

BOARD OF SELECTMEN
MARCH 22, 2017
REGULAR SESSION

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

Absent: Michelle Hines

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), 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), Capital Improvement Committee (2 BOS), Conservation Commission (3 BOS), Economic Development Committee (1 BOS), Finance Committee (1 Moderator), Historical Commission (1 BOS), Property Tax Work-Off Committee (3 BOS), Recycling Committee (1 BOS) and Zoning Board of Appeals (2 BOS).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Presentation of Check from FM Global for \$3,520 for a Grant for Fire Preplanning Software

Fire Chief Michael Healy, Capt. Michael Bourque and a representative of FM Global were in attendance. Chief Healy advised that Capt. Bourque had applied for the grant.

Capt. Bourque explained that software will be purchased and loaded into the I-Pads on the fire trucks and dispatch. They will be able to load the information while doing inspections of the businesses. It will enable firefighters to have vital information on the buildings enroute to a fire.

Mr. Viera thanked FM Global for the donation. He commended Chief Healy and Capt. Bourque.

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

VOTED: To accept the \$3,520 grant from FM Global for the purchase of fire preplanning software.

Accept a Grant in the Amount of \$3,951 from the Department of Fire Services for the Safe Program

Chief Healy said this is an annual grant for the Student Awareness of Fire Education in the schools. It pays for firefighters who go to the schools and also supplies.

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

VOTED: To accept the \$3,951 grant from the Department of Fire Services for the Safe Program in the schools.

Accept a Grant in the Amount of \$2,596 from the Department of Fire Services for the Senior Safe Program

Chief Healy advised this grant enables firefighters to go into the senior center and provide blood pressure clinics and blood sugar testing and also new smoke detectors. They are in the process of getting pill boxes for the seniors.

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

VOTED: To accept the \$2,596 grant from the Department of Fire Services for the Senior Safe Program.

Accept a Grant in the Amount of \$4,000 from the Department of Public Health for the Mass. Decontamination Unit

Chief Healy advised this grant is to maintain the decontamination unit.

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

VOTED: To accept the \$4,000 grant from the Department of Public Health for the Mass. Decontamination Unit.

Accept a \$3,220 State Emergency Management Planning Grant

Chief Healy advised this grant will enable him to replace old pumps and portable generators with lights.

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

VOTED: To accept the \$3,220 State Emergency Management Planning grant.

Interview Candidates for the Charter Study Committee

Mr. Cadime advised that John Alves, Joyce Levin, and David Saad were unavailable.

Robert Blanchard, 85 Sykes Road; Beth Eklund, 50 Sanctuary Lane; Kyle Laprade, 119 Coyle Drive; and David Sullivan, 16 Ipswich Street responded to questions from the Board.

Mr. Blanchard asked why the Board objected to a commission.

Chairman Andrade said the objection is to the process involved to have a formal commission. The committee will start to work until a commission is appointed.

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

VOTED: To appoint Robert Blanchard to the Charter Study Committee.

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

VOTED: To appoint Elizabeth Eklund to the Charter Study Committee.

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

VOTED: To appoint Kyle Laprade to the Charter Study Committee.

Prior to the vote, Mr. Laprade indicated he is a Seekonk firefighter.

Police Chief Craig Mace stated that he served on the review committee in 2008-2009 and there is no conflict.

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

VOTED: To appoint David Sullivan, Jr. to the Charter Study Committee.

PUBLIC HEARING ON DEPARTMENTAL FEES

Mr. Cadime advised that several department heads are in attendance.

Board of Health Director Jessica Horsman advised the Board of Health had unanimously voted in February to present the increase in fees to the Board of Selectmen. It has been almost 18 years since fees were increased. Food establishment fees were restructured because they were getting multiple bills.

Mr. Viera said that fees were coming in late also.

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Chairman Andrade felt the marijuana establishment fee (\$750) should be at \$2,000 like all alcohol package stores.

Mr. Viera agreed.

Mrs. Horsman said they decided on the \$750 by looking at other areas.

Mr. Almeida felt marijuana and tobacco should be similar.

Mr. Cadime advised the fee for people requesting information is now 5 cents a copy down from 20 cents in accordance with the Freedom of Information law change.

He noted that most changes are rounded to the nearest dollar. New fees were added.

Building Inspector Neal Abelson felt the finished basement fee was too high and should be around \$500.

Mr. Parker said some of the fees are too high. The fees should only cover the costs.

Mr. Cadime said he requested department heads compare the fees with surrounding communities. The employee's time, benefits, etc. have to be incorporated in that.

