

BOARD OF SELECTMEN
AUGUST 8, 2018
REGULAR SESSION

Members Present: David Andrade, Nelson Almeida, David Viera,
Michelle Hines, 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.

BOARDS 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), Charter Study Committee (up to 6 BOS), Conservation Commission (3 BOS), Cultural Council (1 BOS), Energy Committee (2 BOS), Historical Commission (3 BOS), Human Services Council (1 BOS), Parks & Recreation (1 BOS), Property Tax Work-Off Committee (3 BOS), Recycling Committee (up to 4 BOS).

COMMUNITY SPEAKS

Chief Michael Healy advised that the firefighters union would be conducting a telemarketing fundraiser starting within the next week. It is a legitimate fundraiser. Residents who have concerns can call the non-business line at the station.

PRIORITY MATTERS

The order of business moved to: B, C, D

Consider the Appointment of Brittney Faria to the Position of Director of Human Services

Mr. Cadime recommended the appointment. Mrs. Faria has been Acting Director since June 2017. She has shown leadership and has tried to bring stability to the council.

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

VOTED: To appoint Brittney Faria as Director of Human Services, effective immediately.

Mrs. Faria was in attendance.

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Ms. Hines noted that she has worked with Mrs. Faria and she agrees with Mr. Cadime's comments. She will be good in that position.

Consider the Appointment of Carolyn Kach to the Position of Senior Clerk in the Collector/Treasurer's Office

Mr. Cadime recommended the appointment.

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

VOTED: To appoint Carolyn Kach to the position of Senior Clerk in the Collector/Treasurer's office.

Mrs. Kach was in attendance.

Consider Appointing Theresa McGregor to the Human Services Council

Mr. Cadime met with Ms. McGregor. He recommended the appointment.

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

VOTED: To appoint Theresa McGregor to the Human Services Council.

Ms. McGregor was in attendance.

Discussion with Senator Paul R. Feeney Regarding the State Budget and New Legislation

Senator Feeney said the legislative cycle ended. They got a budget and an override was late getting to the governor. The budget is \$42B. Revenue is up. There are signs of increased revenue projections. They need to put money into the rainy day fund.

He thanked Rep. Howitt and former Sen. Timilty for helping him through the process after he was elected. Rep. Howitt, and also the Senate, was able to get \$20,000 for a generator at the senior center.

He supported an Energy Omnibus Bill. It is specific to Seekonk and Rehoboth. An amendment was put through the Senate to restrict the compression station. It didn't survive conference committee so it probably will come up again.

He thanked Chief Mace for his advocacy regarding funding for police training.

They passed an Opioid Bill to address substance abuse issues.

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No agreement on reforming the education funding and also the health care bill.

Sen. Fenney said he has office hours throughout the district. He will be at town hall on August 27 to meet with residents.

There is a \$4M Environment Bond Bill for work at the Attleboro Dye Works. However, a bond bill is not guaranteed.

Ms. Hines said there is a lot of talk on social media that Sen. Fenney is supporting legislation to make Massachusetts a sanctuary state.

Sen Fenney replied that the components he voted for were supported by law enforcement.

Consider the Notice of Retirement from Chief Craig Mace, effective September 7, 2018

Chief Mace was in attendance surrounded by police officers.

Mr. Cadime recognized Chief Mace's long dedication to the town.

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

VOTED: To accept with deep regret the retirement of Chief Craig Mace, effective September 7, 2018.

Chief Mace said 33 years. Two Board members have known him over 30 years and know that he would do anything for the department and town. With the support of Mr. Cadime, this Board and previous boards, the Police Department has accomplished a lot. The department is at 40 police officers. Mr. Cadime has dedicated funds for police officer training. He applauded Sen. Feeney for getting about \$10M per year for training vs. the \$3M the State was putting aside. It is awesome to have five night detectives. The fleet is in good shape. The Seekonk Police Department has become known for being a "squared away department." It speaks to the work and effort of past and present police officers. They have made headway on technology. There is a robust social media presence. It is great to be a part of that. When Chief James Healy retired back in 1988, he posted a memo that commented that you recognize the success with the results of the men and women of the Seekonk Police Department. He feels the same way. He is very proud of the officers. He has been blessed to work with people past and present that have had the well-being of each other, the Police Department, and the public at heart. He hoped his legacy would be of being fair, respectful and a progressive leader. He hoped his example lasts in the heart and action of future generations of the Police Department. He will forever be grateful for the opportunity of being a Seekonk police officer and Chief of Police.

Mr. Viera thanked Chief Mace for his tutelage when he was a special police officer. He has always held him at very high esteem. He is probably one of the best police officers he has met.

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He told Chief Mace to be ready because once he closes that door there is no turning around. A part of him will stay with the department.

