

BOARD OF SELECTMEN
AUGUST 21, 2019
REGULAR SESSION

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

Absent: Chris Zorra

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 who wanted to record the meeting must notify the Chairman. The Board of Selectmen is recording via audio and visual. A member of the audience will be recording.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Viera 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.

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Consider the Conditional Offer of Employment for Fredrick MacDonald for the Position of Fire Chief

Mr. Cadime advised he set up a search committee comprised of Chief Healy, Selectmen Sullivan, and Town Administrator Cadime. There were 25 applicants; one withdrew. On June 26, they vetted the applicants based on resumes and cover letters. They asked ten candidates to come in for first round interviews held between July 8 and 17. There were 38 questions. Interviews lasted from one hour to 1 ½ hour each depending on the candidate. Questions were general information about the candidate, management and leadership skills, communication, operational knowledge, experience and expectations, strengths and weaknesses of the candidate, experience with personnel matters, and generic work history.

The search committee discussed the candidates and narrowed it down to four for second round interviews which took place from July 30 and August 1 with 14 additional questions specific to the Fire Department. Those interviews lasted about 1 hour 15 minutes.

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The decision of the search committee was unanimous. On August 4, Chief Healy and he had a last interview with the final candidate.

Mr. Cadime recommended the Board provide Frederick MacDonald of Seekonk with a conditional offer of employment pending background check, physical, drug test, and negotiated contract.

He read from Mr. MacDonald's resume. Mr. MacDonald began his career as a firefighter 21 years ago in East Providence. He joined the newly-formed hazard material response team which allowed him to collaborate with the department on formulating regulations and guidelines for training and response. He was promoted to Lieutenant in 2016. He worked on designing Regional response systems for technical rescue incidence. He planned and coordinated \$700,000 assistance to firefighter grants to enhance preparation and response to technical rescue incidents. In March 2016, he was promoted to Captain of Ladder 3 Company where he oversees the daily operations of fire personnel. Mr. MacDonald is also fire service instructor/coordinator in Rhode Island.

On behalf of the search committee, Mr. Cadime said, although Mr. MacDonald does not have the administrative experience others had, he has intangible qualities that will be a good asset to fire department and administrative team. He seems to be the right fit. He is in the position to be a very effective fire chief if given the opportunity. He might be able to fill the very large shoes left behind by Chief Healy.

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

VOTED: To extend a conditional offer of employment to Fredrick MacDonald as Fire Chief, pending background check, physical, drug test, and negotiated contract.

In discussion prior to the vote, Mr. Sullivan said Mr. MacDonald stood shoulders above everybody else in being able to lead the fire department and think about where the department will go in the next years. He will be able to fill Chief Healy's shoes.

Mr. Almeida said he will support this candidate especially because he lives in town. He believes in hiring from within; but, unfortunately, there were no in-house candidates. He noted members of the Seekonk Fire Department were in attendance.

Mr. Sullivan added that Mr. MacDonald might help successors coming up the ranks.

Mr. Viera concurred with his colleagues. He wished Mr. MacDonald good luck.

Chairman Andrade and Mr. Viera had received phone calls in support of Mr. MacDonald.

Mr. MacDonald said he looks forward; and, as a taxpayer, he is ready to go to work for the best interest of the town.

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Consider Appointing Lauren Sicard to the Recycling Committee

Mr. Cadime advised that he met with Ms. Sicard. She has a passion for recycling. He recommended the appointment.

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

VOTED: To appoint Ms. Lauren Sicard to the Recycling Committee for a three-year term.

Ms. Sicard was in attendance. Board members thanked her for volunteering.

Consider the Appointment of Albert Gonzalez to the Position of Truck Driver/Laborer for the Department of Public Works

Asst. Supt. of Public Works Scott Olobri requested the appointment of Albert Gonzalez. He stated that Mr. Gonzalez has extensive background in construction in addition to requirements for truck driver/laborer.

Mr. Cadime recommended as stated by Mr. Olobri.

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

VOTED: To appoint Albert Gonzalez to the position of truck driver/laborer with the Department of Public Works, effective September 3, 2019.

