

BOARD OF SELECTMEN
SEPTEMBER 17, 2014
REGULAR SESSION

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

Town Administrator: Shawn E. Cadime

Atty. Joseph Fair was in attendance.

Chairman Parker opened the meeting at 6 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, anybody recording the meeting must notify the Chairman. The Board of Selectmen is recording the meeting both audio and video.

BOARDS AND COMMITTEES OPENINGS UPDATE

Mr. Brady advised that volunteers are needed on the Capital Improvement Committee, Conservation Commission, Cultural Council, Economic Development Committee, Energy Committee, Historical Commission, Property Tax Work Off Committee, and Zoning Board of Appeals. Anyone interested should download a talent bank form or pick one up at Town Hall and return to the Board of Selectmen's office.

The order of business moved to:

OLD BUSINESS

Continued Discussion with Assessors, Board of Health, Conservation, and Planning Board on Revision to Town Charter Article 4, Section 2 and Article 6, Section 6

Chairman Parker explained that the Board thought an agreement had been reached at the last meeting. They asked Atty. Goldberg to codify that agreement and send it down, which she did. Apparently there is still disagreement with some of those boards.

Atty. Fair stated that a few of the town boards have employees that they currently appoint. It has presented managerial and operational type issues in the past. The goal is to have consistency with the day to day operations of these employees under the same umbrella of the Town Administrator. The Town Administrator would not get involved in policy decisions of the individual boards. He would have recognized authority under the Charter to have supervision over the employees.

Atty. Goldberg mirrored what already exists in the Charter for the Town Administrator and Board of Selectmen appointments. Operationally, it makes sense to do that. It gives more clarity to the supervisory role.

Option 1 is the simplest, most straight forward. It replicates the existing Charter language to these positions.

Mr. Almeida said he was disappointed that representatives of those boards were not in attendance.

Mr. Brady asked if the employees that are appointed by the individual boards do not fall under the three-year term provision do they continue until they are terminated, retire or resign. Whereas, those listed under Article 6 have three-year terms.

Atty. Fair said the Board of Health comes under a particular article. As far as other positions that fall outside Article 6, the intention would be to not have different standards for different folks; have them subject to the three-year terms that others have.

Mr. Brady asked what would be the potential downfall of removing that three year provision for employees in collective bargaining units but not for boards and commissions.

Atty. Fair said that would be a policy decision. It currently works with the Board of Selectmen and Town Administrator appointments. The Town Administrator makes a recommendation to the Board of Selectmen and that person is appointed for three years. With respect to discipline, the Town Administrator can do it up to termination.

Mr. Robert Costa of the Board of Health said the discussion at the meeting was that the day to day activities need to be clarified. He feels it should be the responsibility of the Town Administrator. It does not say that Board of Health members can select a candidate if they do not like the Town Administrator's recommendation.

Planning Board Chairman Neal Abelson would prefer a policy as opposed to changing the Charter. He suggested they write a policy that two members of the Planning Board and the Town Administrator would select somebody.

Chairman Parker noted the Town Administrator is not involved in the selection. He is the Human Resource person.

Mr. Bill Barker from the Assessors had a difficult time with the term "recommendation" and using the analogy of the Town Administrator being a Human Resource person. The recommendation should be simply a recommendation. The Human Resource person does not have the authority to pick the person he wants. He said the Town Administrator is put in a role that does not work in terms that the Town Administrator gets the final word.

Mr. Barker said he looked at the history of this. The Assessors has long tenured employees that are very professional and dedicated. There is a good morale among them. He is having a hard time pulling the selection process away from the boards. He felt they need to find a way to let the Town Administrator make a recommendation but it is the board's discretion to go in another way. He questioned what control of the building had to do with improving services.

Chairman Parker said it guarantees continuity and good management. Some Town Hall offices close on Wednesday nights because those boards have said they do not have to open.

Mr. Barker questioned the definition of day to day. He felt they are trying to enforce dual management. There is an issue of protocol with employee performance and management style.

