

**TOWN OF SEEKONK**  
**NOVEMBER 2, 2016**  
**REGULAR SESSION**

Members Present: David Andrade, Nelson Almeida, David Viera,  
Michelle Hines, David Parker

Town Administrator: Shawn E. Cadime

Chairman Andrade opened the meeting at 7 p.m. followed by the Pledge of Allegiance. A moment of silence was observed in memory of the two police officers killed in Iowa.

This meeting was held at the Seekonk Senior Center, 540 Arcade Avenue, due to early voting in the meeting room at Town Hall.

Chairman Andrade announced that, in accordance with M.G.L. Chapter 30A, Section 20, anybody taping the meeting must notify the Chairman. The meeting did not run live but was taped for broadcast on TV 9 at a later date.

**BOARD AND COMMITTEE OPENINGS UPDATE**

Ms. Hines announced that volunteers are needed on the Board of Health (2 Board of Selectmen appointments), Conservation Commission (3 BOS), Economic Development Committee (1 BOS), Historical Commission (2 BOS), Property Tax Work-Off Committee (2 BOS), Zoning Board of Appeals (1 BOS), Permanent Building Committee (5 BOS), Recreation Committee (1 BOS), Recycling Committee (1 BOS), Finance Committee (1 Moderator).

**COMMUNITY SPEAKS** – None.

At this time the order of business moved to:

**NEW BUSINESS**

**Consider the Acceptance of a Donation from the Kiwanis Club to the Seekonk Fire Department**

Beverly Hart, Beverly DelGrotta, and Edith Krekorian were in attendance representing the Kiwanis Club of Greater Seekonk. Mrs. Hart announced the Kiwanis Club has donated \$4,080 to the Fire Department for the purchase of three computers to be placed in emergency vehicles. This will allow for communication between vehicles at all times.

Chief Michael Healy expressed his appreciation to the Kiwanis Club.

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

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**VOTED:** To accept the \$4,080 donation from the Kiwanis Club to the Fire Department for the purchase of three computers for emergency vehicles.

Mrs. Hart noted the Christmas tree lighting at Town Hall would take place on Thursday, December 1, 2016, at 6 p.m. Santa will arrive by fire truck.

The order of business returned to:

### **PRIORITY MATTERS**

#### **Consider Seekonk Police Department General Order 1.17.1**

Chief Craig Mace stated this concerns the recruitment of special police officers. He requested approval. Mr. Cadime recommended approval.

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

**VOTED:** To approve the Seekonk Police Department General Order 1.17.1.

#### **Conduct a Swearing in Ceremony for Kevin Nagle as a 3<sup>rd</sup> Class Patrolman**

Chief Mace noted a conditional offer of employment was authorized by the Board on May 4, 2016. He requested the appointment. Mr. Cadime recommended the appointment.

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

**VOTED:** To appoint Kevin Nagle as 3<sup>rd</sup> Class Patrolman with the Seekonk Police Department, effective immediately.

Patrolman Nagle was sworn in by Town Clerk Janet Parker. His girlfriend pinned his badge.

#### **Consider Promotion Ceremony for Patrolman Gregory Casper to the Rank of Sergeant**

The police honor guard was in attendance.

Chief Mace introduced Patrolman Casper. He originally started with the police department as a special officer. He left the Town of Seekonk but came back and became a full time police officer. He served as training officer. Chief Mace said he was honored to recommend the promotion to Sergeant.

Mr. Cadime agreed.

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

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**VOTED:** To promote Patrolman Gregory Casper to the rank of Sergeant with the Seekonk Police Department.

Sgt. Casper was sworn in by Town Clerk Janet Parker. His wife pinned his badge.

**Consider the Appointment of Neal H. Abelson to the Position of Local Inspector**

Mr. Cadime recommended the appointment of Mr. Abelson as local inspector. Once he becomes certified, he will be back before the Board for appointment as Building Commissioner.

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

**VOTED:** To appoint Neal H. Abelson as local inspector.

**Consider the Appointment of Amadeus Adam Petronius to Parks and Recreation Committee**

Mr. Cadime recommended the appointment.

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

**VOTED:** To appoint Amadeus Adam Petronius to the Parks and Recreation Committee for a three-year term ending on June 30, 2019.

**Consider the Appointment of Jonathan Schiller, M.D. to the Board of Health**

Mr. Cadime recommended the appointment.

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

**VOTED:** To appoint Jonathan Schiller, M.D. to the Board of Health for a three-year appointment ending on June 30, 2019.

