

BOARD OF SELECTMEN
MARCH 26, 2018
REGULAR SESSION

Members Present: David Andrade, Nelson Almeida, David Viera, David Parker

Absent: Michelle Hines

Town Administrator: Shawn E. Cadime

Chairman Andrade opened the meeting at 7 p.m. followed by the Pledge of Allegiance. A moment of silence was observed in memory of former Fire Chief David Bowden.

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 video.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Viera announced that volunteers are needed on the Charter Study Committee (2 Board of Selectmen appointments), Conservation Commission (3 BOS), Energy Committee (2 BOS), Finance Committee (2 Moderator), Historical Commission (1 BOS), Property Tax Work-Off Committee (3 BOS).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Swearing in Ceremony for Patrolman Jared Turkington

Chief Craig Mace said that Patrolman Turkington began working on February 26, 2018. He noted that he paid his way through the academy.

Chief Mace requested and Mr. Cadime recommended a swearing in ceremony.

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

VOTED: To conduct a ceremony for Patrolman Jared Turkington

Patrolman Turkington recited the oath of honor. Chief Mace pinned his badge.

Consider the Appointment of Keith Dias to the Position of Patrolman 3rd Class to the Police Department

Chief Mace respectfully requested the appointment of Keith Dias to the position of Patrolman 3rd class.

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Mr. Cadime recommended.

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

VOTED: To appoint Keith Dias as Patrolman 3rd Class with the Seekonk Police Department, effective immediately.

Patrolman Dias recited the oath of honor. His wife pinned his badge.

Consider the Appointment of Kim Lallier to the Position of Full time Secretary for the Planning and Conservation Offices

Mr. Cadime recommended the appointment.

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

VOTED: To appoint Kim Lallier as full time secretary for the Planning and Conservation offices.

Update Regarding Improvements at Tri-County Regional Vocational Technical High School from Douglas Brown

Mr. Brown, Seekonk's representative to Tri-County, outlined the plan to bond \$12,700,000 for school renovations.

There are eleven towns in the district with an enrollment of 963 students. Seekonk has 76 students. Tri-County has eleven career choices. It is a Level 1 school system. Seekonk's share of capital cost is 8.6%.

The \$12.7M bond would be a 30-year term with a 3.41% interest rate. Seekonk's share would be \$1,763,000 divided by 30 years or \$59,000 per year. The tax impact would be \$7.40 per thousand dollars of home value.

Mr. Brown will keep the Board informed.

Mr. Viera asked what would happen if Seekonk voted "no."

Mr. Brown said if majority vote "yes," Seekonk would also have to participate. The state will mandate the improvements.

He noted that Tri-County has a "buy a brick campaign" for students, alumni, and supporters.

Mr. Brown said his term expires in August. The Superintendent has asked him to stay. He asked to be reappointed for another term.

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Consider Accepting a Donation from Driscoll Associates in the Amount of \$120 to the Human Services Gift Account

Mr. Cadime recommended.

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

VOTED: To accept the \$120 donation from Driscoll Associates to the Human Services Gift Account.

PUBLIC HEARING

Public Hearing for Departmental Fees (Continued from March 21, 2018)

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

VOTED: To open the public hearing on departmental fees at 7:28 p.m.

No comments.

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

VOTED: To close the public hearing on departmental fees at 7:29 p.m.

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

VOTED: That next year's departmental fees be accepted, as presented.

Chairman Andrade said he got questions about Park and Recreation fees. The fees will remain the same as last year. Any fee changes must come before the Board for approval.

Consider the Request from Massachusetts Electric Co. and National Grid to install a 35' Pole with Anchor and Guy at 90 Old Fall River Road; Plat 3, Lot 69 (continued from March 21, 2018)

Withdrawn by National Grid. It is in the flood zone.

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

VOTED: To indefinitely postpone the request from Massachusetts Electric Co. and National Grid to install a 35' pole with anchor and guy at 90 Old Fall River Road; Plat 3, Lot 69.

LICENSE HEARINGS

Consider the Request for a New Antique and Second Hand License to Stone Coast Community Church d/b/a Four Echoes at Grist Mill Pond, located at 380 Fall River Avenue

Mr. Cadime recommended.

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

VOTED: To approve the new Antique and Second Hand License for Stone Coast Community Church d/b/a Four Echoes at Grist Mill Pond, located at 380 Fall River Avenue.

