

BOARD OF SELECTMEN
JULY 24, 2019
REGULAR SESSION

Members Present: David Andrade, Nelson Almeida, David Viera,
Chris Zorra, Justin Sullivan

Town Administrator: Shawn E. Cadime

Chairman Andrade 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(f), any person recording the meeting must notify the Chairman. The Board of Selectmen is recording via audio and video.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Almeida announced that volunteers are needed on the Cultural Council (2 Board of Selectmen appointments), Energy Committee (1 BOS), Historical Commission (2 BOS), Recycling Committee (up to 4 BOS), Taxation Aid Fund Committee (1 BOS), Zoning Board of Appeals (1 BOS and 2 alternate).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Accept the Letter of Retirement of Michael Amaral from the Position of Operator at the Department of Public Works, Effective August 10, 2019

DPW Supt. David Cabral stated he tried unsuccessfully to get Mr. Amaral to attend tonight's meeting. He said that Mr. Amaral has worked for 48 years for DPW, starting in November 1971 at age 20. At one time, Mr. Amaral worked at the Newman Avenue landfill. He has been a dedicated employee and devoted his entire career to this department. Mr. Cabral extended best wishes to him and said he will be missed by everyone at DPW.

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

VOTED: To accept the retirement of Michael Amaral from the DPW, effective August 10, 2019.

Chairman Andrade read a Proclamation signed by Board members.

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Accept the Letter of Retirement of Robert S. Pope from the Seekonk Fire Department

Interim Fire Chief Michael Healy announced the retirement of Robert S. Pope. He served the Town for 36 years. He was unable to attend the meeting because he is on vacation.

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

VOTED: To accept the retirement of Robert S. Pope from the Seekonk Fire Department.

Chairman Andrade read a Proclamation signed by Board members.

Mr. Viera commended Firefighter Pope who worked under him when he was fire chief.

Consider a Conditional Offer of Employment to Nancy Biggs for the Position of Part Time Kennel Worker

ACO Sharon Hall recommended the appointment. Mr. Cadime recommended as stated by Ms. Hall.

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

VOTED: To extend a conditional offer of employment to Nancy Biggs to the position of Part Time Kennel Worker.

Consider a Conditional Offer of Employment to Michael Gould as a Probationary Third Class Firefighter/Paramedic

Interim Chief Michael Healy requested the Board extend the offer. Mr. Cadime concurred with Chief Healy.

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

VOTED: To extend a conditional offer of employment to Michael Gould as a Third Class Firefighter/Paramedic.

Consider a Conditional Offer of Employment to Roger Coreas for the Position of Patrolman 3rd Class

Deputy Chief David Enos requested the Board extend an offer of employment. Mr. Cadime recommended as stated by the Deputy Chief.

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

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VOTED: To extend an offer of employment to Roger Coreas as Patrolman 3rd Class.

Consider a Conditional Offer of Employment to Michael Jacques for the Position Patrolman 3rd Class

Deputy Chief Enos requested the Board extend an offer of employment. Mr. Cadime recommended as stated by Deputy Chief Enos.

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

VOTED: To extend a conditional offer of employment to Michael Jacques as Patrolman 3rd Class.

Consider Reappointing Ronald Rickey to the Position of Special Police Officer

Mr. Cadime recommended the reappointment.

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

VOTED: To reappoint Ronald Rickey to the position of Special Police Officer under M.G.L. Chapter 26A, Section 20(f).

OLD BUSINESS

Mr. Sullivan suggested the following items be taken out of order. At a previous meeting, the Board met with Solar Therapeutic first.

Discussion to Consider Entering into a Host Community Agreement with Metro Harvest, Inc.

Mr. Steve LaBelle, Mr. Thomas Gosselin, and consultant were in attendance. Documents were distributed to the Board. Mr. LaBelle stated that the security plan addendum addresses concerns of the police chief and the Board. It speaks to security and surveillance cameras. He explained the site plan. Deliveries will be made at the back door and there will be a perimeter fence. There will be at least 60 parking spaces and possibly another 8 to 10 with reconfiguration.