Mr. Cadime recommended that the member of the Board of Selectmen who would be leaving with this appointment continue to be available in case the second member is unavailable. That would be Mr. Almeida.

The order of business moved to:

**LICENSE HEARINGS**

**Consider the Request for a Change of Manager to Teresa Frias for Blazin Wings, Inc., d/b/a Buffalo Wild Wings**

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

**VOTED:** To approve the change of manager to Teresa Frias for Blazing Wings, Inc, d/b/a Buffalo Wild Wings.

She will e-mail her safe serve certification to Mr. Cadime.

Mr. Almeida asked about her citizenship.

She said she has lived here for 31 years and will be getting her citizenship this year.

In response to the attorney's request, the order of business moved to:

**NEW BUSINESS**

**Discussion of Right of Way Permit for County Street Regarding Force Main for the Continuous Care Residency Campus**

Atty. Eric Brainsky, Developer (320 LLC) Charles Tapalian, Chris Pelletier, and DPW Superintendent David Cabral were in attendance.

Mr. Cabral advised the plan was approved at the November 2012 Town Meeting.

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

**VOTED** To approve the right of way permit for a cut at County Street/Mill Street or County Street at the Village Green School for the Continuous Care Residency Campus, under the director of the Supt. of Public Works. The bond is to be in the amount of \$20,000 for the duration of the moratorium plus five years.

Prior to the vote, Atty. Brainsky explained the plan was approved at Town Meeting, but not a specific location. The plan is worst case scenario.

The CCRC development project is located on the Firefly Golf Course. It will be a medical independent care facility, among other things. It will be serviced by a private sewer line connecting into the Greenbrier wastewater treatment facility. His client will have a bond in

place for two years after the moratorium. They are seeking Board approval to open a small section of road along County Street between Mill Road and Howland Street. They will cut and patch approximately 12' swap of road across County Street (worst case) which is currently under moratorium. The sewer line will run along the sidewalk of Arcade Avenue. It would require easements from some neighbors and DEP approval.

Mr. Tapalian said it is all contingent on DEP approval of tying into the Greenbrier sewer plant. Project should start next spring.

Mr. Cabral stated there were lengthy conversations on the impact of cutting the road. He liked the plan for restoration of the roadway.

Mr. Almeida felt this group should have been notified of the moratorium.

Mr. Cabral said no formal notice was given. There was preliminary discussion that there would be work on County Street.

At the request of Mr. Viera, the agreement was for a bond in the amount of \$20,000 for the duration of the moratorium plus five years.

Ms. Hines noted that restoration of the roadways in the two requests for road openings recently approved has been done in a satisfactory manner. She attributed that to the contractor and also to Mr. Cabral's attention.

The order of business moved to:

## **PRIORITY MATTERS**

### **Consider the Approval of Warrant Articles**

Mr. Cadime said that Warrant Article #6 was updated. This was for school roofs. It includes the language for the Mass. School Building Authority for reimbursement funding and the amount has changed from \$800,000 to \$907,500.

He noted that he met with Public Safety – Chief Mace, Chief Healy and Mr. Campbell. He brought up a concern with regard to budgetary expenses with communication; in particular, the radio line item which was budgeted for \$25,000 in FY'17. Significant repairs had to be made so there is only \$9,500 left. There is an immediate need for two additional mobile radios for the Fire Department. The radios had failed in the first four months of FY'17 and are not repairable. One vehicle is without a radio. They want to do multiband channel so the Fire Department can communicate with other departments, especially Rhode Island which isn't done now. He requested the Board consider opening the warrant to increase the radio line item by \$40,000. The money would come from free cash.

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

**VOTED:** To reopen the warrant for the November 28, 2016 Town Meeting.

Chief Healy explained that the Fire Department got a grant in 2004 and replaced all radios. Three of those failed during the summer. They are only good for ten years. The multi-frequency radios are important in order to communicate with other departments.

Mr. Viera suggested going to the Finance Committee for money from the reserve fund for unforeseen circumstances.

Mr. Cadime does not want to leave just \$60,000 in the reserve fund.

Mr. Viera asked if there are any other budgets in trouble.

Mr. Cadime said it would have been better to wait until the radio study was completed; but, unfortunately, these radios failed.

Mr. Parker totally supported putting it on the warrant.

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

**VOTED:** To add Article 12 to the warrant to increase the communication expense by \$40,000 to \$117,550 with the source of funding as free cash.