Conservation Commission Chairman Richard Wallace stated that the Commission does not have an issue as to who makes the appointment. The issue was that the Town Administrator did not have the authority to administer the day to day operations because the Board of Selectmen did not make the appointment. According to what was previously discussed, the Board of Selectmen had to make the appointment in order to acknowledge their authority to the Town Administrator to take care of the day to day operations. The Conservation Commission does not have a problem with that. The Conservation Commission should be involved in the hiring and vetting of the employee to be hired and then turned over to the Town Administrator to approach the Board of Selectmen and qualify the employee and turn back to Conservation to make the appointment. However, that does not solve the initial problem.

Chairman Parker advised the Charter change does clarify that.

Mr. Wallace said the Conservation Commission has a little issue with the three area point. Right now, the reappointment is very subjective by an individual. They have no problem with reappointments being made by performance but there is no type of quantification of what the performance criteria would be. They don't have a document that outlines the day to day activities, goals and review process. Reappointments should be based on the person's goals.

Chairman Parker said the reappointment will be subject to an evaluation by the Board.

Mr. Sagar noted that, prior to the election, the Assessors were in complete support of the process. He suggested that the board representatives and Atty. Fair relocate to the Planning office to vent these problems.

Ms. Lauren Walsh stated that she has been following this very closely. The issue of consistency is important. It is very clear the issue is one of co-competency. She had a document from Newton, MA that differentiates the professional technical aspects of the person's role and delineates the internal or Town Hall issues. She will forward the document to Mr. Cadime and chair of all the boards.

Mr. Barker stated that majority of the Board of Assessors do not support this.

PRIORITY MATTERS

Interview Candidates for the School Committee Due to Resignation

School Committee Chairman Mitchell Vieira and members Kyle Rose, William Woods, and Brian Freitas were in attendance.

Six candidates were in attendance. Chairman Vieira had a letter from another candidate who was unable to attend.

Mr. Jeffrey Starr Mararian, 116 West Avenue, said he had already been interviewed extensively by the School Committee. He has a vested interest in the Town and School Committee because his daughter attends Seekonk High School. He felt all candidates were qualified.

He gave an envelope to Mr. Siegel from the Attleboro Sun which contained the outcome of the interviews.

He has two concerns – bullying and safety. He felt the School Department is not up to the level it should be.

Mr. Andrade stated that he was not seeing the same person he saw during the campaign. Tonight he saw a mockery of the process to select a School Committee member. He had an issue with Mr. Mararian's disrespect of the process – taking a minute and a half to tell them how great he is. After the election he offered to meet with Mr. Mararian to get to know him better. He asked if he was serious about this campaign.

Mr. Mararian responded that he was.

Mr. Sagar asked what he would do differently with respect to bullying.

Mr. Mararian said there are not enough consequences. He would have mystery students, teachers, or janitors in the schools who would witness what is going on.

Mr. John E. Dietel of 57 Colt Street, a 16 year resident of Seekonk, has two children in the school system including one in special education. He was impressed with the turnout at the School Committee meeting on Monday. He noticed at the open house that Seekonk teachers seem very excited about their jobs. He wants to give them what they need to educate the children. He has been an attorney for 20 years.

Mr. Woods asked if he would consider running for School Committee.

Mr. Dietel responded he would if he and the Committee were working well together.

Chairman Vieira said he had an exceptional impressive resume.

Mr. Noel Escaler, 42 Mohawk Drive, said he recently ran for School Committee. He has been very vocal about issues. He has a masters' degree in education and an administrative certificate in special education. His daughter is in full day kindergarten. He was an integral part of getting parents to support the pilot program for full day kindergarten. He has created programs to bring students back into the district to save money. He felt there are improvements he could voice concerns and resolutions for.

Mr. Brady asked what would be his two top priorities as a School Committee member.

Mr. Escaler said budget issues and full day kindergarten. He wanted to make sure that more than 25% of the budget goes into special education. He talked about module classrooms.

Dr. Robert J. Gerardi, Jr. Ph.D. of 256 West Avenue has been a Seekonk resident for over eight years. He felt he had the perfect skills to be a pitch hitter. He has been an educator for over 26 years. He is Superintendent of Schools in Maynard, MA. He felt that the budget is the biggest challenge. He knows that Seekonk has high quality programs and he wants to make sure those continue. He is very cautious about long term costs for cities and towns. He would wait until he retires before running for School Committee.

