

BOARD OF SELECTMEN
FEBRUARY 20, 2019
REGULAR SESSION

Members Present: David Andrade, Nelson Almeida, David Viera,
Michelle Hines, Chris Zorra

Town Administrator: Shawn E. Cadime

Chairman Andrade opened the meeting at 7 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(f), anyone recording the meeting must notify the Chairman. The Board of Selectmen is recording via audio and visual.

The meeting was held at the Seekonk Senior Center, 540 Arcade Avenue.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Viera announced that volunteers are needed on the Charter Study Committee (up to 6 Board of Selectmen appointment) Conservation Commission (3 BOS), Cultural Council (2 BOS), Energy Committee (1 BOS) Historical Commission (3 BOS), Property Tax Work-Off Committee (3 BOS), Recycling Committee (up to 4 BOS), Taxation Aid Fund Committee (1 BOS) and Veterans' Council (5 BOS).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Swearing in Ceremony for Lieutenant David Enos to the Rank of Deputy Police Chief

The Honor Guard was in attendance.

Police Chief Frank John thanked Mr. Cadime and the Board. It has been a trying year for the Seekonk Police Department. The department is now flourishing thanks to the support of Mr. Cadime and the entire Board.

Chief John introduced Lt. Enos to be sworn in as the first Deputy Chief with the Seekonk Police Department. He was sworn in by Town Clerk Florice Craig. His badge was pinned by his three daughters – Christie, Kelly, and Samantha.

Swearing in Ceremony for Sgt. Eric Chalifoux to the Rank of lieutenant

Chief John introduced Sgt. Chalifoux to be sworn in to the rank of Lieutenant. He was sworn in by Town Clerk Florice Craig. His badge was pinned by his stepdaughter Mariah and his wife Kimberly.

Swearing in Ceremony for Patrolman Steven Fundakowski to the Rank of Sergeant

Chief John introduced Patrolman Fundakowski to be sworn in to the rank of Sergeant. He was sworn in by Town Clerk Florice Craig. His wife, Erica, pinned his badge along with his daughter Aubrey and son Jace.

Swearing in Ceremony for Patrolman Adam Laprade to the Rank of Sergeant

Chief John introduced Patrolman Laprade to be sworn in the rank of Sergeant. He was sworn in by Town Clerk Florice Craig. His badge was pinned by his wife, Jennifer, and daughter Madeline.

Swearing in Ceremony for Douglas Hood as Patrolman, Third Class

Chief John introduced Patrolman Hood. Town Clerk Florice Craig sworn him in. His badge was pinned by his mother Maria and his girlfriend Megan.

Consider the Appointment of Ashley Cartwright to the Position of Assistant Director of Human Services

Director of Human Services Brittney Faria requested the appointment of Ashley Cartwright, who worked as secretary for the last eight years. Mr. Cadime recommended as stated by Mrs. Faria.

A motion was made by Mr. Viera, seconded by Ms. Hines, and it was unanimously

VOTED: To appoint Ashley Cartwright as Assistant Director of Human Services effective Monday, February 25, 2019.

Town Clerk Lottery Drawing for Ballot Positions for the Upcoming Election

Board of Library Trustees

Alyssa Richard
Ann Caldwell
Michael Durkay

Planning Board

David Sullivan
Peter Aguiar
Ronald Bennett

School Committee

Beth Eklund
Elizabeth Elmasian
Sona Schiller

Consider Accepting the Donation of a 2011 Toyota Rav4 Vehicle from Patricia English to be used for training for the Fire Department

Fire Chief Michael Healy requested permission to accept the vehicle to be used for training purposes.

A motion was made by Mr. Viera, seconded by Ms. Hines, and it was unanimously

VOTED: To accept the donation of a 2011 Toyota Rav4 vehicle from Patricia English to be used for training by the Fire Department.

Mr. Almeida thanked Mrs. English for the donation.

Discussion with KP Law Regarding Marijuana Regulations

Atty. Katie Laughman of KP Law spoke about hosting agreements and allowing marijuana establishments to locate within the town.

The town has regulated for medical and adult use marijuana.

The law describes certain different license types which includes marijuana cultivators, marijuana retailers, product manufacturers, and independent testing laboratories. Medically marijuana is regulated separately on the state level.

The Cannabis Control Commission (CCC) is regulating on the state level.

