

**BOARD OF SELECTMEN**  
**MAY 10, 2012**  
**SPECIAL MEETING**

Members Present: Francis Cavaco, Robert McLintock, Gary Sagar, William Rice  
Absent: David Parker

Town Administrator: Pamela T. Nolan

Also in Attendance: Fire Chief Alan Jack, Lt. Peter Burke, Building Commissioner Mary McNeil, Rep. Steven Howitt, Sen. James Timilty, Jacob Ventura (Rep. Howitt's office), Lisa Nelson (Sen. James McGovern's office), Conservation Agent Bernadette DeBlander, and CIC Chairperson Lauren Walsh.

Chairman Cavaco called the meeting to order at 10 a.m. He thanked everyone for attending.

Fire Chief Alan Jack reported that the Fire Department received a call at about 4:29 A.M. on Tuesday, May 1, 2012 regarding a serious structure fire at 36 Maple Avenue owned by R.O.C. Realty. It was confined to the rear of the structure. The first engine company and Chief Jack arrived at the same time. The building collapsed at the rear and 33 hours later total devastation of the building. Eighty percent of the building is down.

They reached out to DEP and EPA to monitor air quality and possible run off to the 10 Mile River.

There were traces of metal. As of this meeting, they don't have anything concrete about what might have been in the river. They didn't think there would be a lot of contaminants. They felt it would have passed along.

They sat down as a community and town leaders and thought it would be prudent to take in the walls that were perilous, which was done by DPW and a civilian contractor in town.

Prior to leaving the site, elected officials, Town Administrator, and Building Commissioner thought it be prudent to clear a roadway and push material into the building so that there would be a passage way.

The Commissioner of Public Works wanted to put some type of berm along the river. The site was secured to try to keep trespassers out.

Building Commissioner Mary McNeil distributed information from the Assessor's Office indicating the current ownership and a sketch showing the outlay of the building. She had a photograph of when the roof collapsed.

She noted that in January 2009 the building was deemed unsafe. In 2010, she asked the owner to secure the building. He replied that he was in a bankruptcy and did nothing.

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Lt. Peter Burke of the Fire Department said there were additional environmental issues on the site in 2009 and 2010.

Chairman Cavaco asked why the Town is cleaning up the site since the ownership is in bankruptcy. It seems that the EPA has funding available but the Town needs help from state officials.

Town Administrator Pamela T. Nolan said there are difficult decisions to make within the next few weeks. The building has to be secured. The Town would like to be able to tap into funds for brownfields.

Conservation Agent Bernadette DeBlander advised that she spoke to Mr. Jim Byrne at EPA and there is funding available for brownfields for assessment and clean up. Mr. Byrne would come down and meet with town officials and town counsel. He would do an assessment. The EPA would guide the Town into this process. The Town would have to own the building in order to qualify for clean up money, but the Town does not have to own the property for an assessment for contamination.

Mrs. Nolan advised that there is a lien against this property.

Mr. Sagar noted that the building was built to make tennis rackets and later became a dye works. It was owned by Richard Castro. He could never get financing because of 21E issues.

When the collapse occurred in 2009, the determination was made that the building would be condemned. Everybody was forced out. Mr. Castro's insurance did not cover the collapse. He was forced into bankruptcy.

Mr. Sagar said some of the metals could be coming from the river in Attleboro. There may be pollution from other sites. It is a nice piece of land. The owner would have tried to clean it up if he could. At one time, more than 100 people worked there.

He noted that the Fire Department responded there many times. People stripped metal, a lot of stuff was removed, and homeless lived there. A child fell through a skylight and is trying to sue for getting hurt.

Mr. Sagar said it needs to be cleaned up or there will be a lot more calls for public safety services.

Chief Jack said there is a basement in the rear part of the building, and they don't know what is in that area. That portion abuts the river and the dam.

Mr. Sagar said when the building was condemned a lot of storage was in there.

He asked what it would cost to clean up the debris.

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Mrs. Nolan said they are meeting with the attorneys next week to make decisions.

Mrs. Lisa Nelson from Congressman McGovern's office suggested that EPA conduct the assessment. It is an immediate danger and the EPA has limited money for emergencies.

She noted if solvent was used to clean up it would be an issue as well. She said the river goes past the dye works in Attleboro.

Mr. McLintock asked about getting the building knocked down.

Mrs. McNeil said that she would have to notify the owners and then she would have to get the site cleaned up. She questioned how it would get paid for.

Mr. McLintock questioned the value of the steel I-beams.

Chief Jack said that the steel is one thing but getting rid of it is another.

Mr. Sagar stated that the former owner said he is not involved in that on the advice of his attorney. The building was not insured.

Mr. Sagar felt it would be expensive to fence the property off.

Mrs. Nelson said that emergency response from EPA will clean up because it is a potential hazard.

Mr. Rice stated they need to get the assessment as soon as possible. He asked Mrs. Nolan to contact Mr. Bryne of the EPA.

Lt. Burke said the EPA cannot get involved until the Town takes some kind of action. He spoke to EPA officials yesterday. There are some things that could affect the bankruptcy. Seekonk is not in an economic distressed area.

Rep. Steven Howitt said that Attleboro is not interested in Seekonk joining the economic target area. However, Attleboro will need to purchase more land that Seekonk owns for the sewer treatment plant.

Mrs. Nolan said that Town Planner John Hansen has been working with Attleboro but they will not allow Seekonk to join.

Mrs. McNeil said that a building official told her if we could get the building cleaned out we could go for FEMA money.

Sen. James Timilty felt the first step is the assessment by EPA.

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He will send an e-mail to the governor asking him to designate that a disaster area and then the Town would be eligible for FEMA money.

Mrs. Nolan noted that the Town could join the economic target area if it is contiguous. Attleboro will not do that.

Rep. Howitt said that he mentioned to Attleboro's mayor but he did not seem to want that.

Sen. Timilty and Rep. Howitt want to be in attendance when EPA comes down.

Mrs. Nelson said to let her know if the Town needs any help.

Rep. Howitt said that the Town would be responsible as far as safety. The question is how to secure the property.

Sen. Timilty suggested contacting NEMA.

Mr. Rice expressed concern about scavengers and what happens if someone is injured there. The Town cannot wait for state funding.

Mr. McLintock felt there should be closure since this has been in bankruptcy for three years.

Mrs. Nolan said it is in bankruptcy and the property turned back to the owner. He is not taking any responsibility.

Mrs. McNeil cited a similar incident in Carver, MA. She will try to find out what was done.

Sen. Timilty said that the EPA and DEP should be involved - it is beyond the scope of the Town.

Chairman Cavaco thanked them.

On another matter, Mr. Sagar had drawings for a possible site for a south end fire station. Chief Jack and he have been looking. They met with Mr. Bernard McCourt of Mass. Highway, District 5 in 2009. There is a salt shed for the Highway Department. They were told the site would be opened up.

An engineer drew up a plan showing a location for the fire station.

Rep. Howitt said that anything dealing with interstate is difficult because it involves the State and Federal Government.

Sen. Timilty said he notified Mass. Highway that officials from Seekonk would be meeting on this. He suggested that representatives from Mass. Highway come to Seekonk and go to the site.

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Chairman Cavaco asked Mrs. Nelson for help in getting money for the traffic light on Rte. 44 at the Public Safety Complex.

Rep. Howitt checked into that. The Town has to apply for a permit and then move forward on the design work.

Mrs. Nelson advised that she would check on a possible grant through the federal government.

The meeting adjourned at 11 a.m.

Respectfully submitted,

Gary Sagar, Clerk

Patricia Gamer, Secretary