Consider the Request for a Mobile Food Cart Permit for Timothy Spaulding to Sell Food at Seekonk Speedway, 1782 Fall River Avenue

Mr. Cadime recommended. This is an annual request.

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

VOTED: To approve the mobile food cart permit for Timothy Spaulding to sell food at Seekonk Speedway, 1782 Fall River Avenue.

Consider the Request for an Entertainment License for Rockwell Amusement and Promotions, Inc. to Hold a Carnival at 1110 Fall River Avenue

Mr. Cadime recommended.

Mr. Viera noted it will benefit the Veterans Memorial Park. He will abstain from voting.

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

VOTED: 3 Ayes; 1 Abstention; To approve the request for an entertainment license for Rockwell Amusements and Promotions Inc. to hold a carnival at 1110 Fall River Avenue from April 12 to 22, 2018.

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

OLD BUSINESS

Update on the Status of the Cole Street Fields

DPW Superintendent David Cabral distributed a memo. They used a tow behind magnet and metal detector. Softball fields and 2 of the 3 soccer fields are done. Work should be completed tomorrow. He recommended the fields could reopen as of Wednesday, March 28th. It looks good for opening day on Saturday.

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

VOTED: To declare all fields at the athletic complex on Cole Street open and safe as of Thursday, March 29, 2018.

NEW BUSINESS

Consider the Request to Reduce the Number of Conservation Commission Members from 7 to 5

Conservation Agent Jennifer Miller explained that, over the years, the Commission has struggled to maintain membership in order to have a consistent quorum. The recommendation is to reduce the number of members from 7 to 5 with two alternates. It is important with the environmental permitting aspect. It is in the Town Charter and would have to go to Town Meeting.

Mr. Cadime recommended.

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

VOTED: To place an article on the Town Meeting warrant to reduce the number of Conservation Commission members from 7 to 5.

Mr. Parker expressed disappointment that people are not interested in serving on the Commission or other boards.

Consider the Proposed Zoning Bylaw Amendments to Refer to the Planning Board for a Public Hearing

Town Planner John Aubin presented amendments for the Spring Town Meeting.

Mr. Cadime recommended.

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

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VOTED: To refer proposed zoning bylaw amendments to the Planning Board for consideration and public hearing.

Consider the Request to Rezone a Portion of the Property located at 800 Fall River Avenue from “Highway Business’Residential-3” to “Highway Business” and Refer to the Planning Board for a Public Hearing

Mr. Aubin advised that on January 10th he had presented a preliminary proposal to rezone that portion of Fall River Avenue.

A motion by Mr. Parker, seconded by Mr. Viera, to refer to the Planning Board for consideration and public hearing was **DEFEATED**.

The vote: Mr. Almeida – Nay; Mr. Viera – Nay; Mr. Parker - Aye; Chairman Andrade – Aye/.

In discussion prior to the vote, Mr. Viera said it was debated and defeated at Town Meeting. He questioned why bring it back again.

Chairman Andrade said there was confusion at Town Meeting. This property has been and still is vacant. It needs to be rezoned to make it more marketable.

Mr. Viera said there is usually a purchase and sales and the individual comes forward to request a rezone.

Mr. Parker said the information given at that time was untrue. He felt the Planning Board will do a better job at this point. People need more information,

Mr. Aubin said there was confusion with the residential piece in the back and the buffer. He added it is over if the Planning Board does not vote in the positive.

It was recommended that interested residents should attend Town Meeting.

Mr. Almeida said he listened to neighbors of the property and he is not supporting this.

Consider Renaming Cross Street Running Between Perrin Avenue and Case Avenue

Mr. Aubin said there are two Cross Streets in town. Nobody lives on this street. Legal counsel has indicated a public hearing is necessary to notify abutters.

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

VOTED: To conduct a public hearing to rename Cross street.

Review and Vote on Joining the Massachusetts Opioid Litigation

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

VOTED: That the Board of Selectmen authorizes the Town's participation as a party in the national litigation against manufacturers and distribution of opioid.

Chairman Andrade noted there are no legal fees.

Consider Replacing "Administrative Policy #46 – Inclement Weather Provisions" with the "Weather and Emergency Events Policy"

Mr. Cadime advised the callback list is eliminated. The Town Administrator would be the only individual allowed to make a determination of delaying or closing Town Hall.

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

VOTED: To accept the Weather and Emergency Events Policy, as presented.

Consider Opening the Spring Town Meeting Warrant

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

VOTED: To open the warrant for the Spring Town Meeting as of today (March 26, 2018) and close at noon on Friday, April 13, 2018).