Last year's trash fee was \$195. The proposed fee is \$209. Large bags are \$1.02 and small bags at 63 cents. No changes on bulky items.

The Enterprise Fund is supposed to be self-sufficient. There is a 2.5% increase every year.

DPW Supt. David Cabral said the retained earnings in the Enterprise Fund are \$151,412.

Mr. Parker questioned the road opening permit. Right now it is \$5 sq. ft.

Mr. Cabral wanted to eliminate that and increase the road opening permit fee to a \$1,500 bond per opening. He felt it should be even higher.

He would like to have a \$5,000 bond for right-of-way opening. He wanted to eliminate the IDDE (Stormwater Management) from the chart because it is the same as Storm Drain System at \$100. It is one fee, one permit.

Mr. Cabral will check to see why dumpster fees are included in the Board of Health and DPW.

Mr. Cadime advised there is an \$85 fee for use of Water Lane for soccer/lacrosse fields.

Town Planner John Aubin III summarized changes proposed by the Planning Board.

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They separated modifications. Definitive fee will increase to \$800. Preliminary plan will remain at \$300. A definitive plan with the preliminary would be \$500. Recording fee should be removed because that responsibility falls with the applicant. Previously, the site plan review was \$25 minimum and \$2 per parking space. It's been broken down by square footage of construction.

For the Police Department, Mr. Cadime said license and permit filing fees will be removed. Fees for reports will be eliminated. Reports should be sent electronically.

For the cemetery, Mr. Cadime said that perpetual care fee for residents will be \$200 and cemetery lot \$600. For non-residents, lots \$800 and perpetual care \$400. Total \$1,200 for non-residents and \$800 for residents.

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

VOTED: To open the public hearing at 8:09 p.m.

Mr. Cabral suggested removing the bulky waste pass fee because it is a duplication of the subscriber fee.

Chief Mace said when they reviewed the by-laws, he helped propose special events and blocking roads and believes it falls under the purview of the Board of Selectmen. He recommended \$10 per day with option to waive the fee for charitable organizations -. Category 27 and 28.

No further comments from the audience.

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

VOTED: To close the public hearing at 8:15 P.M.

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

VOTED: To approve the fees for Animal Control as submitted.

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

VOTED: To approve the fees for the Board of Health with the fee for marijuana establishment set at \$2,000.

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

VOTED: To approve the fees for the Board of Selectmen with the change in special events and blocking roads, as per Category 27 and 28, to \$10 per day with the option to waive the fee for charitable organizations.

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

VOTED: To approve the fees for the Building Department with the change in finished basement fee to \$500.

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

VOTED: To approve the fees for the Collector's Office as submitted.

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

VOTED: To approve the fees for the Conservation Office as submitted.

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

VOTED: To approve the fees for the Department of Public Works with increasing the road opening permit bond or certified check to \$5,000 and eliminating the IDDE (Stormwater Management).

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

VOTED: To approve the fees for the Fire Department as submitted.

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

VOTED: To approve the fees for Parks and Recreation as submitted.

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

VOTED: To approve the fees for the Planning Department with the definitive fee increased to \$800 and the preliminary to remain at \$300. A definitive plan with the preliminary would be \$500. The recording fee eliminated.

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

VOTED: To approve the fees for the Police Department removing the fee for license and incident reports.

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

VOTED: To approve fees for the Town Clerk's office with the change in cemetery fees as follows: cemetery lot \$600 and perpetual care \$200 for residents and cemetery lot \$800 and perpetual care \$400 for non-residents.

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

VOTED: To approve the fees for the Zoning Board of Appeals as submitted.

LICENSE HEARINGS

Consider the Request for an Entertainment License for Rockwell Amusements at 111 Fall River Avenue

A representative from Rockwell Amusements was in attendance. This is an annual event.

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

VOTED: To approve the request from Rockwell Amusements for a license for a carnival from April 14 to 23, 2017 at 111 Fall River Avenue.

Consider the Request for a Change of DBA for The Luxury Box, Inc. d/b/a Charlie's Barbecue, 350 Fall River Avenue – Postponed.

OLD BUSINESS

Continued Discussion and Presentation on Pavement Management Plan

DPW Superintendent David Cabral had a slide presentation on a pavement management plan. He credited the City of Somersworth, New Hampshire where he got the presentation.

The Town of Seekonk has 110 miles of roadway and the replacement value is around \$50M dollars. He said preserving the roads saves money.

Elements of a Pavement Management Plan include: 1 road inventory, 2 road condition, 3 road classification, 4 local repair methods and costs, 5 project prioritization, 6 funding 7 implementation and 8 annual updates to the plan.

