

BOARD OF SELECTMEN
JANUARY 25, 2017
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 and moment of silence.

He announced that, in accordance with M.G.L. Chapter 30A, Section 21(f), anybody recording the meeting must notify the Chairman. The Board of Selectmen is recording via audio and visual.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Viera announced that volunteers are needed on the Board of Health (1 Board of Selectmen appointment), Conservation Commission (3 BOS), Economic Development Committee (1 BOS), Historical Commission (2 BOS), Property Tax Work-Off Committee (2 BOS), Zoning Board of Appeals (2 BOS), Permanent Building Committee (5 BOS), Recycling Committee (1 BOS), Finance Committee (1 Moderator), and Capital Improvement Committee (1 BOS).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Consider the Appointment of Nichole Wheeler to the Position of Assistant Animal Control Officer

Mr. Cadime advised the background check was completed. He recommended the appointment of Ms. Wheeler.

ACO Sharon Hall and Ms Wheeler were in attendance. Ms. Hall recommended the appointment.

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

VOTED: To appoint Nichole Wheeler as Assistant Animal Control Officer, effective immediately.

PUBLIC HEARING

Consider the Request for an Underground Storage Tank License for Speedway Fueling Facility, 1502 Newman Avenue

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

VOTED: To open the public hearing at 7:05 p.m.

Mr. Mark Belanger of Bohler Engineering was in attendance representing the applicant. He stated the existing tanks will be removed and replaced with new storage tanks. The capacity will be 8,000 gallons of diesel and 24,000 gallons of gasoline for a total of 32,000 gallons.

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

VOTED: To close the public hearing at 7:06 p.m.

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

VOT ED: To approve the request for an underground storage tank license for Speedway Fueling Facility, 1502 Newman Avenue.

Prior to the vote, Ms. Hines asked why the application for the license was under the owner and the licenses under other names.

Mr. Belanger explained the license runs with the land.

Mr. Cadime added if it isn't in use for over two years they would have to come before the Board of Selectmen to reapply for the underground storage tanks.

Mr. Viera asked if the chief is all set.

Chief Healy said he received a packet. They are replacing three tanks in the same location. It's been approved and sent back. It needed approval by the licensing board, which is the Board of Selectmen, because it is more than 10,000 gallons of fuel stored.

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

VOTED: To have a single signature on the license.

OLD BUSINESS

Public Update on Compressor Station

Mr. Cadime advised that the Board was invited to attend a meeting at Rehoboth Town Hall on Tuesday, January 17th. That meeting was postponed to February 27, which happens to be Town Meeting in Seekonk.

Mr. Viera added that the Board of Health had voted to send letters to Rehoboth and Attleboro to support their endeavors to stop, or at least put stipulations, on the compressor station.

NEW BUSINESS

Consider Referring the Zoning By-law Amendments to the Planning Board for Public Hearing

Town Planner John Aubin explained there are nine by-law amendments to the Zoning By-law. This is separate and apart from the efforts of the by-law study committee that has been conducting public hearings. These amendments were drafted for the last town meeting but put off. The Planning Board is ready to conduct a public hearing on February 14, 2017.

The amendments are:

Section 1.2 amended to make the Zoning By-law prohibitive versus permission in its interpretation and application;

Section 1.3 amended to correct the definitions of rear and side lot lines;

Section 4.2.4 and 4.2.5 (Amendments 3 and 4) to add the residential zoning districts to the uses tables for business and industrial uses;

Section 6.4.7 amended to correct a citation;

Section 6.7.6.2 and 6.7.6.5 amended to provide for 10 ft. of additional cellular communications tower height where such height is for town communications equipment;

Section 6.8 amended to reintroduce “as of right permitting” language for Solar Photovoltaic Facilities in the Solar Photovoltaic Overlay District and require abutter notification for site plan applications in the SPOD;

Section 6.11 amended to allow for a 120-day review period for projects in the Continuing Care Residency Campus Overlay District.

Consider the Approval of Regular Session Minutes of December 14, 2016

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

VOTED: To accept the Regular Session minutes of December 14, 2016, as submitted.

Consider the Approval of Regular Session Minutes of December 28, 2016

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

VOTED: To accept the Regular Session minutes of December 28, 2016, as submitted.

COMMUNITY SPEAKS

Mr. John Alves of 25 River Street asked about the status of the charter study committee. He was told he could not be sworn in.

Chairman Andrade advised legal forwarded an e-mail requesting an opportunity for further review.

The Board felt it is an ad hoc committee not a commission. Anything brought before the Board would be a suggestion. The attorney seemed concerned about any meetings that would take place. Hopefully, by the next meeting there should be a decision from the attorney.

Mr. Parker said the committee is appointed. However, the Board needs to interview them publicly.

Mr. Cadime explained that it was brought out at the last meeting that the charter or by-law was not followed and that interviews should have been conducted. He recommended the Board rescind the vote and conduct interviews.

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 new fire engine arrived today. There will be a dedication ceremony in the future.

Mr. Almeida suggested it be on a weekend so more people can attend.

Mr. Cadime reported the old town hall has been going back and forth between attorneys. The attorney for the tribe provided the wrong deed.

Atty. Klein is working with the Assessor's office to get proper records. She has sent a letter to the tribe's attorney recommending research on this property.

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The town will not fund this work especially given the fact that a significant amount of money was spent on this property

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS.

Mr. Parker mentioned that Kilo (K-9 dog) is 10 years old today.

Mr. Almeida talked about his trip to the inauguration of President Trump. The experience of being surrounded with thousands and thousands of people was incredible and overwhelming. He also attended the inaugural ball. He met news anchors and actors. He got to see the president and vice president and their families.

Ms. Hines reported that the 21st Annual Taste of the Town is scheduled for Tuesday, March 7, 2017 in the ballroom of the Clarion Inn. Tickets are \$30.

She attended a breakfast at Human Services. They will try to have it once a month from 9:30 a.m. to 11 a.m. You pay for what you order. Bingo is on Thursday afternoons. It is well attended.

Mr. Almeida said he attended the breakfast at Human Services. It is well organized. He inquired about posting the vacant positions..

Mr. Cadime advised the assistant director position is advertised in-house and externally. The part time position is on hold right now.

EXECUTIVE SESSION

At 7:46 p.m., Mr. Parker motioned, seconded by Mr. Viera, to go into Executive Session to conduct strategy sessions with respect to negotiations with the Fraternal Order of Police MASSCOP Local 215 per M.G.L. Chapter 30A, Section 21(a)(3) and Seekonk Firefighters Union IAFF Local 1931 per M.G.L. Chapter 30A, Section 21(a)(3) as having discussion in open session would be detrimental to the litigation or bargaining position of the town and to consider the approval of Executive Session minutes of November 30, 2016 and December 14, 2016; not to return to Open Session.

The vote: Mr. Parker – Aye; Mr. Viera – Aye; Mr. Almeida – Aye; Ms. Hines – Aye;, Chairman Andrade – Aye.

Respectfully submitted,

Prepared by:

David Viera, Clerk

Patricia Gamer, Secretary