Discuss and Vote on Independent Auditing Services for the Town

Mr. Cadime advised the current independent auditor (R. E. Brown & Company) has been doing it since 1999.

He requested a proposal from Hague and Sahady for the annual report and end of year school report. He recommended the Board look at both proposals.

R. E. Brown = Year 1 - \$34,500, Year 2 - \$35,500, Year 3 - \$36,500.

Hague and Sahady = Year 1 - \$38,500, Year 2 - \$39,500; Year 3 - \$40,500

Hague and Sahady eliminated the cost for the year end school report.

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

VOTED: 3 Ayes; 1 Nay; To enter into a three-year contract with Hague and Sahady for independent auditing services.

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

Consider the Approval of Minutes of February 7, 2018, February 21, 2018, and February 26, 2018

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

VOTED: To accept the Regular Session minutes of February 7, 2018, February 21, 2018, and February 26, 2018.

Consider Signing Massachusetts Department of Energy Resources (DOER) Green Communities Division Municipal Energy Technical Assistance (META) Grant's Memorandum of Understanding

Mr. Cadime advised this would allow the Town to participate with SRPEDD in applying for green energy grants.

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

VOTED: To sign the Massachusetts Department of Energy Resources (DOER) Green Communities Division Municipal Energy Technical Assistance (META) Grant's Memorandum of Understanding.

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

Veterans Memorial Committee Liaison Report - None.

This being the last meeting prior to the election, Mr. Viera stated, in the event he is not reelected, it was a pleasure to serve on this Board for the past three years. A lot goes on that people do not see. He thanked everyone for the opportunity to work with them.

Mr. Parker asked for an update on construction of the animal shelter and the Town's website.

Mr. Cadime said the architect is working on costs for a module building. Should go out to bid in April or May. The original price was higher than anticipated.

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The new website has been designed and should be ready by summer.

Mr. Parker thanked residents for the opportunity to serve on the Board of Selectmen for nine years and also his colleagues.

He urged residents to vote.

Mr. Almeida announced that polls are open from 7 a.m. to 8 p.m. on Monday, April 2, 2018, at the high school (all precincts).

He extended best wishes for a Happy Easter.

EXECUTIVE SESSION

At 8:13 p.m., Mr. Almeida motioned, seconded by Mr. Viera, to go into Executive Session to conduct strategy sessions with respect to (I) negotiations with Seekonk Firefighters Union IAFF Local 1931 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; (II) to discuss strategy with respect to litigation pursuant to M.G.L. Chapter 30A, Section 21(a) (3) (Town of Seekonk vs. Steve Przeszlo Docket #1831SC000212) as having discussion in open session would be detrimental to the litigation or bargaining position of the town; (III) to discuss strategy with respect to litigation pursuant to M.G.L. Chapter 30A, Section 21(a) (3) (Town of Seekonk vs. Daniel Murray Docket #1831SC000213) as having discussion in open session would be detrimental to the litigation or bargaining position of the town; (IV) to investigate charges of criminal misconduct or to consider the filing of criminal complaints pursuant to M.G.L. Chapter 30A, Section 21(a) (5) as having discussion in open session would be detrimental to the litigation or bargaining position of the town; (V) to discuss strategy with respect to collective bargaining with the Fraternal Order of Police MASSCOP Local 215 pursuant to 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; (VI) discussion regarding the deployment of security personnel regarding school safety per M.G.L. Chapter 30A, Section 21(a) (4); (VII) negotiations with Seekonk Public Library Employee Association, MLSA, AFT Massachusetts, AFL-CIO 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, (VIII) 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 (Old Town Hall – 624 Taunton Avenue), (IX) to conduct 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 (4 Gude Street); not to return to open session.

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

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

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Items Distributed at the March 26, 2018 Board of Selectmen Meeting

Documents re: request from Massachusetts Electric and National Grid to install a 35' pole at 90 Old Fall River Road

Documents re: request for a new antique/second hand license for Stone Coast Community Church d/b/a Four Echoes at Grist Mill Pond

Documents re: request for mobile food cart permit for Timothy Spaulding to see food at Seekonk Speedway

Documents for Rockwell Amusement Carnival at 1110 Fall River Avenue

Request from Conservation Commission to decrease members from 7 to 5

Zoning Bylaw amendments

Information on Massachusetts Opioid Litigation

Proposals for Independent Auditing Services