

BOARD OF SELECTMEN
OCTOBER 14, 2020
REGULAR SESSION

Members Present: Justin Sullivan, Chris Zorra, David Viera,
David Andrade, Adam Petronio
Shawn E. Cadime Town Administrator
Carol Ann Days Asst. Town Administrator/Human Resources Director

Chairman Sullivan opened the meeting at 7 p.m. followed by the Pledge of Allegiance and moment of silence.

He announced that, per Governor Baker's Order suspending certain provisions of the Open Meeting Law, M.G.L. Chapter 30A, Section 20, it is necessary to limit the number of attendees allowed to physically access the Board of Selectmen meeting to ten. Pre-registration is encouraged in order to reserve a seat.

Public comments and questions may be submitted to the Board in advance by completing the Google form by Monday prior to the meeting at noon. Meetings are broadcast live via Seekonk Cable TV9.

In accordance with M.G.L. Chapter 30A, Section 20(f), any person recording the meeting must notify the Chairman.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Andrade announced that volunteers are needed on the Capital Improvement Committee (2 Board of Selectmen appointments), Commission on Disability (5-13 BOS), Conservation Commission (2 BOS), Economic Development Committee (5 BOS), Energy Committee (1 BOS), Historical Commission (3 BOS), Parks & Recreation (1 BOS), Recycling Committee (3 BOS), Zoning Board of Appeals (2 Alternates).

COMMUNITY SPEAKS

Mr. David Saad inquired about a previous agenda item regarding the purchase of Firefly property.

Chairman Sullivan said it is an executive session matter not for discussion.

GENERAL BUSINESS

Consider the Appointment of Joseph Goncalves to the Position of Truck Driver/Laborer for the Department of Public Works

DPW Asst. Supt. Scott Olobri favorably recommended the appointment of Joseph Goncalves.

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Mr. Cadime recommended as stated.

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

VOTED: To appoint Joseph Goncalves to the position of truck driver/laborer with the Department of Public Works, effective October 26, 2020.

Consider the Appointment of Timothy Malo to the Position of Patrolman 3rd Class, Effective October 14, 2020

Through Mr. Cadime, Capt. Matthew Jardin recommended the appointment of Timothy Malo. The Board had previously given a conditional offer of employment.

Mr. Cadime recommended as stated by Capt. Jardin.

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

VOTED: To appoint Timothy Malo to the position of Patrolman 3rd Class, effective October 14, 2020.

Consider the Conditional Offer of Employment to Luke Carvalho to the Position of Academy Recruit Officer

Capt. Jardin noted that Mr. Carvalho had previously been given a conditional offer of employment for special police officer. Because of staffing levels, there is an opportunity to offer Mr. Carvalho a full time position as Academy Recruit Officer. Three people can go to the academy in January 2021. Through Mr. Cadime, he recommended the conditional offer of employment for Mr. Carvalho.

Mr. Cadime recommended as stated by Capt. Jardin.

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

VOTED: To extend a condition offer of employment to Luke Carvalho as Academy Recruit Officer.

No effective date at this time. It will be in January 2021.

Consider the Conditional Offer of Employment to Nathan Gongoleski to the Position of Truck Driver/Laborer for the Department of Public Works

Asst. Supt. Scott Olobri requested the conditional offer of employment to Nathan Gongoleski.

Mr. Andrade said his resume does not show that he has construction background.

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Mr. Olobri said it was discussed during the interview. He is 100% confident that Mr. Gongoleski can do the job.

DPW Supt. David Cabral said Mr. Gongoleski is looking to get out of retail.

Mr. Viera questioned how he is going to get to town from his home in Warwick during snowstorms.

Mr. Olobri said he would come in earlier to pretreat roadways.

Mr. Cadime said Mr. Gongoleski was honest and forthright during the interview. He asked questions to make sure he was fit for the position.

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

VOTED: To extend a conditional offer of employment to Nathan Gongoleski to the position of truck driver/laborer with the Department of Public Works

Accept the Resignation of Patrolman Michael Jacques as Police Officer

Capt. Jardin requested the Board accept the resignation of Patrolman Michael Jacques.

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

VOTED: To accept the resignation of Patrolman Michael Jacques, effective immediately.

Accept the Resignation of Nancy Sheldon as a Special Police Officer

Capt. Jardin noted Ms. Sheldon has been a special police officer for over 30 years.

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

VOTED: To accept the resignation of Nancy Sheldon as a Special Police Officer, effective immediately.

Mr. Zorra thanked Ms. Sheldon for her 35 years of service.

