

BOARD OF SELECTMEN
JUNE 17, 2015
REGULAR SESSION

Members Present: David Parker, Nelson Almeida, David Cabral,
Michael Brady, David Viera

Town Administrator: Shawn E. Cadime

Chairman Parker called the meeting to order at 7 p.m. followed by the Pledge of Allegiance and moment of silence.

He announced that, in accordance with M.G.L. Chapter 30, Section 20, anybody taping the meeting must notify the Chair. The Board of Selectmen is recording audio and video.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Viera announced that volunteers are needed on the Board of Health, By-Law Study Committee, Capital Improvement Committee, Conservation Commission, Cultural Council, Economic Development Committee, Energy Committee, Historical Commission, Planning Board (1 joint appointment with P.B.), Property Tax Work-Off Committee, Zoning Board of Appeals (2 Alternates in June).

PUBLIC HEARING – ALCOHOL

Hearing for a New Annual All Alcohol Liquor License (Section 12 – Hotel) for Darling Hotels, Inc., d/b/a Hampton Inn Seekonk, located at 1030 Fall River Avenue, Michael Brightman, Manager

Chairman Parker opened the hearing at 7:01 p.m.

Atty. Michael Levinson represented the applicant. Mr. Brightman was also in attendance.

No comments from the audience.

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

VOTED: To close the Public Hearing at 7:02 p.m.

Mr. Brightman said he is TIP and bar code certified.

Mr. Brady was assured that alcohol would be only for guests and not for the public.

Mr. Almeida asked about hours served.

Mr. Brightman said it is a 24 hour facility. They have not discussed hours of selling.

June 17, 2015

-2-

In response to Mr. Almeida's question, Ms. Rogers assured the forms are in order.

Mr. Viera noted the license does allow selling to the public. He thought they had to identify the hours.

Ms. Rogers said they can serve alcohol from 8 a.m. to 1 a.m. and, on Sundays, they can start at 10 a.m.

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

VOTED: To approve the request for an annual all alcohol liquor license for Darling Hotels, Inc., d/b/a Hampton Inn Seekonk, located at 1030 Fall River Avenue.

LICENSE HEARINGS

The order of business moved to:

Mobile Food Cart License for Hometown Catering, Barbara Catabia (refer to Board of Health, if approved)

Ms. Catabia explained she would be located at the flea market at Seekonk Speedway from 7 a.m. to 1 p.m. on Sundays.

Mr. Viera questioned why the request doesn't first go to the Board of Health.

Mr. Almeida noted it's to avoid the Board of Health fee if the request is not approved.

Mr. Cadime advised that Atty. Brian Riley from Kopelman & Paige will update his office on mobile food carts and entertainment licenses. He recommended this be an item on the July 1, 2015 agenda.

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

VOTED: 4 Ayes; 1 Nay; To approve the request for a mobile food cart license for Hometown Catering, Barbara Catabia, and forward to the Board of Health.

The vote: Mr. Brady – Aye; Mr. Viera – Aye; Mr. Almeida – Aye; Chairman Parker – Aye; Mr. Andrade – Nay. He noted that he has opposed all requests until the Board establishes a policy.

License to Store Flammables for a Fueling Station to be located at Sam's Club, 1110 Fall River Avenue (Refer to Fire Department, if approved)

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

June 17, 2015

-3-

VOTED: To approve the request to store flammables for a fueling station at Sam's Club, 1110 Fall River Avenue, with the safety measures for traffic control as outlined by the Fire Chief.

Mobile Food Cart License for Kona Ice Cumberland, RI, Inc., David Souza (refer to Board of Health, if approved)

Mr. Souza was in attendance. He responded to Chairman Parker's concern that he offers a percentage of sales to the leagues.

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

VOTED: 4 Ayes; 1 Nay; To approve the request for a food cart license for Kona Inc., David Souza, and forward to the Board of Health.

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

PRIORITY MATTERS

Consider Appointments of Michael Smith and Scott Godin as Firefighter/Paramedics and Swear In

Chief Healy thanked Police Capt. Frank John and Fire Lt. Michael Bourque for their time in doing background checks. He recommended the appointment of Scott Godin as full time firefighter/paramedic third class. He asked that he be given 12 months to get his paramedic license.

Mr. Cadime concurred with the recommendation.

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

VOTED: To approve the appointment of Scott Godin as firefighter/paramedic and allow him a period of 12 months to obtain his paramedics license.

Firefighter Godin was sworn in by Assistant Town Clerk Florice Craig.

Chief Healy advised that he had no second recommendation based on the information obtained in the background check.

Accept, with regret, the Resignation of Patrolman Brett Beausoleil

Chief Mace advised that Patrolman Beausoleil resigned from the Police Department on June 11, 2015. He is returning to the Raleigh, North Carolina Police Department.

