

BOARD OF SELECTMEN
DECEMBER 30, 2015
REGULAR SESSION

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

Town Administrator: Shawn E. Cadime

Chairman Parker 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, any person recording the meeting must notify the Chair. The Board of Selectmen is recording audio and video.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Viera announced that volunteers are needed on the Board of Health (2 Board of Selectmen appointments), Conservation Commission (3 BOS), Economic Development Committee (1 BOS), Energy Committee (1 BOS), Historical Commission (2 BOS), Property Tax Work-Off Committee (2 BOS), Zoning Board of Appeals (2 BOS), Permanent Building Committee (5 BOS), Finance Committee (1 Moderator), and Veterans Memorial Park Committee (2 BOS).

PRIORITY MATTERS

Consider Appointment of Thomas Desserres to the Position of Full Time Public Safety Dispatcher – Probationary

Communications Director Chris Campbell requested the appointment of Mr. Desserres. Mr. Cadime agreed.

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

VOTED: To appoint Thomas Desserres as full time public safety dispatcher – probationary.

Chairman Parker noted he had a very impressive resume.

Consider a Recommendation to Promote Patrolman Sean Dowd to the Rank of Sergeant

Chief Craig Mace advised that promotional exams were conducted on November 6. There were six candidates. Interviews were held on December 14 and per collective bargaining three top candidates were presented. The top scorer did not want to be promoted at this time.

Chief Mace recommended the promotion of Patrolman Sean Dowd. Mr. Cadime concurred.

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

VOTED: To promote Sean Dowd to the rank of Sergeant with the Seekonk Police Department.

The promotion ceremony will occur at the meeting of January 13, 2016.

Consider the Appointment of Kristian D. White to the Position of Building Inspector

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

VOTED: To postpone the appointment until January 13, 2016.

Consider the Appointment of David Cabral to the Position of DPW Superintendent

Mr. Cadime advised that Mr. Cabral has been serving as Interim Superintendent. He has brought refreshing ideas to the department. He recommended the appointment.

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

VOTED: To appoint David Cabral as DPW Superintendent, pending contract negotiations.

Mr. Almeida noted that employees were in attendance to show their support for Mr. Cabral.

Chairman Parker said this is a well-earned and well-deserved promotion.

Mr. Cabral expressed his appreciation to the Board.

Consider the Appointment of Bridget L. Garrity to the Position of Senior Secretary to ZBA/Planning Board

Mr. Cadime recommended the appointment. Ms. Garrity is currently Recreation Director.

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

VOTED: To appoint Bridget L. Garrity as senior secretary to the ZBA/Planning Board.

Mr. Almeida said it is well deserved.

Chairman Parker said there should have been a full time position in Parks and Recreation because she was so good at it.

Consider, with regret, the Acceptance of Beth M. Hallal's Letter of Resignation as Health Agent

Mr. Cadime recommended the Board accept the resignation with regret.

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

VOTED: To accept, with regret, the letter of resignation of Beth M. Hallal as Health Agent.

Prior to the vote, Chairman Parker felt department heads should give more than two weeks notice. He doesn't begrudge her getting another job.

Mr. Brady said the part-time person in that office will be able to keep that office going until there is a replacement. He noted it is fortunate that two members of the Board of Selectmen are currently serving on the Board of Health

Mr. Cadime said the position will be posted immediately.

Mr. Viera asked about a rumor that another member of the Board of Health will be resigning.

Mr. Cadime said it has not been confirmed.

Consider the Renewal of the MunEnergy Electricity Contract

Mr. Cadime advised this is through the Mass. Municipal Association. The rate is locked in at about 9 cents per kilowatt hour for 48 months.

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

VOTED: To renew the MunEnergy Electricity contract and authorize the Town Administrator to sign.

NEW BUSINESS

Consider the Approval of the December 2, 2015 Minutes

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

VOTED: To accept the Regular Session minutes of December 2, 2015.

OLD BUSINESS

None.

COMMUNITY SPEAKS

Mr. Donald Kinniburgh said he has had an application in for the Veterans Memorial Park Committee for about six months and hasn't heard.

Mr. Cadime advised that Mr. Kinniburgh was interviewed. Mr. Velardo was appointed to the committee. The talent bank process has always been the same. The form is scanned to the Board of Selectmen. If it is a moderator appointment, she will receive the same scan.

OTHER BUSINESS

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

In accordance with M.G.L., the Chairman has authority to add the following to the agenda. It concerns a used car business that did not have its license renewed and will expire tomorrow night.

Atty. Paul Lemont was in attendance representing Randy Romanoff of Steve's Sunoco, located at 1045 Fall River Avenue. A \$100 check was sent in and cashed. About a week ago, Mr. Romanoff got a notice that the license was not going to be renewed. There was no prior meeting or notice. There was no due process. He wanted to know how to resolve this problem. There is a restriction of five cars. Because he runs a used car sales business and also a repair business, he was under the impression that the five cars pertained only to the sales business. There are cars on the lot that might take days to repair. They would agree if the Board wanted to change those numbers.

Chairman Parker said the paperwork says three cars.

Mr. Lamont said the one he has says five used cars for sale. If the number is five total, they can live with that.

Chairman Parker understood the owner also owns a used car lot about half a mile away that has about 35 or 40 cars on it. Two or three of those cars are put at the station.

He noted there is no advance notice as to how the Board would vote when renewing licenses.

