made by Mr. Rice, seconded by Mr. Cavaco, and it was unanimously

VOTED: To reappoint Richard Wallace to the Conservation Commission.

A motion was made by Mr. Rice, seconded by Mr. Cavaco, and it was unanimously

VOTED: To reappoint William Clark to the Cultural Council.

A motion was made by Mr. Rice, seconded by Mr. Cavaco, and it was unanimously

VOTED: To reappoint Ronald Blum to the Historical Commission.

A motion was made by Mr. Rice, seconded by Mr. Cavaco, and it was unanimously

VOTED: To reappoint Beverly Della Grotta to the Human Services Council.

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

VOTED: To reappoint David Bowden to the Municipal Capital Improvement Committee for a term that would expire in accordance with Category 2 of the General By-Laws.

Ms. Rogers will notify Board members of the date at the next meeting.

A motion was made by Mr. Rice, seconded by Mr. Cavaco (discussion) and the motion

FAILED: 2 Ayes; 2 Nays; To reappoint Robert Richardson to the Recreation and Youth Committee.

The vote: Mr. Rice ó Aye; Chairman Parker ó Aye; Mr. Cavaco ó Nay; Mr. McLintock ó Nay.

Mr. Cavaco said there have been complaints about the availability of fields and user fees. He felt there should be new people. Mr. McLintock concurred.

Ms. Rogers said that Mr. Small has indicated he does not want to be reappointed.

June 15, 2011

-5-

Mr. Rice felt they do a good job.

The Board will schedule a meeting with the Recreation Committee for some time after Town Meeting.

A motion was made by Mr. Rice, seconded by Mr. Cavaco, and it was unanimously

VOTED: To reappoint Keith Rondeau to the Zoning Board of Appeals.

DISCUSSION WITH PLANNING BOARD

Gude Street – Habitat Project

Town Planner John Hansen advised the land was taken over by tax title. It is residential property zoned for business. In order to apply for a Comprehensive Permit with the State and ZBA, he needs support from the Board of Selectmen and the Chairman's signature on the permit application.

Mr. Hansen introduced Susan Rooks, President of the Old Colony Habitat for Humanity.

Ms. Rooks explained how Habitat operates and responded to questions. It works on the model of affordable housing. Families partner up to 500 hours of work. They help build their own house. Habitat provides labor and materials, much of which is donated. Habitat holds the mortgage with zero interest. The houses are roughly 1,000 sq. ft.

They establish the value based on what is put into it. Families have to prequalify. If they sell the house, it has to be back to Habitat or the town. They will get their equity.

Mr. Rice and Mr. Cavaco endorsed the project.

Mr. McLintock suggested the Board try to circumvent the process to give Habitat this property since it will be used for affordable housing.

Mr. Hansen said it was done in Norton, MA.

Chairman Parker suggested it could be done at the Fall Town Meeting.

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

VOTED: That the Board of Selectmen provide the letter and pursue the possibility with the Town Treasurer or at Town Meeting to give Habitat the parcel of land.

COMMUNITY SPEAKS

None.

TOWN ADMINISTRATOR'S REPORT

Mr. Carroll talked about leasing town land to construct solar electric generating capacity. This is in the initial stages. A 10-acre field would equal the salary of a mid-level employee. He suggested the Fall River Avenue landfill.

Chairman Parker felt it is premature.

Mr. Carroll advised that Mr. Horton is still working with the Wampanoag Tribe to resolve the lease re: the old police station.

He spoke to Town Counsel on review of the lease. Revisions negotiated between Mr. Horton, Mr. Whelan and the Tribe were extensive, so they have to return to the original form of the lease. They will try to wrap up in the original format this week.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Cavaco questioned a payment to Town Engineer David Cabral for \$162 for Mass. PE community application. Mr. Carroll advised that it is not covered under Mr. Cabral's contract.

Chairman Parker noted that it was part of the stipulation of employment.

Mr. McLintock felt it would set a precedent.

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

VOTED: 3 Ayes; 1 Nay; Not to pay the \$162.00 fee submitted by Town Engineer David Cabral.

The vote: Mr. McLintock ó Aye; Mr. Cavaco ó Aye; Chairman Parker ó Aye; Mr. Rice ó Nay.

Mr. Cavaco said that he checked with Mr. Alexander, and he can review bills after 10 A.M. on Wednesdays.

Mr. Cavaco requested that the subcommittee set up to meet with Mass. Highway be included on the next agenda in order to report to the full Board regarding last week's meeting.

June 15, 2011

-7-

Mr. Cavaco read from a letter dated May 10, 2011 to Supt. Lamoureux regarding road money for 152 pavement. The District reviewed the project needs form and recommends a meeting to discuss this proposal in greater detail.

Mr. McLintock said that Mass. Highway names three other organizations to work with; SRPEDD is one. Will have all the information by next week's meeting.

Mr. Cavaco stated that the Town's website needs to be updated.

Mr. McLintock felt there might be someone at the School Dept. who could do this on a regular basis.

Mr. Rice asked if the information available to the Board during the Superintendent search will also be available to the public.

Chairman Parker felt the resumes of the three finalist would be public record.

Mr. Rice talked about a complaint from a Shady Lane resident regarding a Route 44 business who transports sewage.

He advised the resident to contact the Building Inspector or, if no action, the ZBA.

At 8:33 p.m. a motion was made by Mr. Cavaco, seconded by Mr. McLintock, to go into Executive Session for Strategy Relative to Collective Bargaining per M.G.L. Chapter 30A, Section 21, Subsections A2 and A3; not to return to Open Session.

The vote: Mr. Cavaco ó Aye; Mr. McLintock ó Aye; Mr. Rice ó Aye; Chairman Parker ó Aye.

Respectfully submitted,

John Whelan, Clerk

Patricia Gamer, Secretary