

**BOARD OF SELECTMEN**  
**NOVEMBER 1, 2017**  
**REGULAR SESSION**

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

Town Administrator: Shawn E. Cadime

Atty. Joseph Fair from KP Law was also in attendance.

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 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. Almeida announced that volunteers are needed on the Capital Improvement Committee (1 Board of Selectmen appointment), Charter Study Committee (2 BOS), Conservation Commission (2 BOS), Energy Committee (2 BOS), Finance Committee (1 Moderator), Historical Commission (1 BOS), Property Tax Work-Off Committee (3 BOS), and Zoning Board of Appeals (1 BOS).

**COMMUNITY SPEAKS**

Mr. Donald Kinniburgh, 119 West Avenue, talked about what happened with the previous Veterans Memorial Park Committee and the Board of Library Trustees.

Chairman Andrade noted the howitzer is an agenda item.

Mr. Robert Blanchard of 85 Sykes Road stated that he was unable to find agendas and minutes on the website.

Atty. Fair said he found it on the website (page 2).

**PRIORITY MATTERS**

**Consider the Appointment of George M. Piquette, Jr. to the Municipal Capital Improvement Committee**

Mr. Piquette was in attendance.

Mr. Cadime recommended the appointment.

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

**VOTED:** To appoint George M. Piquette, Jr. to the Municipal Capital Improvement Committee to complete a one-year term to expire in June 2018.

**Discuss the Request for Special Municipal Employee Status for the Planning Board**

As a follow up to the previous meeting, Atty. Joseph Fair was in attendance.

He explained that a special municipal employee status to the Planning Board does not allow them to represent anybody else before the Planning Board. The only exception would be if they were representing themselves. Either way, disclosure forms have to be completed.

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

**VOTED:** 4 Ayes; 1 Abstention; That the Board of Selectmen does not entertain the request for special municipal employee status for the Planning Board.

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

**Consider Posting the Open Position of a Secretary in the Planning/Zoning Board of Appeals Department**

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

**VOTED:** 4 Ayes; 1 Nay; To indefinitely postpone posting the open position of a secretary in the Planning/Zoning Board of Appeals Department.

The vote: Mr. Almeida – Aye; Mr. Viera – Aye; Ms. Hines – Aye; Chairman Andrade – Aye; Mr. Parker – Nay. He felt the position should be filled.

**PUBLIC HEARING**

**Public Hearing to Consider an Order to Formally Layout the Roadway Becky Lane in the “Summer Meadows” Subdivision in Accordance with the As-Built Plan and Legal Description by In Site Engineering to Acceptance at the Fall Town Meeting**

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

**VOTED:** To open the public hearing at 7:25 p.m.

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Atty. Matthew Sleprow, representing the applicants, in support of acceptance and lay out of Becky Lane to be added to the Town Meeting warrant in November. All paperwork and necessary items have been completed.

All restrictions have been properly recorded with the Registry of Deeds. Taxes were fully paid. The maintenance fund is not required to be established until the Homeowner's Association is turned over to the lot owners.

One lot owner has complained about puddling. The town planner is in support. There are no unresolved issues which would impede passing of the application.

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

**VOTED:** To close the public hearing at 7:32 p.m.

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

**VOTED:** To put the item on the floor for discussion.

Mr. Aubin stated his memorandum was not a recommendation either way but rather acknowledgement that all documents were submitted. He received an e-mail today that DPW Superintendent David Cabral does not have any concerns. The Planning Board recommends acceptance of Becky Lane be continued to a future Town Meeting.

Mr. Almeida asked about a fire hydrant.

Mr. Aubin said the development was done under rules and regulations prior to his employment with the town.

Chairman Andrade said there isn't any water there.

Mr. Davis, developer, said they exercised the \$5,000 fee in lieu.

Mr. Cadime said that money goes into an account for the Fire Department.

Mr. Almeida said he wants to make sure this area is protected.

Mr. Cadime said the town usually relies on the Rehoboth Fire Department.

Mr. Almeida said he would prefer if Seekonk had a water truck.

