

BOARD OF SELECTMEN
JULY 1, 2015
REGULAR SESSION

Members Present: David Parker, Nelson Almeida, David Andrade,
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 Chairman. The Board of Selectmen is recording audio and video.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Andrade 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, Property Tax Work-Off Committee, and Zoning Board of Appeals.

JOINT MEETING WITH PLANNING BOARD

Discussion and Vote with Planning Board on the Appointment of a Planning Board Member – Chris Zorra and James Roach

Mr. Cadime advised that Mr. Zorra had withdrawn his name. Atty. Joe Fair rendered an opinion that Mr. Zorra, an elected member of the Housing Authority, would have to make a decision between the two boards. He has decided to honor his commitment to the Housing Authority.

Mr. Cadime stated the Charter requires a joint meeting of the Board of Selectmen and Planning Board to fill the seat vacated by Mr. Viera when he was elected to the Board of Selectmen.

Planning Board members were in attendance. Chairman Neal Abelson motioned, seconded by Mr. Viera, and it was unanimously

VOTED: To appoint James Roach to the Planning Board until April 2016.

Prior to the vote, Mr. Viera asked why he selected the Planning Board since he has a background in finance.

Mr. Roach responded that he checked the boards he felt he could have value.

Mr. Abelson noted that Mr. Roach was a write-in on the ballot.

TRI-BOARD APPOINTMENT (School Committee, Board of Selectmen, Moderator)

Consider the Reappointment, or not, Douglas Brown to Tri-County

Mr. Cadime noted that the vote is from the Board of Selectmen Chair, Moderator, and Chair of the School Committee. Board of Selectmen had no problem with the appointment.

Town Moderator Michelle Hines asked the School Committee Chair if Mr. Brown is attending the Tri-County meetings and reporting back to the Seekonk School Committee.

Mr. Grant said he has only been on the School Committee for a few months. School Committee members have concerns that Mr. Brown is not attending the meetings at Tri-County.

Mr. Brown was not in attendance.

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

VOTED: To table the reappointment of Douglas Brown to Tri-County in order to get more information.

PRIORITY MATTERS

Introduction of John Aubin, III, Town Planner

Mr. Cadime introduced and welcomed Mr. Aubin. In his short time here, Mr. Aubin has been a tremendous asset and an adamant team member.

Mr. Aubin said he is glad to be here. He enjoys working in Town. He felt that Mr. Cadime has a great team in Town Hall, and he is looking forward to being a part of it.

Mr. Almeida thanked him for choosing Seekonk.

Chairman Parker noted that Seekonk is in pretty good shape because previous planning boards had a plan and a vision.

Recommend Conditional Offer of Employment for Veteran Service Officer to James H. LaFlame

Mr. Cadime explained the interview team consisted of Mr. Alexander, Rehoboth's Veterans Agent Jack Taylor, and himself. There were several qualified candidates.

He recommended Mr. James H. LaFlame.

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

VOTED: To extend a conditional offer of employment to James H. LaFlame as Veterans Service Officer, pending background check.

Mr. LaFlame introduced himself to the Board.

Consider Appointments of Benjamin Mello and James Nelson to the Position of Full Time Police Officers

Chief Craig Mace stated that the Board approved conditional offers of appointment on September 4, 2014. Both men have passed testing and background investigation. They will graduate from the academy on Thursday.

He requested they be appointed as of July 2, 2015. They will be presented to the Board in the future.

In response to Mr. Andrade's question, Chief Mace said that Mr. Mello is the son of Det. Charles Mello.

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

VOTED: To appoint Benjamin Mello and James Nelson as Patrolman 3rd class with the Seekonk Police Department.

Consider the Change to the Police Department Hiring Policy: "Elements of Selection Process" Section

Chief Mace requested the change to allow experienced police officers to be eligible for consideration without taking the written exam. Such candidates would still be subject to all other prerequisites including an interview.

Mr. Cadime recommended.

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

VOTED: To change the "Element of Selection Process" to waive the examination for a transfer candidate, but the candidate will participate in all phases of the selection process and will be compared with the then current hiring pool of applicants.

Chief Mace defined experience as academy trained.

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Request from Kiwanis and the Youth and Recreation Committee to hold a 5K and a 1.5K Walk

Beverly Hart and Bridget Garrity were in attendance. Mrs. Hart said it was a repeat of last year.

