

**BOARD OF SELECTMEN**  
**DECEMBER 4, 2019**  
**REGULAR SESSION**

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

**Promotion and Swearing in of Kyle Laprade as Fire Lieutenant**

Through Mr. Cadime, Chief Michael Healy requested the promotion of Kyle Laprade as lieutenant. Mr. Cadime recommended as stated by the Chief.

Lt. Laprade was sworn in by Asst. Town Clerk Lorraine Sorel. His wife, Cathy, pinned his badge. Several firefighters were in attendance.

**Consider Amending the Appointment of Donald Robillard from Alternate Member to Full Member of the Zoning Board of Appeals**

Mr. Cadime stated that he would like to move Mr. Robillard from alternate to full member of the ZBA due to the vacancies on that board. The expiration date would remain at June 2020.

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

**VOTED:** To appoint Donald Robillard as a full member of the Zoning Board of Appeals with an expiration date of June 30, 2020.

The two Board of Selectmen members will continue as alternates.

**Consider the Appointment of Robert Reed to the Zoning Board of Appeals**

Mr. Cadime recommended the appointment of Robert Reed as full member of the Zoning Board of Appeals. He previously was a member of the ZBA.

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

**VOTED:** 4 Ayes; 1 Nay; To appoint Robert Reed as full member of the Zoning Board of Appeals.

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

**Accept the Resignation of Freddy Luperon from the Position of Sealer of Weights and Measures**

Mr. Cadime requested the Board accept the resignation and authorize him to advertise the position.

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

**VOTED:** To accept the resignation of Freddy Luperon as Sealer of Weights and Measures.

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

**VOTED:** To post the part time position of Sealer of Weights and Measures.

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

**Alcohol**

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

**VOTED:** To approve Alcohol License Renewals for Restaurant – All Alcohol, Restaurant – Wine and Malt, Package Store – All Alcohol, and Package Store – Wine and Malt (see attached).

### **Entertainment**

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

**VOTED:** To approve Entertainment License Renewal for Blazing Wings, Inc., d/b/a Buffalo Wild Wings, 120 Highland Avenue.

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

**VOTED:** To approve Amusement Machines Renewal for Blazing Wings, Inc., d/b/a/ Buffalo Wild Wings, 120 Highland Avenue (1 machine).

### **Motor Vehicles Licenses**

Chairman Andrade explained that the Board wanted more information from Jeff Millette (JMAC) of 991 Newman Avenue regarding his plans for the property.

Mr. Millette said nothing has changed. He had to get gas in before Newman Avenue was paved. He has negotiating with contractors but the prices are too high – \$1M dollars more than what he planned on spending. He would like to negotiate with local contractors. He has a large investment already. It is slowly going the way it should. He would have liked to have started construction so that inside work could be done during the winter.

Mrs. Millette said it is difficult to get contractors.

Mr. Viera concerned about how they are doing business without a building.

Mr. Millette said he has another location in Attleboro. He put vehicles on the property to see what type vehicles people would be interested in.

He is hoping to break ground in the spring.

Mr. Almeida pointed out that Trustworthy Auto's insurance expires in a few days and Tasca and J N Auto in January 2020. He suggested they submit renewal certificates as soon as possible.

Mr. Zorra indicated that he had updated information.

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

**VOTED:** To approve the Class I, II, and III Motor Vehicle license renewals with the stipulation that the above three submit renewal certificates as soon as possible.

**OLD BUSINESS**

**Discussion with John Nassar Regarding JN Auto Group, d/b/a Seekonk Auto Center, 1810 Fall River Avenue Class II Motor Vehicle License Renewal**

Mr. Nassar said he received a phone call from the office that his license was decreased by 18 cars which is 36% of his business. He questioned why the decision was made. He has been at that location for four years. The previous owner had a 50 car license as well. There were no complaints. He hasn't done anything for the Board to make that decision.

Chairman Andrade said it is not a punishment. The Board looked at the location. Vehicles in the gravel area are blocking visibility onto Route 6.

Mr. Viera said there are cars parked on the grassy area. He said they are looking at all dealerships. There are many Class II dealers.

