

**BOARD OF SELECTMEN**  
**JULY 15, 2015**  
**REGULAR SESSION**

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

Town Administrator: Shawn E. Cadime

Chairman Parker opened the meeting 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, anyone taping the meeting must notify the Chairman. The Board of Selectmen is taping 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, Veterans Memorial Committee, and Zoning Board of Appeals.

**TRI-COUNTY REGIONAL VOCATIONAL TECHNICAL (Vote of the Chairman of the Board of Selectmen, Chairman of the School Committee and Town Moderator**

**Consider the Reappointment, or not, of Douglas Brown to Tri-County School Committee**

Town Moderator Michelle Hines was in attendance.

Mr. Cadime advised that School Committee Chairman Ray Grant had a previous commitment. Mr. Grant indicated that he is comfortable with the appointment based on the information he received from Mr. Brown. In conversations with School Committee members, Mr. Brown had never been requested to attend their meetings, but he would have. Also, Mr. Brown's attendance record at Tri-County meetings is very good. Mr. Grant would be willing to write a letter in support of Mr. Brown's reappoint.

Mr. Brown and his son are both graduates of Tri County and he is chairman of the budget committee.

A motion was made by Ms. Hines, seconded by Chairman Parker, and it was unanimously

**VOTED:** To reappoint Doug Brown to a three-year term on the  
Tri County Regional Vocational Technical Committee.

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## **PRIORITY MATTERS**

### **Introduction of Patrolman Benjamin Mello and Patrolman James Nelson**

Chief Craig Mace introduced Patrolman James Nelson and Patrolman Benjamin Mello. They were sworn in by Assistant Town Clerk Florice Craig.

### **Discussion and Vote on a Change to the Electronic Control Device Policy**

Chief Mace explained this concerns minor changes with regard to use of the TASER.

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

**VOTED:** To approve the change to the electronic control device policy.

### **Consider the Three-Year Reappointment of Ray Grant to the Board of Health**

Mr. Cadime recommended the reappointment. He advised that Mr. Grant would be available for the next meeting.

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

**VOTED:** To reappoint Ray Grant to a three-year term on the Board of Health, as recommended by the Town Administrator.

## **NEW BUSINESS**

### **Vote to Approve the Foregoing Conservation Restriction to the Seekonk Land Conservation Trust on the following parcels: Arcade Avenue Woods and Trail Parcel and Land off Bittersweet Drive**

Mr. Cadime advised that documents were reviewed by Ilana Quirk of Kopelman & Paige and voted by the Conservation Commission.

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

**VOTED:** To approve the Conservation Restriction to the Land Conservation Trust for the Arcade Avenue Woods and Trail parcel.

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

**VOTED:** To approve the Conservation Restriction for the land off Bittersweet Drive.

Documents were signed by the Board and notarized by the Assistant Town Clerk.

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**Discussion and Vote on Contract with STV/DPM Owners Project Manager (OPM) for the Library Facilities Study Committee**

Mr. Cadime advised that the facilities study committee has reviewed all the RFPs and has made a selection for OPM. Town counsel has reviewed the contracts.

Library Director Peter Fuller introduced Allyssa Richards, Secretary of the Library Facilities Study Committee. Chairperson Anne Miller was unavailable.

Mr. Fuller thanked Mr. Cadime who worked with him and the project manager. The project manager prematurely issued a RFQ.

The Town appropriated \$25,000 and the State matched with \$50,000. They have received \$40,000 thus far.

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

**VOTED:** To approve the contract with STV/DPM Owners Project Manager (OPM) in the amount of \$36,200 and authorize the Town Administrator to approve any modifications on behalf of the Board.

**Discussion and Vote on 2015 Year-End Financial Transfers**

Mr. Cadime advised that the Finance Committee approved these at its meeting last night.

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

**VOTED:** To approve the year end transfers (attached).

Prior to the vote, Mr. Viera asked if there was notification that there would be reserve fund transfers prior to the request.

Mr. Cadime said there were some. There is documentation that goes along with that.

Mr. Robert McLintock congratulated Board members on the reappointments made this evening. He said Mr. Brown and Mr. Grant are doing a great job.

Chairman Parker asked when free cash is certified and what the amount of turn backs is from schools and the town.

Mr. Cadime noted there are encumbrances. He should have a solid figure by the next meeting.

Chairman Parker felt the schools turned back over \$200,000.

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Mr. Brady corrected that it was about \$1,300. They prepaid SPED.

### **Discussion and Vote on Board of Selectmen Committee Liaisons**

Mr. Andrade felt it might be helpful to list any liaison committees under “Board of Selectmen Liaison Reports and Comments.”

### **Consider the Approval of Regular Session Minutes of June 17, 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 17, 2015.

### **COMMUNITY SPEAKS**

Bill Mason asked about action on the Conservation Commission issues.

Chairman Parker advised that it passed unanimously as submitted.

Mr. Robert DelRosso referred to comments made at the previous meeting regarding charter and by-law committees.

He said the Town’s Charter definitely needs work. He felt that, since its inception, Boards of Selectmen have not lived up to it or have violated it.

The Town had a very active call fire department that was dissolved by the Board of Selectmen. The method in the Charter was not followed. A lawsuit is ongoing and he has been told it is very expensive. Board members swear to uphold the Charter and by-laws, not to violate or break them.

Very recently he brought up at Town Meeting that the Board of Selectmen is supposed to present the budget at Town Meeting. It’s in the Charter and there is an opinion from town counsel.

