

**BOARD OF SELECTMEN**  
**OCTOBER 2, 2019**  
**REGULAR SESSION**

Members Present: David Andrade, Nelson Almeida, David Viera,  
Chris Zorra, Justin Sullivan

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), any person recording the meeting must notify the Chairman. The Board of Selectmen is recording via audio and visual.

**BOARD AND COMMITTEE OPENINGS UPDATE**

Mr. Almeida announced that volunteers are needed on the Board of Registrars (1 Board of Selectmen appointment), Capital Improvement Committee (1 BOS), Economic Development Committee (4 BOS), Energy Committee (1 BOS), Historical Commission (4 BOS), Recycling Committee (up to 3 BOS), Taxation Aid Fund Committee (1 BOS), Zoning Board of Appeals (2 Regular and 2 Alternates).

**COMMUNITY SPEAKS**

Ms. Michelle Hines announced the 12th Annual Food for Fuel Pasta Fest on Wednesday, October 23, 2019, from 4:30 to 7 p.m. at Seekonk High School. Tickets are \$10 for adults, \$5 for children ages 4–12, and free for children 3 and under. Take out is available. Tickets are on sale at the senior center and at the Town Clerk's office in Town Hall.

**PRIORITY MATTERS**

**Oath of Honor and Badge Pinning Ceremony for Patrolman Roger Coreas**

Interim Chief David Enos introduced Patrolman Coreas.

Town Clerk Florice Craig administered the Oath. His wife, Kathleen; daughter, Annabelle; and parents, Maria and Carlos; pinned his badge.

**Recognition of Mary Madonna, Kennel Worker at the Animal Shelter**

Chairman Andrade read and presented the Proclamation signed by Board members to Ms. Madonna.

ACO Sharon Hall and Assistant Andrea Russo were in attendance.

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**Consider the Appointment of Nancy Biggs to the Position of Kennel Worker**

ACO Sharon Hall recommended the appointment. Mr. Cadime recommended as stated by Ms. Hall.

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

**VOTED:** To appoint Nancy Biggs as kennel worker, effective October 4, 2019.

**Discussion with Resident Regarding Pride Hyundai Lighting**

Building Inspector Neal Abelson, Lisa Anjos Pariseault, Vice President of Pride Hyundai, and Melanie Amorim, resident, were in attendance.

Mr. Abelson said the first complaint was in March. There were various site visits. They tried to adjust the lights to comply with the code. There are street lights in the area creating some of the problem. Even with all the lights off at Pride Hyundai, there is light coming from other sources impacting more the house that is two down from the complainant. He felt the problem was resolved but there is one more light that might be the problem.

Chairman Andrade noted that the Building Department has been working with Pride Hyundai. Pride has been trying to make all adjustments possible. Ms. Amorim asked to have this put on the agenda a few weeks ago. He asked for her feedback.

Ms. Amorim said there have been minor attempts to rectify this. Three sets of lights are turned off. She felt it still violates the town's by-laws.

Chairman Andrade said it can't be a violation of the by-laws if the lights are not on.

Mr. Abelson explained that, in discussion with the owner, Pride would keep the lights off and stay in compliance with the by-laws, if possible.

Mrs. Pariseault read a letter from the installer indicating the replacement lights are not any brighter.

Chairman Andrade said typically they do an actual calculation to see what will extend beyond the property lines. It sounds like they just replaced the bulbs. Mr. Abelson has been trying to make adjustments.

Mr. Abelson said initially the lights emanated across the street but now are stopping at the sidewalk. He feels it is a drastic change. It appears there is light coming from other areas.

Chairman Andrade suggesting having an engineer go out there and do a study to make sure it is not Pride Hyundai. He said it seems like everybody is working together to get this resolved.

Mr. Viera felt there should have been an inspection when the permit was issued.

Mr. Abelson said electrically-wise but not for checking the light coming off the fixture.

He said the color makes it appears brighter than it is.

Mr. Viera felt the fixture is the issue.

Mr. Abelson talked about the angle of the light.

Mr. Sullivan asked about changing the brightest of the light.

Mrs. Pariseault said she has been accommodating to Ms. Amorim. She had an electrician come out. She doesn't want light flooding onto Ms. Amorim's house, but she needs to light her property for safety reasons. It is difficult to show cars in the front of the dealership because of poor lighting. She updated to LED through National Grid. It was costly to have National Grid out every time Ms. Amorim said it was still not right. Mrs. Pariseault had pictures showing that light is shining on Ms. Amorim's house from other areas, such as the neighbor's house.

