

BOARD OF SELECTMEN
JULY 12, 2017
REGULAR SESSION

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

Absent: 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 advised that, in accordance with M.G.L. Chapter 30A, Section 20(f), any person 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 Capital Improvement Committee (2 Board of Selectmen appointments), Conservation Commission (3 BOS), Economic Development Committee (1 BOS), Historical Commission (1 BOS), Property Tax Work-Off Committee (2 BOS), and Zoning Board of Appeals (1 BOS).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Consider the Appointment of Andrea Russo to the Position of Assistant Animal Control Officer

Mr. Viera left the room prior to discussion.

Mr. Cadime recommended the appointment.

A motion was made by Mr. Almeida, seconded by Chairman Andrade, and it was

VOTED: 2 Ayes; 1 Nay; 1 Abstention; To appoint Andrea Russo as Assistant Animal Control Officer, effective July 17, 2017.

The vote: Mr. Almeida – Aye; Chairman Andrade – Aye; Ms. Hines – Nay; Mr. Viera – Abstained.

Prior to the vote, Ms. Hines recommended the Board not vote on this appointment. In the past members of the Board, including the member who has recused himself, have been adamant about removing members from any votes. She is surprised that this came before the Board. She acknowledged the ruling from the State Ethics Commission that Board members just received.

July 12, 2017

-2-

Mr. Almeida noted that he had previously voted on a similar matter and based on the Ethics Commission he has to be consistent.

Mr. Cadime stated that he requested the Ethics ruling. He does not anticipate any problem but would keep the Board informed.

Consider the Appointment of Tori Turco to the Economic Development Committee

Mr. Cadime said Mr. Harris has done a good job recruiting individuals. He recommended the appointment. Ms. Turco was in attendance.

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

VOTED: To appoint Tori Turco to the Economic Development Committee for a three-year term to expire on June 30, 2020.

Accept the Resignation of Firefighter Aaron Grillo

Mr. Cadime recommended the Board accept the resignation.

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

VOTED: To accept the resignation of Firefighter Aaron Grillo.

Mr. Almeida asked about an exit interview.

Mr. Cadime said they didn't but typically like to do that.

Consider a Conditional Offer of Employment to Adam Dawley as a Firefighter/Paramedic Third Class

Chief Michael Healy advised the hiring process started in March because the Fire Department was down one person. Twenty passed the written and agility tests. All twenty were interviewed.

He requested authorization to extend a conditional offer of employment to Adam Dawley of Warwick RI. He is a licensed paramedic.

Mr. Cadime recommended.

Mr. Almeida asked about him living in Warwick.

Chief Healy said he is within the 15 miles radius.

July 12, 2017

-3-

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

VOTED: To extend a conditional offer of employment to Adam Dawley as Firefighter/Paramedic Third Class.

Consider a Conditional Offer of Employment to Joshua Medeiros as a Firefighter/Paramedic Third Class

Chief Healy advised that he is also a licensed paramedic.

Mr. Cadime recommended.

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

VOTED: To extend a conditional offer of employment to Joshua Medeiros as Firefighter/Paramedic Third Class.

Chief Healy advised that both individuals are looking to move into the area. They are aware of the reimbursement clause.

Review and Discuss Open Meeting Law Complaint Regarding Board of Selectmen's June 28, 2017 Meeting Agenda/Notice and Response to Complaint

Chairman Andrade advised an open meeting law complaint was filed by Patrick Higgins and Associates. It claims that the names of reappointments were not listed on the agenda for June 23, 2017 and also that CAMA was not identified because the general public does not know what that means.

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

VOTED: To refer the open meeting law complaint to legal counsel.

OLD BUSINESS

Discuss Update on Firehouse Museum Requirements

Mr. Cadime advised that Mr. Viara had gone through the ZBA for special permit. The next step on his part would be the Assessor's office to determine whether it is a non-profit or charitable organization. Legal counsel has indicated no further action is required by the Board of Selectmen.

NEW BUSINESS

FY 2017 Year-End Transfers

Mr. Cadime advised that approximately \$860,000 would be transferred into free cash from various departments. The total amount of available free cash would be \$66,836.59. It was approved by the Finance Committee.

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

VOTED: To approve the FY 2017 year-end transfers in the amount of \$860,000.

Consider the Donation of a Pool Table for the Senior Center

Ms. Beverly Della Grotta of the Friends of the Senior Center advised that a pool table and accessories has been donated to the senior by Mr. Bruce Birtwell of Peep Toad Road, Seekonk, MA. He will store the items and transport to the center when ready.

She noted that approximately 2,000 residents and non-residents went through the senior center in June. The dining room area is used for all kinds of activities. She felt it would be nice to have a game room with the pool table and a few tables set up for card games.

Chairman Andrade said it would probably be part of Phase 2.

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

VOTED: To accept the pool table donation to the senior center.

Mr. Almeida thanked Mr. Birtwell.

Mr. Viera thanked Ms. Della Grotta and her organization for all they do for the center.

Consider the Dangerous Dog Seized for Violation of a Prior Order

Mr. Cadime provided an update following the restrictions placed by the Board at the dangerous dog hearing of May 17, 2017. Subsequently, around June 15, one of the dogs was found roaming and was captured by animal control and is now in the possession of the town.

On June 15, 2017, a letter was sent to Nelia Couto, dog owner, giving her seven days to file a petition with the Board of Selectmen to get the dog back. She didn't file the petition. She called to ask to visit the dog.

July 12, 2017

-5-

Animal Control Officer Sharon Hall said it was not a good idea because she was going to bring her elderly father who had just got out of the hospital with her.