Consider Accepting a Donation to the K9 Fund in the Amount of \$4,893 from Gilly's Hot Rods for Paws Event

A motion was made by Mr. Andrade, seconded by Mr. Petronio, and it was unanimously

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VOTED: To accept the donation to the K9 fund in the amount of \$4,893 from Gilly's Hot Rods for Paws Event.

Mr. Viera noted they have been doing this in memory of a firefighter who passed away several years ago.

Consider Accepting a Donation of a Dog Crate to the K9 Unit from "Vested Interest in K9s" Organization

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

VOTED: To accept the donation of a dog crate to the K9 Unit from "Vested Interest in K9s" organization.

Board members expressed appreciation for the above donations.

Consider the Request from Sharon Beauregard for a Breast Cancer Walk Down Newman Avenue

Chairman Sullivan advised this was supposed to be a special event. It is a small family event. No action required.

Consider Awarding the Department of Public Works Thermoplastic Pavement Markings Bid to Markings, Inc., 30 Riverside Drive, Pembroke, MA

DPW Supt. David Cabral said this is specifically for Newman and Central Avenues.

He read from his memo to the Board dated September 30, 2020. The apparent low bidder was K5 Corporation. The firm had changed its name from Hi-Way Safety Systems, Inc. It was discovered the firm had negative media coverage regarding several serious incidence, questionable driving records of employees and poor workmanship and was barred from bidding on state projects.

After reviewing all the information, Mr. Cabral stated he could not in good faith make a favorable recommendation for the apparent low bidder. Therefore, he recommended awarding the contract to the next qualified low bidder, Markings, Inc.

Mr. Zorra thanked Mr. Cabral for the thorough investigation. Mr. Petronio agreed.

Mr. Cadime explained the Town has the right not to award a contract to the lowest bidder. In that case, it must provide written documentation. Mr. Cabral's findings warrant going to the next bidder.

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

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VOTED: To award the Department of Public Works Thermoplastic Pavement Markings bid to Markings, Inc. 30 Riverside Drive, Pembroke, MA.

The contract is for a three-year period with the option of three, one-year extensions. The total bid price is \$42,930 average total cost per year.

Consider the Easement Agreement for 21 Woodward Avenue, Seekonk, MA

Mr. Cabral advised this is related to the Aitken School Expansion Project. DPW has done the work under the purview of Conservation.

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

VOTED: To approve the Easement Agreement for 21 Woodward Avenue, Seekonk, MA.

Consider the Agreement for Professional Engineering Services between the Town of Seekonk and Huntress Sports for Bidding and Construction for Field Turf and Renovations at the Seekonk Connolly Field and Mooney Track as Submitted by the Turf Committee

Chairman Stephen Prew, Vice Chairman Justin Terrien and members of the Turf Committee were in attendance.

Mr. Prew thanked the Board of Selectmen and voters for recognizing the need to improve the high school facility and hire a firm to design facilities to benefit the high school and the entire community. He also thanked Supt. Drolet and staff for their assistance.

Mr. Prew said the committee met several times since January. They researched other similar projects and put together a comprehensive plan which led to the development of an RFP. The committee selected five firms and interviewed representatives from all five firms and ranked their responses. The committee unanimously voted to recommend the firm of Huntress Sports to the Board for approval.

A motion by Mr. Viera, seconded by Mr. Petronio was later withdrawn.

Mr. Andrade said there are standard contracts for construction/architect industry that could have been used.

Mr. Prew said the document was reviewed by the School Department attorney.

Mr. Petronio felt he didn't have enough information.

Mr. Cadime advised that, in accordance with M.G.L, whoever is going out to bid has to list evaluations criteria so that everybody knows what they are being graded on. That would be part of the RFP documents that went out to all bidders.

Mr. Andrade said he has no questions with the process; however, he cannot approve a contract without the scope of work. Reference is made to Exhibit A that would outline the scope of work but it is not attached to the contract.

Mr. Cadime said that state regulations suggest the contract is attached to the RFP.

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

VOTED: To table the Agreement for Professional Engineering Services between the Town and Huntress Sports until the meeting of October 28, 2020.

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

Board members suggested town counsel review the contract.

Comcast Contract Presentation

Mr. Cadime noted that Board members had a copy of the expiring contract, the Comcast proposed contract and also a draft business plan. The contract is being reviewed by legal and will be voided because KP Law has its own contract format.

He thanked the members of the Steering Committee – Michelle Hines, Brittney Faria, Cody Pexioto, Bruce Alexander and Mr. Cadime for preparing the document for negotiations.

He explained that the Board needs to notify the cable operator of the intent to negotiate a license. There has to be at least one public hearing. A formal letter will be sent to Comcast indicating the date of the public hearing. The contract should specifically refer to FCC Customer Service Standards. The Board should determine whether a survey should be distributed to subscribers to request an additional increase from the capital funding provided. The question should be how much subscribers are willing to pay for additional Public Educational Governmental (PEG) access services.