Mr. Viera said it is a small lot.

Mr. LaBelle said the property is 1 1/2 acres.

Mr. Almeida asked for the deputy chief's opinion after touring the Fall River facility. He questioned the financial benefits to the Town and the donation of a K-9 dog.

Mr. LaBelle explained they will provide the K-9 dog which is about \$15,000 and up to \$50,000 annually to be used for the dog at the discretion of the Board.

Mr. Cadime said the community impact fee is 3% of the gross sales for a five-year period as set by State Statute and an additional 3%.

Deputy Chief Enos felt the camera reviewing the roadway should be monitored by Dispatch.

Mr. LaBelle said once they get a host agreement they have to apply with the Cannabis Control Commission in Boston for approval. They can then start construction. He noted the State is about 5 to 8 months behind in approvals. He anticipated the facility could open in eight months.

Mr. Zorra thanked them for the tour. He was impressed. It is well organized.

Chairman Andrade echoed those comments. It was good to see how they operate, especially with parking.

He summed up - 3% for five years, 3% for life of facility, K-9 dog plus \$50,000 and camera to monitor Route 6. Also, non-financial requests, such as monitoring the facility when needed.

Mr. Sullivan asked about the length of the agreement with the consultant.

Mr. LaBelle said it is a five-year agreement.

Mr. Sullivan said they run a very impressive facility.

Mr. Cadime stated that both companies have submitted what they would like to see for a host community agreement. They are similar. He suggested the Board authorize him to prepare the agreement and forward it to KP Law for final review followed by an official execution of the Host Community Agreement. It highlights financial audits to be provided to the Town.

Chairman Andrade said the Town would expect approximately \$1.149M for the 3% agreement and another \$1.149M for continuity of the facility equaling a little less than \$2.4M.

Mr. Cadime added that is for the first five years.

Mr. Almeida inquired about hiring 50 employees at approximately \$17 per hour.

Mr. Cadime explained that is included in the Host Community Agreement.

Mr. Sullivan suggested the Board vote following the presentation by Solar Therapeutics Inc.

Mr. Almeida preferred to do one at a time.

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

VOTED: To authorize the Town Administrator to prepare the Host Community Agreement with Metro Harvest for recreational purposes.

Discussion to Consider Entering into a Host Community Agreement with Solar Therapeutic, Inc.

Mr. Edward Dow and Mr. Robert Keller were in attendance.

Chairman Andrade said the issue with this proposal was no on-site parking and people would be shuttled back and forth.

Mr. Dow explained the remote cameras will be in place. It appears the security plan is in order. They proposed offsite parking on neighboring parcels with shuttle service. It is a three-minute walk. They would help pay for sidewalks. They agreed to a police detail.

They support the 3%/3% option. They propose to hire from within the community. Donations will amount to \$25,000 per year.

Mr. Viera concerned about traffic on Route 6. He would not support the project without a parking plan.

Chairman Andrade would approve with abutting parking.

Mr. Dow said they could lease until they purchase a lot.

Chairman Andrade said he would support it contingent on a lease for parking.

Mr. Sullivan agreed. He would want to see the lease agreement.

Mr. Dow said they could lease but would prefer to purchase property for parking.

Mr. Almeida talked about the traffic during the Speedway shows.

Chairman Andrade noted they had previously discussed that.

In summary, monetary is 3% local and 3% state, \$25,000 charitable donation per year. They have already made \$35,000 in donations. Should open in the spring of 2020. It would be recreational but could add medical. Rhode Island population cannot buy medical from them.

Mr. Viera said that building is not that big. There will be a lot of people outside.

Mr. Dow said will probably have 12 staff and rotating security staff. People ae usually inside for three minutes. Bathrooms will not be open to the public.

Mr. Zorra noted they will have entrance and exit doors.

Chairman Andrade noted after five years, the 6% would go down to 3%.

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

VOTED: To enter into a Host Community Agreement with Solar Therapeutics Inc. with the stipulation of acquiring abutting parking for 45 vehicles, a camera on Route 6, and donations amounting to \$50,000 per year.