Mr. Nassar said he is not in violation with the parking. He had pictures. He is not parked on the septic. There hasn't been any accidents or complaints there.

Mr. Viera said there is a concern with cars being parked on a state right of way.

Mr. Zorra doesn't have an issue with the 50 cars as long as those cars are parked where they should be.

Mr. Nassar said the nature of the business is that sometimes he has 30 cars and sometimes he has 40. He buys cars when he gets a good deal.

Mr. Sullivan said he doesn't see an issue with 50 cars as long as they are in compliance.

Chairman Andrade said sometimes there are more than 50 vehicles on the lot.

Mr. Viera said the total number of cars is 50 including employee vehicles.

Mr. Nassar said he knows where he is supposed to park. The site plan specifies how many cars for employees.

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

**VOTED:** To reinstate the number of vehicles to 50, inclusive of all vehicles for JN Auto Group, d/b/a Seekonk Auto Center, 1810 Fall River Avenue.

Mr. Almeida apologized to Mr. Zorra. He is correct with regard to insurance certificate for Trustworthy Auto. The certificate is current.

## **NEW BUSINESS**

### **Discussion with Seekonk Land Conservation Trust regarding Emlen Conservation Restriction**

Mr. Stephen Sloan explained the Seekonk Land Conservation Trust is a private non-profit charitable organization. He is in attendance to request approval of the conservation restriction at 360 Prospect Street on 8.3 acres. The Emlens acquired the property adjacent to their home with the goal of protecting the rear portion of the property and selling the house lot.

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

**VOTED:** To approve the conservation restriction at 360 Prospect Street.

### **Consider Accepting a Donation to the Human Services “Donation and Gift Account” from the Wampanoag Rod & Gun Club in the Amount of \$1,431.00**

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

**VOTED:** To accept the \$1,431 donation from the Wampanoag Rod and Gun Club to the Human Services “Donation and Gift Account” and send a thank you letter.

### **Consider Approving the Minutes of October 16 2019 and November 13, 2019**

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

**VOTED:** To approve the Regular Session minutes of October 16, 2019.

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

**VOTED:** 4 Ayes; 1 Abstention; To approve the Regular Session minutes of November 13, 2019.

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

## **COMMUNITY SPEAKS**

Mr. Peter Hoogerzeil of 602 Ferncliffe Road stated he came before the Board in the summer regarding the TV9 directors’ election. He hasn’t seen any information on cable. He contacted the executive director who told him he would send an application. It was due on December 11. There was nothing about the election and no instructions. The executive director referred him to the president who is on vacation and won’t be back until December.

December 4, 2019

-6-

Mr. Hoogerzeil was referred to the Vice President who told him they had voted to keep the election process the same.

The Board of Directors has done nothing to publicize vacancies on the board. Mr. Hoogerzeil felt they will continue to keep elections closed because they want to keep the status quo.

Chairman Andrade said he got an e-mail this afternoon.

Mr. Sullivan asked if elections or request for nominations were posted.

Mr. Hoogerzeil said there was nothing on the website. He wasn't sure about television.

Mr. Almeida read the e-mail sent at approximately 3 p.m. today.

It read that on July 24 the Board of Selectmen requested the Seekonk Cable Board to revisit the election process for board members. On November 12, the election process was revisited and the vote was unanimous 6 to 0 with one member absent to keep the process unchanged. This resulted in having new members who have added an interest in the Seekonk Cable Board of Directors.

Mr. Sullivan said it sounds like they voted to keep it a closed election. He said this television station is funded by the town's taxpayers. It should be transparent.

Mr. Cadime said the Board of Selectmen does not have authority. He suggested Comcast subscribers should attend the meetings. He noted that the Town does get financial statements.

Mr. Hoogerzeil said he doesn't know of any public access corporation in Massachusetts that elects itself.

Mr. Sullivan said it should be a matter of discussion during future negotiations.

Mr. Cadime suggested to appoint two members to attend their meetings as liaisons. It would open dialog with the Board of Selectmen and the Board of Directors.

Mr. Hoogerzeil said meetings are at 4 p.m.

Mr. Viera agreed about the liaison. The Board of Selectmen is being criticized for not changing from Comcast.