Mr. Jim Tusino asked what happens if Town Meeting does not fund the radios. He suggested using the reserve and replacing the money at Town Meeting.

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

**VOTED:** To close the warrant.

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

**VOTED:** To include Article 1 (Report of Committees) on the warrant.

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

**VOTED:** To include Article 2 (Transfer \$1M from free cash to stabilization fund) on the warrant.

Mr. Viera will read.

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

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**VOTED:** To include Article 3 (Transfer #500,000 from free cash to Municipal Stabilization fund) on the warrant.

Chairman Andrade will read.

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

**VOTED:** To include Article 4 (Transfer \$500,000 from free cash to the Other Post-Employment Benefits Trust Fund) on the warrant.

Mr. Almeida will read.

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

**VOTED:** To include Article 5 (Appropriate \$200,000 from Municipal Capital Stabilization Fund for townwide integrated telephone system) on the warrant.

Mr. Parker will read.

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

**VOTED:** To include Article 6 (Appropriate \$907,500 for school roofs) on the warrant.

Presented by School Committee.

Prior to the vote, Chairman Andrade wanted to make sure the School Committee would submit an application to the MSBA for funding.

Mr. Cadime said a requirement of the grant application is that the project has to be approved at Town Meeting.

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

**VOTED:** To include Article 7 (Appropriate \$25,000 from Community Preservation Open Space Reserve for the purchase of Benson property) on the warrant.

Presented by Community Preservation Committee.

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

**VOTED:** To include Article 8 (Appropriate \$150,000 for roofs at Seekonk Commons) on the warrant.

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Ms. Hines asked why a state-owned building is requesting money from Seekonk Preservation.

Mr. Tusino, a member of the Housing Authority, said the property is owned by the town but managed by the state. He is a member of the Community Preservation Committee. It is an allowable expense for affordable housing.

Mr. Cadime said the Housing Authority is a separate entity.

Presented by Community Preservation Committee.

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

**VOTED:** To include Article 9 (Amend the FY'17 budget) on the warrant.

Mr. Viera will read.

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

**VOTED:** To include Article 10 (Appropriate \$35,000 from Sanitation Enterprise Fund for the rental of a tub grinder and screener) on the warrant.

This is a recurring cost and will be in the operating budget from now on.

Mr. Parker will read.

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

**VOTED:** To include Article 11 (Library preliminary design) on the warrant.

Presented by Board of Library Trustees.

Mr. Viera felt a representative from the Board of Library Trustees should have been in attendance to explain.

Mr. Cadime said it does not include any funds.

Mr. David Saad, a Finance Committee member, said that ten articles were presented at the quad board meeting.

Mr. Cadime said this had to wait until approved by the Board of Library Trustees.

Article 12 previously discussed.

Mr. Cadime said the warrant was reviewed by legal.



**NEW BUSINESS**

**Consider Establishing a Town Charter Study Commission**

Mr. Cadime advised that currently there is no subcommittee for a study commission. An article was put forth to go to the legislature for establishment of a commission. He has received four or five talent bank forms.

Mr. Parker said the Board can form a charter study committee; but, it can't be a commission based on state law.

Mr. Parker motioned, seconded by Mr. Viera, and it was unanimously

**VOTED:** To form a Town Charter Study Committee with a minimum of five and maximum of eleven members to be placed on this committee through talent bank forms and appointed by the Board of Selectmen. The first round of appointments will be made starting December 1, 2016 and continue to fill the committee up to eleven.

Mr. John Alves wanted to make sure his talent bank form would be accepted if he submitted one.

Mr. Saad distributed copies of a document to Board members. It has to do with the charter commission. Board members did not recall seeing it before.

Mr. Saad has worked on this for a couple of years. Somehow, Rep. Howitt took it upon himself to get legal advice from the State House. There was a difference of opinion – the State said it can't be done as proposed by the Town and legal counsel said it could. A member of Sen. Timilty's staff, who is a representative in Norfolk, did it that exact way. A state representative can go to the legislature and have them vote on giving the Town the right to have an election. The 15% of signatures was not needed.

He tried to reach the lawyer at the state house unsuccessfully. She has not gotten back to him. He wanted to know what she based her opinion on.

He looked back to 1995 when the Town had a charter commission and could not find any evidence that the town had 15% of votes to seat a commission. There were individuals who got 50 signatures to be able to go on the ballot to be elected.

The commission should have the ability to make suggestions to improve the charter and then leave it up to the people.

Mr. Viera understood that the form of government cannot be changed unless there is an elected commission.

