

BOARD OF SELECTMEN
AUGUST 7, 2019
REGULAR SESSION

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

Absent: Justin Sullivan

Town Administrator: Shawn E. Cadime

Chairman Andrade opened the meeting at 7:01 p.m. followed by the Pledge of Allegiance.

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 visual.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Almeida announced that volunteers are needed on the Board of Registrars (1 Board of Selectmen appointment), Capital Improvement Committee (1 BOS), Cultural Council (2 BOS) Economic Development Committee (4 BOS), Energy Committee (1 BOS), Historical Commission (4 BOS), Recycling Committee (up to 4 BOS), Taxation Aid Fund Committee (1 BOS), Zoning Board of Appeals (1 regular and 2 alternates).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Chairman Andrade invited family and friends of those being appointed to come forwarded to take pictures.

Consider the Appointment of David Enos, Jr. as Interim Police Chief

Mr. Cadime recommended the appointment of Deputy Chief Enos as Interim Police Chief.

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

VOTED: To appoint David Enos, Jr. as Interim Police Chief.

Prior to the vote, Mr. Almeida echoed comments he made at the previous meeting. He said Deputy Chief Enos has been with the Police Department for many years and worked his way up the ranks. He would have liked to see his appointment as chief at this meeting.

Chairman Andrade said it is good to see him step into the role. He is doing a great job and the Town is lucky to have him.

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Mr. Cadime said Interim Chief Enos took over in February 2019, shortly after being promoted to Deputy Chief. He has done a phenomenal job and has worked extra time to make sure everything is running smoothly.

Chairman Andrade said the entire Board feels that way.

Consider the Promotion and Swearing in of Firefighter/Paramedic Joseph Gibbons to the Rank of Fire Lieutenant on B Group

Acting Fire Chief Michael Healy requested the promotion of Firefighter/Paramedic Joseph Gibbons to the rank of Fire Lieutenant on B Group. Mr. Cadime recommended as stated by Chief Healy.

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

VOTED: To promote Firefighter/Paramedic Joseph Gibbons to the rank of Fire Lieutenant on B Group.

Asst. Town Clerk Lorraine Sorel swore Lt. Gibbon in. His girlfriend, Justine, pinned his badge.

Consider the Promotion and Swearing in of Firefighter/Paramedic Jonathan Martel to the Rank of Fire Lieutenant on A Group

Acting Fire Chief Michael Healy requested the promotion of Firefighter/Paramedic Jonathan Martel to the rank of Fire Lieutenant on A Group. Mr. Cadime recommended as stated by Chief Healy.

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

VOTED: To promote Firefighter/Paramedic Jonathan Martel to the rank of Fire Lieutenant on A Group.

Lt. Martel was sworn in by Asst. Town Clerk Lorraine Sorel. His wife, Kendra, and daughter, Lola, pinned his badge.

Consider the Promotion and Swearing in of Firefighter/Paramedic Alexander Schlageter to the Rank of Fire Lieutenant on D Group

Acting Fire Chief Michael Healy requested the promotion of Firefighter/Paramedic Alexander Schlageter to the rank of Fire Lieutenant on D Group. Mr. Cadime recommended as stated by Chief Healy.

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

VOTED: To promote Firefighter/Paramedic Alexander Schlageter to the rank of Fire Lieutenant on D Group.

Lt. Schlageter was sworn in by Asst. Town Clerk Lorraine Sorel. His wife, Christina, pinned his badge.

Chief Healy thanked Board members for continuing to support him and the Seekonk Fire Department.

Consider the Appointment of Ken DelMastro to the Parks and Recreation Committee

Mr. Cadime advised he interviewed Mr. DelMastro. He has volunteered with the softball program.

Recreation Director John Pozzi and Mr. DelMastro were in attendance. Mr. DelMastro said he is looking forward to working with the group.

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

VOTED: To appoint Ken DelMastro to the Parks and Recreation Committee.

Consider the Appointment of David Viera as an Alternate Member of the Zoning Board of Appeals

Mr. Cadime advised Mr. Viera volunteered until others come forward to serve.

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

VOTED: 3 Ayes; 1 Abstention; To appoint David Viera as an Alternate Member of the Zoning Board of Appeals.

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

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

VOTED: 3 Ayes; 1 Abstention; To appoint Nelson Almeida as an Alternate Member of the Zoning Board of Appeals.