James Ostendorf, Esq. is a proud graduate of Seekonk High School. He has lived in Seekonk for 26 ½ years. He filled a vacancy on the Planning Board in 2013. He has worked as a long term substitute. His focus would be on full day kindergarten, classroom size and the budget process. He would love to run for elected office, but he is not sure it would be the School Committee.

Chairman Vieira read a letter from Robert McLintock who was not in attendance. Mr. McLintock is a former member of the School Committee and Board of Selectmen. He was the Town's representative to Tri County and serves on the advisory committee.

Consider the Appointment of School Committee Member

Five members of the Board of Selectmen and four School Committee members were in attendance. Chairman Parker stated the appointment would go to the first candidate with five positive votes.

Mr. Rose indicated he would abstain from voting for Mr. Gerardi because he endorsed him when he ran for School Committee.

There were no votes for Mr. Mararian. Mr. Dietel got six votes.

A motion was made by Mr. Vieira, seconded by Mr. Freitas, and it was

VOTED: 9 Ayes; To appoint John Deitel to the School Committee for the unexpired term.

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Chairman Parker thanked all the candidates. He said this was one highly qualified group of people.

Chairman Vieira thanked them on behalf of the School Committee. He asked them to run for School Committee in April.

Following a five-minute recess, the meeting reconvened at 7:38 p.m.

Discussion on the Potential of Combined Services for the Town and Schools

Chairman Parker noted that for several years the Board has discussed the possibility of consolidating services with the School Department.

Mr. Sagar said he is looking at combined maintenance, including buildings and grounds and a shared IT director.

Supt. Arlene Bosco advised the merger went through and is working very successfully. They have a person who does networking and technicians who work in town buildings.

Mr. Sagar talked about a Human Resource person. He asked if there is a duplication of clerical positions. With the retirement of the Athletic Director, he asked if there would be any way to combine athletics with the Town's Recreation Commission. He felt they need to look at leases for the North School and Pleasant Street Schools with the possibility of selling those buildings and get them off the inventory. He acknowledged it would take a lot of work. He suggested a subcommittee of two Board of Selectmen and two School Committee members along with the Town Administrator and Superintendent of Schools and their support staff to look into consolidation for more efficient operation.

Mr. Woods cautioned against selling those buildings because the School Department might need more space in the future.

Mrs. Bosco said they gained 30 students this year at Martin and at Aitken as well. Systemwide it is maintained but at different places. More elementary students are moving into town.

Chairman Vieira said they need the facilities especially with full-day kindergarten.

Supt. Bosco said that transportation has to be taken into consideration. There are problems with that right now.

Chairman Parker asked if they will be going before Town Meeting for the redesigned shed at the high school.

Chairman Vieira said it hasn't been discussed.

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Mr. Brady talked about a facilities manager for all buildings.

Chairman Parker noted that several towns in Rhode Island have one finance director for the town and schools.

Chairman Parker asked about the bus coordinator position.

Supt. Bosco said it was cut this year from five to three days and the salary was also cut.

Mr. Almeida said he would not support consolidation of custodians. He felt custodians are like parents. They know all the students. He agreed with shared services for lawn maintenance.

Mr. Sagar talked about human resources.

Supt. Bosco said several people in the School Department do it.

Mr. Cadime said they should try to hire a person who has human resources and purchasing experience.

Chairman Parker suggested that hiring new people is not a cost savings.

Mr. Cadime said it is to identify a need.

Chairman Vieira noted that the Superintendent does the purchasing on the school side. The office manager is a certified MCPPO.

Supt. Bosco said they have people with designated tasks in central office. She wants to make sure that she is judicious and responsive to the town fiscally.

She said some mergers are highly successful and others are not.

Mr. Freitas agreed with Mr. Sagar to establish a subcommittee.

Chairman Vieira advised that the School Committee will appoint two members at the next meeting.

School Committee members adjourned their meeting.

The meeting returned to:

OLD BUSINESS

Consider Discussion with Assessors, Board of Health, Conservation and Planning Board on Revision to Town Charter Article 4, Section 2 and Article 6, Section 6

Atty. Fair advised that they spent time talking about what the ultimate objective is and why from a legal standpoint it is necessary to have the Town Administrator become part of the appointment process and have consistency in the day to day operations.

There is less change in the language in Option 1. Option 2 is similar.