Chief Mace said he hopes it is the positive part of him.

He mentioned the selection of Capt. John from in-house will keep the continuity.

Mr. Viera considers the department second to none.

Mr. Almeida thanked Chief Mace for getting two K9 officers.

Chief Mace thanked the Board for its support. He commented on the success of the detectives. He noted the department has a strong presence in the regional law enforcement council.

Chief Mace received a standing ovation.

Consider the Appointment of Craig Mace as a Special Police Officer, effective September 10, 2018

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

VOTED: To appoint Craig Mace as a Special Police Officer, effective September 10, 2018.

Consider the Appointment of Captain Frank John to the Position of Chief of Police, effective September 9, 2018

Mr. Cadime noted this is the second in-house appointment tonight. Mrs. Faria and Capt. John have the ability to lead those departments in a positive way.

He recommended the appointment of Capt. John.

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

VOTED: To appoint Capt. Frank John to the position of Chief of Police, effective September 9, 2018.

Capt. John will serve as Interim during the two days between the resignation and appointment. The installation ceremony is on Sunday, September 9, 2018.

Capt. John sincerely thanked Mr. Cadime and Board members and said he is truly honored for the faith and confidence to appoint him as Chief of Police. He has served the town since 1987. It's a source of pride for him to be able to serve the town that has given so much to him and to serve with incredible men and women.

PUBLIC HEARINGS

**Consider the Request to Amend a License for an Underground Storage Tank for
Cumberland Farms at 1455 & 1479 Fall River Avenue**

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

VOTED: To open public hearing at 7:35 p.m.

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

Atty. Michael Kehoe advised the building will be razed. They want to put in two 20,000,gallon and one 10,000 gallon (diesel) tanks. There will be four fuel islands. The tanks are fiberglass. The Planning Board submitted a traffic plan to the Fire Chief.

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

VOTED: To close the public hearing at 7:38 p.m.

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

Chairman Andrade said they are going from 32,000 to 50,000 gallons on site.

He noted that he has received numerous complaints about deliveries between 2 and 4 a.m. and banging of lids. It seems moving the tanks will put them further away from the residential area. .

Atty. Kehoe indicated the ZBA made that stipulation.

Ms. Hines asked if it is a 24 hour facility. She asked about the Cumberland Farms going up on Route 44.

Atty. Kehoe said it is a different project.

Chairman Andrade noted the new plan will reduce the number of curb cuts.

Mr. Zorra asked if the current business will be open during construction.

Atty. Kehoe said only until demolition starts.

There was discussion about apply restrictions to the license.

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Chief Healy stated that restrictions about delivery times cannot be applied to this license. As a matter of fact, the form has changed and there is no place to include restrictions. He offered to research further.

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

VOTED: To approve the license for an underground storage tank for Cumberland Farms at 1455 & 1479 Fall River Avenue, with stipulations set forth by the ZBA.

OLD BUSINESS

Reconsider the Vote of July 25, 2018 requesting a Public Amusement/Entertainment License for David Sorgman to hold a Hawaiian Luau Event at the American Legion, 251 Fall River Avenue

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

VOTED: To reconsider the vote taken on July 25, 2018 requesting a Public/Amusement/Entertainment license for David Sorgman to hold a Hawaiian Luau event at the American Legion, 251 Fall River Avenue.

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

VOTED: To revoke the license for David Sorgman to hold a Hawaiian Luan event at the American Legion, 251 Fall River Avenue.

In discussion prior to the vote, Mr. Almeida asked if the applicant would get a fee refund.

Mr. Cadime said no.

Chairman Andrade said he asked to put this on the agenda because the applicant was extremely vague. The next day Ms. Hines discovered information contrary to what was given to the Board the night before.

Ms. Hines said she got information that these people lied to the Board. Their explanation of the event was false. It was not a bachelor party and not family oriented. It was for profit. They were charging money. They also lied to the American Legion. It was to collect money to give to an organization that supports the passage of legislation to make marijuana legal in Massachusetts.

Chairman Andrade said the issue is deception.

NEW BUSINESS

Consider the Request from Joe Fortin for a Right of Way Opening at 22 Ipswich Street while under a Moratorium

Letter from Mr. Fortin to be able to take advantage of a rebate program from Columbia Gas. The deadline is November 16. Mr. Fortin asked for an exclusion from the moratorium to allow the gas company to cut the street for gas service.

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

VOTED: To put this on the floor for discussion and to table until the next meeting to allow Mr. Fortin to look into propane.

During discussion, Chairman Andrade explained the by-law states for emergency purposes. He asked if Mr. Fortin considered propane. They make smaller tanks but would have to be changed more frequently.