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

Mr. Almeida accepted the appointment with the stipulation that he be the first to resign when others come forward.

Consider the Request from Save-A-Pet for an Exemption of the Special Event Policy Procedures

Mrs. Jan Parker, represented Save-A-Pet. She requested an exemption for the Annual Craft and Vendor Fair on October 5, 2019.

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

VOTED: To exempt Save-A-Pet from the Special Event Policy Procedures for the Annual Craft and Vendor Fair on October 5, 2019.

Presentation from the 540 Arcade Avenue Building Committee Regarding Recommended Improvements to the Building

Building Committee members Michelle Hines, Chairwoman; Jack Vatcher; Brittney Faria, Clerk; and Noah Escaler were in attendance. Selectmen David Viera serves as Vice Chairman.

Chairwoman Hines said the committee was set up to decide how to complete the 6,000 sq. ft. lower and upper level of the building at 540 Arcade Avenue.

She noted that Mr. Cadime has attended all meetings.

Ms. Hines had Schemes and diagrams of various plans prepared by Brewster Thornton Group.

She said they looked at the possibilities - expansion of the Senior Center/Human Services, School Administration relocation, School Program for ages 18-22 relocation, and Food Pantry.

The Veterans Agent's office is at the center. The center has already been used as a shelter.

The concerns are: fire septic, restrooms, HVAC, ADA accessibility to floors, and fire suppression system/sprinkler heads.

Letters were sent out to the five abutters regarding parking. A representative of the KOC did inquire. The KOC allows people that go to 540 Arcade Avenue to park in their lot. What goes into the 540 Arcade building would depend on parking spaces. Eminent domain is not an option. There is a right of first refusal with the KOC. She looked at the requirements for additional handicapping parking.

Ms. Hines said there is room for expansion in the septic system.

The Building Committee proposed additional office space for the senior center/human services to include an office for the Parks and Recreation Director and expanded area for the nurse.

They need a room to set up the pool table that was donated a few years ago and also room for storage. They also need supplies for the shelter.

The School Department came up with two possible uses. Building Committee members felt the program for 18-22 year olds would not be a good fit because of what happened at the Pleasant Street facility.

Mr. Cadime noted it is two different programs.

Mr. Escaler said the Pleasant Street program is for students with behavior problem. The 18-22 transitional program is for students with cognitive disabilities who are transported to and from jobs. The Superintendent of Schools feels this particular program should be within the School Department and there is room at the high school.

Ms. Hines said the Building Committee also voted down moving the School Department Administration.

Doorways is located at the North School in Collaborative space.

Ms. Hines stated the Building Committee feels the best use of the space would be to expand the senior center/human services. The entry way to the upper level would be through the conference room. There would have to be an elevator or lift. The price difference is about \$75,000. The lift has a weight limitation. The upper level would have three additional offices and a pool table room. The rest would be open space for activities. Downstairs would have 313 sq. ft. on one side and 262 sq. ft. on the other side for storage and the rest open space for activities. She talked about a moveable petition for the open space.

The estimated cost of Phase II is \$1.4M, excluding the cost of the elevator.

Mr. Viera said he was the one who wanted to move the School Administration in order to free up classroom space. However, in doing that, there would be no room for expansion of the senior center/human services, which is desperately needed. He said whatever goes into that building would depend on additional parking.

Chairman Andrade concurred. They have to explore the different options.

Mr. Escaler, a School Committee member, said it was never a priority of the Superintendent to move Administration and the 18-22 year old program to the senior center building. He noted that many residents feel the whole building is the senior center.

Mr. Viera said the senior center is in dire need of space. Town Hall is in need of space. This is the time to take care of the Town government side.

Chairman Andrade said they have not looked at all options.

Mr. Cadime clarified that Chairman Andrade is looking at cost prospective.

Mr. Vatcher said the basement is not conducive for offices.

Ms. Beverly Dellagrotta of 24 Pleasant Street said she contacted the Human Service Council and Friends of Friends of the Senior Center. They came up with ideas such as a volunteer hairdresser to go in once a month. The pool table is still with the owner.

Mr. Zorra said in talking about washing hair have to consider the septic design.

Chairman Andrade said they need a full investigation.

Mr. Viera said they have needs.

Asst. Director of Human Services Ashley Cartwright noted the Veterans' Agent is using a small office and there is a person sitting outside that office. No one expected the center to be so busy. All she hears from the Chairman is a focus on schools. She said the senior center has needs.

