

BOARD OF SELECTMEN
OCTOBER 24, 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 a 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. Viera announced that volunteers are needed on the Capital Improvement Committee (1 Board of Selectmen appointment), Charter Study Committee (up to 6 BOS), Conservation Commission (3 BOS), Cultural Council (2 BOS), Energy Committee (1 BOS), Finance Committee (1 Moderator), Historical Commission (3 BOS), Parks & Recreation (1 BOS), Property Tax Work-Off Committee (3 BOS), Recycling Committee (up to 4 BOS), Taxation Aid Fund Committee (1 BOS).

COMMUNITY SPEAKS – None.

PRIORITY MATTERS

Consider the Conditional Offer of Employment to Kenny Borges as a Truck Driver/Laborer for the Public Works Department

DPW Superintendent David Cabral presented two employees for conditional offer of employment.

He favorably recommended the conditional offer of employment to Kenny Borges as truck driver/laborer. Mr. Cadime recommended as presented by Mr. Cabral.

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

VOTED: To extend a conditional offer of employment to Kenny Borges as a truck driver/laborer.

Prior to the vote, Mr. Zorra asked why the application didn't ask for a date of birth. He said anyone under the age of 21 is not allowed to leave the state with a CDL. He questioned the license from out of state.

October 24, 2018

-2-

Mr. Cadime explained that asking the age is not allowed under M.G.L.

Mr. Cabral said he would make note of it for the background check process.

Consider the Conditional Offer of Employment to Cameron Larson as a Truck Driver/Laborer for the Public Works Department

Mr. Cabral favorably recommended the conditional offer of employment to Cameron Larson as a truck driver/laborer. Mr. Cadime recommended as presented by Mr. Cabral.

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

VOTED: To extend a conditional offer of employment to Cameron Larson as a truck driver/laborer.

Prior to the vote, Mr. Zorra questioned about the commute from his home in Blackstone, MA to Seekonk.

Mr. Cabral said Mr. Larson indicated it is not a problem. It is actually closer than where he previously worked.

Consider the Appointment of Kevin Kugel to the Veterans Memorial Park Committee

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

VOTED: To remove the request.

Consider the Appointment of Benjamin Ferreira to the Municipal Capital Improvement Committee

Mr. Cadime advised that Mr. Ferreira is an attorney and also a police detective with the Barrington Police Department.

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

VOTED: To appoint Benjamin Ferreira to the Municipal Capital Improvement Committee for a three-year term to expire in June 2021.

Mr. Ferreira was in attendance. He said he is looking forward to the opportunity.

PUBLIC HEARING

Consider the Proposal and Adoption of an Order to Layout the Roadway “Ricard Street Extension” in Accordance with the As-Built Plan and Legal Description for Possible Street Acceptance at the Fall Town Meeting

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

VOTED: To open the public hearing at 7:11 p.m.

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

Developer Michael Costa said he hoped it would be favorable.

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

VOTED: To close the public hearing at 7:12 p.m.

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

Mr. Cadime advised it is recommended by the Planning Board.

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

VOTED: To adopt an Order to Layout the Roadway “Ricard Street Extension” in accordance with the As-Built Plan and legal description for possible street acceptance at the Fall Town Meeting.

JOINT DISCUSSION WITH THE BOARD OF LIBRARY TRUSTEES

Joint Meeting with the Board of Library Trustees to Discuss the Memorandum of Understanding between the Board of Library Trustees and the Board of Selectmen for the Veterans Memorial

Library Director Peter Fuller, Board of Library Trustees Chairman Michael Durkay and members were in attendance.

Chairman Andrade clarified that they all agree the fifth appointment to the joint committee would be made by the town moderator.

Mr. Cadime said an issue came up because of change or additions to the property itself.

There was a lengthy discussion about the Memorandum of Agreement. Mr. Durkay said the original concept that the Board of Library Trustees considered was not intended to be an outline of the process if there is a request to do something to that property. That is why they struck lines 49 to 55.

Chairman Andrade said that section (lines 49 to 55) is a control mechanism. The Board of Selectmen is in favor of that and it needs to stay.

Ms. Hines noted they have talked about this for quite a while. She felt the MOA should be replaced with a simple agreement between both boards that any changes at 410 Newman Avenue must be approved by the Board of Selectmen and Board of Library Trustees. In the event of a disagreement, the joint committee would make a decision.

Mr. Bill Barker suggested a sunset clause.

Chairman Andrade said that isn't necessary. This is a Memorandum of Agreement.

