

**BOARD OF SELECTMEN**  
**JULY 16, 2014**  
**REGULAR SESSION**

Members Present: David Parker, Nelson Almeida, David Andrade, Gary Sagar

Absent: Michael Brady

Town Administrator: Shawn E. Cadime

Executive Assistant: Anne P. Rogers

Chairman Parker called the meeting to order at 6 p.m. followed by the Pledge of Allegiance and moment of silence.

He announced that, in accordance with M.G.L. Chapter 30, Section 20, anybody recording the meeting must notify the Chairman. The Board of Selectmen is recording the meeting both audio and video.

**PUBLIC HEARING FOR LIQUOR LICENSES**

**New Seasonal All Alcohol Package Store for Stateline Mart & Smokeshop, LLC, located at 155 Fall River Avenue**

Chairman Parker opened the hearing at 6:01 p.m.

Firas Tayeh, President, was in attendance.

No comments.

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To close the hearing at 6:02 p.m.

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

**VOTED:** To approve the seasonal all alcohol package store license for Stateline Mart & Smokeshop, LLC located at 155 Fall River Avenue.

Mr. Sagar asked how many seasonal all alcohol package store licenses in Town right now.

Ms. Rogers replied none.

Mr. Sagar asked if this one could be converted later on.

Ms. Rogers said they could try but she heard it might not be done anymore.

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**New Seasonal All Alcohol Package Store for Radhi & Dev., Inc., d/b/a Smart Shop Convenience Store located at 417 Taunton Avenue**

Chairman Parker opened the public hearing at 6:07 p.m.

President Sejal Patel and Manager Denise Berube were in attendance.

No comments.

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

**VOTED:** To close the public hearing at 6:08 p.m.

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

**VOTED:** To approve the new seasonal all alcohol package store license for Radhi & Development, Inc. d/b/a Smart Shop Convenience Store.

**New Wine and Malt License to be Drunk on Premises for Ocean Fresh Seafood Market Corp., d/b/a Capt. Jack's Clam Shack located at 17 Central Avenue, Unit 5**

Chairman Parker opened the public hearing at 6:09 p.m.

Mr. James M. Lamonte, Manager was in attendance.

No comments.

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To close the public hearing at 6:10 p.m.

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To approve the wine and malt license for Ocean Fresh Seafood Market Corp. d/b/a/ Capt. Jack's Clam Shack located at 17 Central Avenue, Unit 5.

**Change of Beneficial Interest, Pledge of License and Inventory for Apple New England, d/b/a Applebee's located at 105 Highland Avenue**

Chairman Parker opened the public hearing at 6:11 p.m.

Ms. Rogers explained that this has been approved on the state level as long as it is approved on the individual municipalities.

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

**VOTED:** To close the public hearing at 6:12 p.m.

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

**VOTED:** To approve the change of beneficial interest, pledge of license and inventory for Apple New England d/b/a Applebee's located at 105 Highland Avenue.

### **LICENSE HEARINGS**

#### **Consider Approval of Request from Luxury Box for an Alteration of Premises located at 350 Fall River Avenue – Forward Approval to ABCC**

Postponed until July 30.

#### **Approve of Request for Change of Director for 99 West, LLC located at 821 Fall River Avenue – Forward Approval to ABCC**

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

**VOTED:** To approve the request for change of director for 99 West, LLC located at 821 Fall River Avenue.

#### **Consider Application from Michael Quill to Operate a “Haunted Trail” at Seekonk Speedway from October 1 through November 2, 2014**

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To table until Mr. Quill arrived.

Upon his arrival, Mr. Quill stated that he did it last year and would like to do it again. It will run weekends in October.

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

**VOTED:** To approve the request from Michael Quill to operate a “Haunted Trail” at the Seekonk Speedway from October 1 through November 2, 2014.

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## **PRIORITY MATTERS**

### **Recognize Lt. Martin Ulak on His Retirement from the Seekonk Fire Department**

Chief Alan Jack advised that Lt. Ulak retired as of April 25, 2014. The Chief mentioned that he relied heavily on Lt. Ulak when he first came to Seekonk. Lt. Ulak was responsible for the SAFER program in Seekonk.

Mr. Cadime and board members extended best wishes to Lt. Ulak.

Lt. Ulak thanked the Board for being able to work in Seekonk. He felt it was an honor and pleasure to work here.

### **Appoint Daniel J. Murray Firefighter/Paramedic for the Fire Department followed by Swearing in Ceremony**

Chief Jack introduced Daniel J. Murray. There is a vacancy as a result of Lt. Ulak's retirement.

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To appoint Daniel J. Murray as a Probationary Firefighter/Paramedic as recommended by the Town Administrator and Fire Chief.