Also, the by-laws haven’t been looked at for several years. He quoted from the by-laws that all appointments to committees not made by the moderator within the time limit shall be made by the Board of Selectmen within the next 30 days.

Mr. DelRosso said he realized there is a lack of community involvement. The Board of Selectmen has the authority to do something about that according to the by-laws.

Mr. Brady said there is nobody to appoint. The Board has talked about asking Town Meeting to amend the by-law so that the By-Law Study Committee could be an at-large appointment.

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Mr. DelRosso said there was never a problem appointing people because it was done in political fashion. He felt that going to non-partisan in the Charter destroyed the system that worked for almost 200 years and replaced it with a system that hasn't worked because they tried to take the politics out of politics. He suggested they recognize the mistakes made and correct them. He suggested getting the Concerned Citizens group involved. He is trying to stimulate the Board into a definite action to do something about the Charter and by-laws.

He contended that Mr. Brady modified a by-law when he motioned and the Board voted that the Chairman should get copies of talent bank forms.

Mr. Brady said the system wasn't working. There were many complaints that people waited months to hear after submitting a talent bank form. He felt somebody on the Board should know. It is unacceptable and he wanted accountability as to who was responsible.

Mr. DelRosso said that Category 2A refers to talent bank forms. He commended Mr. Brady for trying and not blaming the moderator.

On another matter, he said appointments have to be made by roll call vote, not a show of hands.

Mr. DelRosso said this Charter stripped the Board of all powers.

He told Chairman Parker that he was wrong when he presented a point of order at Town Meeting and Mr. Parker said it was not well taken.

Chairman Parker referred to opinion from legal counsel.

Mr. Viera said he brought back the suggestion to the Concerned Citizens group. They would be willing to consider taking on that challenge under the condition it be done properly.

Chairman Parker said the Board might form its own ad hoc committee.

Mr. Viera said it needs 1,700 signatures in 90 days.

Mr. Cadime will check with Atty. Goldberg. She is willing to review the charter and bylaws. He thought it would be free of charge.

## **OTHER BUSINESS**

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

None.

### **TOWN ADMINISTRATOR'S REPORT**

Mr. Cadime advised there is a mandatory pre-bid conference on July 29 for the senior center project. There are eight different categories for sub-contractors – due on August 12. General contractor bids are due on September 1.

He said there are several job openings: dispatch, part time secretary in Planning, Building Inspector and later on a part time secretary for the Veterans' Agent.

He has a meeting scheduled for Thursday with the animal shelter building committee.

### **BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

Mr. Viera felt a Human Resource person is sorely needy.

Chairman Parker said it could be an agenda item. He wasn't sure it would be approved at Town Meeting.

Mr. Brady advised that he attended the recent School Committee meeting and talked about the issue he addressed at the Board of Selectmen's meeting.

The School Committee said they had discussed the fees but parents were not notified until after Town Meeting. He said parents are not happy. In the fall, he will propose a warrant article to take whatever funds from the operating budget that will be called an "assessment reimbursement account" provided it is legal. He will check with town counsel. Parents who paid the transportation and athletic fees would be reimbursed from this revolving account. He found out that the money raised will be used to offset salary increases for personnel. It is not justifiable. The assessment is supposed to be used for the cost of the service provided.

He said a \$1.2M (6%) increase for a school district that lost 600 students over ten years with an increase of \$7.2M in their operating budget is a problem. He has heard that enrollment will be stagnant or reduced again next year.

He talked to some parents who told him they would be paying the maximum for their children.

He said it is never a revenue, it is always a spending problem. He intends to look at where the money is going quite in-depth.

In looking at year-end transfers, Mr. Brady asked for justification of the animal control overtime. He thought that 1.5 people cover the off hours.

Mr. Cadime said the animal control officer has not charged for her overtime. She fills in for additional on-call duties.

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

Mr. Cadime will check.

Mr. Almeida talked about a guardian relief fundraiser on Saturday, July 18, from 11 a.m. to 3 p.m. at the Martin School.

Chairman Parker announced that Save-a-Pet would hold a craft fair on September 12, 2015 at the Hurley School. Vendors can rent tables by calling the Town Clerk.

He mentioned that T-shirts can still be purchased at \$15 each to support the K-9 police dog Kilo. The Town Clerk is taking orders.

He asked about the policy on food trucks.

Mr. Cadime said it isn't done.

Chairman Parker asked for an update on energy savings.

Mr. Cadime advised that counsels from different communities are working with SRPEDD to review the documentation. It is getting closer to the next step. There is no specific date when it will happen.

He noted there is a link to SRPEDD on the Town website that provides details.

Mr. Cadime cautioned residents about companies that are pushing solar panels. Some are not meeting building code standards.

Chairman Parker would like to hear from residents who are satisfied.

He had a phone number to call to be placed on a "no call list" for cell phones.

At 8:23 p.m. Mr. Viera motioned, seconded by Mr. Brady, to go into Executive Session to conduct strategy sessions in preparation for negotiations for Superintendent of Public Works as per M.G.L. Chapter 30A, Section 21(3), to conduct contract negotiations with the Superintendent of Public Works as per M.G.L. Chapter 30A, Section 21(3), to conduct strategy sessions in preparation for negotiations for Executive Assistant to the Town Administrator as per M.G.L. Chapter 30A, Section 21(3), and to consider approval of Executive Session minutes of June 167, 2015; to return to Open Session.

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

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The meeting reconvened to Open Session at 10:35 p.m.

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

**VOTED:** To adjourn at 10:36 p.m.

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