

**BOARD OF SELECTMEN**  
**SEPTEMBER 20, 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 in memory of hurricane victims.

He announced that, in accordance with M.G.L. Chapter 30A, Section 20f, anybody 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 (2 Board of Selectmen appointments), Charter Study Committee (1 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. Charles Beauchamp, 127 Allen Avenue, spoke as a citizen and Energy Committee Chairman. He talked about the importance of having the stretch code on the warrant for the November Town Meeting. People are expecting it. The vote taken for the stretch code is the first step in the process of getting an application for green communities into the State. An energy audit is necessary to come up with a five-year plan for energy conservation. There are companies that will do that but they will not start until the stretch code is voted. He started pushing for this in January 2017. He strongly recommended scheduling a public hearing to get it on the November warrant.

Chairman Andrade said that Mr. Cadime reached out to Seth Pickering. Mr. Pickering sent an e-mail (copy to Mr. Beauchamp), stating the remaining four items can be worked on before adoption of the stretch code.

Mr. Beauchamp said that is in direct contradiction to what he was told by two energy companies.

Chairman Andrade noted that Mr. Pickering cautioned against putting it on the warrant without the appropriate public hearings.

**PRIORITY MATTERS**

**Consider the Appointment of Maria Balboni to the Position of Part-Time Secretary for the Conservation Commission**

Mr. Cadime recommended the appointment effective immediately.

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

**VOTED:** To appoint Maria Balboni as Part Time Secretary to the Conservation Commission.

Ms. Balboni was in attendance.

**Consider the Appointment of Kristen L'Heureux to the Position of Part Time Administrative Assistant for the Town Administrator/Board of Selectmen**

Mr. Cadime recommended the appointment. She currently works in Planning and ZBA.

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

**VOTED:** 4 Ayes; 1 Abstention: To appoint Kristen L'Heureux as Part Time Administrative Assistant to the Town Administrator/ Board of Selectmen.

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

**Appoint and Swear in Edward Oliver III as Probationary Third Class Firefighter/ Paramedic**

Chief Michael Healy advised that Mr. Oliver is aware that as a condition of employment he must become a paramedic. The Chief requested allowing him 36 months to become a paramedic.

He requested and Mr. Cadime recommended the appointment.

Mr. Almeida motioned, Mr. Parker seconded, and it was unanimously

**VOTED:** To appoint Edward Oliver III as Probationary Third Class Firefighter, effective on September 29, 2017.

He was sworn in by Town Clerk Florice Craig. His mother pinned his badge.

**Consider the Appointment of Brad Lucke to the Position of Patrolman Third Class Effective October 4, 2017**

Chief Craig Mace requested and Mr. Cadime recommended the appointment.

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

**VOTED:** To appoint Brad Lucke as Patrolman Third Class, effective October 4, 2017.

Chief Mace said he will be introduced at a subsequent meeting.

**Accept the Donation of a Dog Kennel and Decking Material for Use by Police Canine, Murphy**

Mr. Cadime recommended, Mr. Almeida motioned, Mr. Viera seconded, and it was unanimously

**VOTED:** To accept the donation of a dog kennel and decking materials through the Lowes Heroes program valued at \$800 dog kennel and \$800 decking materials.

**Accept the Donation of Six Cases of Bottled Water from BJs, 175 Highland Avenue**

Mr. Cadime recommended, Mr. Viera motioned, Ms. Hines seconded, and it was unanimously

**VOTED:** To accept the donation of six cases of bottled water from BJs.

**Accept the Donation of \$50 from Stop and Shop 125 Highland Avenue**

Mr. Cadime recommended, Mr. Viera motioned, Mr. Parker seconded, and it was unanimously

**VOTED:** To accept the \$50 donation from Stop and Shop at 125 Highland Avenue.

**Accept the Donation of \$40 from Stop and Shop, 1475 Newman Avenue**

Mr. Cadime recommended, Mr. Parker motioned, Ms. Hines, seconded, and it was unanimously

**VOTED:** To accept the \$40 donation from Stop and Shop at 1475 Newman Avenue.

**Accept the Donation of \$25 from Price Rite, 140 Taunton Avenue**

Mr. Cadime recommended, Ms. Hines motioned, Mr. Parker seconded, and it was unanimously

**VOTED:** To accept the \$25 donation from Price Rite, 140 Taunton Avenue.

The above donations were for the employee appreciation lunch. Board members thanked the stores.

