

**Board of Selectmen
Open Meeting of February 15, 2023
Seekonk Town Hall, 100 Peck Street
BOS Meeting Room**

Members Present: Justin Sullivan, Chris Zorra, Adam Petronio, David Andrade, Michael Healy
Town Administrator: Shawn E. Cadime

Chairman Sullivan opened the meeting at 6:00 p.m.

Board and Committee Openings

M. Healy read the Board and Committee vacancies into the record.

Community Speaks –

Mike Gilligan, Seekonk Firefighter, spoke in favor of Corey Gagne (item A of the agenda).

A. Consider the Conditional Offer of Employment for Corey Gagne to the position of Truck Driver/Laborer

Superintendent Dave Cabral summarized Mr. Gagne's work experience. He has woodworking experience, and worked and trained employees on all types of tree work. He is certified in OSHA 10 and electrical hazard awareness, and has woodworking experience.

Mr. Cadime stated his recommendation was as stated by Superintendent of Public Works.

A. Petronio made a motion to appoint Corey Gagne to the position of Truck Driver/Laborer with the Department of Public Works subject to and conditioned upon his successful passage, as determined by the Town Administrator, of a pre-employment background and CORI check, physical examination, drug screening, obtainment of a Class B CDL within one year from date of hire, and completion of all pre-employment paperwork; it was seconded by M. Healy, and it was unanimously approved.

Vote: 5-0 all in favor

B. Consider the Conditional Offer of Employment for Nathan Kowalski to the position of Truck Driver/Laborer

Superintendent Dave Cabral stated Mr. Kowalski has home improvement and plumbing experience, and has assists with heavy equipment operations.

Mr. Cadime stated his recommendation was as stated by Superintendent of Public Works.

A. Petronio made a motion to appoint Nathan Kowalski to the position of Truck Driver/Laborer with the Department of Public Works subject to and conditioned upon his successful passage, as determined by the Town Administrator, of a pre-employment background and CORI check, physical examination, drug screening, obtainment of a Class B CDL within one year from date of hire, and completion of all pre-employment paperwork; it was seconded by M. Healy, and it was unanimously approved.

Vote: 5-0 all in favor

C. Consider the Conditional Offer of Employment for Ryan Burke to the position of Full-Time Emergency Telecommunications Dispatcher

Director Donna Wunschel stated Mr. Burke currently works as the Fire Chief's Administrative Assistant and has an understanding of public safety communications functions. Ryan has been an exemplary employee and has proven himself a valuable member of the team.

S. Cadime stated his recommendation was as stated by Director Wunschel.

A. Petronio made a motion to appoint Ryan Burke to the position of full-time public safety Dispatcher for the Communications department subject to and conditioned upon his successful passage, as determined by the Town Administrator, of a psychological evaluation and successful completion of all required certifications to be a 911 telecommunicator for the Town; M. Healy seconded, and it was unanimously approved.

Roll Call Vote: 5-0 all in favor

D. Consider the Conditional Offer of Employment for Mitchell Dudley for the position of Patrolman 3rd Class

Chief Enos requested a conditional offer of employment of Mitchell Dudley. Mr. Dudley will be a lateral transfer from North Carolina. This is a budgeted position.

S. Cadime stated his recommendation was as stated by the Chief Enos.

A. Petronio made a motion to appoint Mitchell Dudley to the position of full-time Police Officer for the Police department subject to and conditioned upon his successful passage, as determined by the Town Administrator, of the following: 1) Completion of a satisfactory background check; 2) Physical Examination, with drug screening; 3) Psychological Screening; 4) Execution of the Recruit Officer repayment agreement; 5) MPTC Physical Fitness test; 6) Obtain and maintain a Massachusetts License to Carry; 7) Fulfillment of all statutory requirements set forth by the Peace Officer Standards and Training Commission to become a Certified Law Enforcement Officer; 8) Successful verification of the National Decertification Index; 9) Successful passage of the civil service physical ability test; 10) Completion and passage of an MPTC or approved ROC Police Academy; it was seconded by M. Healy, and it was unanimously approved.