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Mr. Parker agreed.

Mr. Cadime noted this passed at Town Meeting and was sent to the State House but missed the legislative cycle. The next cycle begins in January.

Mr. Alves felt the document presented by Mr. Saad should have been identified. It should be referenced in the minutes of the meeting.

Chairman Andrade said it isn't the first time someone handed out a document that people have not seen. Board members agreed.

Mr. Alves suggested waiting until they hear from the state.

### **Discussion on Status of Class II Motor Vehicle Licenses**

Mr. Cadime expressed concern because currently there are 33 Class II motor vehicle licenses. Part of the bond rating is based on economic development and the businesses in town. Part of that is diversification. Some communities have put a cap on the number of businesses. He asked for direction from the Board.

Ms. Hines would absolutely support putting a cap on it.

Mr. Parker is opposed. He felt it is dangerous to exclude businesses from coming into town. He noted the Town has just achieved the second best bond rating possible.

Mr. Cadime said the Town would be negatively impacted when the market adjusts. It impacts the tax title. The reason the Town has gotten the favorable bond rating is because of diversification. It is his job to make recommendations to the Board. There could possibly be 40 or 50 businesses not paying taxes and the bond market will pay attention to this and the bond rating will be lower.

He will talk to the Economic Development Committee to plan and strategize and talk about developing the industrial park area near the new Federal Express complex. They need to have a strategy as to where Seekonk will be in 10 to 20 years from now. These small businesses will not be able to compete with the larger ones.

Mr. Almeida felt it makes sense; but, on the other hand, if some of those go out of business the Town would lose revenue.

Mr. Viera felt it should be only for those who are not doing it as a primary business.

Chairman Andrade would be interested in the Town Planner's thoughts.

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Mr. Cadime will have someone from Planning and Economic Development come to talk to the Board.

**Consider the Acceptance of a Donation from George Hervieux to the Animal Shelter**

Mr. Cadime recommended the Board accept the donation.

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

**VOTED:** To accept the \$50 donation from George Hervieux to the animal shelter.

**Consider the Approval of Regular Session Minutes of October 5, 2016**

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

**VOTED:** To accept the Regular Session minutes of October 5, 2016.

**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 the Annual Report is completed and available on the website. It is at the printer and hard copies will be available at Town Hall.

**BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

**Veterans Memorial Committee Liaison Report**

Mr. Viera advised all bricks should be put in place by Veterans Day. Those that need to be replaced will be ready by Memorial Day. He hoped to see everyone at the ceremonies at the Veterans Memorial Park.

Ms. Hines thanked the members of the Finance Committee, School Committee, and Capital Improvement Committee who met with the Board of Selectmen in a quad board meeting last Wednesday. She got a lot out of it and she hoped they did also. She felt they should meet bi-annually before the town meetings.

She announced the Town Meeting is on Monday, November 28, 2016, at 7 p.m.

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She attended the high school football game on Friday night. It was the first game of the playoffs. Seekonk won it in overtime. It was a great game. She wished them the best at the next game this Friday in Nantucket.

American Recycling Day is Saturday, November 5, at the library. The open house for the Fire Museum is on Saturday from 9 a.m. to 12 noon. Ms. Hines attended the private opening last week. It is fascinating. It might be open once a month on Saturday.

Mr. Parker announced early voting at Town Hall during regular hours until Friday, November 4. It has been busy.

Chairman Andrade talked about the e-mail from a resident requesting the speed limit on Rte 44 be reduced.

Mr. Cadime said the speed limit on state highways is under Mass. DOT. He will send a letter to District Five.

Mr. Viera announced the Christmas tree lighting sponsored by the Kiwanis Club is on Thursday, December 1, 2016, at 6 p.m. Santa Claus will arrive by fire truck.

### **EXECUTIVE SESSION**

At 9:53 p.m., Mr. Almeida motioned, seconded by Mr. Viera, to go into Executive Session to conduct strategy sessions with respect to negotiations with Seekonk Firefighters Union IAFF Local 1932 per M.G.L. Chapter 30A, Section 21(a)(3) and Fraternal Order of Police MASSCOP Local 215 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 and to conduct strategy sessions with respect to pending litigation relative to the United Steelworkers of America Clerical Unit, Lot 16031 as 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; not to return to open session.

The vote: Mr. Almeida – Aye; Mr. Viera – Aye; Ms. Hines – Aye; Mr. Parker – Aye; Chairman Andrade – Aye. Mr. Parker did not participate in Executive Session.

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