Mr. Cadime said the Board of Selectmen can decide where the monies are channeled. He doesn't know if it has to be a ten-year term.

Mr. Sullivan would prefer a five-year term.

Mr. Cadime noted that the TV9 staff works well with the town. The issue is with the Board of Director's election.

Mr. Hoogerzeil felt the cable access corporation is an extension of the Board of Selectmen. He said the corporation's by-laws were changed years ago to allow the Board of Directors to vote for themselves.

There were questions about how the by-laws got accepted.

### **OTHER BUSINESS**

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

**TOWN ADMINISTRATOR'S REPORT** – None.

### **BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS**

**Bristol County Advisory Board** – None.

**Aitken School Expansion Building Committee Report** – None.

### **540 Arcade Avenue Building Committee Report**

Mr. Viera said the committee met today at 4:30 p.m. He was unable to attend.

### **Veterans' Council**

Mr. Viera advised that the Council talked about selling Christmas trees in memory of a loved one similar to what is done at Slater Park and in East Providence. It should start at the Veterans Memorial Park. If the event grows bigger they could ask the School Committee to use the front of Hurley Middle School.

Mr. Sullivan said it is a great idea.

Mr. Viera said they need to raise money. It costs \$20,000 to bring the moving wall into town.

He noted that the Council is doing good recognizing our veterans.

Mr. Zorra suggested the Planning Board look into the cable contract.

Mr. Almeida noted there already are eight boards that need volunteers.

Mr. Cadime said no. It is an area we are not experts in.

December 2, 2019

-8-

Mr. Zorra suggested bringing back mailbox clusters in the new developments.

Mr. Almeida said the post office is researching that.

Mr. Zorra asked about leaving 1 – 1 ½ ft. of grass on sidewalks at Olney Street.

Mr. Cadime said that currently looking for grants for walk to schools.

Chairman Andrade said a mailbox in a vegetated buffer will be knocked down by plows.

Mr. Sullivan asked for an update on the Charter Review Board and looking at the recommendations.

Chairman Andrade said Mrs. Testa is trying to set up a meeting.

Mr. Sullivan inquired about a review of the master plan.

Mr. Cadime said Mr. Aubin is working on it. He has another consultant coming in. He will have a presentation for the Board maybe within a month or so.

Mr. Viera said he talked to Rep. Howitt about the photo control speed limits. Rep. Howitt suggested the Board send him a letter and he would look into if it can be done in Seekonk, especially in the school zones.

In further discussion about Cable TV, Mr. Sullivan suggesting sending out a formal request to other providers about an interest in coming to Seekonk.

Mr. Cadime suggested the state and federal legislators as well.

Mr. Viera said the wiring is antiquated and would be expensive to replace.

An executive session with the School Committee and Board of Selectmen is planned for Wednesday, December 11, 2019, at 7 p.m. Discussion will be on security and real estate.

Mr. Viera said there have been questions about the marijuana retail facilities.

Mr. Cadime said it is a six to eight month process. Information is on line.

The tree lighting is on Thursday, December 5, 2019 at 6 p.m.

Chairman Andrade had an e-mail from a resident regarding Luther's Corner construction.

Mr. Cadime said it is scheduled for the next construction season.



December 4, 2019

-9-

Another e-mail concerned a review of minimum structures and permitting.

Chairman Andrade asked about progress with the animal shelter.

Mr. Cadime said electricity should be in by the mid-January.

Mr. Almeida commended the DPW crew on snow removal. It was good to see vendors out.

Mr. Viera said there is a lot of confusion on secondary roads.

Mr. Cadime said focus is on primary roads and residential areas after 3 inches of snow.

Mr. Viera suggested that DPW prepare a statement on plowing schedule.

### **ADJOURNMENT**

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

**VOTED:** To adjourn at 8:57 p.m.

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

Respectfully submitted,

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

December 4, 2019

-10-

Items Distributed at the December 4, 2019 Board of Selectmen Meeting

Resignation of Freddy Luperon as Sealer of Weights and Measures

Documentation for License Renewals

Documentation for John Nassar regarding JN Auto Group Class II Motor Vehicle License

Emlen Conservation Restriction

Check from Wampanoag Rod and Gun Club