The application process includes online application of intent, submitting to background checks, and provide management and operations profile.

Anyone who wants to locate in the community must conduct a community outreach meeting, enter into a host community agreement with municipality, and obtain certification from the municipality that they are in compliance with local zoning. That information has to be submitted to the CCC in order to get a license.

The community outreach meeting has to take place 6 months before application is filed with the state. Notice has to be given within seven days prior to the meeting to the Town Clerk, Board of Selectmen, and Planning Board. The applicant must identify what type of establishment it will be. They have to provide information about security systems and steps taken to prevent diversion to minors.

The Host Community Agreement is a statutory requirement that provides that a marijuana establishment or medical marijuana shall execute an agreement with the host community. It is a prerequisite to obtaining a state license.

The CCC will notify the municipality that the application is complete.

The Board of Selectmen will play an important role in the Host Community Agreement.

Mr. Cadime clarified the medical marijuana required a letter of non-opposition. This Host Agreement language is “shall” so the host would have to grant community host agreements.

Atty. Laughman said the Host Community Agreement has to be executed by the Board of Selectmen. She recommended to establish a set of criteria for screening applicants. She said some communities have done a RFQ. Many communities are looking at a timeline.

To pose a limit on the number of establishments requires bylaw or ballot. The threshold is fewer than 20% of off- premises liquor licenses. A 3% sales tax only for retail sales.

The Host Community Agreement can include an impact fee for five years.

Chairman Andrade said this will be an agenda item in the next couple of weeks so they can go over this.

Consider the Wording for a Ballot Question Approving the Assessor to Stop Assessing the Excise on Farm Animals and Equipment

Town Assessor Theo Gabriel was in attendance.

Mr. Almeida asked if the Town could afford the loss of \$2,000 every year.

Mrs. Gabriel said the state allows an exemption for farmers. She said it was discussed before but never went any further. It has to be done through a ballot question.

Chairman Andrade asked if we are going to raise residential taxes to offset that

Mrs. Gabriel said there is a \$41M levy.

A motion was made by Mr. Viera, seconded by Mr. Almeida, and it was unanimously

VOTED: To approve the wording of a ballot question as follows:

Shall the Town of Seekonk cease assessing the excise imposed by Section 8A of Chapter 59 of the Massachusetts General Laws on certain animals, machinery and equipment owned by individual and non-corporate entities principally engaged in agriculture? Yes or No.

A motion was made by Mr. Viera, seconded by Ms. Hines, and it was unanimously

VOTED: To forward the ballot question to the Town Clerk.

OLD BUSINESS – None.

NEW BUSINESS

Update from Conservation Agent Regarding Attleboro Dye Works Project

Conservation Agent Jennifer Miller, Town Planner John Aubin, and Project Manager Tracy Costa of Ransom Consulting, Inc. were in attendance.

Ms. Miller noted the project moved forward because the weather was mild.

Ms. Costa stated that DPW did some vegetation clearing along the northwest portion of the property. One hundred seventy five bags of asbestos were removed, leaving two very clear paths. The structural engineer indicated it is not safe to be inside the building. They advanced 25 soil borings and collected a drinking water sample. That sample came back pretty clean. They conducted sampling in the lagoons and in other areas. They prefer to do more sampling in the lagoons. There was no contamination at Lot 9. They need to determine how much contamination is in the drainage channel. There is evidence of fabric along the northwesterly portion. It could be suspect dye waste. They see heavy metals contamination to at least 4 ft. below ground surface.

Mr. Aubin said he met with the steering committee last week. They talked about the mill canal. They have submitted a request to Town Counsel to review easement documents. Trying to get agreements from adjacent property owners for further testing.

They will work with Mass. Development on a reuse study. Mass. Development has a grant available for reuse study.

Ms. Miller said it is great to be able to use the EPA mobile lab. EPA might be able to remove some of the contaminants.

Discuss Bridge Reports Including Priority Lists

DPW Supt. David Cabral talked about the Tall Pines and Pond Street Bridges. The State does bridge report every two years. A dive report is done every five years. There is no restriction on the Tall Pines Bridge according to Mass. DOT. The overall rating is 7. Scouring was identified. There is some graffiti that DPW can remove. There is some cracking but it will be about 10 to 15 years before action is required. There is chipping on the roof but no action is required. There is an area where that has to be attended to by DPW. He will need to coordinate with Conservation.