### **NEW BUSINESS**

#### **Consider the Request to Rezone a Portion of the Property Located at 800 Fall River Avenue from “Highway Business/Residential-3” to “Highway Business” and Refer to the Planning Board for a Public Hearing**

Town Planner John Aubin III said he was at a Board meeting in August to discuss this. The Board had asked the Planning Board and Economic Development Committee to look at it. The Economic Development Committee will discuss it at tomorrow’s meeting. The Planning Board reviewed and focused on split zone character of the parcel and surrounding residential development and character of that. They reviewed what had been prepared by the Planning Board which depicted a 100 ft. buffer zone. That is 8.3 acres of property or 1/3 of the full parcel size of 24 acres. It seemed that rather than take 8 acres off the edge it would be better to have reduced buffer but require public open space.

The Planning Board recommended to go forward with a 25 ft. buffer along the side and 50 ft. at the back. The Planning Board will conduct a public hearing at the October 10<sup>th</sup> meeting. They felt it is better to rezone the entire parcel.

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

**VOTED:** To forward the request to rezone a portion of the property located at 800 Fall River Avenue from “Highway Business/Residential-3” to “Highway Business” to the Planning Board for a public hearing with a modified plan of a 50 ft. buffer all around.

Prior to the vote, Ms. Hines said the Board had mentioned a 100 ft. buffer and now it is 25, 25, and 50. There are residents on the east side and rear of the property.

Mr. Aubin noted that reflects the current zoning by-law.

Mr. Viera suggested 50 ft. all around.

#### **Consider the Request for a Proposed Zoning By-Law Amendment to Section 4.2 Use Table and Refer to the Planning Board for a Public Hearing**

Mr. Aubin noted this is somewhat related to the above. Currently, non-residential mixed use is only permitted in industrial district by special permit. It seemed to be updated in 2014. It makes questionable the conforming nature of most of the development in town and on future development of the former showcase.

September 20, 2017

-5-

He prepared a proposed zone change for the land use table which is Section 4.2.4 Business and Commercial Uses Subsection 16 Non-Residential Mixed Use. The Planning Board will conduct a public hearing at the meeting of October 10.

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

**VOTED:** To forward the request for a proposed zoning by-law amendment to Section 4.2 Use Table to the Planning Board for a public hearing.

**Vote on the Maximum Useful Life of the Public Safety Radio Project**

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

**VOTED:** That the maximum useful life of the public safety radio project to be financed with the proceeds of the \$3,016,174 borrowing authorized by the vote of the Town passed June 5, 2017 (Article 16) is hereby determined pursuant to M.G.L. Chapter 44, Section 7(1) to be ten (10) years.

**Open the Warrant for the Annual Fall Town meeting**

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

**VOTED:** To open the warrant as of this date (September 20, 2017) and close on October 13, 2017.

Mr. Almeida suggested notification of the dates be sent to department heads and School Department.

There was discussion about adding the stretch code to the warrant. An informational session could be held prior to Town Meeting. It does not need to be a public hearing.

**Review and Discuss Open Meeting Law Complaint Regarding Board of Selectmen's August 9, 2017 Meeting Agenda/Notice and Response to Complaint Filed by Lauren Walsh**

Chairman Andrade read the letter from Brian Riley of KP Law to Jonathan Sclarsic, Esq., Director, Division of Open Government, Office of the Attorney General, in response to a complaint filed by Lauren Walsh.

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

**VOTED:** To approve and forward the letter (with the correction of Newman Avenue).

**Discussion Regarding Municipal Trash Bags and Vendors Locations**

With the closing of the Benny's Stores, Ms. Hines felt they need another location in the north end to sell town trash bags or to have them at DPW.

Mr. Parker noted the stores do not make a profit on the bags.

Mr. Cadime said that Ms. Hines had a good point of selling the bags at DPW or at town hall.

DPW Supt. David Cabral said he is in contact with Speedway Stores and also Price Rite. He felt it is better to leave the sale of bags with the stores.

**Consider the Approval of Regular Session Minutes of August 23, 2017**

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

**VOTED:** To accept the Regular Session minutes of August 23, 2017, as presented.

**COMMUNITY SPEAKS** – None.

**OTHER BUSINESS**

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

**TOWN ADMINISTRATOR'S REPORT** – None.

**BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

**Veterans Memorial Committee Liaison Report**

Mr. Viera stated that the Board of Library Trustees met tonight to decide the future of the howitzer.