The Town spends about \$580,000 per year on the road program. There are different ways to do road inventory. The initial study would cost about \$25,000 to \$35,000.

Mr. Cabral supported going with the pavement management plan.

Mr. Viera asked if he has considered drainage.

Mr. Cabral said storm drainage and coordination with utilities are part of the plan.

NEW BUSINESS

Discussion with Capital Improvement Committee

Members of the CIC in attendance: Keith Tavares, 206 Fairway Drive, Chair; Noah Escaler, 42 Mohawk Drive, Vice Chair; Susan Rutter, 218 Fairway Drive, Secretary; and Erin Broulliette, 45 Taft Street.

Mr. Tavares explained the recommendations submitted for FY 2018. There were a total of 19. They spoke to department heads. They selected 12 but did not rank them by priority.

Mr. Cadime said he would review the recommendations. He thanked Mr. Tavares and members of this committee for their work.

PILOT Program for Solar Project at Fisk Property

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

VOTED: To proceed with the pilot program for solar project at Fisk Property.

Zak Farkes reminded the Board that this item has to be on the town meeting warrant.

Consider the Right of First Refusal on Chapter Land 61B Owned by Douglas Crandall Located at the Corner of Chestnut Street and Hammond Street

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

VOTED: To refer the property to the Planning Board and Community Preservation Committee to expeditiously conduct a review of potential public uses of the site at 61B located at the corner of Chestnut Street and Hammond Street.

Consider the Letter of Engagement from West Group Law, PLLC

Chairman Andrade advised that Pannone Lopes Devereaux & West LLC has split and the attorneys associated with the Town are now with West Group Law PLLC.

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

VOTED: 4 Nays; To consider the letter of engagement from West Group Law, PLLC.

In discussion prior to the vote, Chairman Andrade said he has received several messages from the Planning Board regarding the timeliness of information and the Board of Selectmen has had delays as well. Based on that, he would not consider signing the letter with West Group and

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recommended the Board pursue the second choice firm (KP Law). The firm did not deliver what was promised.

Mr. Viera said he was one of the ones pushing to get another law firm because they were not happy with how the previous firm handled certain items.

Mr. Parker agreed.

Mr. Almeida liked their rates, they had an attorney at town hall twice a month, and the office is nearby, but this firm has not delivered as promised to the Board of Selectmen and other boards as well.

Mr. David Sullivan, who has a pending litigation case, was assured this change would not affect that case. Mr. Cadime said there would be legal representation there.

Mr. Viera felt they should readvertise.

Chairman Andrade said Chapter 30B has several exemptions.

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

VOTED: To inform the West Group they will no longer represent the Town of Seekonk and authorize the Town Administrator and Chairman of the Board of Selectmen to negotiate with KP Law.

Mr. Cadime noted that KP Law is still involved in some pending cases. He felt the fee would be \$185 per hour, up from \$173 and travel charges.

Set Date for Spring Town Meeting

Mr. Cadime recommended May 15, 2017 with the warrant opening today and closing on April 7, 2017. He spoke to the Town Moderator. The high school auditorium is available on that date.

Discussion followed when School Committee member Beth Eklund, 50 Sanctuary Lane, stated that the School Department budget would be voted on April 4. According to the Charter, budgets have to be in 45 days prior to Town Meeting, which would be April 1. The Finance Committee will also meet on April 4.

Chairman Andrade stated that for the last few years they have been trying to move the meeting into the spring. He would expect all departments would have attempted to have their budgets done a little earlier.

Mr. Parker said the intent of having town meeting late in June was to get state numbers.

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Chairman Andrade suggested an agenda item for the first meeting in May to set the date for Fall Town Meeting.

Mr. Almeida suggested June 5, 2017 for the spring town meeting.

Mr. Cadime said the process should not be as difficult as it is. It's done every year. He would be OK with June 5th.

Mr. Viera noted they would violate the Charter if they go forward with the date mentioned.

Chairman Andrade said the solution would be for the School Committee to have an additional meeting prior to April 1 to finalize the budget.

Mr. Cadime assured he would have a balanced budget by April 1.

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

VOTED: 3 Ayes; 1 Nay; To indefinitely postpone and include setting the date for the spring town meeting on the next agenda.

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

COMMUNITY SPEAKS

Mr. David Sullivan, chairman of the bylaw study committee, expressed concern that they did not have a clerk to keep accurate records. He urged the Board to consider funding a clerk or secretary to assist committees.

He felt an independent consultant could make recommendations about a charter study committee or commission.

Mr. Cadime said the Collins Center does that especially for larger municipalities.

Mr. Viera suggested funding for a consultant.

