

BOARD OF SELECTMEN
NOVEMBER 20, 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. Viera announced that volunteers are needed on the Board of Registrars (1 BOS), Capital Improvement Committee (1 BOS), Economic Development Committee (4 BOS), Energy Committee (1 BOS), Historical Commission (4 BOS), Recycling Committee (up to 3 BOS), Taxation Aid Fund Committee (1 BOS), Zoning Board of Appeals (2 Regular and 2 Alternates).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Oath of Honor and Badge Pinning Ceremony for Patrolman Michael Jacques

Interim Chief David Enos introduced Patrolman Michael Jacques.

Town Clerk Florice Craig administered the Oath of Honor. Officer Jacques' parents, Robert & Cheryl Jacques, pinned his badge.

Proclamation for Seekonk Precision Tools as Manufacturer of the Year

Chairman Andrade read and presented the Proclamation to Mr. & Mrs. Frederick and Denise Dobras in recognition of being named as Manufacturer of the Year.

Classification Hearing

Fiscal Year 2020 Tax Classification Hearing

Board of Assessors Chairman Paul Buckley and Assessor Theo Gabriel were in attendance. Assessors Jan Parker and Joyce Solomon were also in attendance.

Mr. Buckley stated that this Classification Act requires municipalities to classify real properties into one of four classes - residential, open space, commercial, and industrial. The purpose of this classification hearing is for the Board of Selectmen to determine the percentage share of the tax level each class will pay. The residential factor is used by Assessors to determine the tax levy paid by each class of property and calculate the tax rate. It is the responsibility of the Board of Selectmen to determine the residential factor.

The FY 2020 total residential values increased at 4.77% from last year while commercial values increased by 2.67%. New growth increased 20.48% at \$1,104,262. The average residential single family assessment increased from \$346,200 to \$361,000 or 4.2%.

The Maximum Levy for this year increased 5.65% at \$44,200,000. Current Residential Tax Rate \$13.06, Current Commercial, Industrial Rate \$28.79, and Current Personal Property \$28.73.

The top five taxpayers in FY 2020 are Algonquin Gas P/P Lines - \$1,133,573, RI Seekonk Holdings, LLC \$810,128, Seekonk Square Realty Trust - \$799,625, Seekonk Shop Center Equit - \$700,625, and Scannell Properties #254 LLC - \$551,835.

The maximum commercial, industrial and personal property (CIP) shift for the Town of Seekonk for FY 2020 is 1.7028 or a residential factor of .778502, as defined by the Department of Revenue.

A residential factor of 100 will result in the taxation of all property at the same rate (single tax rate). A residential factor of less than 100 increases the share of the levy raised by commercial, industrial and personal property (CIP) owners and reduces the share paid by the residential property owners (split tax rate).

In fiscal year 2019, the Board of Selectmen chose a Commercial, Industrial and Personal (CIP) property shift of 1.7 or a residential factor of .7775 with the 10% Commercial exemption.

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

VOTED: To open the public hearing at 7:19 P.M.

No comments.

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

VOTED: To close the public hearing at 7:19 p.m.

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

VOTED: To maintain a Commercial, Industrial, and Personal (CIP) property shift of 1.7 or a residential factor of .7775 with the 10% Commercial exemption.

November 20, 2019

-3-

A motion was made by Mr. Sullivan, seconded by

VOTED: To maintain the shift at 1.7028 for FY 2020 and residential factor at .778502.

LICENSE HEARINGS

Consider the Request for a New Place of Public Amusement License for Won Sports, 1314 Fall River Avenue, Seekonk, to have Live Music Monday – Saturday 10 A.M. – 1 AM for Calendar Year 2019/2020

The owner explained it would be on the second floor of the building. The capacity is 350 people. They have added a separate staircase and an elevator.

Building Inspector Neal Abelson said the capacity on the second floor is actually 175. Chief Healy explained they have a fire alarm system and sprinkler system. He is OK with that.

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

VOTED: To approve the request for a new place of public amusement license for Won Sports, 1314 Fall River Avenue, Seekonk, to have live music Monday – Saturday from 10 a.m. to 1 a.m. with a capacity of 175.

2020 LICENSE RENEWAL HEARING – See Attached List of Renewal Applications' Business Names and Addresses

Alcohol

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

VOTED: To approve alcohol licenses as submitted.

Mr. Viera asked how long an establishment can maintain a liquor license if it is closed.

Mr. Cadime said that there are two – Luxury Barn and West Wind. One of these is being renovated and will not receive the license until all inspections are done. He will check with the ABCC.

Mr. Viera suggested a by-law.

Mr. Sullivan asked how many licenses in town.

Mr. Cadime said the cap is based on the population. There were 12 specials but only five are available.

Class I, II, III Motor Vehicles

In the case of #66 JN Group LLC, d/b/a Seekonk Auto Center, Mr. Viera felt the number of vehicles should be reduced from 50 to 40 and no parking on the grass.

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

VOTED: To reduce the number of cars for JN Group, d/b/a Seekonk Auto Center to 32 cars, including employee and customer cars being repaired and not allow parking on the grass.

Mr. Viera questioned that #65 Jeff Millette Auto Center, Inc. has no building.

Mr. Almeida said there is no stipulation that he has to have a building in order to get a license.

Chairman Andrade said he had said he would put up a building.

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

VOTED: To request Jeff Millette attend a future meeting to explain plans.

Mr. Viera talked about #59 The Car Palace. They put a Conex box there further reducing the space.

Chairman Andrade said he has seen cars parked on the street. It appears to be the same vehicles. That was a condition of the license.

Mr. Almeida said he doesn't have an issue with one or two cars.

Mr. Viera said the box has been there over a year and he would not sign the license unless the Conex box is removed.