Consider the Appointment of Eric Schoonmaker as a Recruit Officer

Interim Chief David Enos noted the Board had approved a conditional offer of employment to Mr. Schoonmaker. He has met all conditions of that offer. This appointment will fill one of four vacant positions. Mr. Schoonmaker will attend the Plymouth Police Academy which starts in October. Through Mr. Cadime, he requested the appointment.

Mr. Cadime recommended as stated by Interim Chief Enos.

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

VOTED: To appoint Eric Schoonmaker as a Recruit Officer.

Consider the Appointment of Eric Dallaire to the Position of Special Police Officer

Interim Chief Enos said the Board had approved a conditional offer of employment in June. Mr. Dallaire has met all conditions of that offer. If appointed, he will follow in the steps of his dad,

who has been a special police officer for over 33 years. Through Mr. Cadime, he recommended the appointment.

Mr. Cadime recommended as stated by Interim Chief Enos.

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

VOTED: To appoint Eric Dallaire to the position of Special Police Officer.

Mr. Viera noted Mr. Dallaire is born and raised in Seekonk. His grandfather was one of the first full-time firefighters with the Fire Department.

Mr. Almeida asked how many specials will be hired.

Interim Chief Enos said they are restructuring the Special Department. There could be up to 20.

Consider Accepting a Grant in the Amount of \$5,225 from Massachusetts Vest-A-Dog Organization to Outfit a New Cruiser with a Kennel and Heat Alarm

Interim Chief Enos advised the grant would pay for the kennel and the heat alarm in the car. It is great for the Town.

Mr. Cadime recommended the Board accept the grant.

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

VOTED: To accept the grant from Massachusetts Vest-A-Dog Organization in the amount of \$5,225.

Discussion with a Representative from the Board of Assessors Regarding Senior and Veterans Exemptions

Chairman Paul Buckley and Assessor Theo Gabriel were in attendance.

Mt. Viera said he has received a number of inquiries as to why Seekonk doesn't offer comparable deductions in taxes as other communities do.

Mr. Buckley said 60% of exemptions are for veterans. Seekonk has all benefits allowed.

Mrs. Gabriel explained that veterans who have at least a 10% service-connected disability are eligible for abatement. They must apply and bring a letter from the VA stating their level of disability. The abatement is from \$400 to the entire amount being exempted depending on the disability.

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In the State of Rhode Island, all veterans get an exemption. It would require legislation changes in Massachusetts.

Mr. Viera suggested veterans contact Rep. Steve Howitt to start that process.

Mrs. Gabriel said seniors have to be 65 and older. Income and assets are considered. They get \$1,000 off their taxes.

Mr. Buckley said all the information is included on the website.

He said the town could vote to increase up to 50-100% some of these clauses. That would cost the town money.

Mr. Viera suggested that Mr. Cadime meet with the Board of Assessors to discuss what can be done prior to the Spring Town Meeting.

Mr. Sullivan suggested the cheat sheet given to the Board be consolidated to one page. He suggested they look at the cost of freezing next year's taxes for seniors.

Mr. Viera suggested including the information in The Seekonk/Rehoboth Reporter.

Discussion and Updates from the Cultural Council

Alex Dunwoodie, Chair, and Bill Clark, member, said there are currently eight members. They invite residents and businesses to submit applications on line to host social events. In 2019, fifteen grants were awarded in the amount of \$58,000. Each year they expect a slight increase from the State. Their goal is to serve a variety of ages. The grants range from \$250 to \$500.

Ms. Dunwoodie encouraged people to follow the Cultural Council on line. They have updated the brochure.

Mr. Clark said it is all state funds. It is allocated depending on size of communities.

Mr. Viera asked about assistance in paying for the Viet Nam Moving Wall coming to Seekonk.

Mr. Clark encouraged him to apply.

Accept the Resignation of David Miller as Foreman for the Department of Public Works

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

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

VOTED: To accept the resignation of David Miller as foreman with the DPW, with regret.

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Prior to the vote, Mr. Almeida said he had sent in two concerns on this former employee.

Mr. Cadime said he will provide an update.

Accept the Resignation of Nicole Wheeler as Assistant Animal Control Officer

Mr. Cadime recommended the Board accept the resignation.

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

VOTED: To accept the resignation of Nicole Wheeler as Assistant Animal Control Officer.