Vote: 5-0 all in favor

E. License Hearing: Consider the request for a “One Day Special Event Permit” for Gary Menissian, Ocean State Multisport, to conduct three road races to be held on May 7, 2023, August 6, 2023 and December 10, 2023 with a start to be located at the Newman YMCA, 472 Taunton Avenue

A. Petronio made a motion to open the licensing hearing at 6:16 p.m. it was seconded by C. Zorra, and it was unanimously approved.

Roll Call Vote: 5-0 all in favor

Michael Healy-Aye; Adam Petronio-Aye; Chris Zorra-Aye; David Andrade-Aye; Justin Sullivan-Aye

Gary Menissian from Ocean State Multisport was present to discuss the 3 road races to be held on May 7, 2023, August 6, 2023, and December 10, 2023.

J. Sullivan asked if anyone was present to speak in favor or opposed the application.

A resident in the audience asked why she received a certified letter to attend the meeting and if the road would be closed for the races.

Mr. Menissian explained a new requirement for a One Day Special Event is to provide the abutters notification of the event(s). He explained in the thirteen years they have held the races, the road has not been closed. The races start at 8:00 a.m. and finish at 10:30 a.m.

A. Petronio made a motion to close the licensing hearing at 6:20 p.m.; it was seconded by C. Zorra, and it was unanimously approved.

Vote: 5-0 all in favor

D. Andrade made a motion to approve a “One Day Special Event Permit” for Gary Menissian, Ocean State Multisport, to conduct three road races to be held on May 7, 2023, August 6, 2023 and December 10, 2023; it was seconded by A. Petronio, and it was unanimously approved.

Vote: 5-0 all in favor

F. Town Clerk lottery drawing for ballot positions for the upcoming election

Florice Craig, Town Clerk, said the Annual Town Election will be held April 3, 2023. There are two contested races. There are 4 candidates for two Board of Selectmen seats and 2 candidates for one School Committee seat. The Assistant Town Clerk, Lorraine Sorel, chose the names to determine the ballot order. Board of Selectmen: 1) Adam Petronio; 2) Pamela Pozzi; 3) David Andrade; 4) Michelle Hines; and School Committee: 1) Bernard Luger; 2) Kyle Juckett.

J. Sullivan asked to take Item H out of order since the Town Clerk was present.

H. Consider the wording for a non-binding ballot question for a change of the form of Town Government

Chair Sullivan provided the following language from Town Counsel regarding the proposed non-binding ballot question:

1. Is the Town in favor of changing its form of government from an appointed Town Administrator/ Board of Selectmen/Open Town Meeting to another form of government such as a Representative Town Meeting, elected Mayor/elected Town Council or appointed Town Manager/elected Town Council, or otherwise?
 Yes No
2. Is the Town in favor of changing its form of government from an appointed Town Administrator/ Board of Selectmen/Open Town Meeting to an elected Mayor/elected Town Council form?
 Yes No
3. Is the Town in favor of changing its form of government from an appointed Town Administrator/ Board of Selectmen/Open Town Meeting to an appointed Town Manager/elected Town Council form?
 Yes No
4. Is the Town in favor of changing its form of government from an appointed Town Administrator/ Board of Selectmen/Open Town Meeting to an appointed Town Administrator/elected Board of Selectmen/Representative (elected) Town Meeting form?
 Yes No

D. Andrade made a motion to include 4 separate yes/no questions as drafted by Town Counsel on the ballot; A. Petronio seconded, and it was unanimously approved.

Vote: 5-0 all in favor

G. Joint Meeting with Planning Board: Stormwater Advisory Committee presentation with Southern New England Program Network Technical Assistance team

Planning Board members opened the Planning Board joint meeting at 6:38 p.m.

Roll call vote: David Roderick-Aye; Bruce Hoch-Aye; David Sullivan-Aye; Phoebe Lee Dunn-Aye; Sandra Escaler-Aye; and Sandra Foulkes-Aye

Town Planner, John Aubin, was also present. Mr. Aubin explained the following presentation was in follow up to the stormwater utilities and MS4 compliance discussion they had in October.