Mr. Barker asked what happens to the landfill if the library is funded for construction.

Chairman Andrade said the Board of Library Trustees would have to meet with the Board of Selectmen.

He suggested Mr. Cadime and Mr. Fuller can prepare a final document that doesn't have to be revisited.

NEW BUSINESS

Consider the Amendments to Dispatch General Orders

Communications Director Chris Campbell presented General Orders 2,3,4,5,6,7,8. Majority were approved by the Board in November 2014. They have been renumbered in accordance with the department's general order on directive. General Order 7 was previously approved in 2014 and has been modified to include a new procedure for third party quality assurance and quality improvements of calls requesting emergency medical services. He worked with Chief Healy on these modifications and has his support. They will allow for independent professional review of emergency medical dispatch pre-arrival instructions. The goal is to improve services to the community. The cost comes from a state 901 department grant. General Order 5 is new and deals with the current staffing levels.

M. Campbell requested Board approval.

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

VOTED: To accept General Order Amendments 2,4,5,6,7,8; with the exception of General Order 3.

Prior to the vote, Ms. Hines questioned General Order 3 – 2.13.1 “except in the line of duty.” Mr. Campbell will modify that.

She also questioned 2.19.1 “A dispatcher will not consort with criminals or others who may cast a negative image upon the Communications Department or the Town of Seekonk.” Mr. Campbell will check on that.

Discussion on Quarterly Budget Updates

Mr. Cadime had a slide presentation. It is available on the town’s website.

He noted the Quad Board met on October 3. Financially, the town is good shape for the first quarter.

Free cash was certified on September 17, 2018 at \$2,509,293. If all warrant articles are approved, free cash would be \$1.2M. The Enterprise Fund retained earnings is at \$253,291.

Discussion of a Referendum Ballot Question Prohibiting Recreational Marijuana Establishments

Mr. Cadime advised a special election is required in order to have a full band of marijuana in town. Once the ballot question is identified, the town clerk would have to be notified. He had a breakdown and description of the question from Kopelman & Paige.

Chairman wanted clarification that the 2016 election was to allow statewide use but not in the Town of Seekonk.

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

VOTED: To approve the referendum ballot question prohibiting recreational marijuana in the Town of Seekonk, but approve statewide use.

Board members will check with Atty. Fair on clarification of wording.

Mr. Cadime advised the election has to be held after November 29 and before December 31, 2018.

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

VOTED: To schedule the election on Tuesday, December 4, 2018.

Prior to the vote, Ms. Hines suggested they check with the town clerk.

OLD BUSINESS – None.

NEW BUSINESS

**Consider Accepting the Warrant for Fall Town Hall and
Assign Warrant Article and Make Recommendations for Fall Town Meeting**

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

VOTED: To approve Article 1 (Reports) for the November 19, 2018
Fall Town Meeting.

Chairman Andrade to present.

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

VOTED: To approve Article 2 (Ricard Street Extension) for the November 19,
2018 Fall Town Meeting.

Mr. Almeida to present.

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

VOTED: To approve Article 3 (Amend General ByLaws, Category 20C
Stormwater Management) for the November 19, 2018 Fall Town Meeting.

Mr. Viera to present.

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

VOTED: To approve Article 4 (Amend General ByLaws Chapter 40, Section 57
Delinquent Taxpayers) for the November 19, 2018 Fall Town Meeting.

Mr. Viera to present.

No action was taken on a motion by Mr. Viera, seconded by Ms. Hines, to approve Article 5.

Ms. Hines said it is not supposed to be Town Hall Annex. She sent Mr. Cadime the wording that was voted on at a previous meeting.

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

VOTED: 3 Ayes; 2 Nays; To establish a 540 Arcade Avenue Building Committee consisting of three members appointed by the Moderator and 2 by the Board of Selectmen.

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

Mr. Zorra felt the moderator would be more accessible to residents on nights and weekends.

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

VOTED: 3 Ayes; 2 Nays; To open the warrant to amend Article 5.

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

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

VOTED: 3 Ayes; 2 Nays; To amend Article 5 as follows: To establish a 540 Arcade Avenue Building Committee to undertake renovations to 540 Arcade Avenue, Phase II, or take any other action relative thereto.

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

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

VOTED: 4 Ayes; 1 Nay; To close the warrant.

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

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

VOTED: 3 Ayes; 2 Nays; To approve Article 5 (To establish a 540 Arcade Avenue Building Committee) for the November 19, 2018 Town Meeting.