LICENSE HEARING

Consider the Public Amusement License Application for Fear Town Productions, LLC, by Michael Quill to Operate Fear Town Haunted House at 1710 Fall River Avenue

Mr. Quill advised this would be the 7th year in Seekonk.

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

VOTED: To approve the license for Michael Quill to operate Fear Town Haunted House at 1710 Fall River Avenue

Prior to the vote, Mr. Viera asked Fire Chief Healy if there had been any problems in the past.

Chief Healy stated the Fire Department was called once in 2016, twice in 2017 but one had nothing to do with the attraction, and three times in 2018 but one had nothing to do with the event. The Chief felt Mr. Quill runs a good operation. It is not burdensome to the Fire Department.

Mr. Viera said he doesn't have a problem with closing at 1 a.m. He asked what time the last patrons are allowed in.

Mr. Quill said the attraction takes about 45 minutes to get through. The last ride is at midnight.

Mr. Almeida mentioned that Fear Town has been rated #1 for the last two years. He is proud it is in Seekonk.

PUBLIC HEARING

Dangerous Dog Hearing for Dog Owned and/or Kept by Paul and Kathy Craig at 210 Lincoln Street

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

VOTED: To open the Public Hearing at 7:47 p.m.

Atty. Nicole Costanzo of KP Law was in attendance. ACO Sharon Hall and Asst. ACO Andrea Russo were in attendance. Mrs. Craig was present.

Chairman Andrade read from the notice sent to Mr. & Mrs. Craig advising about tonight's hearing. The notice was served via regular and certified mail on August 5, 2019 and a phone call on August 14. A second notice via regular mail was sent on August 15, 2019. A third notice was served by a constable at 5:30 p.m. on August 20, 2019.

The dog, Nutmeg, had previously bit another dog on two separate occasions.

Atty. Costanzo explained the meaning of a dangerous dog versus a nuisance dog.

All those to testify were sworn in by Chairman Andrade.

Mrs. Leanne Walker Beard, 13 Patriot Way, stated that she was walking with her friend, Robin, at about 7:30 p.m. on July 3, 2019. They took a right turn to Lake Street and a right to Lincoln Street. She looked to her right and saw a dog off lease sitting next to she assumed was the owner. She immediately picked up her dog, Bengi, a chocolate labradoodle, about 52 pounds. She didn't know what the other dog was going to do. The dog came around to Lincoln Street and pulled at Bengi and continued to attack her dog. She was in shock. Robin was in shock. The dog owner came out and brought her dog into the house. She came out and asked if she could take them home. Bengi was bleeding. She put Bengi in the back of her truck.

Mrs. Beard screamed to her why her dog was off lease. She said she was sitting by her dog.

Mrs. Beard and her husband took Bengi to the vet and picked him up about 1 a.m. He got six puncture wounds.

Mrs. Beard responded to questions from the Board. The dog is registered as a pit bull.

She said the owner of the pit bull was very sweet and picked up Bengi from the street.

Mrs. Craig asked how she was no way to be seen when she was sitting near the dog. She has a big open yard.

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She said that when the incident happened Mrs. Beard said Bengi has been attacked many times before and now she said he had never been attacked.

Mrs. Robin Hicks of 19 Colt Drive said within ten seconds the dog was at them. There was nowhere to go. There were two cars parked in the road. One of the cars was blowing the horn, maybe to stop the dog.

ACO Sharon Hall said the call came in at night. She read the statement from Nicole Wheeler, who took the call. At 10:23 p.m., she got a call from police about an incident that occurred at 7:15 pm. At 10:26 p.m., she called Leann Walker Beard.

Kathy Craig was very cooperative. She showed her dog was up to date on shots. She offered to pay the vet bills.

The vet said Bengi had about five puncture wounds. A smaller dog could have been killed.

Ms. Wheeler notified Ms. Craig that Nutmeg would be quarantined. She explained the meaning of a dangerous dog hearing.

Asst. ACO Andrea Russo said she got a statement from Mrs. Craig. As the two individuals were walking by her house, Nutmeg bit the dog several times.

This is not the first incident. There were other incidents on March 26, 2017 and July 30, 2017. This is the third one. Mrs. Craig was told to keep the dog on a lease at all times.