When the Board discussed a town meeting date, Mr. Sullivan said that timelines were set for a reason.

Chairman Andrade clarified that he was saying to have a meeting prior to April 1 to finalize the budget.

Mr. Robert Blanchard asked why the law firm of Pannone Lopes Devereaux & West LLC was selected.

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Mr. Almeida explained the rates were better, there's an office nearby in Providence, and they had an attorney coming to town hall on a regular basis.

Ms. Eklund noted the School Committee did not know when the town meeting would be or they would have met earlier.

Mr. Cadime suggested they set the second Monday in May for Spring Town Meeting.

OTHER BUSINESS

Discuss Other Topics not Reasonably Anticipated by the Chairman 48 Hours Before the Meeting – None.

TOWN ADMINISTRATOR'S REPORT

Mr. Cadime stated it is not in his nature to air out his frustrations. However, he asked Board members to get involved. He is frustrated with certain members of the Finance Committee and their perception of where their role and responsibilities are in terms of the Town Administrator and comments made about some department heads.

He has heard about the old Seekonk and he doesn't want to be part of that based on what he has heard.

He listed accomplishments since he has become town administrator. He tries to be a team player and have open communication. He reached out to members of the Finance Committee in his office only to be told there are no issues and then continue to rant about things.

The boiling point was when the Finance Director came into his office and told him he was chastised because he could not make last night's meeting. He offered to meet on another night. He told them in advance he was unable to make that Tuesday. He does not report to the Finance Committee. He reports to the Board of Selectmen and is accountable to the Board. He has worked on weekends.

He suggested the chairman and maybe another member meet with the Finance Committee to talk about what might be transpiring and how to improve the relationship. He does not want to be put in a position that he and department heads are disrespected.

Chairman Andrade suggested a one-on-one discussion.

Mr. Parker said to include moderator.

Mr. Almeida felt it should be a public meeting.

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Mr. Cadime said he wants to move this forward. There is grandstanding when cameras are on. This could possibly be a detriment to this town. They need to be together in a room and put issues on the table. If they can't reconcile, then maybe they need to talk to the moderator. He is not looking for a rubber stamp from anybody; he wants to get rid of the hostility and attitude.

Chairman Andrade said the issues are from attitude and disrespectfulness.

Mr. Cadime said he will not tolerate that anymore.

Chairman Andrade will try to set up a meeting.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Veterans Memorial Committee Liaison Report

Mr. Viera advised all bricks should be in place prior to the Memorial Day Parade on Saturday, May 27, 2017. The parade starts at 10 a.m.

He asked why some flags were at half staff and some were not. It should be consistent.

He asked if anything is going to be done about the mailboxes knocked over during snowstorms. He also asked if the Building Inspector had checked the School Street property that has unregistered vehicles.

Mr. Cadime will follow up.

Mr. Viera said several cars in his neighborhood were vandalized over the weekend. He urged residents to keep their cars locked and leave outside lights on.

Mr. Almeida suggested using the high school sign to advertise the Spring Town Meeting.

He read a letter from East Providence Councilwoman Anna M. Souza to Chief Healy to commend the EMS team for their prompt and courteous response to mutual aid assistance.

Mr. Viera suggested the digital signs should be used for notification of all town meetings.

Chairman Andrade felt they should talk to Chief Mace who feels people might not pay attention if the signs are overused.

Mr. Almeida raised discussion on the animal shelter. He has heard many comments. He asked if Mr. Cadime has had any questions about the shelter. He felt some residents are targeting Board members and department heads.

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Mr. Parker asked how many years on the debt exclusion.

Mr. Cadime said they looked at 10, 15 and 20 years. At \$950,000, it would be \$13 a year.

Chairman Andrade asked if Mr. Cadime had contacted Comcast with regard to expanding free channels in the area.

Mr. Cadime advised he might have information by Friday or he will request a formal meeting.

Mr. Viera added that he has received complaints about the increase in cost.

Mr. Almeida noted the renewal is 2020.

Mr. Parker said negotiations usually started 18 months in advance.

Chairman Andrade said there was Facebook flurry about the proposed rehab facility at the Firefly location. The applicant withdrew the request and will be coming forward with another request.

He advised the Board had sent letters to the Rehoboth Board of Selectmen and State officials in opposition to the gas compressor station.

EXECUTIVE SESSION

At 10:18 p.m., Mr. Viera motioned, seconded by Mr. Parker, to go into Executive Session to conduct strategy sessions with respect to negotiations with Seekonk Firefighters Union IAFF Local 1931 and Seekonk Public Library Employee Association MLSA, AFT Massachusetts, AFL-CIO 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.

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

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