Building off of Option 1, the board members do not have an issue with the Town Administrator making recommendations to the individual boards. The issue is there is no involvement of those boards. They don't have a role in the recommendation. Three out of four would prefer the appointment to come from their own board. They didn't go into specifics.

Atty. Fair told them the Town Administrator needs to be the one who recommends to that full board.

There was an issue about the three-year appointments if grandfathering the incumbents.

The other concern was if under the three-year reappointment what are the criteria for reappointment. There is no performance evaluation or goals and objectives. The main concern is having identified criteria. They are concerned about what "day to day" means.

Atty. Fair felt there is language in Section D that addresses that.

Chairman Parker responded to why these changes are necessary – because of disruption at Town Hall and on the advice of two outside town administrators. The consultant who was hired to assist in the selection of the town administrator indicated that is not how it's done throughout the State.

He wanted to know what kind of performance evaluations these boards have. The Board of Selectmen has been doing that.

Mr. Wallace said the Conservation Commission has duties for the Conservation Agent. He felt they should have goals

Mr. Cadime said there is language in collective bargaining for evaluations.

Mr. Costa said they are not allowed to do evaluations per the union.

Mr. Brady asked if this can be done in conjunction with some kind of by-law or policy that lays out a process for department heads that they will be screened by the Town Administrator and a member of the appointing authority and then brought to the full board.

Atty. Fair said the Town Administrator might welcome having a member of a board that has some expertise

Mr. Wallace said the board would interview and then present names to the Town Administrator.

Atty. Fair said there doesn't have to be restrictions on the process. There should be some recognition of the role the board played in the process.

Mr. Wallace said they would rank the applicants.

Mr. Cadime said he would like to have an interview panel in place.

There should be language that all department heads have to be evaluated every three years for reappointment.

Mr. Almeida said that there is no way he can look at the other department heads in town and say that these four department heads should be put on a pedestal and treated differently. He can't support it unless these four are treated exactly like the others.

He said the morale is not so bad in Town Hall. He pointed to the captains moving up to police and fire chiefs, the DPW Superintendent fighting to keep his job, and the animal control officer concerned about losing her job. He said these four individuals have to learn that they have to work as a team or maybe this isn't the place for them.

Chairman Parker noted that department heads haven't been part of this at all.

Mr. Almeida said these committees are getting feedback from department heads.

Mr. Wallace said the Conservation Agent indicated she has no problem with three-year appointments as long as it is done with documentation and across the board.

Mr. Almeida said it is wrong that these four department heads should get special treatment. He will argue that point at Town Meeting.

Atty. Fair felt he could come back to the Board with some changes that address some of the issues. He wouldn't address the reappointments; there is a provision for that in the collective bargaining

Mr. Cadime said he has an evaluation process.

Mr. Andrade wanted to clarify that the Town Administrator and one or two representatives from a board would review resumes. In no way would a board dictate to the Town Administrator who should be recommended. The Town Administrator will make a recommendation to the respective board.

Mr. Barker indicated he was not on board with that. They need to understand the process.

Mr. Wallace suggested changing the wording to “collaboration or conjunction.”

Further discussion at the next meeting.

COMMUNITY SPEAKS

None.

TOWN ADMINISTRATOR’S REPORT

None.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Mr. Sagar announced that Chief Jack’s retirement party was on Saturday, September 27, 2014. Tickets are available at the fire station or the Town Clerk’s office.

The building committee by-law has been approved by the Library Board of Trustees and the School Committee in draft form. He would like to forward to town counsel. It is a warrant article.

He requested an agenda item for the next meeting to discuss taking some of free cash and applying to the tax rate. Free cash is about \$1.5M.

Mr. Brady said he would rather see a tax rebate.

Mr. Sagar said he would like to do \$800,000 which is 2.5% of the levy limit.

Chairman Parker stated he would never support that. The MCIC has said they need \$5M.

Mr. Brady said there is still a problem at the corner of Cole and Anthony Streets.

Mr. Almeida thanked everyone who participated in the Save-A-Pet Annual Craft Fair.

Chairman Parker announced that the swearing in ceremony for Chief Healy will be held on Sunday, September 21st at 1 p.m. at the Ramada Inn.

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ADJOURNMENT

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

VOTED: To adjourn at 8:20 p.m.

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

Respectfully submitted,

David Andrade, Clerk

Patricia Gamer, Secretary