June 17, 2015

-4-

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

VOTED: To accept, with regret, the resignation of Patrolman Brett Beausoleil.

Consider Appointment of Patrolman James McDonald and SRO Stephen Kandarian as Special Police Officers upon their Retirement

Chief Mace and Mr. Cadime recommended the appointments.

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

VOTED: To appoint Patrolman James McDonald and SRO Stephen Kandarian as Special Police Officers, effective July 5, 2015.

Introduction of Patrolman Scott Flaherty and Badge Pinning

Chief Mace noted that Patrolman Flaherty was previously sworn in and started on June 7, 2015. The ceremony will be repeated for the benefit of Patrolman Flaherty and the viewing audience.

He was sworn in by Assistant Town Clerk Florice Craig. His wife, Kristin, pinned his badge.

Consider Request from Chief Mace to Offer Conditional Offers of Employment to Christopher Platt-Hanoian, Sean Peterson, and James Vinson

Chief Mace explained these appointments are in anticipation of pending retirements.

He recommended Christopher Platt-Hanoian.

Mr. Cadime added his recommendation.

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

VOTED: To extend a conditional offer of employment on the Seekonk Police Department to Christopher Platt-Hanoian

Mr. Viera asked what would happen if someone decides not to retire.

Chief Mace said it won't be a problem. He felt it would be good to budget for 40 officers knowing there will be a series of retirements.

Chief Mace and Mr. Cadime recommended Sean Peterson.

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

June 17, 2015

-5-

VOTED: To extend a conditional offer of employment on the Seekonk Police Department to Sean Peterson.

Chief Mace and Mr. Cadime recommended James Vinson.

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

VOTED: To extend a conditional offer of employment on the Seekonk Police Department to James Vinson.

Mr. Vinson has to attend the academy; hopefully, in September. It is possible to seek a waiver. The academy is twenty two weeks followed by field training.

Mr. Almeida commended police, fire and communications people who responded to a call of a woman giving birth on the highway.

Chief Mace commended Mr. Campbell, who takes an active interest in the radio systems. He said they have a good crew at Public Safety.

Consider Appointment of Steven Ladeira as Constable

Mr. Cadime recommended reappointment.

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

VOTED: To reappoint Steven Ladeira as Constable.

In response to Mr. Viera, he said he does not work for the Town. He lives in Rehoboth but his business is in Seekonk.

Consider Reappointments to Boards and Commissions

Ms. Rogers said these are reappointments for the next three years. They have served for a number of years. It fell through the cracks and she did not invite them to the meeting.

Mr. Andrade noted that the Board did want to meet the applicants on reappointments.

Mr. Brady said they have been on these boards for a long time.

Mr. Cadime recommended the reappointments.

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

VOTED: To reappoint the following to three year terms as of July 1, 2015.

Josephine Veader, Board of Registrars
Michael Markley, Historical Commission
Anita Gendron, Human Services Council
Victoria Kinniburgh, Human Services Council
Neal Rapp, Parks and Recreation
William Kirchmann, Recycling Committee

Ms. Rogers said there are some people who do not want to be reappointed.

As of July 1, the Board of Health will be down 2 members, Capital Improvement Committee needs 1, Conservation Commission needs 2 (she has a talent bank form), Cultural Council continually needs members, Economic Development needs 1, Energy Committee 2. She has 2 talent bank forms for Historical Commission. Tax Work-Off Committee needs 3 and she has a talent bank form for that. She has a talent bank form for Veterans Grave Officer. Zoning Board of Appeals needs 2.

NEW BUSINESS

Discussion on Transportation with GATRA

Mr. Frank Day, Administrator for GATRA, was in attendance. He said that GATRA is a political subdivision of the Commonwealth. By statute, they have to contract all services out. They have management and transportation companies that do the day to day operations. They can only operate and provide services to the town which the town approves, either through the Board of Selectmen or town manager. It is a partnership between GATRA and its member communities as to what kind and how many services provide. Services in Seekonk haven't changed in a number of years.

GATRA provides bus service to the northern part of Seekonk and they have Dial a Ride which provides services mostly for seniors and people with disabilities to various appointments or to the Council on Aging.

Mr. Day said that Mr. Cadime, Mrs. Huck and he have been talking in preparation for the new senior center. They want to try to look at services provided now and new services as there might be more activities and events at the new center. He provided a needs survey that was done a couple of years ago in Seekonk. They would like to update that and put it out there for input from the Board of Selectmen, Council on Aging, Veterans, Disability Commission and residents.

Mr. Viera asked about servicing the rest of the town rather than just the north end.

Mr. Day responded that years ago they ran a service but it wasn't worthwhile. He offered to revisit it.

GATRA is currently looking at services in all the communities. They could look at other routes.

June 17, 2015

-7-

Mr. Viera said there are the same issues in the south end of Seekonk. He suggested Mr. Day reach out to them.