Mr. Zorra suggested moving the buffer zone back to where it was so there would be room for the Conex box.

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

VOTED: 4 Ayes; 1 Nay; To approve the license for The Car Palace pending relocating the Conex box.

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

Mr. Almeida asked why Tri Star was not on the agenda.

Mr. Abelson said there are other licenses for that property. They might be waiting to do all three at one time.

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

VOTED: To approve Class I, II, III motor vehicles licenses as submitted, excluding #59 and #65,

Entertainment

Mr. Almeida questioned why only one of these has stipulation that music is indoors.

Mr. Cadime said it might be one the Board carried over.

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

VOTED: To approve Entertainment licenses as presented.

Amusement Machines

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

VOTED: To approve Amusement Machine licenses as presented.

Antiques and Second Hand

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

VOTED: To approve Antiques and Second Hand licenses as submitted.

Amusement Facilities

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

VOTED: To approve Amusement Facilities (Items 11-14) as submitted.

Go-Kart

Mr. Zorra asked about the stipulation on #22 limit 35 includes all tracks.

Mr. Viera said they can come before the Board if they want more.

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

VOTED: To approve Go Kart license as presented.

Miniature Golf

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

VOTED: To approve Miniature Golf license as presented.

Theater

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

VOTED: To approve Theater license as presented.

Palm & Card Reading

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

VOTED: To approve Palm & Card Reading license as presented.

Veteran's Club

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

VOTED: 4 Ayes; 1 Abstention; To approve Veteran's Club license as presented.

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

NEW BUSINESS

Discussion of Tax Title Properties and Potential Consideration of Tax Title Auction

At the request of the Board, Mr. Cadime advised he had the Treasurer's Office prepare a list of tax title taken properties the Town received decrees for. The Board had that information.

Whenever the Town wants to purchase or sell any type of properties it has to be done under 30B except when under tax title. In that case, a custodian under M.G.L. is appointed and has authority to auction off the properties. At that point, it is up to the tax title custodian to make a determination to auction off or keep the properties. A lot of the property is wetland or landlocked. The question is whether the Board wants to move forward with an auction.

Mr. Viera noted that although property may be landlocked it might be of interest to the abutters.

Mr. Cadime stated that at auction the price would usually start at what is owed. The Department of Revenue would require the town to write off the remainder. The Board would decide whether to take less in order to get rid of these properties.

Mr. Viera felt none of the properties would be beneficial to the town.

Mr. Cadime said the only one might be the Rhode Island Ice and Land Company that is near the Burrs Pond.

Mr. Almeida asked if members who voted to put this up for auction could bid on the property.

Mr. Cadime said that person could abstain from the vote.

Town Treasurer Christine DeFontes said she could check with the tax title.

Mr. Zorra asked about 36 Maple Avenue.

Mr. Cadime said that will not be auctioned off.

Properties to be held: Rhode Island Ice & Land Company and ROC Realty Corp.

General Discussion of Fall Town Meeting

Mr. Viera said it went as good as it could. Not everybody can be happy.

Mr. Sullivan suggested putting big ticket items at the beginning.

Chairman Andrade said that has been discussed before. The problem is people vote and leave. If an item is brought back at the end it might be defeated because those people left early.

Mr. Almeida thanked department heads and residents who attended. Residents voted for every item except the overlay district.

Mr. Zorra added that the cost of the playground was reduced. The Board recommended it to town meeting and it passed.

Mr. Sullivan said it is a privilege for town residents to have the opportunity to decide how money will be spent and allocated.

Mr. Viera noted that the Board was split on some articles. He requested a copy of the decision from the Attorney General allowing certain leverage re: town meeting.

Mr. Cadime said it is a draft ruling that town meeting is exempt from the open meeting law. It is an interpretation of the Attorney General. Therefore, it could change if there is a new attorney general. He will print out a copy.

Mr. Viera said that could be dangerous. A board could vote to go one way and that could be overturned at town meeting.

Mr. Cadime said the Planning Board was not in favor of the article on the overlay district but wanted to allow discussion at town meeting.

Chairman Andrade said the Planning Board's decision was not changed.

Mr. Viera felt individuals clouded the issue even more.

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 thanked individuals who attended town meeting and continue to show support for the Fire Department, Police Department, Parks and Recreation, and School Department. Members of various boards spend a lot of time putting forward articles they think will be beneficial to various forms of government. He acknowledged and thanked the Finance Committee, CPC, CIC, building committees, department heads and the Town Clerk's Office. He thanked Mrs. Testa and Mrs. L'Heureux who prepare for town meeting while processing license renewals.

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

Bristol County Advisory Council – None.

Aitken School Expansion Building Committee Report – None.

540 Arcade Avenue Building Committee Report

Mr. Viera noted that town meeting granted the opportunity to complete renovations at the senior center. He thanked residents for the support.

Veterans Council – None.

November 20, 2019

-9-

Mr. Zorra extended best wishes for a Happy Thanksgiving. He hoped to see people at the Seekonk/Dighton-Rehoboth Thanksgiving Day game.

EXECUTIVE SESSION

At 8:43 p.m. Mr. Zorra motioned, Mr. Sullivan seconded, to go into executive session to 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 discussion in open session could be detrimental to the bargaining position of the town and to consider the approval of executive session minutes of September 18, 2019 and October 2, 2019; not to return to open session.

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

Respectfully Submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

Items Distributed at the November 20, 2019 Board of Selectmen Meeting

Memo from Interim Chief David Enos re: introduction of Patrolman Michael Jacques

Board of Assessors Classification Hearing documentation

Documentation for new place of public amusement – Won Sports

Documentation for licenses renewals

Tax Title Properties