

BOARD OF SELECTMEN
DECEMBER 18, 2019
REGULAR SESSION

Members Present: David Andrade, Nelson Almeida, David Viera, Justin Sullivan, 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), 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. Viera announced that volunteers are needed on the Board of Registrars (1 Board of Selectmen appointment), Capital Improvement Committee (2 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 (3 Alternates).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Consider the Appointment of Keven Polson to the Position of Full-Time Public Safety Dispatcher

Communications Director Carol-Ann Days requested Board approval to hire Keven Polson as full time Public Safety Dispatcher. Mr. Cadime recommended as stated by Mrs. Days.

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

VOTED: To appoint Keven Polson as full time Public Safety Dispatcher.

Consider the Conditional Offer of Employment to Charles McLaughlin for the Position of Part-time Dispatcher

Mrs. Days requested the conditional offer of employment. Mr. Cadime recommended as stated by the Director of Communications.

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

VOTED: To extend a conditional offer of employment to Charles McLaughlin as part-time Dispatcher.

Consider the Conditional Offer of Employment to Jessica Blake for the Position of Assistant Animal Control Officer

ACO Sharon Hall requested the conditional offer of employment. Mr. Cadime recommended as stated by Ms. Hall.

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

VOTED: To extend a conditional offer of employment to Jessica Blake as Assistant Animal Control Officer.

Consider the Promotion of Jason Ethier from Operator/Laborer to Foreman for the Public Works Department

DPW Supt. David Cabral recommended the promotion. Mr. Cadime recommended as stated by Mr. Cabral.

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

VOTED: To promote Jason Ethier from Operator/Laborer to Foreman for the Public Works Department, effective December 19, 2019.

Consider the Promotion of James Halpin from Truck Driver/Laborer to Operator/Laborer for the Public Works Department

Mr. Cabral recommended the promotion. Mr. Cadime recommended as stated by Mr. Cabral.

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

VOTED: To promote James Halpin from Truck Driver/Laborer to Operator/Laborer for the Public Works Department, effective December 19, 2019.

Consider the Promotion of Johnathan Hurst from Truck Driver/Laborer to Operator/Laborer for the Public Works Department

Mr. Cabral recommended the promotion. Mr. Cadime recommended as stated by Mr. Cabral.

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

VOTED: To promote Johnathan Hurst from Truck Driver/Laborer to Operator/Laborer with the Department of Public Works, effective December 19, 2019.

Mr. Zorra said it is nice to see co-workers supporting the promotions.

Consider Accepting a Grant in the Amount of \$4,142.75 from the Office of Public Safety and Security for the Purchase of a Gear Washer-Extractor for the Fire Department

Chief Michael Healy said the money would be used to purchase a gear washer-extractor. It is good for the department to improve the health and safety of firefighters. It will be placed at the Banna Station.

Mr. Cadime recommended the Board accept the grant.

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

VOTED: To accept the \$4,124.75 grant from the Office of Public Safety and Security for the purchase of a gear washer-extractor for the Fire Department.

Chief Healy said Sen. Paul Feeney has been a supporter of this grant program. He thanked Capt. Michael Bourque and Firefighter Ed Garrity for applying for the grant.

Consider Accepting a Check in the Amount of \$650 to the Police Department from the Medication, Education, and Disposal (MED)-Project Grant

Interim Chief David Enos said the grant will fund the packaging of disposal meds.

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

VOTED: To accept the check in the amount of \$650 from the Medication, Education, and Disposal (MED)-Project Grant for the Police Department.

LICENSE HEARING

Consider the Change of Officer/Directors and Change of Beneficial/Ownership Interest Application for an Annual Restaurant All Alcoholic Beverages License of 99 Restaurants of Boston, LLC of 99 West, LLC d/b/a 99 Restaurant & Pub Located at 821 Fall River Avenue, Seekonk, MA

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

VOTED: To postpone the change of officer/directors and change of beneficial/ownership interest of 99 Restaurant, 821 Fall River Avenue, until the next meeting.

2020 LICENSE RENEWAL HEARING – See attached list of renewal applications’ business names and addresses

Class I, II, III

Mr. Cadime advised all Class I and Class II are in compliance and there are no outstanding issues.