Chairman Andrade said he has no vested interest in what goes into that building. The charge was to explore every option and that was not fully done.

Mrs. Cartwright questioned the support of Doorways; although, it is a great organization.

Chairman Andrade said it is not a town department.

Mr. Viera said that members of the Building Committee talked to all departments including Doorways.

With all due respect and putting friendship aside, Mr. Escaler said he is disheartened that the Chairman is ridiculing all the work the Building Committee put into this. He is undermining five committee members and the Town Administrator and discouraging others from coming forward.

Chairman Andrade said they all have to sit down and figure out what is needed and if it can work.

Mr. Cadime said it is becoming a little bit too personal. It shows everybody at the table is passionate about doing the right thing for the community. There are two different philosophies.

There is nothing wrong with the Chairman's request to do a cost analysis. At the same time, he recognizes the hard work of the committee. The Chairman is looking to verify that they vetted everything. They need to agree to disagree.

Chairman Andrade said down the road people will see that they looked at all possibilities.

Mr. Viera noted that the School Department is not under the Board of Selectmen.

Chairman Andrade mentioned that during quarterly discussions with the Superintendent of Schools and Town Administrator, the Superintendent said it would be good if space was available.

Ms. Hines said the Superintendent said if given space they would take it.

She advised the Building Committee will meet at 7 p.m. on August 27, 2019 at 540 Arcade Avenue for further discussion.

Ms. Hines said she heard the Chairman froze their money.

Chairman Andrade said he is one member of the Board and cannot freeze money.

Mr. Almeida thanked the members of the Building Committee. He attended one of their meetings. He understands the Chairman's position and also the Committee's. He supports the outcome. He doesn't want to see the seniors restricted in the new building.

Chairman Andrade thanked them for their work.

OLD BUSINESS

Discussion Regarding the Update of Attleboro Dye Works Project located at 36 Maple Avenue

Town Planner John Aubin III, Conservation Agent Jennifer Miller, and Tracy Costa from Ransom Consulting were in attendance.

Ms. Costa explained the Town was awarded a \$350,000 groundfield site specific assessment grant from EPA. Those funds are used to perform assessment to evaluate and determine the extent of contamination at the site. The building is partially collapsed due to a fire in 2012. One hundred seventy five bags of asbestos were removed. There hasn't been any contaminants to groundwater. They have seen evidence of contamination at the northwest portion of the site. There has been evidence of spoils. DPW has donated time and equipment to perform vegetation clearing to accommodate some of the drilling.

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Ms. Costa talked about the Mill Canal. She spoke to Mr. Brown, owner of two parcels - one to the north and one to the south. They did sampling. There was some evidence of potential imminent hazard. A report was filed with Mass DEP. However, testing determined there was no evidence of imminent hazard. There is no need to fence the area.

Ms. Miller said they are working with town counsel to figure out who owns Mill Canal.

Mr. Aubin said they should have analysis report within two weeks.

Ms. Costa said they did share information with Mr. Brown and his son.

She said the Town would be eligible for cleanup funding with EPA (\$500,000) and Mass. Development (\$250,000 or potentially up to \$1M). The town would have to be close to having a developer in place. They need to do a risk assessment on the lagoon. They will look at cost.

Ms. Miller said the removal action is separate from the remediation. The Town would have to own the property for remediation Removal action is typically done by EPA. They might put a lien on the property.

Mr. Zorra said the removal of sediment is a huge undertaking.

Mr. Almeida questioned why the State or local government does not test the waters to make sure these companies are not dumping.

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

Health Agent Jessica Horsman, Town Planner John Aubin, and ACO Sharon Hall were in attendance.

Mr. Zorra explained that several residents have reached out to him regarding this issue. He proposed six chickens, no rooster.

Mr. Aubin said, according to the bylaw, properties 5 acres or more can have chickens. Under that would require a special permit, advertised in the newspaper and a public hearing.

Mr. Zorra would like Town Meeting to decide.

Ms. Hall said they would have to be kept clean and odor free. They do have to be inspected once a year. Chickens have to be in a coop. It would be up to the Board to charge a fee for the permit.

Mrs. Horsman said the Board of Health does not have concerns.

Chairman Andrade was not in favor of the smaller lots.