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

VOTED: To approve the Kiwanis and Youth and Recreation Committee 5K and 1.5K walk on September 27, 2015.

NEW BUSINESS

Discussion on Legal Opinion on the BOS Budget Presented at Town Meeting

Mr. Cadime read a legal opinion from Atty. Lauren Goldberg of Kopelman & Paige. Town Charter addresses Article 7, Section 6, that the Board of Selectmen shall be responsible for presenting the budget at Spring Town Meeting.

Town Moderator Michelle Hines requested a copy of the letter. She suggested the Board of Selectmen budget should be the last column.

Consider Approval of Regular Session Minutes of June 3, 2015

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

VOTED: To accept the Regular Session minutes of June 3, 2015.

OLD BUSINESS

Discussion on Policy for Mobile Food Cart Licensing

Following the last meeting, Mr. Cadime met with Brian Riley of Kopelman & Paige. Ice cream trucks should be licensed in the town or community the vehicle is registered in. The State regulations are specific that they can do that. But, the Board of Health has a right to do inspections.

As far as meal tax, the Department of Revenue requires that sales tax from transit vendors has to go to the town in which the vehicle is registered. If out of state, to the city of town in which the vendor makes the highest sales.

Atty. Riley said that the Board may establish its own regulations with regard to stipulations on just residents. If challenged, the test would be whether the regulations serve a legitimate governmental purpose. The other issue is whether it conflicts with constitutional protection.

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Mr. Brady felt the trucks at Sam's Club right now do not meet the criteria.

Mr. Almeida said there are a lot of business owners that don't live in town.

Chairman Parker noted any licenses granted have been site specific for events.

The Board will adopt a policy that states event and site specific.

Mr. Almeida felt that is not pro business.

Discussion and Vote on Appointing AdHoc Charter Review Committee

Chairman Parker said anybody can form a charter review committee.

Mr. Viera said it is an excellent challenge for the concerned citizens group.

If a committee is not in place before the next town meeting, Ms. Hines said she will put an article to change the composition of the committee.

Mr. Brady suggested that anybody can come before the Board with proposed recommendations which the Board would include in a warrant article.

Mr. John Alves referred to information from the Dept. of Revenue regarding periodic review of a charter by the Charter Committee.

The committee is formed to review the charter and make recommendations to the city or Board of Selectmen. He felt it would be difficult to have a non-appointed body review the charter and submit it by petition for town meeting.

Mr. Brady liked the idea of a mandatory periodic review. He suggested a Board of Selectmen appointment with members at large.

Chairman Parker noted that an AdHoc committee would not be bound by the open meeting law.

Mr. Cadime will check the ruling.

COMMUNITY SPEAKS

Mr. Bill Rice spoke in support of Mr. Lamoureux. He submitted a recap of Mr. Lamoureux's accomplishments over the past eight years.

He said the state law outlines 300 ways the Town can create a charter commission.

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Ms. Hines advised the Finance Committee has two openings. She has one application. The next Finance Committee meeting is on July 14, 2015, at 6:30 p.m. She would like to be on the next Board of Selectmen agenda to make appointments to the Finance Committee. They need to be at seven members.

In response to Chairman Parker's question, Mr. Cadime said he would check to see if there has been a response from the Atty. General's office regarding a permanent building committee.

OTHER BUSINESS

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

None.

TOWN ADMINISTRATOR'S REPORT

Mr. Cadime advised interviews were conducted for building commissioner. The interview team consisted of Mr. Cadime, Bruce Alexander, Diana Faria, John Aubin, Chief Healy and Beth Hallal. The candidate withdrew his name.

The process to regionalize the Veterans Service Officer position is quite lengthy and requires state approval. It seems like Rehoboth might be interested. He will talk to Rehoboth officials.

He thanked Dr. Whalen for inviting him to be the guest speaker at the Martin School 8th grade graduation.

He met with the senior center architect, Mr. Bowden and Mr. Vatcher to clarification some pre-construction documents.

The Grist Mill/Fall River Avenue project will start on Monday. It is a \$2.5M project. The contract was awarded to UEL Contractors from Clinton, MA. The project should be completed by May 2017. Mass DOT requires that all lanes have to be open during construction.

A pre-construction meeting is scheduled for July 7th for the traffic light on Route 44 at the entrance to the public safety complex.

The RFP for the Old Town Hall should be done by the next meeting.

He is waiting to talk to members of the animal shelter building committee.