Discuss and Consider Signing the Quitclaim Deed for Old Town Hall

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

VOTED: To execute the Quitclaim Deed for Old Town Hall.

Prior to the vote, Mr. Almeida suggested the Board discuss what is going to happen with the building.

Mr. Viera said that is the only town building that has historic value.

Mr. Cadime suggested an agenda item for discussion.

NEW BUSINESS

Discussion with the Board of Directors for Seekonk Cable Access/TV9 Seekonk Regarding the Election Practices and Financial Management

Mr. Mitch Vieira, President of the Board of Directors, was in attendance.

Mr. Almeida raised several issues. He stated at the last meeting the Board learned that by-laws were changed. The election type process is now internal. Also, there has been issues with Rehoboth. He asked why the Board of Selectmen is involved with negotiations because that didn't happen in the past.

Mr. Cadime said the Board has the final decision. It is important that the Board is involved in negotiations.

A Steering Committee comprised of Michelle Hines, Shawn Cadime, Bruce Alexander, Britney Faria and Cody Peixoto (TV9) will present recommendations to the Board of Selectmen. At this time, there is no representative from the School Department.

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Mr. Almeida questioned having Mr. Peixoto on the committee. He felt it should be a member of the TV9 Board of Directors.

Mr. Cadime said he wanted a representative from TV9. The makeup of the committee lends itself to all stakeholders.

Mr. M. Vieira stated that the Town Administrator has always been on the committee. TV9 has funded the attorney for negotiations and would be willing to continue to do that.

Mr. Cadime said he recognizes this is a power struggle behind the scenes and he doesn't appreciate it.

Chairman Andrade said he is good with the makeup of the Steering Committee.

Mr. Viera asked exactly what the Steering Committee is supposed to do. He noted there are people on that committee that are not residents.

Mr. Cadime said the committee will make recommendations to the Board of Selectmen.

Mr. M. Vieira explained there has never been a financial issue. He said the attempt to make comparisons to Rehoboth is inappropriate and incorrect and borderlines a little bit slanderous. He explained that there are four officers. They follow the municipal model. The treasurer is responsible for the general ledger and has no access to bank accounts. The president, vice-president, and secretary have access to bank accounts and process bills. The Citizens Bank accounts are directly linked to Quick Books. They have taken great pains to eliminate any ability for fraud or human error. The Board of Directors reviews the bank accounts. The president and vice-president check on a regular basis through the on-line login. An audit is done every year and provided to the state. They have rotated out auditing firms. They have utilized funds in a prudent manner.

Chairman Andrade asked if audits are public record.

Mr. M. Vieira said anyone can read the audits.

Mr. Cadime explained that, under the change in regulations, the money will go into a special fund account held by the Town and then divested to the various PEG groups.

Mr. Sullivan asked if the annual operating budget had ever been submitted to the Town Administrator. He asked for the latest audit.

Mr. M. Vieira said he would submit the audit and the treasurer would be able to answer any questions.

He explained the election process. The process was never a pleasant experience. In 2014, the Board instituted a Notice of Intent to Run form. The name is on the ballot and subscribers vote. That process was posted on Channel 9. That is the process in place since then. People stopped coming to meetings. So, the Board elected themselves. They did research to see what other public access was doing. They advertised on Channel 9 that the by-laws were changing. No one submitted comments. They still maintain the Notice of Intent to Run form. The Board voted for the by-law change. There are seven members on the Board of Directors.

Mr. Cadime explained that TV9 is a separate entity.

Chairman Andrade asked if the Board of Directors would reconsider and go back to allowing residents to vote.

Mr. M. Vieira said he could bring it back to the Board of Directors.

Mr. Viera asked how subscriber issues are addressed.

Mr. M. Vieira said complaints should be handled by Mr. Peixoto. He has not seen any major problems.

Mr. Sullivan asked if there is any correlation to viewership.

Mr. M. Vieira said viewer numbers are not provided by Comcast. The best indicator is the amount on the quarterly check.

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

VOTED: To request the Board of Directors to revisit the election process and to continue to maintain the Notice of Intent to Run form and allow subscribers to vote for the Board of Director by showing a cable bill.

