

BOARD OF SELECTMEN
JUNE 10, 2020
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.

He announced that, per Governor Baker's suspending certain provisions of the Open Meeting Law, M.G.L. Chapter 30A, Section 20, the public will not be allowed to physically access this Board of Selectmen meeting. The public was able to submit comments and questions by completing a Google form prior to Monday, June 8 2020, at 12 noon. The meeting was conducted through Zoom. Instructions were on the town's website.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Sullivan announced that volunteers are needed on the Capital Improvement Committee (1 Board of Selectmen appointment), Commission on Disability (5-13 BOS), Economic Development Committee (4 BOS), Energy Committee (1 BOS), Historical Commission (2 BOS), Recycling Committee (up to 3 BOS), Zoning Board of Appeals (2 Alternates).

PRIORITY MATTERS

Consider the Appointment of Eric Schoonmaker to the Position of Patrolman 3rd Class, effective June 19, 2020

Interim Police Chief David Enos recommended the appointment of Eric Schoonmaker as Patrolman 3rd class. Mr. Cadime recommended as stated by the Chief.

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

VOTED: To appoint Eric Schoonmaker to the position of Patrolman 3rd Class, effective June 19, 2020.

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

PUBLIC LISTENING SESSION

Second Public Listening Session for the Municipal Vulnerability Preparedness (MVP) Planning Grant

Conservation Agent Jennifer Miller explained that several states have put together a plan to be prepared for the effects of climate change. In Massachusetts, it is held through the Office of Energy and Environmental Affairs. Ms. Miller and consultant had a slide presentation.

OLD BUSINESS

Continued Discussion with Flying Goose regarding a Marijuana Manufacturing and Transportation Business to be located at 1853 Fall River Avenue

As a follow up to the previous meeting, Chairman Andrade read a letter from the landlord at 1853 Fall River Avenue confirming that Flying Goose has the lease at that location.

Mr. Richard Rainone had an updated application, including a Table of Contents. The application addresses the Board's concerns. It includes the address 1853 Fall River Avenue Lot 133. The landlord has put up address numbers on the building. It includes financial projections, site clarification, proof of funds, odor control and build out costs. They will operate 8 a.m. to 4:30 p.m. five days a week.

Chairman Andrade noticed the Town of Seekonk logo in the background of documents.

Mr. Rainone said it was done for presentation.

Mr. Viera stressed that the Town seal cannot appear on any material.

There is a five-year projection followed by charts. Very conservative.

Referring to page 33, Mr. Viera noted there is no Veterans of Foreign Wars in Seekonk. There is an American Legion.

Mr. Rainone said it would be a location to conduct community outreach meetings and job fairs.

Chairman Andrade inquired about revenue of \$21,000 to \$200,000 at the end of five years and initial revenue of approximately \$591,000 to \$5M.

Mr. Rainone said it is based on number of retail shops. He feels projections are conservative. It is based on 1.75%. Build out is around \$450,000. Time line should be July 2021.

Mr. Almeida asked if there will be a walk through for Police and Fire. He suggested a security camera tied into Dispatch.

Mr. Rainone clarified it will be six days of operation from 8 a.m. to 5 p.m.

Chairman Andrade said other facilities had committed to donate a certain amount of money to charities.

Mr. Rainone said it is required by the CDC. They are open to any suggestions that would benefit Seekonk. They like to deal with veterans.

Mr. Cadime said others are offering \$50,000.

Mr. Rainone said he is comfortable with \$10,000 per year. His facility is manufacturing not retail. It could always be more. They also have 40 hours of volunteer time.

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

VOTED: To grant the license to Flying Goose Marijuana Manufacturing and Transportation based on discussion tonight.

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

NEW BUSINESS

Consider the Bid Award for Department of Public Works 20-01 Cold Planing & Bituminous Concrete Overlay

DPW Supt. David Cabral and Asst. Scott Olobri were in attendance.

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

VOTED: To approve the bid award for DPW 20-01 Cold Planing & Bituminous Concrete Overlay as outlined and disturbed in the document provided by DPW dated June 4, 2020.