Members Present via Zoom: Project Director, Anna Patterson, for NC Environment Finance Center and Director, Martha Shiels, of New England Environmental Finance Center. Ms. Patterson presented the slideshow presentation via Zoom. In summary: The Southeast New England Program (SNEP) Network is a collaborative network of partners with expertise in stormwater management, financing, water quality and habitat restoration, green infrastructure, low impact development, and watershed-scale conservation and restoration.

- A Stormwater fee is a fee that users pay for the management of stormwater that becomes surface water drainage. Dedicated funds that can only be used for stormwater and pays for maintenance of pipes, culverts, ditches, catch basins, inlets, and permit requirements.

- Tax vs Fee: Stormwater utilities imposes a fee not a tax and can offer credits to reduce the fee.
- Benefits of having stormwater utility: dedicated source of funding is transparent and sustainable, proactive, and equitable.
- New drivers for setting up a stormwater utility or fee: influx of state and federal funding to invest in stormwater projects which will need to be maintained, increasing flooding issues, source water protection, emerging contaminants or other worsening water quality challenges, and growth.
- Top natural hazards identified by stakeholders in Seekonk 2020 Hazard Mitigation Plan: inland flood, extreme winter weather, severe storms, heat/drought, invasive species.
- Local damage from Hurricane Sandy.
- Regulatory drivers that may affect how much you need for a stormwater budget: MS4, TMDLs, and local level regulations.
- Budget to comply with regulations: Plan ahead, anticipate needs, and have an idea of costs.

J. Aubin stated the Stormwater Advisory Committee started looking at the costs. Under MS4 regulations, there is a ten-year permitting process and every year there will be additional requirements.

S. Cadime said the Board appropriated \$440,000 in ARPA funds at the October 26th meeting to help with some of the cost and permitting requirements. It will help offset and minimize the impact if ARPA approves the appropriation since there will be significant increases for the town moving forward.

Dave Cabral, Superintendent of Public Works, explained these changes were anticipated and they have been proactively spending approximately \$40,000 a year. They are currently in the 5th year of the contract. In the next 5 years they estimate spending approximately \$40,000 a year just on mapping. They need at least \$200,00 to be in compliance with the clean water act established by the Federal Government. The communities who have a stormwater enterprise fund spend approximately \$1M for staff on hand to look at the infrastructure. A mitigation plan is needed for the failing outfalls.

D. Andrade asked if a resident can opt out of a stormwater management fee.

S. Cadime said the resident or business would have to put a stormwater system in place to manage it which could be very costly.

J. Aubin explained it is not just about the structures themselves but about quality of the water, i.e. fertilizer going into the system. He stated since these are regulations and the Town needs to discuss how it will pay for it, not if.

D. Cabral said a fee structure will be discussed at the next presentation (i.e. flat fee, industrial/commercial, vs. residents). Things to consider are whether or not it will come from the operational budget or create a stormwater enterprise.

C. Zorra asked if Seekonk would be able to charge those on state roads.

J. Aubin said he did not think state roads would be exempt since it is still the Town's stormwater system but would need to check into that further.

S. Cadime reiterated this was only a preliminary discussion about a fee and discussion of setting up an enterprise fund that would help offset some of the additional costs. The Town is required to do the testing and improvements for the infrastructure.

Bruce Hoch made a motion to adjourn the Planning Board meeting at 7:32 p.m.; it was seconded by David Roderick, and it was unanimously approved.

Vote: 7-0 all in favor

I. Consider the proposal to award additional 2% Cost of Living Adjustment for Bristol County Retirement retirees for FY 23

S. Cadime stated he received notice from the Governor's Office that the Bristol County Retirement Board unanimously voted to allow an additional 2% COLA. The Board previously voted a 3% COLA effective 7/1/22 for FY23. The additional COLA would be retroactive to July 1, 2022.