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

VOTED: To approve Class I motor vehicle licenses as submitted.

On Class II licenses, Mr. Cadime noted that all are in compliance with the exception of #9 Redline Auto Sales & Service. #8 Ocean State Towing & Recovery and Class III Tri-Star Auto Body are located on the same property as Redline Auto. Both are in compliance. Redline is not in compliance. #10 and #11 Continental Auto and New England Collision are waiting for site plan approval by the Planning Board on January 14, 2020. He asked the Board to approve those renewals until February and have them return before the Board with an updated site plan.

Mr. Almeida said these companies had eight months to get into compliance.

Building Inspector Neil Abelson advised he went out to Ocean State today. All cars are stored inside the fenced-in area. He saw about 24 cars. The parking plan for the three businesses is 31 spots.

Mr. Sullivan asked if two businesses are in compliance and one is not.

Mr. Cadime said Redline acknowledged they are not in compliance. They requested additional time to get that area cleaned out.

Mr. Almeida commended the owners for cleaning up the property a year ago.

Mr. Viera motioned, seconded by Mr. Sullivan, and it was unanimously

VOTED” To approve Items 1 through 8 of Class II motor vehicle licenses as presented.

There was no second on a motion by Mr. Viera to not approve #9, #10, and 11. These businesses have had since April to come into compliance.

Mr. Dennis Costa, Office Manager for N. E. Collision, said they took over ownership of the building in August. A site plan was submitted on time with application. He also had a copy of liability insurance that he got today.

Mr. Cadime said they have current insurance.

Mr. Viera said they are not in compliance with regard to the parking plan.

Mr. Sullivan said there should be special consideration because they are new owners as of August.

Chairman agreed. He felt they should be given at least until the Planning Board meeting.

Mr. Zorra agreed as well.

Mr. Ronald Hague, 190 Bluff Avenue, Swansea, of Continental Auto said he is in compliance with everything except the parking plan. It was his fault. He felt he was grandfathered in.

Chairman Andrade said he had a year to get things done.

Mr. Viera said he should not feel he had grandfather rights. He should have called to find out.

Mr. Sergio Gomes of Redline, 1853 Fall River Avenue, said the letter he got in April indicated any business 15 years or older would need a new site plan. He is not part of that. His issue is too many vehicles. He wants the site to accommodate the site plan. He has reduced the number of cars after the inspector came out to his site. He needs an extension to remove some of the autos. He needs a license to be able to transfer these vehicles.

Mr. Viera said the Board of Selectmen oversees many licenses and any excuse will do. The example earlier about the owner of the property. That individual managed to clean the property up without any issue.

Mr. Viera said the Fire Department would not be able to get to that building with all the cars parked there.

Mr. Gomes said it is a different situation – that person had all junk.

There was no second to a motion by Mr. Viera to not approve #9 #10, and #11

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

VOTED: 4 Ayes; 1 Nay; To not approve #9 and #10 when license expires on December 31, 2019, and grant an extension to #11 until February 1, 2020.

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

Chairman Andrade said once he gets site plan approval by the Planning Board he can come before the Board of Selectmen at the following meeting.

Mr. Viera motioned, seconded by Mr. Sullivan, and it was

VOTED: 4 Ayes; 1 Nay; That there will be no more than 59 vehicles and 4 additional for employees and customers, pending Planning Board approval on January 14, 2020.

The vote: Mr. Viera – Aye; Mr. Sullivan – Aye; Mr. Almeida – Aye; Chairman Andrade – Aye; Mr. Zorra – Nay. He did not want to close anybody down.

Mr. Abelson wanted to inspect the property following Planning Board approval.

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

VOTED: To approve Class III motor vehicle licenses as submitted.

OLD BUSINESS

Discussion with Constituent Regarding TV9 Election Process

Mr. David Saad of 150 Forsythe Circle, a member of the Cable TV Board of Directors, said. comments made tonight are his and not of the Board of Directors.

He said, ten years ago, the TV9 Board employed the process of allowing subscribers to vote for a person to be elected to the board. Nominations were made from the floor, seconded, and then the election. During that process, it was stacked for individuals to get onto the board. Good people who were working hard, increased viewership and improved TV 9 were removed from the board.