Mrs. Craig started by apologizing to Mrs. Beard. She took full responsible. She mentioned that, during the first incident in 2017, Nutmeg did not bite or injure the dog. In the second incident, Nutmeg was bit by the complainant's dog. She suggested anyone worried about her dog should not walk by her house.

Mr. Sullivan asked why the dog was not secured.

She has a long lead and doesn't know why her dog was not on that lead. One of her children might have took Nutmeg off the lead. She had photos.

Mrs. Craig said her dogs played with other dogs in the neighborhood. She felt the dog would not have attacked Bengi if Mrs. Beard had not stopped to pick him up.

Her father is going to make a kennel near the house to keep the dog contained. She begged the Board to allow her to keep the dog her children love.

Chairman Andrade asked if she felt the lead was adequate.

Mrs. Craig said yes.

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

VOTED: To close the evidentiary position of the Public Hearing at 8:42 pm.

Mr. Viera motioned, seconded by Mr. Sullivan, and it was unanimously

VOTED: To consider Nutmeg to be a dangerous dog based on the incident of July 3, 2019 when Nutmeg attacked and bit Bengi and as a result of testimony given here today and based on two previous incidence of March 26, 2017 and July 30, 2017.

In comments prior to the vote, Mr. Sullivan said this is the third occurrence. The dog might be loving to the family and the dog has a tendency to protect its family. Further, he doesn't have the confidence in the dog owner that the containment of this animal will happen.

Chairman Andrade and Mr. Almeida told about incidences with their dogs. They acknowledged it is difficult.

Chairman Andrade listed the options.

Asst. ACO Russo stated after giving a lot of consideration; and, with additional testimony this evening, with a heavy heart she recommended euthanasia.

Mr. Almeida said at a previous hearing, the dog was sent to a facility that specializes in pit bulls.

Ms. Hall said that dog got along with other dogs and people. It didn't get along with farm animals. This one goes after domestic dogs. In this case, it is the third incident. The owner testified that she lets the dog run in her neighborhood. Ms. Hall also recommended euthanasia.

Atty. Castanzo noted that M.G.L provides specific remedies once the dog is found to be a dangerous dog.

Mrs. Craig attempted to speak. However, Chairman Andrade said he cannot allow anyone to speak because the evidence portion has been closed.

Mr. Viera spoke in support of Animal Control. He noted they love animals. It is not easy to make this kind of recommendation. It is tough; this is three strikes.

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

VOTED: To support the recommendation of Animal Control to euthanize the dog to be picked up as soon as the written order is completed.

Chairman Andrade asked Ms. Russo where her recommendation is coming from and why the enclosure is not an option.

Ms. Russo said she spoke to Mrs. Craig personally and tried to stress how important it was and there would be a hearing if it happened again. In her testimony, Mrs. Craig said she let the dog run loose. She didn't know is not an excuse. There seems to be much negligence on the owner's part. Ms. Russo added it is difficult for her to make this recommendation.

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

VOTED: To close the Public Hearing at 8:58 p.m.

OLD BUSINESS – None.

NEW BUSINESS

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

Town Planner John Aubin stated this is an Agreement between the Department of Housing and Community Development, the developer, and the town. One of the homes in the development is designated an affordable housing unit. It is done through a lottery program administered by Community Development and, in this case, Delphic Associates.

Mr. Aubin said this puts in place the monitoring and restrictions of that affordable unit. Once awarded to a qualified family, the unit cannot be sold and remains on the town's inventory of affordable housing units.

Chairman Andrade stated there's been a lot of complaints about this subdivision.

Mr. Aubin noted that approval was done before he came to Seekonk. The Town Administrator and he met with residents. Most recently, it has been before the Conservation Commission for final modifications. People bought into it without knowing what it would look like. Homeowners are not happy with the buyer retention area. He has worked with them to get that design changed. He had hoped to get it for the November Town Meeting for road acceptance but it won't happen. Might have to wait until spring.

Mr. Almeida said the road is collapsing around the retention area.

Mr. Aubin said the roadway will be widened. He noted there are two homeowner associations. The town is not responsible for the storm water drainage and septic system.

The developer will have to come before the Board regarding the roadway followed by a Public Hearing and ultimately Town Meeting for acceptance.