Ms. Hines suggested that Mr. Cadime check with the fire chief about what can be done.

Mr. Aubin said the town has a surety of \$15,200.

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Mr. Cabral said he had a problem with the stop sign location and wheel chair ramp area. He is satisfied with corrections.

Mr. Viera questioned the surety in general and whether it is enough or if the town can use it.

Mr. Aubin felt it is the town's decision.

Ms. Hines raised concern about who would be responsible to correct the driveway that has puddling.

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

**VOTED:** To approve the layout for roadway of Becky Lane as submitted.

### **OLD BUSINESS**

#### **Discuss Potential Alternative Location within the Town of Seekonk for the Howitzer Cannon and Review Proposed Final Location at the Veterans Memorial Park for the Howitzer Cannon**

There was a proposed plan developed by the architect for the Veterans Memorial Park. It shows the final placement of the howitzer to the left side behind the memorial.

Mr. Blanchard, a veteran and two children who are vets, said it is wonderful where the cannon is. It is a somber place. It honors those who served and those who are serving our country.

He thought there was going to be a committee of two members from the Board of Selectmen, two from the Board of Library Trustees, and another person.

Chairman Andrade said a committee will be formed later on.

Mr. Tom Benoit of 80 Ferncliffe Road asked when choices were made.

Chairman Andrade said the intent of the Memorial Park Committee was to locate the howitzer at that site. In subsequent meetings between Mr. Durkay, Mr. Cadime and Chairman Andrade they discussed the plan to identify locations for the howitzer. That document was just completed.

Mr. Benoit asked if the town would still be responsible if the howitzer is given to a legion.

Mr. Kinniburgh said he doesn't care where it is placed as long as it is a good home. It is a military cannon and was given to the town to be placed at the memorial.

Ms. Debbie Block of 301 Jacob Street is confused and upset. It feels like the howitzer was accepted as the symbol for this memorial. She finds that tremendously unsettling. She believes

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the symbols we chose say something about who we are and what is important to us. She questioned if Seekonk is a community that honors weapons or that honors the choices we make. She doesn't want to be confronted every day by the horrors of war. It is a symbol of death, destruction and violence. She would love to see a memorial where families can go and see the names of their loved ones. She said she has never been to the memorial.

Mr. Durkay said the Board of Library Trustees voted together to go with what was presented. Individually, they would prefer to see the howitzer somewhere else. They have to work together as a community. He does want to consider other possible sites.

Mrs. Christina McKendrick, 32 Walker Street, is an abutter. She wanted to see the howitzer at a different place. She mentioned zoning issues.

Mr. Parker felt the agreement gives the Board of Selectmen control of The Meadows as well.

Mr. Cadime recommended removing The Meadows and the library from the MOA.

Mr. Durkay said this Memorandum of Agreement is for future clarification.

Mr. Viera felt the MOA has already served its purpose.

The consensus of the Board was 4 to 1 to accept the MOA.

An alternate location for the howitzer will be an agenda item for the next meeting.

Mr. Almeida suggested the town hall location. However, Mr. Viera noted all utilities for town hall run there.

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

**VOTED:** To table alternate location for the howitzer.

Anyone with reasonable suggestions should forward to the Town Administrator.

## **NEW BUSINESS**

### **Recommend and Assign Articles for the Annual Fall Town Meeting**

Article 1 town reports, Chairman Andrade; Article 2 Becky Lane, Mr. Viera (approved); Article 3 dissolve the Library Facilities Committee, Mr. Almeida; Article 4 on-line permitting and license Mr. Viera (approved); Article 5 zoning change for Showcase Cinema Chairman Andrade (approved); Article 6 zoning amendment by Planning; Article 7 feasibility study Mr. Viera;

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Article 8 supervisors and clerical Ms. Hines; Article 9 Stretch Code Chairman Andrade (approved); Article 10 loader for DPW Mr. Parker; Article 11 dump truck for School Department; Article 12 increase for tree budget Ms. Hines; Article 13 removal of asbestos at library Chairman Andrade; Article 14 Charter change Chairman Andrade (3-2); Article 15 Finance Committee Mr. Almeida (3-2); Article 16 funds for cemetery Mr. Parker.