One of the individuals resigned after a year and TV 9 lost a person that videotaped events for almost ten years. The person that replaced him resigned within a year. Several annual meetings thereafter most subscriber did not show up.

The Board looked at what other TV stations were doing and copied. The Board looked at resumes and voted the person that would most enhance the Board. That person missed a lot of meetings. The Board allocated monies to go to Seekonk student scholarships.

For 27 years, TV9 has done a good job. It is a 501C. Other access boards are doing the same thing. They looked and discussed going back to the old process but didn't think it would work.

They advertised that three slots were open on the board and only one person submitted a resume.

Mr. Viera said he served on that board. He was elected to the board the original way. They were all elected that way and there were no problems. He is not saying it is wrong or was wrong back in the day. He knows the person Mr. Saad is referring to.

Mr. Saad said he was part of stacking the deck and that was wrong. The person that was removed was very favorable to that board.

Mr. Saad said he doesn't like the form of government for the town. He said that TV9 has supported government and education.

Chairman Andrade read the e-mail from the TV9 board in response to the complaint made by a past member. It stated that election requirement notices were posted on the Channel 9 bulletin board from November 13 to December 11, 2019.

Mr. Sullivan said he challenged that individual and will challenge Mr. Saad as well.

The TV9 board doesn't offer transparencies to those people who are paying taxes. Mr. Sullivan and other Board members are not interested in getting between the challenger and a former board member. There is a perception that it is a closed board.

Mr. Saad said, according to the Charter, the Town Administrator is the only one who can recommend to the Board of Selectmen.

Chairman Andrade said in order to keep the station running the people have no option but to pay the tax.

Mr. Sullivan said a number of people in this town are paying the taxes to keep cable open.

Mr. Saad noted that some of that money goes to education, government, and public access. He said all boards in the state are doing it the same way.

Mr. Cadime said the Board of Directors receives funds from the cable license. The Board of Selectmen oversees the operation. As Town Administrator, he makes recommendations. He has no authority to hire or appoint anybody.

Mr. Cadime said he doesn't like to see this play out constantly. TV9 provides a good service to the town. Perhaps there is a compromise that could be made.

Chairman Andrade said it was put on the agenda because there was a request to respond to comments made at a previous meeting.

Mr. Sullivan liked the idea of a compromise. If it stays the way it is, there will be transparency problems.

Mr. Saad said meetings are open. He said the TV9 staff is fabulous.

Consider the Request from Won Sports to Remain Open until 2 a.m. on January 1, 2020

Ms. Angela Plezia from Won Sports requested permission to open until 2 a.m. on New Year's Eve. They will stop serving alcohol at 1 a.m.

Mr. Viera asked if there would be a police detail.

Ms. Plezia said they would get one if needed.

Mr. Almeida said he would feel more comfortable with a police officer from 10:30 p.m. to 2 a.m.

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

VOTED: To approve the request from Won Sports to remain open until 2 a.m. on New Year's Eve with the stipulation that there is a detailed police officer from 10:30 p.m. to 2 a.m. and that no liquor is served after 1 a.m.

Consider Accepting the Donation of \$30 from Karen and Alfred Travers for the Human Services Gift and Donation Account

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

VOTED: To accept the \$30 donation from Karen and Alfred Travers for the Human Services Gift and Donation Account.

Consider Accepting the Donation of a Gift Basket and a Gift Certificate to Krazy Korner Bagel towards One Dozen Bagels and Cream Cheese from John Belsky for the Human Services Winter Celebration

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

VOTED: To accept the donation of a gift basket and a gift certificate to Krazy Korner Bagel towards one dozen bagels and cream cheese from John Belsky for the Human Services Winter Celebration.

Consider Accepting the Donation of \$100 from Memorial Baptist Church for the Human Services Gift and Donation Account

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

VOTED: To accept the \$100 donation from Memorial Baptist Church for the Human Services Gift and Donation account.

Consider Accepting the Donation of Four Wreaths from the Rehoboth Garden Club for Both Town Hall and the Senior Center

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

VOTED: To accept the donation of four wreaths from the Rehoboth Garden Club for both the Town Hall and the Senior Center.