Mr. Andrade agreed.

Mr. Viera requested a copy of the survey.

Discussion on the Procedures for Signing the Weekly Warrant

Mr. Almeida felt the problem started when Mr. Alexander stopped sending out a follow-up e-mail to Board members.

Mr. Cadime will make sure he does that.

Mr. Brady said he could come by early in the morning, if needed.

Chairman Parker mentioned that he authorized Mr. Alexander to release payroll checks. He got an e-mail that said he was above the law.

Discussion on Reorganization of the Board of Selectmen

Chairman Parker put it on the agenda to give board members the opportunity to reorganize.

Mr. Viera said some times things said in a text or e-mail are not what were intended. It is better to talk to each other.

Consider Approval of Regular Session Minutes of May 20, 2015

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

VOTED: To accept the Regular Session minutes of May 20, 2015.

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

OLD BUSINESS

Discussion on Actions of Town Meeting

Mr. Andrade said some people misunderstood and thought it was a 6% raise. That wasn't the case. There were additional hires between the School Department, Fire Department, and Police Department and hours at Town Hall were increased to 35. The raises represent two years.

June 17, 2015

-8-

Mr. Cadime noted there were no raises in FY'15. The collective bargaining agreements ratified have been at 2%.

Chairman Parker felt the Board needs written procedures on how to change the Charter.

Mr. Brady said a committee was formed several years ago that came back with some recommendations.

Mr. Cadime suggested a presentation at Town Meeting by the Board of Selectmen, School Department and Finance Committee.

Mr. Brady felt Town Meeting is antiquated. Voters need to educate themselves. They can get as much information as they want. He did not want to add time to Town Meeting to do this.

Chairman Parker added that the Board holds a public hearing which is advertised in the newspaper and the warrant is available prior to Town Meeting.

Mr. Cadime said he wants to make sure residents are informed.

Mr. Brady suggested a town meeting in the spring for the budget only.

Mr. Cadime said there was a comment about the Finance Committee reports and the lighting in the room.

He offered to print any Finance Committee documents that can be handed out at Town Meeting. He doesn't know if there is anyway to increase the lighting without bringing in additional lighting or changing the location.

There have been concerns about the day and time of these meetings.

Chairman Parker said this meeting was well attended. He suggested the warrant and budget could be mailed to every household, however, that would cost money.

Mr. Viera pointed out that there seems to be younger people at Town Meeting and maybe they don't know how the process works. It is incumbent on the Board to explain it to those folks.

Mr. David Saad volunteered to serve on the Charter Review Committee. He has had many discussions with the Atty. General's office.

Chairman Parker advised it will be an agenda item for the next meeting.

Mr. Saad said that Town Meeting is a good form of government. He noted there were a lot of School Department employees in the audience. People were more concerned about the number of people on the Finance Committee than on the budget.

June 17, 2015

-9-

He mentioned national health care. He felt there should be discussions on a more cost effective way of covering the Town with respect to public safety. He asked for consideration of the call fire department.

Mr. Robert DelRosso agreed that Town Meeting is the most democratic form of government. He served 18 years on the Board of Selectmen. He said that town meeting/town election is considered one entity. He was very unhappy at the last town meeting. The Charter says the Town Administrator will prepare a budget and give it to the Board of Selectmen to present to town meeting.

Mr. Brady said he was going to make a motion to present the budget as voted by the Board of Selectmen and let the Finance Committee make recommendations off that but legal said the vote should be on the Finance Committee budget.

Mr. DelRosso said the Charter talks about the Town Administrator and Board of Selectmen. The Finance Committee is an advisory group so why should it be their number.

Chairman Parker said it has always been that way. He was told the budget to be voted on has to be the Finance Committee budget but there has to be a Board of Selectmen budget there that can be changed. It has been done that way for ten years.

Mr. DelRosso said they never did it that way. The vote was always on the Board of Selectmen column, and a number of people agree with him. He suggested a legal opinion.

Mr. Cadime will request that.

Mr. Robert McLintock said no matter how it looks the Board of Selectmen is putting forth the budget. The State says it cannot go more than 2 ½ or it has to go to the polls. He felt they just did 6% without going to the polls. The Board circumvented 2 ½. It was the worst meeting he has ever attended.

For clarification, Mr. Cadime said they did not circumvent the 2 ½. The tax levy is signed off by the Department of Revenue at the beginning of the year and 2 ½ applied. New growth is added on and after that is debt exclusion.

COMMUNITY SPEAKS – None.

OTHER BUSINESS

Discuss Other Topics Not Reasonably Anticipated by the Chairman 48 Hours Before the Meeting

None.

TOWN ADMINISTRATOR'S REPORT

Mr. Cadime advised that new planner is at work. He will come to meet Board members.

Interviews for Veterans Agent took place on Tuesday. There are two more applicants. He should have a recommendation by the next meeting.