They need to prepare a business plan. Have to make sure capital requests for schools and TV9 are included. It shows TV9 as a non-profit, revenues, budget, and capital requests.

State regulations require at least one public hearing. Licenses can be from 3 to 10 years.

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Mr. Cadime explained that the Board cannot negotiate with a new cable company. Comcast has the right to get license back. Verizon could come in and request a license but unless they have the wires and poles it is unlikely. We also cannot negotiate programming.

There was discussion on number and location for public hearings.

Mr. Viera suggested three public hearings (north end, south end and center of town).

Ms. Hines noted that, because of COVID, it should be the high school and at different times. She asked about virtual hearing.

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

VOTED: To conduct two public hearings for Comcast presentations.

A motion was made by Mr. Vieira, seconded by Mr. Petronio, and it was unanimously

VOTED: To schedule public hearings on Tuesday, November 11, at 7 p.m. and Saturday, November 14, 2020, at 11 a.m.

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

VOTED: That the negotiating team will consist of 5 Board of Selectmen members and one non-voting member from School Department, TV9, and library.

The first meeting will be held on October 26, 2020.

Mr. Saad asked if cable could have three people there.

Mr. Petronio said other subject matter experts can attend the meeting but not part of the negotiating team.

Chairman Sullivan suggested surveys should be after the first meeting on October 26.

Mr. Viera asked for a breakdown of funds.

Chairman Sullivan requested a copy of the current annual report.

Approval of the Assistant Town Administrator/Human Resources Director Contract

Mr. Cadime stated this is a confirmation of the vote taken in executive session.

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

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VOTED: To approve the contract with Carol Ann Days as Assistant Town Administrator/Human Resources Director.

Approval of the AFSCME Council 93 Local 1701 Department of Public Works Contract

A formal vote of action taken in executive session.

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

VOTED: To approve the AFSCME Council 93 Local 1701 Department of Public Works three-year contract.

Sign the Warrant for the 2020 State Election

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

VOTED: To sign the warrant for the 2020 State Election.

Assign Warrant Articles and Make Recommendations for Fall Town Meeting

Mr. Cadime advised KP Law has reviewed charter amendment language and some minor language needs to be discussed. The language in the warrant will not change.

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

VOTED: To recommend Article 1 (Reports).

Mr. Viera will present.

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

VOTED: To recommend Article 2 (\$83,000 purchase and installation of an emergency reporting system to replace the Vision 21 system).

Mr. Andrade will present.

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

VOTED: To recommended Article 3 (\$48,000 irrigation at athletic fields).

Mr. Andrade will present.

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

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VOTED: To recommend Article 4 (\$157,000 from Free Cash for purchase and installation of items for Town Hall Playground).

Mr. Zorra will present.

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

VOTED: To recommend Article 5 (\$50,000 for Public Safety Building repairs and upgrades).

Mr. Viera will present.

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

VOTED: To recommend Article 6 (appropriate \$144,310 from Sanitation Enterprise Fund for purchase of trackless machine for DPW).

Chairman Sullivan will present.

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

VOTED: To recommend Article 7 (\$500,000 for construction of an ADA compliant sidewalk, etc. on Arcade Avenue).

Chairman Sullivan will present.

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

VOTED: To recommend Article 8 (\$500,000 transfer from Free Cash to the Municipal Capital Stabilization Fund).

Mr. Zorra will present.

A motion was made by Mr. Andrade, seconded by Mr. Petronio, and it was

VOTED: 4 Ayes; 1 Abstention; To recommend Article 9 (Clause 56 M.G.L. Chapter 59, Section 5 Mass. National Guard or military reservist reduction in property taxes).

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

Mr. Petronio will present.

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

VOTED: 4 Ayes; 1 Abstention; To remove Article 10 (464 Taunton Avenue).

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

It will be an all-out sale.

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

VOTED: To refer Article 11 to the Planning Board.

Article 12 is voter petition. Chairman Sullivan will present.

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

VOTED: To recommend Article 13 (\$350,000 for Transition Program at Seekonk High School).

School Committee Chairperson will present.

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

VOTED: To refer Article 14 to the Planning Board.

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

VOTED: To recommend Article 15 (Zoning By-Law for affordable housing).

Mr. Andrade emphasized this is not Section 8 Housing. It is to meet a State mandate requirement to produce high-quality affordable housing units.

Article 16 (Town Charter) tabled for now.

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

VOTED: To recommend Article 17 (Amend Town By-Laws for new Category 51 entitled PILOT Agreements – Renewable Energy Facilities).

Mr. Andrade will present.