A. Petronio made a motion to approve the additional 2% cost of living adjustment for Bristol County Retirees (5% total on the first \$20,000 of their allowance) for FY 23; it was seconded by D. Andrade, and it was voted:

Vote: 4 approved with 1 abstention (M. Healy abstained)

J. Consider the request to utilize American Rescue Plan Act (ARPA) funds for additional funding for the Senior Center 540 Arcade Avenue Phase II Building Project

S. Cadime requested the Board to appropriate an additional \$325,000 from ARPA funds for Phase II of the Senior Center. There are currently \$170,000 in opened purchase orders and a large portion of this is for the generator distribution redesign.

A. Petronio made a motion to utilize \$325,000 of American Rescue Plan Act (ARPA) funds for additional funding for the Senior Center 540 Arcade Avenue Phase II Building Project; it was seconded by D. Andrade, and it was voted:

Vote: 4 approved with 1 abstention (C. Zorra abstained)

K. Accept the resignation of Sharon Bettencourt from the position of Clerk at the Department of Human Services

D. Andrade made a motion to accept the resignation of Sharon Bettencourt; A. Petronio seconded, and it was unanimously approved.

Vote: 5-0 all in favor

L. Accept the resignation of Jaqueline Gress from the position of Outreach Caseworker at the Department of Human Services

D. Andrade made a motion to accept the resignation of Jacqueline Gress; A. Petronio seconded, and it was unanimously approved.

Vote: 5-0 all in favor

M. Consider the approval of minutes from January 18, 2023; January 25, 2023; and February 1, 2023

A. Petronio made a motion to approve the Open Session meeting minutes of January 18, 2023 and February 1, 2023; it was seconded by D. Andrade, and it was unanimously approved.

Vote: 5-0 all approved

A. Petronio made a motion to approve the Open Session meeting minutes of January 25, 2023; it was seconded by M. Healy, and it was voted.

Vote: 4 approved with 1 abstention (D. Andrade abstained)

COMMUNITY SPEAKS: N/A

OTHER BUSINESS - N/A

TOWN ADMINISTRATOR'S REPORT:

- A. South End Fire Station Building Committee – N/A
- B. Department of Public Works Building Committee – Mr. Cadime advised the Board the Bid for design services went out today and the deadline is March 8, 2023 at 3:00 p.m.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

- A. Accounts Payable Warrant
- B. Bristol County Advisory Board (M. Healy) – N/A
- C. Aitken School Expansion Building Committee Report (C. Zorra) – N/A
- D. 540 Arcade Avenue Building Committee Report – (S. Cadime) discussed during Agenda Item J

Adjournment

A. Petronio made a motion to enter into executive session to A) discuss the deployment of or strategy regarding security personnel or devices pursuant to MGL c 30A, § 21(a) (4); B) discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual per MGL c 30A § 21(a) (1) as having the discussion in open session would be detrimental to the litigation or bargaining position of the town; and C) to act under authority of the Open Meeting Law, General Laws Chapter 30A, §22(f) and §22(g), and

review and approve the executive session minutes of February 1, 2023 pursuant to G.L. c. 30A, Section 21(a)(7); at 7:48 p.m.; it was seconded by M. Healy, and unanimously approved.

Roll Call Vote: 5-0 all in favor

Michael Healy-Aye; Adam Petronio-Aye; Chris Zorra-Aye; David Andrade-Aye; Justin Sullivan-Aye

Respectfully submitted,
Adam Petronio, Clerk

Prepared by:
Kristen L'Heureux

Items Distributed at the February 15, 2023 Board of Selectmen Meeting

- Memo from DPW Superintendent Cabral for conditional offer of employment to Corey Gagne
- Memo from DPW Superintendent Cabral for conditional offer of employment to Nathan Kowalski
- Memo from Director Wunschel for conditional offer of employment to Ryan Burke
- Memo from Chief Enos for conditional offer of employment to Mitchell Dudley
- One Day Special Event Permit application
- Presentation from SNEP Network
- Draft Minutes of January 18, 2023, January 25, 2023, and February 1, 2023