He will be working with Planning to advertise for a part time secretary.

He is talking to the animal shelter building committee about the next step. The senior center is ready to go out to bid.

He will be looking at the FY'17 budget timeline. He is working on the FY'15 Annual Report. The FY'14 audit is completed. He asked the outside auditor to make a presentation to the Board.

He will be looking at the Town's website to make it more user friendly.

Three out of five contracts are outstanding. He is working with counsel to draft new collective bargaining agreements.

They are moving forward with foreclosure of properties where people are not coming in to work on payment plans. He would like to update the Board on that in a couple of months.

There are two applicants for Building Inspector. He will be conducting interviews.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Viera said the Charter states the Town should have a human resource person. He asked Mr. Cadime how he felt about a human resource person that could also act as purchasing agent.

Chairman Parker said the Charter refers to a personnel board to work under the Town Administrator; not a Human Resource person.

Mr. Cadime agreed it is a personnel board and it is limited to individuals who are not in collective bargaining units. There has been talk about consolidating with the School Department. Some employees do not feel comfortable talking to the town administrator so this would be good. He added there are personnel and medical records that need to be streamlined for the entire town.

Mr. Viera felt it is a win-win situation for employees and the Board of Selectmen.

Mr. Almeida asked about a timeframe for residents who want to set up payment plans on their taxes.

June 17, 2015

-11-

Mr. Cadime explained that M.G.L. requires a down payment and a payment plan of a year or two. It accrues at 16% or 18%.

He said they are trying to work with taxpayers, but they have got to follow Mass. General Laws. He suggested taxpayers should talk to the treasurer. If no movement, the Town could get a decree from land court. It is a six to eight month process.

Mr. Almeida asked for an update on the sidewalks on Olney Street.

Mr. Cadime will get that. He said that Mr. Lamoureux is waiting for a pavement management report from SRPEDD which will give the cost to do roadways.

Mr. Viera advised the Planning Board is aggressively trying to get developers to put sidewalks in. However, it is difficult to maintain them.

Mr. Almeida said he is proud to be an American citizen of Portuguese decent. At the invitation of state officials, he attended the Day of Portugal at the Rhode Island State House. He attends every year. He does not go to receive an award. He goes because he is an American citizen that holds elected office. A reporter for a Portuguese magazine asked why he doesn't attend the same event in Massachusetts. He has never been invited by the local state senator or representative. He is upset and insulted.

Mr. Viera said he was recognized a few years ago in a ceremony at the State house. Individuals are chosen by local legislators.

He apologized to Mr. Almeida and said there are only so many people who can be recognized. He added it has nothing to do with the Board of Selectmen.

Mr. Andrade said he, too, has been asked why he has not been recognized in Massachusetts. He got an invitation from Rhode Island. It is not about receiving an award.

He asked for an update on the proposed cemetery for the next meeting.

Chairman Parker felt that Town Engineer David Cabral is not ready.

Mr. Andrade stated the situation on Carters Way is getting worse. He asked if Mr. Cadime had heard from the East Providence Zoning Director.

Mr. Viera asked about his replacement on the Planning Board.

Mr. Cadime said he will try to get it on the July 1 agenda.

Chairman Parker asked about the Ann C. Green School permits. He asked if the easement is intact.

June 17, 2015

-12-

Mr. Cadime advised that the director of parks and recreation has asked people not to park on the property line. The property belongs to Mr. Tapalian. He will talk to Mr. Tapalian when he gets documents from the director.

At 8:50 p.m. Mr. Brady motioned, seconded by Mr. Viera, to go into Executive Session to discuss strategy sessions in preparation for negotiations for Superintendent of Public Works as per M.G.L. Chapter 30A, Section 21(3), to conduct negotiations with the Superintendent of Public Works per M.G.L. Chapter 230A, Section 21(3), to discuss litigation with respect to Call Firefighters as per M.G.L. Chapter 30A, Section 21(3), to discuss strategy with respect to collective bargaining with the following bargaining units as per M.G.L. Chapter 30A, Section 21(3) – Steelworkers for Supervisors and Clerical, AFT – Library, to ratification Steelworkers Supervisory Contract and to consider approval of Executive Session minutes of April 22, 2015 and May 20, 2015; to return to Open Session to ratify the contract with Steelworkers Supervisory.

The meeting reconvened at 10:58 p.m.

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

VOTED: 4 Ayes; To ratify the contract with Steelworkers Supervisory.

The vote: Mr. Brady – Aye; Mr. Viera – Aye; Mr. Andrade – Aye; Vice Chairman Almeida – Aye. Chairman Parker was not in attendance at the time of the vote.

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

VOTED: 4 Ayes; To adjourn at 11 p.m.

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

Respectfully submitted,

David Andrade, Clerk

Patricia Gamer, Secretary