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

**VOTED:** To approve warrant articles as discussed.

**Review and Discuss the Open Meeting Law Complaint dated October 22, 2017 regarding the Board of Selectmen Minutes that were posted without an attached list of all documents used at a meeting and Response to the Complaint filed by Lauren Walsh**

Mr. Cadime explained there is a requirement to list the documents referred to during a meeting. There was a request on September 26, 2017 for a copy of a letter by Stephen Arruda, former chairman of the Veterans Memorial Park Committee. There might have been a reference to Mr. Arruda but nobody had a formal letter.

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

**VOTED:** To forward complaint to legal counsel for response.

**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 paving on Route 6 will start on Monday in the area of Fed Ex for a period of two weeks.

DPW has finished checking Field 1 on Cole Street. Nothing has come up. Will continue with other two fields.

The generator for town hall has been ordered and should be in place by December 1, 2017.

With regard to the purchase of trash bags in the north end, currently working with Price Rite. Speedway is waiting for approval from the corporate office.

**BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

**Veterans Memorial Committee Liaison Report**

Mr. Viera noted the controversy with the howitzer continues. The committee is having problems with the engraver and looking for someone else.

He suggested the hiring of a secretary for the boards and commissions that don't already have one. It will be an agenda item for the next meeting.

He asked about a binding question for the April election on whether the howitzer should be at the Veterans Memorial Park.

Chairman Andrade completely against that. He noted the members of the Board of Selectmen were elected for a reason and this is an item in their purview.

Mr. Parker suggested checking with town counsel. He didn't think the Board of Selectmen could put a binding question on the ballot.

Ms. Hines thanked those who attended the Pasta Fest. It was a great turnout. All monies go toward helping needy Seekonk residents with utilities.

Mr. Viera thanked Mark Chandley at Country Kitchen for the donation of food.

Ms. Hines congratulated the three new Eagle Scouts: Robert J. Gerardi III, Jacob M. Merola, and Richard H. Curzake.

Mr. Almeida congratulated newly-elected Senator Paul Feeney.

He complained about the delay in installing the generator at town hall. It was approved by the townspeople four or five months ago and should have been done within 60 days. Unfortunately, there was a storm on Monday which left the town hall in the dark.

Chairman Andrade reminded residents about the Town Meeting on Monday, November 13, 2017, at 7 p.m.

He asked if the Wampanoag tribe should be reminded that they need to hire an architect familiar with preservation. That would help get them on the National Historical Register.

Mr. Almeida asked for an update on contractors for snow removal.

Mr. Parker said they have been waiting a long time for an updated website.

Mr. Viera suggested that Mrs. Testa should have a town cell phone.

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Mr. Almeida noted there was increased police presence on Halloween night. There were pictures on social media of police officers handing out candy.

### **EXECUTIVE SESSION**

At 9:30 p.m. Ms. Hines motioned, seconded by Mr. Viera, to go into Executive Session to conduct strategy sessions with respect to negotiations with DPW AFSCME Council 93 per M.G.L. Chapter 30A, Section 21(a)(3), Seekonk Public Library Employee Association, MLSA AFT Massachusetts AFL-CIO per M. G. L. Chapter 30A, Section 21(a)(3), and United Steelworkers of America Clerical Unit Local 9517 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; not to return to open meeting.

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

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary



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Items Distributed at the November 1, 2017 Board of Selectmen Meeting

Talent Bank Form for George M. Piquette, Jr. for Municipal Capital Improvement Committee

Advisory from State Ethics Commission re: Special Municipal Employees

Memorandum from Planning Board Chairman David Sullivan, Jr. re: Request Municipal Employee Status

Documentation on Becky Lane from Atty. Matthew D. Sleprow and Town Planner John J. Aubin III

Memorandum of Agreement between Board of Selectmen and Library

Open Meeting Law complaint dated October 22, 2017 filed by Lauren Walsh

Fall Town Meeting Warrant – November 13, 2017