Chairman Andrade said it seems to coincide with when light bulbs were changed.

There was talk about a one-night shutoff.

Town Planner John Aubin III referred to the lighting standard in Section 8 of the Zoning By laws.

**OLD BUSINESS** – None.

**NEW BUSINESS**

**Consider the Amendment to the Bylaws to Allow the Keeping of a Limited Number of Chickens on Residential Properties**

Mr. Aubin advised he received Town Counsel's review this afternoon. There seems to be more clarification. There was no response with regard to inspections.

KP Law identified the purpose of the inspections is to identify specific bird disease. The question remains as to whether it applies to actual chickens.

He is in the process of putting finishing touches on the amendment. He will have the language for the warrant to be presented at Town Meeting.

He noted the Zoning Bylaw Amendment for the reference to Category 14b is included in the next agenda item.

Chairman Andrade said the change from 6 to 12 chickens was not included.

Mr. Aubin said he didn't want to put a 120 sq. ft. structure in there.

Mr. Viera asked for Ms. Hall's input.

She said it looks fine to her. Just waiting to hear about inspections.

Mr. Viera wants to have language that says inspections will be done annually if the law requires.

Mr. Aubin said should have that soon.

Mr. Viera asked Ms. Hall how he felt about doing inspections.

Ms. Hall said they need to do inspections to make sure the place is cleaned up. They also do barn inspection.

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

**VOTED:** To require bi-annual inspections of chickens by Animal Control unless there is a complaint which would require an inspection.

In further discussion before the vote, Mr. Sullivan said the State doesn't require inspections. It is putting additional responsibility on Animal Control. He felt that twelve chickens would not create that much of an issue.

Chairman Andrade said he can see both sides and disagrees with some of both. He wouldn't have an issue if it was a larger lot that's not close to neighbors.

Mr. Cadime agreed that there should be some type of inspection – maybe every other year.

Mr. Viera said it could be a nightmare if chickens are not properly taken care of. The Animal Control Officer wants to do inspections. She knows best.

**Consider the Amendment to Sections 2.1; 2.2; 2.8; and 4.2.1 of the Zoning Bylaws and Forward to the Planning Board for a Public Hearing**

Mr. Aubin said Amendment #4 is adding a footnote to provide a reference to Category 14b

to allow the keeping of a limited number of chickens in accordance with the Bylaw if adopted at Town Meeting. He recommended to place either with proposed Category 14b or in subsequent warrant articles.

Amendments 1 and 2 are related to the Zoning Board of Appeals for appeals and special permits with regard to electronic permitting and electronic filing of applications. Variances are not listed here. Under M.G.L., there's a statement that all applications have to be filed with the Town Clerk. He would like to ask town counsel about variances.

Section 2.8 regards site plan. People who were going before various boards were required to get multiple abutters lists. The proposal would allow for one notice after review by the Planning Board.

Section 2.8.6 change to Section 8.

The Planning Board has submitted an ad for a public hearing on October 27 pending approval by the Board.

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

**VOTED:** To refer Amendment to Sections 2.1, 2.2, 2.8 and 4.2.1 of the Zoning Bylaws to the Planning Board for a Public Hearing.

**Consider the Creation of a Stabilization Account for Future Building Projects**

Mr. Cadime advised this would be a warrant article at the Fall Town Meeting. Funding is from free cash. He is looking to do building/infrastructure projects.

**Consider Accepting the Donation of 700 feet of Pavers from J & J Materials for a Firefighter's Memorial**

Mr. Cadime advised the pavers will be used for a Fire and Police Memorial on Town Hall property. Members of both units are encouraged to become a part of the building committee.

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

**VOTED:** To accept the donation of 700 ft. of pavers from J & J Materials for a Fire and Police Memorial.

Mr. Almeida thanked J & J Materials of Rehoboth for the donation.

**Consider the Approval of Regular Session Minutes**

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

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**VOTED:** 4 Ayes; 1 Abstention; To accept the Regular Session minutes of August 21 2019, as distributed.

The vote: Mr. Viera - Aye; Mr. Almeida – Aye; Mr. Sullivan – Aye, Chairman Andrade – Aye; Mr. Zorra – Abstained.

### **COMMUNITY SPEAKS**

Shaun Whalen, President of the Firefighters Union, thanked J & J Materials for the donation. Firefighters have been planning for a long time to get this done. He offered his help in any capacity.