Mr. Cadime said Ms. Couto acknowledged receipt of the hand-delivered certified letter.

Legal counsel indicated, pursuant to M.G.L. Chapter 140, Section 157h, the Town is authorized to seize any dog found loose in violation of the Board of Selectmen order. The Town is obligated to notify the dog owner of the seizure and the owner has seven days to respond. The Town can dispose of the dog through the animal control officer, including adoption or euthanizing. It appears the dog owner has abandoned the dog. Several attempts have been made to reach her.

A timeframe was not set for completion of the enclosure. She hasn't shown proof of insurance.

Mr. Cadime noted that, according to legal counsel, the second dog cannot be seized unless running loose.

Ms Hall advised she notified Ms. Couto last Friday of the hearing and she indicated she would attend the meeting.

Mr. Cadime read from the Board of Selectmen order of May 17, 2017.

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

VOTED: That a second hearing be held so the Board can make a finding that the earlier order was not complied with and make a further order pursuant to the conditions outlined in dangerous dog section of Chapter 140, Section 157 ci through vii.

Ms. Hall explained what happened with respect to the dog in the Town's possession. On June 12, 2017, the police were dispatched for an aggressive report. There were children on a trampoline and the dog was barking at them. He knocked one of the children over but not maliciously. The police officer was able to call the dog over and put him in the cruiser. The Assistant ACO brought the dog to the shelter.

Ms. Hall noted the dog is very good with people. He does not like anything furry.

Ms. Couto was notified. She left a message for Ms. Hall that she knew she had the dog, Red. He jumped out the window that she put a chair up against. She didn't know what to say.

Ms. Hall didn't hear from Ms. Couto until June 23, 2017 at 11 50 a.m. That was passed the seven days from when she received the letter. She acknowledged she received the letter hand delivered. She wanted to see the dog. However, Ms. Hall didn't think it was fair to the dog or to an elderly man that just got out of the hospital.

July 12, 2017

-6-

Ms. Couto called again on July 6. She wanted to visit the dog. Ms. Hall notified her of this hearing.

Ms. Couto said it isn't fair to the dog to keep him here and that he is not getting attention and treats.

Ms. Hall noted that the dog goes out several times a day with supervision and gets treats.

Ms. Couto stated the dog didn't hurt anyone.

Ms. Hall reminded her that the goats that were killed were pets. Ms. Couto laughed and hung up on her. She had stated that she did not start to erect the pen.

A motion by Mr. Almeida to have the Animal Control Officer handle the situation of the dog was withdrawn.

Mr. Cadime was concern that a family member might want to adopt the dog.

Mr. Hall would like to contact a rescue in New York that handles this type of breed.

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

VOTED: To have the Animal Control Officer handle the situation with the dog, Red, in the best interest of the dog as per language from the attorney (attached).

Prior to the vote, Ms Hall said the dog has come a long way since he has been at the shelter. But, he needs to go to a rescue.

Board members reviewed the police report.

Mr. Almeida said the dog is beautiful.

Ms. Hall noted that she would transport the dog to the rescue after hours.

Chairman Andrade felt it should be as far away from the owner.

Ms. Hall explained that in this type of rescue the location of the dog is not disclosed.

She added that she had removed a dog from Ms. Couto in the past and she has doesn't know where it went.

Mr. Almeida felt the Animal Control Officer, on behalf of the Town, has been more than fair. Regardless of the breed, it is the owner's responsibility to contain the dog. Ms. Couto was given a second chance. He personally felt the dog was outside. Thankfully, there was no other incident. He is glad to see the dog go to a rescue. He felt it is not the dog; it is the lack of training for this particular breed of dog.

Ms. Hall said this would not have happened with the proper training.

Mr. Viera said the dog could have been euthanized.

Ms. Hall said that might happen if she can't find a rescue. It takes months.

Mr. Almeida offered to drive to the rescue with her.

Consider Approval of Regular Session Minutes of June 14, 2017 and June 28, 2017

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

VOTED: To accept the Regular Session minutes of June 14, 2017 and June 28, 2017.

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 the title attorney for the old town hall has completed the title search. He should have a date for the closing by the next meeting.

He is currently working on negotiations with the architect for the animal shelter.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Veterans Memorial Park Committee Liaison Report

Mr. Viera advised they are still working on placing bricks and repairing others.

He asked why the Town doesn't accept credit card payments.

Mr. Cadime said it can be done on line. He will look into it.

July 12, 2017

-8-

Mr. Viera asked for an update on the unregistered vehicles on School Street.

Mr. Cadime said he will follow up with the building inspector. There was a timeframe.

Mr. Viera noted there was a fourth structure fire this year south of Route 44. That indicates a need for a south station especially with Fed Ex coming into town.

Mr. Cadime said the chief will come before the Board with a plan in August.

Ms. Hines talked about the Salvation Army Family Fun Day on August 12 from 10 a.m. to 2 p.m. behind the Hurley School. There will be many activities – all free. Local businesses are making donations.

Mr. Almeida suggested the fire station on County Street should be demolished and replaced with a HUD house for a low-income family.

Mr. Cadime agreed it is an eyesore.

Mr. Almeida asked for an update on the town hall generator.

Mr. Cadime advised there was a waiting period following Town Meeting. Electrical work has to be done first.

Mr. Almeida said he attended a meeting of the ZBA. He commended members who responded to questions from residents with regard to the Cumberland Farms proposal for Rte. 44.

ADJOURNMENT

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

VOTED: To adjourn at 8:03 p.m.

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

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