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

VOTED: To approve and authorize the Chairman to sign the Local Initiative Program (LIP) Local Action Units (LAU) Applications for Jacob Hill Estates.

Consider Posting Openings for Intern Positions to Complete Data Entry for Online Permitting

Mr. Cadime recommended hiring part-time college or high school students to input older records into the system. The salary will be minimum wage.

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

VOTED: To post the position of Interns to complete data entry for online permitting.

Mr. Viera suggested students from Tri-County.

Consider Posting the Position of Part Time Dispatcher for the Communications Department

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

VOTED: To post the position for four (4) part time dispatchers for the Communications Department.

Consider Establishing a New Date for Fall Town Meeting

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

VOTED: To set November 18, 2019 as the date for the Fall Town Meeting.

Mr. Almeida suggested revisiting the expansion of the overlay district for marijuana to prevent a manufacturer or retailer from saying there are no adequate buildings.

Mr. Cadime will look into the timeframe.

Mr. Viera would like to see Charter changes on the Town Meeting warrant. He suggested the Board meet at a special meeting to review the Charter.

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Mr. Sullivan said it might be a good idea to invite some of the members of the Charter Review Committee.

Chairman Andrade suggested September 25, 2019.

Consider Approving the Minutes of July 24, 2019

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

VOTED: To accept the Regular Session minutes of July 24, 2019, as distributed.

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 there will be road work on Lincoln Street and Newman Avenue. The work on Newman Avenue will be at night beginning on August 22 through August 29.

He urged residents to be careful and aware of children as school starts next week. The Police Department will have more officers out there.

Mr. Viera has received several complaints that the crossing guards at Hurley School hold up the traffic on Newman Avenue for too long.

Mr. Sullivan suggested that drivers be more caution of people walking on Newman Avenue.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Bristol County Advisory Board

Mr. Cadime attended the meeting in Mr. Sullivan's absence. Voting members approved the budget. Bristol Aggie Principal was in attendance. She invited members to contact her for a tour of the new building.

Aitken School Expansion Building Committee Report – None.

540 Arcade Avenue Building Committee Report

Mr. Viera advised the committee hasn't met since they attended the Board of Selectmen meeting.

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Chairman Andrade advised that the Superintendent of Schools contacted him to indicate the School Department does not need any space at the senior center building. He did put that in writing and Chairman Andrade shared it with the Chair of the Building Committee.

Veterans' Council

Mr. Viera said the plan is to try to get the Viet Nam Moving Wall in Seekonk in 2021. It will cost about \$20,000. They hope to raise the money through fundraisers. That is why he asked the Cultural Council members.

He spoke to the DPW Director about a light for the Memorial Wall to prevent vandalism.

Mr. Almeida welcomed staff, teachers, and students back to school. He hoped students have a safe and fun year

He commended Officer Perry for the way he handled a group putting together a Youtube video.

Mr. Sullivan suggested all town meetings be aired on Youtube because everybody has access to that. He checked with Mr. Hoogerzeil at the high school.

Mr. Almeida said some residents do not have that.

Mr. Sullivan again urged residents to be careful driving.

Chairman Andrade received an e-mail of commendation for the DPW crew who went above and beyond cleaning the sides of the roadway on Newman Avenue in the area of the school. He asked that all members receive a copy of that e-mail.

Chairman Andrade said a press release went out regarding the fact that Seekonk is listed as a moderate community with regard to West Nile Virus.

EXECUTIVE SESSION – None.

ADJOURNMENT

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

VOTED: To adjourn at 9:34 p.m.

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

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

ITEMS DISTRIBUTED AT THE AUGUST 21, 2019 BOARD OF SELECTMEN MEETING

Talent Bank Form –Lauren Sicard – Recycling Committee

Application for Albert Gonzalez – Truck Driver/Laborer

Police Chief re: Eric Shoonmaker appointment, Eric Dallaire appointment and grant of \$5,225

David Miller – Resignation

Nicole Wheeler – Resignation

Documentation – Dangerous Dog Hearing – Paul and Kathy Craig

Fear Town Productions, LLC – Request for Haunted House

Local Initiative Program Local Action Units Application – Jacob Hill Estates