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

Consider the Bid Award for Department of Public Works 20-02 Pavement Reclamation

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

VOTED: To approve the bid award for DPW 20-02 Pavement Reclamation as outlined and distributed in the document provided by DPW dated June 4, 2020.

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

Prior to the vote, Mr. Zorra asked how much is done in a year.

Mr. Cabral said not much. They need it at Luthers Corner and want to have bid in place in case there are other roads.

Mr. Sullivan asked why the big spread in the bids.

Mr. Cabral said there were only three bids. They all had the same packet. He said maybe they want to get the job.

Mr. Cadime said some companies have so much work so they just throw out a number.

Consider and Sign the DiGiorgio Associates Inc. Contract for Architectural Services for Phase II of the 540 Arcade Avenue Building

Mr. Cadime advised that Ms. Hines and he met with representatives of the company. He requested authorization to sign the contract.

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

VOTED: To authorize the Town Administrator to sign the contract with DiGiorgio Associates, Inc. at a not to exceed amount of \$125,000 and \$5,000 for other reimbursement costs, such as consultant or additional drawings.

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

Meetings will be held remotely.

As Vice-Chairman of the Building Committee, Mr. Viera requested that he receive notifications on meeting dates.

Mr. Cadime said e-mails will be sent to the Chairperson, Vice-Chair, architect, and Mr. Cadime.

Consider Establishing a Process for Approving Requests to Allow Outdoor Dining Service for Local Restaurants

Mr. Cadime said Health Agent Jessica Horsman was on the line.

There has to be a pre-approval process. They had to wait for the Governor's guidelines and also direction from the ABCC.

Mr. Cadime thanked the task force, Mrs. Testa and Mrs. L'Heureux for their preparation in getting ready to reopen. Part of the guidelines allows the Board of Selectmen to approve some of the applications as they come in. There are no additional fees associated with this process because businesses have gone through enough due to the pandemic.

Chairman Andrade acknowledged receipt of the exact language for the motion for the ABCC.

Mrs. Horsman said they have been working on this for quite a while. It is a unique situation. Most of these establishments can easily be transitioned into outdoor dining.

Mr. Cadime noted those businesses already approved for outdoor dining do not have to be approved. They could have started on June 1, 2020. Drawings do not have to be professional; just something to have on file.

Mr. Viera said the Knights of Columbus and American Legion do not serve food. He asked if there is any way to allow them to open the kitchens and sell food and liquor.

Mr. Cadime said he had asked that question but didn't get a response.

Mrs. Horsman said liquor only establishments should be in Phase 4. It would not take long to open up kitchens.

Mr. Cadime hoped to have this turnaround as quickly as possible. These businesses have been closed for a number of months .

Mr. Almeida asked what if there was a denial.

Mr. Cadime said it would have to be for a public health or public safety reason.

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

VOTED: To approve the expedited application process using ABCC guidelines and allow the Town Administrator to implement the process as outlined by the Board of Selectmen. The Town Administrator has authorization to make further approvals.

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

Assign Warrant Articles for Spring Town Meeting

Mr. Cadime advised the warrant has been reviewed by legal counsel. The original Article 9 was removed because that is now a law (Yearly warrant article for revenue anticipation notes - Municipal Modernization Act).

Article 1 Reports from Committees – Mr. Viera
Article 2 Motion for budget – Mr. Almeida
Article 3 Salaries for elected officials – Mr. Almeida
Article 4 Animal Receipts – Mr. Andrade
Article 5 Rescue Lease (4 years) – Mr. Viera
Article 6 Capital Items – Mr. Sullivan
Article 7 CPC – Mr. Sullivan
Article 8 Surplus – Mr. Viera
Article 9 Snow and Ice – Mr. Andrade
Article 10 EMS Supplies for Rescue – Mr. Viera
Article 11 Road Repair – Mr. Zorra
Article 12 Zoning – Mr. Zorra
Article 13 Rezone – Mr. Andrade
Article 14 Human Services By-Law Change – Mr. Andrade
Article 15 Stump Grinder – Mr. Zorra
Article 16 Establishment of Building Committee for South End Fire Station & Architectural Services - Mr. Viera
Article 17 – Deed Restriction for land off Reed Street – Mr. Sullivan

Board members reviewed warrant articles to make sure they were all approved.