Consider Approving the Regular Session Minutes of October 30, 2019 and December 4, 2019

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

VOTED: 4 Ayes; 1 Abstention; To accept the Regular Session minutes of October 30, 2019.

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

and unanimously

VOTED: To approve the Regular Session minutes of December 4, 2019.

COMMUNITY SPEAKS – None.

Discuss Other Topics not Reasonably Anticipated by the Chairman 48 Hours Before the Meeting – None.

TOWN ADMINISTRATOR'S REPORT

Radio Project

Mr. Cadime advised they are working on leases for the Fall River and Woodward Avenues tower sites. Shelters will be delivered in mid-January. Working with the fiber extension from Anthony Street to the Fall River Avenue location.

DPW Facility

Kick-off meeting scheduled for January 8, 2020.

Senior Center Phase II/540 Arcade Avenue

No meeting.

Animal Shelter

Mr. Cadime advised the shelter is on target. Work should be completed by the beginning of February with move-in in mid-February. The electrical pad should be in on the weekend.

South End Fire Station

A proposal was submitted in September. It is up to the Board to make a decision.

Old Town Hall

A feasibility committee is in place. A site visit will be rescheduled.

Cable Contract

Expiration in November 2020.

Policies and Procedures

Hope to get more of these before the Board.

ADW/Maple Avenue Project

Submitted application to EPA for funding. Might hear by the spring.

Dam Projects/Remediation

Remediation is with Maple Avenue site which is impacting the Pond Street Bridge work. That is being coordinated with GPI and Conservation Agent Jen Miller.

Online Permitting

Internal target date is January 21 to go live.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Bristol County Advisory Board – Nothing to report.

Aitken School Expansion Building Committee Report

Mr. Zorra reported the project will go out to bid after the holidays. The plan is to get work done during the April vacation and the summer months. The Committee will meet again on Thursday, January 9, 2020.

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540 Arcade Avenue Building Committee Report – Nothing to report

Veterans' Council – Nothing to report.

Mr. Viera noted the Old Town Hall Committee is hard at work. A group from Rehoboth came before them with a plan to rent or purchase the building.

Mr. Zorra extended best wishes for safe and happy holidays.

Mr. Sullivan added his best wishes. He commended the DPW crew for their work during the recent minor snowstorms.

Mr. Almeida announced he is seeking reelection to the Board. He has always run a clean and respectful campaign and will continue to do so. He asked residents to vote for the candidate that is truly vested into the town and shows interest and is not politically driven.

He wished everybody a Merry Christmas.

Chairman Andrade said he is also seeking reelection. He extended best wishes for a safe holiday season and a Happy New Year.

At 8:41 p.m., Mr. Viera motioned, seconded by Mr. Zorra, to go into Executive Session to conduct strategy sessions with respect to negotiations with the Finance Director, per M.G.L. Chapter 30A, Section 21(a)(2), to conduct strategy sessions with respect to negotiations with the United Steelworkers Supervisors Unit Local 16031 per M.G.L. Chapter 30A, Section 21a)(3), and to conduct strategy sessions with respect to negotiations with the Seekonk Police Association/Special Police Officers per M.G.L. Chapter30A, Section 21(a)(3) as having discussion in open session would be detrimental to the negotiating position of the town, to consider the purchase, exchange, lease or value of real property pursuant to M.G.L. Chapter 30A, Section 21(a)(6) as having discussion in open session would be detrimental to the negotiating position of the town (320 Fall River Avenue) and to consider the approval of October 16 Executive Session minutes; not to return to open session.

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

Respectfully submitted,

David Viera, Clerk

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Prepared by:

Patricia Gamer, Secretary

Items Distributed at the December 18, 2019 Board of Selectmen Meeting

Resume and application for Jessica Blake for position of Assistant Animal Control Officer

DPW Superintendent David Cabral re: promotions of Jason Ethier, James Halpin and Jonathan Hurst

Interim Chief David Enos re: \$650 check from Medication Education, and Disposal Project Grant

Documentation on change of officers, directors and change of beneficial/ownership interest – 99 Restaurants

Documentation for Class I, II, III Motor Vehicle Licenses