Mr. Cabral said the guard rail is 31 to 32 inches; it should be 42 inches. He has made a note of it.

Mr. Cabral said the conditions have changed slightly since the photos of three years ago.

Chairman Andrade said consideration has to be given to the scouring and the eight of the rails.

The Pond Street Bridge was discussed in 2015 with respect to cost to maintain the bridge as opposed to replacing it. There are no sidewalks and no shoulders on that roadway. No provisions for pedestrians. The railing on that bridge is not crash worthy. There is quite a bit of scouring. The cost back in 2015 was \$350,000. It would be \$600,000 to add a sidewalk. The total cost to replace that bridge in 2015 was \$1.5M.

Mr. Cabral said discussion in 2015 was to wait until the bridge needed to be replaced. The bridge is not in bad shape structurally.

Chairman Andrade recollected that the Board had discussed not to make repairs and move forward with replacing the bridge.

Ms. Hines asked about Chapter 90 money.

Mr. Cabral said it is spent on roads.

Mr. Cadime said the State has small bridge repair money which is competitive. Mr. Cabral has been looking into the criteria. An option would be to incorporate the Tall Pines Bridge as well. One warrant article for the two bridges.

Chairman Andrade said with the emphasis on the Pond Street Bridge.

Mr. Cabral said in 2015, Seekonk didn't meet the criteria for the State money,

Mr. Cadime said the biggest consideration would be the funding and coordinating with Conservation.

Mr. Zorra asked about widening the roadway leading up to the bridge.

Mr. Cadime said there are a lot of components to look into it. Might have to do road taking or put sidewalk on just one side.

On another matter, Mr. Almeida inquired about the railroad tracks at Oakhill Avenue and Pine Street.

Mr. Cabral said one train goes through everyday.

Chairman Andrade noted it is not owned by the Town.

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Ms. Hines thanked the DPW crew for the work done during the snow/sleet storm recently.

Consider the Approval of Minutes of January 23, 2019

A motion was made by Mr. Viera, seconded by Ms. Hines, and it was unanimously

VOTED: To accept the minutes of January 23, 2019 with the addition of the name of an individual that was taping (Robert Lopez).

COMMUNITY SPEAKS – None.

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

Aitken School Expansion Building Committee Report

Mr. Zorra advised the meeting scheduled for February 26 has been rescheduled to Wednesday, March 6, 2019, at 6:30p.m. at the Aitken School.

Mr. Viera asked for an update on the burned out properties and the use of camper trailers for an extended period of time.

Chief Healy said the biggest thing is to get insurance companies to pay. They do provide temporary housing, which is usually trailers. It is a process those people have to go through. The Fire Department is looking into the boarded up properties. Some are private properties and the Town can’t be exposed to any form of liability.

Ms. Hines announced the Annual Taste of the Town sponsored by the Kiwanis Club will be on Tuesday, March 5, 2019, at the Clarion Hotel. Tickets are \$30
Tickets are \$30 and are available at the Town Clerk’s office, senior center, and Kiwanis Club members.

The Save-A-Pet Auction will be one night on April 26, at the Ramada Inn on Rte. 44. More information and on line bidding is on Seekonk Save-A-Pet. org.

EXECUTIVE SESSION

At 9:41 p.m., Mr. Viera motioned, seconded by Ms. Hines, to go into Executive Session to conduct strategy sessions with respect to negotiations with the Deputy Police Chief per M.G.L. Chapter 30A, Section 21(a)(2), to discuss the reputation, character, physical condition or mental health, rather than professional competence of an individual or discuss the discipline or dismissal of or complaints or charges against a public officer, employee, staff member or individual per M.G.L. Chapter 30A, Section 21(a)(1) as having the discussion in open session would be detrimental to the litigation or bargaining position of the town; not to return to Open Session.

The vote: Mr. Viera – Aye; Ms. Hines – Aye; Mr. Almeida – Aye; Mr. Zorra – Aye; Chairman Andrade – Aye.

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

Items Distributed at the February 20, 2019 Board of Selectmen Meeting

Chief Frank John – Memorandum re: appointments

Ashley Cartwright – Application and resume for position of Assistant Director of Human Services

Atty. Lauren Goldberg of KP Law and Theo Gabriel, Assessor – Wording for warrant article to approve the Assessor to stop assessing the excise of Farm Animals and Equipment

Map on the Attleboro Dye Works