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

VOTED: 3 Ayes; 1 Nay; To direct Planning to prepare a bylaw to present to the Board to go to Town Meeting in R1 and above zone with 6 chickens no rooster, and annual inspection by the ACO.

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

Discussion of a Bylaw Limiting the Number of Marijuana Establishments

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

VOTED: That the number of Adult Marijuana Retailers shall be limited to 20% of the number of year-round license issued with the Town for the retail sale of alcoholic beverages not drunk on the premises where sold. The number of establishments permitted: Marijuana Cultivator 1, Marijuana Product Manufacturer 1, Independent Testing Laboratory 1, Marijuana Research Facility 1, and Marijuana Transporter 1.

NEW BUSINESS

Consider Signing the Local Initiative Program (LIP) Local Action Units (LAU Application for Jacob Hill Estate

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

VOTED: To move to Item B.

Consider the Donation of a \$25 Gift Card from Stop & Shop for Partnering with Angel's Care Closet Back to School Event

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

VOTED: To accept the \$25 gift card from Stop & Shop for Partnering with Angel's Care Closet Back to School Event.

Consider Approving the Minutes of June 12, 2019

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

VOTED: To accept the Regular Session minutes of June 12, 2019 as distributed.

COMMUNITY SPEAKS – None.

OTHER BUSINESS

Discuss Other Topics not Reasonably Anticipated by the Chairman 48 Hours before the Meeting

Chairman Andrade cautioned those in attendance to be careful leaving the building. The lights are not working properly and some of the driveway is cut up.

TOWN ADMINISTRATOR'S REPORT – None.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Bristol County Advisory Board

Mr. Cadime advised he would attend the meeting on behalf of Mr. Sullivan.

Aitken School Expansion Building Committee Report

Mr. Zorra advised the next meeting is on Thursday, August 15, 2019. Bids should be going out.

540 Arcade Avenue Building Committee Report – Discussed.

Veterans' Council

Mr. Viera said they are currently trying to contact individuals responsible for the Viet Nam Moving Wall. The cost to bring it to Seekonk is \$20,000. Hopefully, that can be raised through donations and fundraisers.

Mr. Zorra asked about the Pond Street Bridge project.

Mr. Cadime said engineering services are out there and should have some information soon.

Mr. Zorra asked about the new DPW property.

Mr. Cadime said it is before the Planning Board for next week. Documents will be submitted to KP Law to prepare a Purchase and Sales Agreement.

Mr. Zorra suggested that Mr. Cadime and the Police and Fire Chiefs should contact a big box store regarding training.

Mr. Cadime said the chiefs have ideas about training they want to offer. There is some tabletop sessions.

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Mr. Zorra asked about regrading Field 1 on Cole Street.

He got a call about the appearance of the vacant Friendly's property.

Mr. Cadime said he would pass the information along to Ms. Horsman.

Mr. Almeida asked about the culvert replacement on County Street.

Mr. Cadime said they have been in contact with Mr. Cabral and chiefs. They are still on target with completion date.

Mr. Almeida inquired about sidewalks on Olney Street. He commented about the grass growing at the corner of Olney Street and Logan Court. He asked about paving of Ledge Road.

Mr. Cadime said that DPW usually takes care of that. He will check on sidewalks.

In response to Mr. Viera' question, Mr. Cadime advised the South End Fire Station will be on the next agenda.

EXECUTIVE SESSION

At 9:52 p.m., Mr. Viera motioned, seconded by Mr. Zorra, to go into Executive Session to 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 M.G.L. Chapter 30A, Section 21(a)(1); negotiations with Dispatch AFSCME Council 93 per M.G.L. Chapter 30A Section 21(a)(3); to 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); to conduct strategy sessions with the Town Administrator per M.G.L. Chapter 30A, Section 21(a)(2) as having the discussions 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 12 2019; not to return to open session.

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

Respectfully submitted,

Prepared by:

David Viera, Clerk

Patricia Gamer, Secretary

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Items Distributed at the August 7, 2019 Board of Selectmen Meeting

Talent Bank Form for Ken DelMastro for Parks & Recreation Committee

Save-A-Pet – Request for Exemption of the Special Events Policy

Documents for By-Law Limiting the Number of Marijuana Establishments

Request to Accept \$25 Gift Card from Stop & Shop for Angel's Care Closet for Back to School Event

Local Initiative Program (LIP) Local Action Units (LAU) Application for Jacob Hills Estates