In response to Mr. Almeida's concerns, Mr. Cadime outlined the safety precautions being taken in order to have the Town Meeting.

Chairman Andrade said there has been talk about a reduced quorum.

Mr. Cadime said the State guideline is 10%. Thirty- nine residents have already pre-registered to attend the meeting. A Code Red will be sent out to all residents.

Consider the Approval of a Town Administrator Evaluation Tool

Chairman Andrade said they have been looking for a new evaluation tool for a while. There are a couple of options.

Mr. Sullivan said it is difficult to do an evaluation without goals and standards set. That is on the Board of Selectmen. He wants to make sure there is a stable process in place.

Mr. Cadime said the evaluations were consistent with other communities. He agreed with Mr. Sullivan that it is difficult to evaluate without established goals. He would like to wrap this up at the June 24th meeting. Establish goals at the beginning of fiscal year and evaluate at the end of the fiscal year.

Mr. Viera said the Board should have done this sooner.

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

VOTED: To approve the Town Administrator Evaluation Tool and every year following the Spring Town Meeting the Board will come up with goals and objectives for the evaluation at the end of the fiscal year.

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

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

VOTED: That the timeframe for the evaluation tool is annually immediately following the Spring Town Meeting.

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

Consider Approving the Minutes of May 27, 2020

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

VOTED: To accept the Regular Session minutes of May 27, 2020.

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

OTHER BUSINESS – None.

TOWN ADMINISTRATOR'S REPORT

Radio Project

Mr. Cadime advised the cutover is on June 24th. He noted the deadline for completion of the project was missed by one week even with the COVID-19 pandemic. He congratulated Mrs. Carol Ann Days who took over the project. A representative from the vendor will be on site on that day.

Aitken School Project

Mr. Zorra provided an update.

Mr. Viera said he has received several calls about the memorial.

Mr. Zorra said the family is aware that it was taken down and will be placed in front of the school library.

COMMUNITY SPEAKS – None.

EXECUTIVE SESSION

At 9:51 p.m., Mr. Viera motioned, seconded by Mr. Almeida, to go into Executive Session to discuss

- A. Negotiations with Dispatch AFSCME Council 93 per M.G.L. Chapter 30A, Section 21(a)(3) as having the discussion in open session would be detrimental to the litigation or bargaining position of the town;
- B. Negotiations with DPW AFSCME Council 93 per M.G.L. Chapter 30A, Section 21(a)(3) as having the discussion in open session would be detrimental to the litigation or bargaining position of the town;
- C. To conduct strategy sessions with respect to negotiation with the Finance Director, per M.G.L. Chapter 30A, Section 21(a)(2) as having the discussion in open session would be detrimental to the litigation or bargaining position of the town;
- D. To conduct strategy sessions per M.G.L. Chapter 30A, Section 21(a)(3) with respect to collective bargaining and litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the town and the Chair so declares – United Steelworkers Local 9517 Arbitration;
- E. To conduct strategy sessions with respect to negotiations with the Fire Chief per M.G.L. Chapter 30A, Section 21(a)(2) as having the discussion in open session would be detrimental to the litigation or bargaining position of the town; and

To consider approval of Executive Sessions minutes of January 22, 2020, February 5, 2020, and March 4, 2020; not to return to open session.

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

Respectfully submitted,

Prepared by:

David Viera, Clerk

Patricia Gamer, Secretary

Items Distributed at the June 10 2020 Board of Selectmen Meeting

Letter from Interim Chief David Enos re: appointment of Eric Schoonmaker as Patrolman 3rd Class

Documentation for Flying Goose marijuana manufacturing and transportation business

DPW – information on bid awards

Contract for DiGiorgio Associates, Inc. for architectural services at 540 Arcade Avenue

Warrant for Spring Town Meeting

Town Administrator Evaluation Tool