Mr. Viera said there have been several requests lately for cuts in the road. The position of the Board has always been that there is a moratorium.

DPW Supt. David Cabral said a mailing went out to residents about the moratorium. He was contacted by Columbia Gas re: Mr. Fortin and told them it can't be done. He had discussed the plan for road work with Columbia Gas.

Mr. Viera lives on the same street. He did not get notification.

Ms. Hines said she supports the moratorium and the only way to by-pass it is in an emergency situation. Mr. Fortin has heated his house with electric and wood for 25 years. He is now in a financial and physical situation where he can no longer do that. She felt this is an emergency.

Chairman Andrade said Mr. Fortin hasn't looked into propane. Natural gas isn't the only solution to this problem.

Ms. Hines asked if there is a program for propane.

Mr. Fortin indicated he is more than willing to investigate propane.

Consider the Request from Chelsea and Matt Lindberg for a Right of Way Opening at 16 Milton Street while under a Moratorium

Mr. Lindberg requested a road opening to switch from oil to gas heat.

Chairman Andrade said it is not an emergency.

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The moratorium is over in 2021.

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

VOTED: To place on the floor for discussion and to table to enable Mr. Lindberg and Mr. Cabral to get more information.

Consider the Approval of Regular Session Minutes of July 25, 2018

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

VOTED: To accept the Regular Session minutes of July 25, 2018, as submitted.

COMMUNITY SPEAKS – None.

OTHER BUSINESS

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

TOWN ADMINISTRATOR'S REPORT

Update on the EnerGov Online Permitting Software from Tyler Technologies

Mr. Cadime advised a representative from Tyler Technologies was here last week to work with various departments on the modules.

BOARD OF SELECTMEN LIAISON REPORTS AND CMMENTS

Veterans Memorial Park Committee Liaison Report

Mr. Viera advised they are still working on corrections to bricks that had to be redone.

He asked if the generator at the senior center is operational.

Mr. Cadime said they are waiting for the connection.

Mr. Viera asked if anything will be done about the trench cut across Arcade Avenue in front of the senior center.

Mr. Cabral said he would contact the contractor who did the work to make repairs.

He has been talking to representative from the gas company. It might take 6 to 8 weeks to get a pipefitter out there to make the connection.

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Mr. Zorra commended Mr. Cabal on the condition of Martin School fields.

He asked if the sidewalks will be cleaned before paving from County Street to the Grist Mill.

Mr. Cadime said they are waiting until the project is complete.

Mr. Zorra asked if the Board wants to look at the remote participation policy.

Mr. Cadime said it is available to all boards.

Chairman Andrade suggested they have a presentation so that everyone understands what it is.

Mr. Viera stated that the Board of Library Trustees had not returned the Memorandum of Understanding. The Veterans Memorial Park Committee has plans but not sure what can be done on the property.

Ms. Hines said that Chairman Andrade and she participated at Price Rite for Feeding Minds and Bodies. Certificates were distributed by the Salvation Army. People were allowed to drive up and have groceries put in their cars. It was well run. She received a letter of appreciation with a gift card that she will donate to the senior center to help a needy family.

She thanked those who participated in the Family Fun Day. People were there even though it rained. They gave out 100 of 200 backpacks. The others were given to Doorways. Leftover food was given to a church having a function.

She attended a Steering Committee meeting which had to do with population of schools going forward. Information will be going out about this.

Mr. Viera is on this Steering Committee.

Chairman Andrade inquired about budget updates.

Mr. Cadime said a quarterly meeting will be in October.

Chairman Andrade asked about green community.

Mr. Cadime said that Mr. Aubin and Mr. Abelson met with Green Community folks.

EXECUTIVE SESSION

At 8:49 p.m. Mr. Viera motioned, seconded by Ms. Hines, to go into Executive Session to conduct strategy sessions with respect to negotiations with the Executive Assistant, per M.G.L. Chapter 30A, Section 21(a)(2) and to conduct strategy sessions with respect to negotiations with the Chief of Police, per M.G.L. Chapter 30A, Section 21(a)(2) (subject to approval of Priority Matter G above) as having 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 25, 2018; not to return to Open Session.

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

Respectfully submitted

David Viera, Clerk

Prepared by:

Patricia Gamer, Secretary

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Items Distributed at the August 8, 2018 Board of Selectmen Meeting

Resume for Brittney Faria

Resume for Carolyn Kach

Talent Bank Form for Theresa J. McGregor

Retirement Notification from Craig A. Mace, Chief of Police

Documentation to amend a license for an underground storage tank for Cumberland Farms at 1455 & 1479 Fall River Avenue

Town Planner John J. Aubin III – July Monthly Report

Joseph Fortin – request to open road for gas installation