Mr. Andrade suggested he can move some of those cars to the other lot.

Atty. Lemont said Mr. Romanoff is in the process of negotiating to buy a larger place where those cars could be stored. That would solve the problem. The other business is owned by his son-in-law.

Mr. Andrade said there was a complaint of too many vehicles in May 2014.

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Mr. Cadime advised there are two different violations - vehicle violations and illegal signs violations.

Atty. Lemont said Mr. Romanoff is willing to cut back on the number of cars there. He will be out of business in two days.

Chairman Parker noted many of the cars on the lot had no plates. It's difficult to determine what cars are for sale or repairs.

Mr. Viera said the Planning Board had ruled no more than five cars total – three for sale and two for repairs.

Chairman Parker stated if the Board grants a license for five unregistered vehicles all others must be registered.

Atty. Lemont said that would be acceptable.

Mr. Almeida noted this happened last year around the same time. Majority of the Board voted in favor of the business owner. One member opposed. In October 2015, there were nine unregistered cars and the owner promised to remove some vehicles. Sixty days later, there are 12-14 unregistered vehicles. He stands by his decision not to renew.

Chairman Parker noted the Board had voted not to renew the license. It would now require a motion to rescind that action.

Atty. Lemont said he does not want to go to court to seek a stay.

Mr. Andrade said the Board has not indicated what is going to happen and Atty. Lemont is making a threat to go to court.

There was no second to a motion by Mr. Brady to rescind the previous vote.

Atty. Lemont said they are pro business in Seekonk.

TOWN ADMINISTRATOR'S REPORT

None.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

School and Town Consolidation Committee Report – None.

Veterans Memorial Committee Liaison Report (Michael Brady and David Andrade)

Mr. Viera said that trees will be removed.

Board members extended best wishes for a Happy and Healthy New Year. They looked forward to 2016.

Chairman Parker advised the conversion from National Grid will begin on January 6, 2016. The new rate is 9.4 cents per kilowatt.

At this time, Mr. Lemont asked for reconsideration. He wanted Mr. Romanoff to speak.

Mr. Cadime stated that Roberts Rule of Order allows for one reconsideration.

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

VOTED: To allow Atty. Lemont and Mr. Romanoff to speak on the reconsideration of the license for Steve's Sunoco.

Mr. Romanoff said he bought the station three years ago. All the violations have nothing to do with him. He took the license to operate the auto sales and repairs. The cars parked on the lot are waiting for repairs. He has three or four cars that belong to other dealers. He will not repair any more dealer cars.

The auto sales is the only thing keeping him going.

Mr. Viera said he was on the Board when the license was first granted. Mr. Lemont made the same arguments he is making tonight. There were two violations then and Mr. Romanoff didn't comply with the building officials. He would reconsider if Mr. Romanoff would indicate in writing to have no more than five cars and the license would be revoked if there was a violation.

Mr. Lemont said he would agree if the language stated Mr. Romanoff would be called before the Board of Selectmen.

Mr. Brady said notice and a hearing have to happen before any government action can be taken. He suggested Mr. Romanoff get repair plates through the Registry of Motor Vehicles.

Mr. Viera said the concern in 2008 was the size of the lot – need to keep number of vehicles to a minimum.

Mr. Brady said it would be up to Zoning to determine how many vehicles can be on that property.

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Mr. Brady said the Zoning Enforcement Officers need to make sure all businesses are in compliance with their license and if not send them notification that there will be a hearing.

Chairman Parker said he understands where they are coming from and the Board does as well. Once again, it would require a vote for reconsideration.

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

VOTED: 4 Ayes; 1 Nay; To reconsider the vote taken at the last meeting and vote on issuing a license for Steve's Sunoco with affirmative stipulations.

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

Mr. Viera told Atty. Lemont he would get a call if there are any violations.

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

VOTED: 4 Ayes; 1 Nay; To renew the Class II motor vehicle license with the stipulation that there are no more than five unregistered cars on the lot at any time.

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

Mr. Almeida noted this is the same discussion as last year.

Prior to the vote, Mr. Andrade wanted assurance that they are all in agreement that if the Building Inspector finds a violation, Mr. Romanoff would come before the Board for a hearing which could result in suspension of the license.

Mr. Brady suggested they need a policy that quarterly inspections should be done.

Mr. Viera said he does not want to put Mr. Romanoff out of business.

Mr. Cadime felt the message has been clearly received. He told the business owner that quarterly and unannounced inspections would be done.

Chairman Parker announced there are several positions available for the upcoming election in April. The Board of Assessors has one opening, Board of Selectmen - one, Housing Authority - one, Library Board of Trustees - three, Planning Board - one five-year term and one two year term, School Committee – two, and Water Commission – one. Fifty signatures are required on nomination papers.

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The Chairman stated that the vacant positions in Town Hall have to be filled.

EXECUTIVE SESSION

At 8:09 p.m., a motion was made by Mr. Viera, seconded by Mr. Brady, to go into Executive Session to conduct strategy sessions with respect to negotiations with the Superintendent of Public Works as per M. G. L. Chapter 30A, Section 21(3); not to return to Open Session.

The vote: Mr. Viera – Aye; Mr. Brady – Aye; Mr. Almeida – Aye; Mr. Andrade – Aye; Chairman Parker – Aye. He will not participate in negotiations.

Respectfully Submitted,

David Andrade, Clerk

Patricia Gamer, Secretary