Mr. Murray was sworn in by Assistant Town Clerk Karen McHugh.

Chairman Parker noted that the oath has changed. This is the official oath that should be used.

## **NEW BUSINESS**

### **Consider Approval of Request from Kiwanis Club to Conduct a 5K Race and Walk**

Mrs. Beverly Hart and Ms. Bridget Garrity were in attendance.

Mrs. Hart explained that this event will be in conjunction with activities sponsored by the Parks and Recreation Committee. The race will be on neighborhood streets starting and ending at the Martin School.

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To enthusiastically approve the Kiwanis Club request to conduct a 5K race and walk on September 28, 2014.

Mr. Cadime said it had been approved by the Chief of Police.

**OLD BUSINESS**

**Consider the Recommendation for Appointments to the Board of Health, Conservation Commission, Economic Development and Recreation**

As directed at the previous meeting, Mr. Cadime advised he contacted individuals for appointments to the Board of Health and Conservation as to the policy vs. day to day operations of Town Hall. The one person he spoke to stated that she understood the difference between policy and management. He is waiting to hear back from two.

The question on term limits for MCIC has been resolved.

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

**VOTED:** To appoint Keith Tavares and Noah Escaler to the Municipal Capital Improvement Committee for a term to expire on June 30, 2016.

The MCIC still has two openings which are moderator appointments.

Mr. Cadime said that two of the people for the Board of Health have responded that they understand the difference between the policy and day to day activities.

Mr. Robert Delrosso spoke in support of Lauren Walsh. She has been involved in politics and at one time was a member of the School Committee. She spent five years on the Municipal Capital Improvement Committee. She is not a quitter. Her resignation achieved what she attempted to do. Changes were made to the composition of the MCIC. He felt that Ms. Walsh is uniquely qualified for the position on the Board of Health. The problem is personalities.

Mr. Almeida acknowledged that he made that comment. He felt a resignation means to quit.

Mr. Cadime stated that he has no issues with any of the individuals. He felt the appointment of Ms. Walsh would make the Board of Health a more rounded board.

A motion by Mr. Sagar to appoint Ms. Walsh had no second.

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

**VOTED:** To appoint Joann Oliveira to the Board of Health for a two-year appointment until June 30, 2016.

In discussion prior to the vote, Mr. Sagar noted that a town official had resigned. He applied for a board and resigned. He felt it isn't fair to put Ms. Walsh in that same category.

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He said that Ms. Walsh and he have had their differences, but he can certainly put them aside. Ms. Walsh's appointment would be in the best interest of the Town.

He would vote for one of the other candidates but he felt it is a big mistake.

Mr. Andrade said his interaction with Ms. Walsh has been minimal. He does not know her. He personally knows Mrs. Oliveira. He knows her dedication.

Mr. Almeida said he spoke to Ms. Walsh a few days ago. This is nothing personal. He felt the Board of Health needs a person who is in the medical field like Ms. Oliveira.

Mr. Parker said this is a political appointment. He cannot back a person who has filed open meeting law violations against the Board and has called him incompetent three or four times in the last year.

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

**VOTED:** To appoint Peter Amaral to the Recreation Commission for a two-year term until June 30, 2016.

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

**VOTED:** To appoint Nathan Socha to the Conservation Commission for a three-year term to expire on June 30, 2017.

Mr. Almeida requested the Town Administrator get these individuals sworn in and attend a meeting to introduce themselves.

### **COMMUNITY SPEAKS (First Session)**

None.

### **Consider Approval of Request from Save-A-Pet to use Simply Yummie Catering for Their Fundraiser; Forward Request to Board of Health for Permit**

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

**VOTED:** 3 Ayes; 1 Nay; To approve the request from Save-A-Pet to use Simply Yummie Catering for the fundraiser at the middle school on September 13 and/or September 20 (rain date).

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

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Mr. Andrade clarified that he opposed in order to be consistent. As discussed at the previous meeting, there needs to be clarification.

**Approve FY 2014 Year End Transfers**

Mr. Cadime advised that the total amount is \$100,268,95. The FY 2014 total budget was \$44,373,797; general government budget was \$21,917,654. The transfers account for .22% of the total budget and .45% of the general government budget. Forty five percent of these transfers are due to veterans benefits. These were approved by the Finance Committee.

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

**VOTED:** To approve the FY 2014 year end transfers in the amount of \$100,268.95.

Prior to the vote, Mr. Sagar stated he told Mr. Alexander that it seemed the process was inverted. The transfers were made prior to Board approval.

Mr. Cadime said this is a reallocation of the budget. The bottom line has not changed.

Chairman Parker agreed with Mr. Sagar.