Mr. Peter Hoogerzeil clarified that he included an article re: Rehoboth in the packet distributed at the previous meeting to show what might happen if the Board of Selectmen takes control over the Board of Directors for not properly executing the contract. He was not insinuating that there was a problem with the books. He always felt the governance of finances was strong and solid. He apologized.

Consider the Fiscal Year 2019 Year-end Transfers

Mr. Cadime advised that the transfers equal \$109,296.03, significantly less than usual. \$1.4M is surplus and \$800,000 of that is givebacks in expense budgets and salaries and \$600,000 from additional revenues higher than budgeted.

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

VOTED: To approve the FY 2019 year end transfers.

Mr. Viera felt the Water District should pay for its share of the elections.

Mr. Cadime will check with legal.

Consider Posting the Position of Police Chief

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

VOTED: To post the position of Police Chief internal and external for 30 days.

Prior to the vote, Mr. Almeida said he is not in favor of hiring from the outside. The Deputy Police Chief has respectfully earned his ranks. If he is a candidate for police chief and isn't the top applicant, he would not support anybody else.

Mr. Zorra concurred with Mr. Almeida. He felt it is better to go internally, and the deputy chief is doing a fine job.

Consider Signing the Agricultural Preservation Restriction for Pray Farm as Co-Grantees

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

VOTED: To approve and sign the Agricultural Preservation Restriction for Pray Farm.

Discuss the Zoning Bylaws Regarding the Keeping of Chickens on Private Property

Mr. Zorra said he has had requests from residents.

Chairman Andrade noted this was brought up years ago. He was in favor of it with proper restrictions. It has to be five acres.

Mr. Zorra was thinking six chickens with no rooster on 14,000 sq. ft. and more.

Chairman Andrade said he would not support that smaller lot.

Mr. Zorra said he had asked residents to attend this meeting.

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

VOTED: To table the keeping of chickens until the next meeting to get input from department heads.

Discuss Town Administrator's Financial Calendar

Mr. Cadime submitted the following financial calendar:

July 15 – Complete year-end transfers and year-end close out
August 15 – Department heads submit updated Capital Improvement Plans to Town Administrator
October 1- Town Administrator to submit CIP to Board of Selectmen, CIP, and Finance Committee
October 2 – Quad Board meeting
October 30 -First quarter budget review for FY'20
November 13 – Tax Classification hearing with BOS and Board of Assessors
November 15 – Department Heads submit departmental budgets and fee recommendations to Town Administrator
November 29 – Submission of Tax Recap to the Department of Local Services
January 1 – Town Administrator submits draft budget to BOS, Finance Committee (120 days prior to Town Meeting) for review
January 15 – CIC releases CIP recommendations to Town Administrator and BOS
January 20 – Governor releases State Budget
January 22 – Second quarter Budget Review for FY'20
February 5 – Establish date for Spring Town Meeting
March 4 – Budget Hearings conducted with BOS and Finance Committee
March 18 – Public Hearing on Departmental fees
April 29 – Third quarter budget review
May – Spring Town Meeting
June FY 2020 closeout

Mr. Sullivan suggested submitting the proposed budget to the Finance Committee at the beginning of January to allow enough time for them to meet with department heads.

He commended Mr. Cadime on the calendar.

Consider Accepting a \$2,000 Grant from Walmart Awarded to the Seekonk Police K-9 Division

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

VOTED: To accept a \$2,000 grant from Walmart to the Seekonk K-9 Division.

Consider Accepting the Donation from Evergreen Tree & Landscaping for Perennials at the Staging Area of the New Sign at Gammino Pond

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

VOTED: To accept the donation from Evergreen Tree & Landscaping for perennials at the staging area of the new sign at Gammino Pond.

Consider Approving the Minutes of June 27 2019 and July 10, 2019

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

VOTED: To accept the minutes of June 27, 2019 and

VOTED: 4 Ayes; 1 Abstention; To accept the minutes of July 10, 2019.