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BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Viera asked if the name change from Hess to Speedway had come before the Board.

Mr. Cadime will check.

Mr. Almeida congratulated Mrs. Colleen O' Halloran who received the St. Hilaire Community Service award. She is a huge advocate for children.

He got a text message today from the School Department about a \$90 per child fee for school transportation. He found that to be a big disappointment.

Chairman Parker stated the School Committee met the week after Town Meeting and adopted a \$90 transportation fee for students in grades 7 through 12 with a cap of \$250. They also adopted a \$50 per sport athletic fees. These fees have to be paid by August 1. Supposedly they sent out an e-mail or one call. Parents did not receive that until today. A total of \$50,000 for transportation and \$27,000 for athletics will go into the School Department. Parents were told after town meeting and after school let out for the summer. He questioned where this money will be spent.

Mr. Brady wanted to change the application process for talent bank forms. It should be available on line and, when submitted, a copy should go to the Town Administrator and to the Chairman. It is unacceptable that people submitted forms and did not hear anything.

Mr. Cadime said he had told Ms. Rogers to do that. He noted that talent bank forms are available on-line.

Mr. Brady said, as a selectman and parent, he is angry and disappointed in the transportation fee. At no point during the budget process did a member of the School Committee or Superintendent mention the possibility. His willingness to cooperate with that committee has gone down 500% at this point. They never told parents. \$90 may not seem like a lot of money, but it is for some people. Then there is the fee for athletics. He is demanding to know exactly how much it cost to transport a child and how much it cost per sport exactly to the penny.

He doesn't want to see someone come in with an armful of papers and say they can't tell him. He doesn't want to be told "come to my office and I'll get the information for you" because he will leave there and go to Channel 10 or 6 and broadcast it to the world.

He is mad that they did it at this point. They were asked at the Tri-board meeting if they were all set and the answer was "yes." He felt it is incomprehensible not to tell citizens and parents. That is why people hate elected officials.

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Mr. Brady continued that 600 plus students have left this district in the last ten years. The budget has increased \$7.2M in that same time period. This year they gave them \$1.2M and what did they get – user fees for sports and transportation. To him that is ridiculous and mismanagement.

The School Department does not have a revenue problem; it is a spending problem. The money never makes it to the students. Parents get a wish list of items to buy that cost \$220.

He demanded to know where the \$28M plus goes. It is not going to students. He begrudgingly supported the \$1.2M and said he would hold them accountable. He will be at every School Committee meeting from now on asking questions. If needed, he will get on the agenda at every meeting. He demanded to know where the money goes and how much it cost for every sport. The golf team got hats and had to buy everything else.

He will request to have an article on the warrant this fall to remove the \$77,000 or whatever the number is that was raised in these fees. This is a tax. Parents are being taxed without their knowledge. He is not going away.

Mr. Almeida said he spoke to a bus driver two days ago. He asked about the extra fees. The bus driver said they went from 2011 school buses to 2013 buses that are not as good and there wasn't anything wrong with the 2011 buses. The pay increase was from 15 to 20 cents per hour. They no longer use Seekonk drivers for sports and charters. They are getting drivers from New Bedford and Fall River who work at a lesser rate.

Chairman Parker said he got a call from a woman who has two children in high school and one in 7th grade. She is looking at \$270.00 and another \$200 for sports. She has until August 1 to pay.

He asked that sometime in August a phone company representative look at the current system and make a presentation to the Board.

Mr. Brady noted it was supposed to be the best system for \$25,000.

Mr. Cadime said the units are no longer made.

Mr. Saad stated that he specifically asked the School Committee if there were any fees.

At 8:38 p.m. Mr. Brady motioned, seconded by Mr. Viera, to go into Executive Session to discuss the discipline of the Director of Municipal Finance/Assistant Town Administrator per M.G.L. Chapter 30A, Section 21(1), to conduct strategy sessions in preparation for negotiations for Superintendent of Public Works per M.G.L. Chapter 30A, Section 21(3), to conduct contract negotiations with the Superintendent of Public Works per M.G.L. Chapter 30A, Section 21(3), to conduct strategy sessions in preparation for negotiations for Executive Assistant to the Town Administrator per M.G.L. Chapter 30A, Section 21(3), and to consider approval of Executive Session minutes of June 3, 2015; not to return to Open Session.

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

Respectfully submitted,

David Andrade, Clerk

Patricia Gamer, Secretary