Mr. Cadime said they will speed up the process.

Chairman Parker noted that some of the items are payroll. He suggested the Board needs to discuss this in the future.

**Accept, with regret, the Resignation of Esther Harris from the Conservation Department**

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To accept, with regret, the resignation of Esther Harris from the Conservation Department and wish her well.

**Discuss Approval to Proceed with the Advertising for Part Time Position in Conservation**

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

**VOTED:** To approve the request to advertise for the part time position in the Conservation office.

**Vote to Accept \$50,000 Planning and Design Grant for the Library**

A motion was made by Mr. Sagar, seconded by Mr. Andrade, and it was unanimously

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**VOTED:** To accept the \$50,000 Planning and Design Grant for the Library and authorize the Town Administrator to sign.

### **OTHER BUSINESS**

#### **Discuss Other Topics Not Reasonably Anticipated by the Chairman 48 Hours Before the Meeting**

Due to recent action in a neighboring town, Chairman Parker assured that there would not be negative action in Seekonk.

### **TOWN ADMINISTRATOR'S REPORT**

Mr. Cadime advised that he is busy with negotiations and Police Department interviews.

He reminded members of all boards that Kopelman & Paige will provide Open Meeting Law training on Wednesday, August 6, 2014 at 6 p.m. at the Seekonk Public Library.

Chairman Parker asked if Rehoboth officials should be invited.

Mr. Cadime noted that Kopelman & Paige is the Town's counsel; therefore, it might be better to keep it within the Town.

### **BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

Mr. Andrade would like to talk to Mr. Lamoureux about paving some streets. His street was done and it is not smooth right now.

Mr. Cadime will ask Mr. Lamoureux to attend a meeting.

Mr. Almeida stated that he got complaints about signs that are on telephone poles. The previous town administrator had gotten permission to remove the signs from poles. He felt violators should be fined.

He said it has been a month since he first inquired about additional hours at the landfill.

Mr. Cadime said he talked to the building inspector and told him to send letters to all businesses as a reminder of the zoning laws. After a week, there will be fines associated with signs.

Several calls were made to get in touch with the owner about the K9 dog signs. The signs are at Town Hall and the owner will pick them up. The owner was told there would be a fine of \$50 per sign from this day forward.

Mr. Cadime expected the letters will result in more enforcement.

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He has additional concerns about the landfill; concerns about current operations coming from individuals who work there and the public. Once he identifies the issues, he will bring that to the Board.

Mr. Sagar announced that there will be a retirement party for Fire Chief Alan Jack on Saturday, September 27, 2014 at the Ramada Seekonk (former Johnson and Wales).

He asked for a status on the light on Route 44 at the entrance to the Public Safety Complex.

He asked if there was any news on the state budget.

Mr. Cadime said the budget was signed the previous day but he hasn't heard anything. State Representatives feel there isn't any new local aid.

Mr. Sagar stated that he has received several calls for an update on the proposed senior center purchase.

Mr. Cadime advised the project is still ongoing but no new updates.

He announced that the Red Sox trophy will be in Seekonk on Tuesday, August 26. Further information will be forthcoming.

Mr. Almeida stated that, in celebrating its 100<sup>th</sup> birthday, Stop & Shop donated \$1,000 to the Veterans Memorial Committee for the memorial park.

Raymour & Flanigan allowed the veterans to set up in the store to collect donations and sell T-shirts.

Mr. Andrade asked about the two flooding issues they talked about awhile back.

Mr. Cadime said he needs to follow up on that. He will also follow up on the County Street area. The catch basins are clean. Mr. Lamoureux had checked with East Providence. The problem has to be addressed by the State of Rhode Island.

Mr. Sagar said he had a resident complain about some of the state roads.

Mr. Cadime replied that he spoke to Rep. Howitt and Mr. Cabral. Rep. Howitt was going to contact Mass. Highway District Five.

Mr. Cadime advised that he is trying to schedule a meeting with the School Department.

### **COMMUNITY SPEAKS**

None.

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At 7:20 p.m., a motion was made by Mr. Sagar, seconded by Mr. Andrade, to go into Executive Session for discussion on negotiations for the purchase of property located at 442 Taunton Avenue (M.G.L. Chapter 30A, Section 21(6)) and discussion on contract negotiations for the Director of Municipal Finance/Assistant Town Administrator (M.G.L. Chapter 30A, Section 21(2)), which the Chair has determined that an open meeting would be detrimental to the Board position in negotiations; not to return to Open Session.

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

Chairman Parker advised he would not participate in discussion relative to negotiations on the contract for the Finance Director/Assistant Town Administrator.

Respectfully submitted,

David Andrade, Clerk

Patricia Gamer, Secretary