The vote: Mr. Viera – Aye; Mr. Sullivan – Aye; Mr. Almeida – Aye; Mr. Zorra – Aye; Chairman Andrade – Abstained.

COMMUNITY SPEAKS – None.

OTHER BUSINESS

Discuss Other Topics not Reasonably Anticipated by the Chairman 48 Hours before the Meeting – None.

TOWN ADMINISTRATOR'S REPORT

Mr. Cadime advised the framing has been completed on the animal shelter. Roof, windows and door framing will start next week. They are very satisfied with general contractor.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Bristol County Advisory Board

Mr. Sullivan advised he is unable to attend the meeting. He forwarded the information to Chairman Andrade if another board member could go. He will notify them.

Aitken School Expansion Building Committee Report

Mr. Zorra reported the next meeting is scheduled for August 15. The committee is working on pre-bid documents.

540 Arcade Avenue Building Committee Report

Mr. Viera advised the next meeting is on July 30 at 7 p.m.

He requested an agenda item to discuss tax breaks for senior citizens and active duty military deployed out of the country.

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Mr. Cadime said the threshold is high for seniors. A tax break was passed for veterans at Town Meeting. A list of exemptions is available at the senior center.

He will ask the Assessor to attend a meeting.

Mr. Viera said there are a number of vacant homes in town on Route 6 and 114A. He asked if those homes are safe to enter. He would like to have the building inspector go out and post those buildings.

Veterans Council

Mr. Viera advised the next meeting of the council is on September 30, 2019 to plan for Veterans Day ceremonies.

The council is pursuing getting the traveling Vietnam Wall in Seekonk in 2021. He requested authorization from the Board to meet with the School Committee about using the Hurley School to put the wall. He would like stationery for the Council to send out letters requesting donations.

Mr. Zorra asked if educational pamphlets are being distributed by the Economic Development Committee.

He asked if the Charter Commission will regroup.

Mr. Zorra noted that Mr. Cadime had e-mailed Board members to commend Brittney Faria, Director of Human Services, for coordinating a backpack give-away for kids. The first 120 kids will receive a backpack on August 18 from 12 to 3 p.m. at Angels Care Closet at Briarwood Plaza.

Mr. Sullivan inquired why the Board does not receive background information when doing conditional offer of employment for police and fire.

Mr. Cadime said it is a precaution because they will going into public safety. He will work with the two chiefs.

Mr. Almeida advised the bridge at County Street is being replaced.

He admitted he was wrong when he went against the recommendation of the State Engineer regarding the intersection at the Grist Mill. The traffic is better.

EXECUTIVE SESSION

At 10:03 p.m., Mr. Almeida motioned, seconded by Mr. Viera, to go into Executive Session to:

Consider the purchase, exchange, lease or value of real property pursuant to M.G.L. Chapter 30A, Section 21(a)(6), as having the discussion in open session would be detrimental to the negotiating position of the Town (0 Pine Street, Map 28/Lot 20);

Conduct strategy sessions with respect to negotiations with the Seekonk Public Library Employee Association MLSA, AFT Massachusetts, AFL-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;

Conduct strategy sessions with respect to negotiations with Seekonk Firefighters Union IAFF Local 1931 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;

Conduct strategy sessions with respect to negotiations with Fraternal Order of Police MASSCOP Local 215 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;

Conduct strategy sessions with the Town Administrator per M.G.L Chapter 30A, Section 21(a)(2) 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 June 26 2019; not to return to open session.

The vote: Mr. Almeida – Aye; Mr. Viera – Aye; Mr. Sullivan – Aye; Mr. Zorra – Aye; Chairman Andrade – Aye.

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

Items Distributed at the July 24, 2019 Board of Selectmen Meeting

Resume for Nancy Biggs for position of part time Kenney Worker

Correspondence from Deputy Chief David Enos on hiring of Roger Coreas, Michael Jacques and Ronald Rickey

Quit Claim Deed – Old Town Hall

Town Administrator's Financial Calendar

Correspondence from Deputy Chief David Enos re: \$2,000 grant from Walmart to the Seekonk Police K-9 Division