### **OTHER BUSINESS**

#### **Discuss Other Topics not Reasonably Anticipated by the Chairman 48 Hours before the Meeting**

Chairman Andrade received a petition to go to ZBA for a hearing in order to make it on the warrant for the Fall Town Meeting. It concerns a maximum of four off premise yard sale signs not to exceed 1 ft. by 2 ft. for a maximum of three days prior to the sale and removal promptly after permitted day. One sign can be displayed on the premises.

### **TOWN ADMINISTRATOR'S REPORT**

On behalf of Deputy Chief Grocott, Mr. Cadime invited Board members and residents to attend the Public Safety Open House on October 12, 2019, from 10 a.m. to 2 p.m.

### **BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

**Bristol County Advisory Board** – None.

#### **Aitken School Expansion Building Committee Report**

Mr. Zorra advised the committee will meet with the ZBA and Conservation on Monday, October 7<sup>th</sup>. The committee will address multiple concerns at the next regular meeting on Tuesday, October 8<sup>th</sup>.

#### **540 Arcade Avenue Building Committee Report**

Chairwoman Michelle Hines advised the committee will meet with the Planning Board on Tuesday, October 22, 2019 to discuss parking.

**Veterans' Council**

Mr. Viera advised the Council met the previous night. Plans are underway for Veterans Day. The Council would like to add the dates and locations of the United States conflicts to the Memorial Wall. It would probably have to go before the Board of Library Trustees.

Chairman Andrade felt it didn't fall under the Memorandum.

Mr. Cadime suggested they contact the Chairman. It will be on the next agenda for a vote.

Mr. Viera asked about speed cameras in school zones.

Mr. Cadime will have information for the next meeting. It would be good to have a presentation.

Mr. Viera talked about vacant housing in town that were destroyed by fire but are still standing. He questioned whether the building inspector could take any action, working through town counsel.

Mr. Viera suggested honoring an employee of the quarter in each department – perhaps a day off on their birthday.

Mr. Cadime noted the employee appreciation luncheon started two years ago. It would be up to the Board.

Chairman Andrade suggested an agenda item for discussion.

Mr. Zorra recalled a while ago there was a dispatcher that saved a life. That individual was never recognized.

Mr. Zorra inquired about Pond Street Bridge.

Mr. Cadime said it would depend on what happens with the Maple Avenue dam. GPI Engineering will conduct an evaluation. Should have some movement within a couple of months.

Mr. Zorra asked about the old police station and County Street fire station.

Mr. Cadime suggested that should be an agenda item for discussion by the entire Board.

Mr. Zorra asked about the purchase of property for a new DPW building.

Mr. Cadime said he spoke to Mr. Viera about it. The earliest closing date on the American Legion property would be in November.

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Mr. Zorra asked residents to take care of any hanging branches blocking the roadway.

Mr. Sullivan inquired about finding another way of broadcasting Board meetings. He suggested reaching out to Mr. Hoogerzeil, who has been broadcasting for the high school.

### **EXECUTIVE SESSION**

At 8:23 p.m, Mr. Viera motioned, seconded by Mr. Zorra, to go into Executive Session to conduct strategy sessions with respect to negotiations with the Fire Chief per M.G.L. Chapter 30A, Section 21(a)(2), to conduct strategy sessions with respect to negotiations with Seekonk Firefighters Union IAFF Local 1931 per M.G.L. Chapter 30A, Section 21(a)(3), and to conduct strategy sessions with respect to negotiation with Fraternal Order of Police (MASSCOP) Local 215 per M.G.L. Chapter 30A, Section 21(a)(3) as having discussion in open session would be detrimental to the litigation or bargaining position of the town; to return to Open Session.

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

### **RECONVENE TO OPEN SESSION**

The meeting reconvened at 10:42 p.m.

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

**VOTED:** To approve the contract with the Fraternal Order of Police MASSCOP Local 215 as presented.

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

### **ADJOURNMENT**

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

**VOTED:** To adjourn at 10:43 p.m.

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

Respectfully submitted,

Prepared by:

David Viera, Clerk

Patricia Gamer, Secretary

Items Distributed at the October 2, 2019 Board of Selectmen Meeting

Memo from Interim Police Chief David Enos re: Oath of Honor and badge pinning for Patrolman Roger Coreas

Application of Nancy Biggs for the position of Part-Time Kennel Worker

Melanie Amorim and Lisa Anjos Pariseault – Documentation re: lighting at Pride Hyundai

Amendment for Limited Number of Chickens – Category 14B: Fowl

Amendment to Sections; 2.1, 2.2, 2.8, and 4.2.1 Zoning Bylaws