Mr. David Saad recommended the Board consider a warrant article to have the land turned back to the control of the town.

The Board of Library Trustees wants to take a poll on the website regarding the control of the canyon.

Ms. Hines noted that town insurance covers that property.

Ms. Doreen Taylor attended the meeting at the library. The Chairman opened the meeting to the floor. One lady said the howitzer takes away from the peacefulness of the memorial. She didn't

like it next to the library. She considered moving out of town. Another woman said she thought it was a gun issue and didn't belong near the library. One of the trustees said the memorial is a very tranquil place. The presence of the howitzer is a distraction from the true meaning of the memorial. Ms. Taylor somewhat agrees with that. Another person made reference to children climbing on it. She said it seems that people are more against its location.

She explained it was put there as a convenience. The committee has not decided a permanent location. They want to restore and paint the howitzer but don't want to spend money if there is an issue.

The Board of Library Trustees did not make a decision.

Mr. Viera said the Veterans Memorial Committee will discuss the howitzer and also an update on the bricks at its next meeting.

He mentioned that he has been chairman of the Memorial Day Parade for 40 years. He intends to step down following the next parade but he will continue to work with the committee.

He requested an agenda item to discuss the appointment of a Veterans Council.

Mr. Viera announced that he will be a candidate for reelection in April 2018.

He said the sign on Newman Avenue identifying the bridge repairs is on the sidewalk next to Aitken School.

He asked for information about the situation at Ledge Road and Riverview Avenue where the fence is so high it blocks oncoming traffic.

He requested an agenda item to discuss a warrant article for a feasibility study for the south end fire station.

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

Mr. Cabral said he has a vendor to give him a scope of work and three others to provide quotes. He needs to research through National Grid to get exact demand on this building.

Chairman Andrade would like to see the generator in place by winter.

Mr. Parker asked about the animal control project.

Mr. Cadime felt the project is on target.

Mr. Parker suggested the completion of the senior center should be on the capitol improvement list. It is 80% complete. It would help the space situation at town hall.

September 20, 2017

-8-

Mr. Parker announced he is also a candidate in April.

He said, from a personal standpoint, the howitzer should stay where it is.

He wished Kilo, canine officer, a happy retirement. He retired with full honors after three years.

Ms. Hines announced the 10<sup>th</sup> Annual Food for Fuel Pasta Fest on Wednesday, October 25, 2017, from 4:30 to 7 p.m. at Seekonk High School. It is sponsored by Seekonk Non Profit Coalition and benefits the fuel and utility fund of Seekonk Human Services. Tickets are \$10 for adults; children ages 4-12 \$5, and 3 and under free. She has tickets and also the Human Service office.

Mr. Almeida thanked Mr. Cadime, DPW, and Planning for handling the situation of overgrown grass at the BJ Plaza.

He also wished Kilo a happy retirement.

Board members complained because they were not informed of the retirement celebration.

Mr. Cadime assumed responsibility. It was last minute. He has given department heads protocol.

Mr. Almeida said when he sits in on contract negotiations he looks out for the town and employees.

At 8:35 p.m., Mr. Parker motioned, seconded by Mr. Viera, to go into Executive Session to conduct strategy sessions with respect to negotiations with Seekonk Firefighters Union IAFF Local 1931 per M.G.L. Chapter 30A, Section 21(a)(3), DPW AFSCME Council 93 per M.G.L. Chapter 30A, Section 21(a)(3), Dispatch AFSCME Council 93, per M.G.L. Chapter 30A, Section 21(a)(3), and Seekonk Public Library Employee Association, MLSA, AFT Massachusetts, AFC-CIO 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 consider the approval of Executive Session minutes of August 23, 2017; not to reconvene 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



September 20, 2017

-9-

Items Distributed at the September 20, 2017 Board of Selectmen Meeting

Resume for Maria D. Balboni – Part Time Conservation Secretary

Resume for Kristen L’Heureux – Part Time Administrative Assistant to TA/Board of Selectmen

Memo from Chief Craig Mace re: appointment of Brad Lucke and donations from Lowes

Memo from John Aubin III, Town Planner, re: Zoning By-Laws (rezones)