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

Ms. Hines to present.

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

VOTED: To approve Article 6 (transfer one million dollars from free cash – \$500,000 to Stabilization Fund and \$500,000 to Other Post-Employment Benefits Trust Fund) for the November 19, 2018 Town Meeting.

Mr. Zorra to present.

Mr. Cadime explained there is a slight change in Article 7. Legal Counsel separated each amendment with two motions.

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

VOTED: 4 Ayes; 1 Nay; To approve Article 7 (amend Zoning ByLaws) for the November 19, 2018 Town Meeting.

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

Chairman Andrade to present.

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

VOTED: 4 Ayes; 1 Abstention; To approve Article 8 (collective bargaining with United Steelworkers – Animal Control for the November 19, 2018 Town Meeting.

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

Ms. Hines to present.

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

VOTED: To approve Article 9 (collective bargaining with AFSCME – Communications) for the November 19, 2018 Town Meeting.

Chairman Andrade to present.

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

VOTED: To approve Article 10 (Assessors military exemption) for the November 19, 2018 Town Meeting.

Mr. Viera will present.

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

VOTED: To approve Article 11 (\$1M Aitken Elementary School) for the November 19, 2018 Town Meeting.

School Committee to present.

Mr. Cadime noted he was going to change the amount to \$1.5M in the event bids were high. The School Committee is satisfied with the \$1M.

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

VOTED: To approve Article 12 (purchase of a backhoe tractor for DPW) for the November 19, 2018 Town Meeting.

Mr. Zorra to present.

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

VOTED: To approve Article 13 (additional funding, if needed, for animal shelter) for the November 19, 2018 Town Meeting.

Ms. Hines to present.

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

VOTED: 4 Ayes; 1 Abstention; To approve Article 14 (\$155,000 purchase of parcels at the American Legion site) for the November 19, 2018 Town Meeting

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

Chairman Andrade to present.

Mr. Zorra asked about the \$1.1M of free cash. He was going to make a motion to add money to the CIC. There is talk around town about tree removal.

Mr. Cadime said the budget for snow and ice is small so free cash is put aside for that. Mr. Cabral told him \$50,000 is set aside for tree removal. The issue right now is manpower.

Chairman Andrade recalled putting a large sum of money into the Municipal Capital Improvement Committee.

Mr. Cadime felt it was the Stabilization Fund. He will check on that.

Ms. Hines has seen a vendor taking care of trees around town. She suggested maybe getting another company to come in and help.

Sign Town Meeting Warrant – Members signed.

Consider and Sign the Green Communities Application

Mr. Cadime advised the Board had voted to allow SRPEDD to submit the electronic application. The deadline is October 26, 2018.

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

VOTED: To authorize Mr. Cadime or Mr. Alexander to sign the Green Communities Application.

COMMUNITY SPEAKS

School Committee Chairwoman Kim Sutter thanked the board for voting unanimously for Article 11. They are very excited about the project.

A parent advised that the 8th graders will be selling wreaths as a fundraiser for the Washington, D.C. trip.

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

Veterans Memorial Committee Liaison Report – None.

Ms. Hines announced the Food for Fuel Pasta Night on Wednesday, November 7, 2018, from 4:30 to 7 p.m. at the high school. Tickets are available at the town clerk's office and senior center. The cost is \$10 for adults, \$5 for children ages 4 to 12, and free for children 3 and under.

EXECUTIVE SESSION

At 9:09 p.m. Mr. Viera motioned, seconded by Ms. Hines, 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) as having discussion in open session would be detrimental to the litigation or bargaining position of the town; and also consider the approval of Executive Session minutes of September 19, 2018; to reconvene to open session.

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

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

VOTED: To return to Open Session at 10:10 p.m.

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

Chairman Andrade advised Atty. Fair had approved the language on the ballot question regarding recreational marijuana.

ADJOURNMENT

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

VOTED: To adjourn at 10:12 p.m.

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

October 24, 2018

-12-

Items Distributed at the October 24, 2018 Board of Selectmen Meeting

Application from Kenny Borges for position of truck driver/laborer

Application from Cameron Larson for position of truck driver/laborer

Talent Bank form for Kevin Kugel – Veterans Memorial Committee (removed)

Talent Bank form for Benjamin Ferreira – Municipal Capital Improvement Committee

Documents for Ricard Street Extension

Memo of Understanding between Board of Library Trustees and Board of Selectmen

Amendments to Dispatch General Orders

Draft Warrant for November 19, 2018 Fall Town Meeting