Article 18 “Special Event Permit.” Mr. Cadime said this was previously rejected by the Atty. General’s office for more information.

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Legal suggested “Special Events” be defined. Board members discussed the difference between public and private events. Car shows will be added to the list.

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

VOTED: To recommend Article 19 (\$18,000 to fund DPW Collective Bargaining Agreement).

Mr. Petronio will present.

Consider Approving the Minutes of September 10, 2020 and September 30, 2020

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

VOTED: To accept the Regular Session minutes of September 10, 2020 and September 30, 2020.

COMMUNITY SPEAKS

School Committee Chairwoman Kim Sluter thanked the Board for supporting the 18-22 year old program.

She noted it is difficult to get volunteers. With regard to the high school field, the recommendation to use the School Department attorney to review the contract came from the Town Administrator’s office. It was an e-mail from Mr. Alexander. She requested the Board approve the contract pending final review.

Chairman Sullivan noted that Mr. Alexander is the Finance Director.

Board members noted they do support the volunteers on the Turf Committee. They need to see the scope of work before signing the contract.

Mr. Cadime clarified that an e-mail was sent requesting a template contract. Mr. Alexander might have sent it. It came back as to whether we would have legal look at it. Mr. Cadime said it was a School Department contract so it should be reviewed by the School Department attorney. The issue is the Exhibits referred to were not included.

Mr. Nelson Almeida suggested there should be a local Comcast office, especially to benefit senior citizens. The closest one is in Fall River. Every community is bringing in about \$1M gross. They have got the extra money to open a local site.

OTHER BUSINESS – None.

TOWN ADMINISTRATOR’S REPORT – None.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Bristol County Advisory Board – None.

AITKEN SCHOOL EXPANSION BUILDING COMMITTEE REPORT

Mr. Zorra said the landscape looks good. They are working on the interior of the building.

540 Arcade Avenue Building Committee Report

Mr. Cadime advised the committee met last Thursday to review floor design. The committee will meet again this Thursday to review changes made. Hopefully, will move forward with construction bid documents.

Veterans' Council

Mr. Viera said the council has been working with the Veterans' Agent. A vehicles only parade will take place on Veterans Day, November 11, starting at Briarwood Plaza at 10 a.m. to Oakdale Avenue and then to the Veterans Memorial Park for a short ceremony. Anyone interested in participating with their vehicle should contact the Veterans' Agent.

South End Fire Station Building Committee Report

Mr. Viera said there was an organizational meeting. The next meeting is scheduled for Tuesday, October 20, at 7 p.m. at Town Hall.

EXECUTIVE SESSION

At 9:21 p.m., Mr. Andrade motioned, seconded by Mr. Viera, to go into executive session to

- A. Conduct strategy sessions with respect to negotiations with the United Steelworkers of America Clerical Unit Local 9517-10 per M.G.L. Chapter 30A, Section 2(a) (3) as having the discussion in open session would be detrimental to the litigation or bargaining position of the town;
- B. Conduct strategy sessions with respect to negotiations with the United Steelworkers Supervisors Unit Local 9517-09 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. Consider strategy sessions with respect to negotiations with AFSCME Council 93 Local 1701 Public Safety Communications Civilian Dispatchers and Police Department Executive Assistants 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.

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- D. Consider the purchase, exchange, lease or value of real property pursuant to M.G.L. Chapter 30A, Section 21(a) (6) as having the discussion in open session would be detrimental to the negotiating position of the town (477 Taunton Avenue).

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

Items Distributed at the October 14, 2020 Board of Selectmen Meeting

Resume for Joseph Goncalves for the position of truck driver/laborer with the DPW

Recommendations from Interim Chief David Enos as follow:

- Appointment of Timothy Malo as Patrolman 3rd Class
- Resignation of Patrolman Michael Jacques as Police Officer
- Conditional offer of employment to Luke Carvalho as Academy Recruit Officer
- Resignation of Special Officer Nancy Sheldon
- Acceptance of a \$4,893 donation to the K9 fund from Gilly's Hot Rods for Paws
- Acceptance of dog crate donation to the K9 Unit from "Vested Interest in K9's"

Resume for Nathan Gongoleski for the position of truck driver/laborer with the DPW

Request from Sharon Beauregard, 824 Newman Ave. to hold breast cancer walk

Contract with Markings, Inc., 30 Riverside Drive Pembroke, MA for DPW Thermoplastic Pavement Markings

Agreement for Easement Agreement for 21 Woodward Avenue

Agreement for Renovations at the Seekonk Connolly Field and Mooney Tract submitted by the Turf Committee

Warrant for the 2020 State Election

Warrant Articles for 2020 Fall Town Meeting