

BOARD OF SELECTMEN
NOVEMBER 28, 2018
REGULAR SESSION

Members Present: David Andrade, Nelson Almeida, David Viera, Chris Zorra
Absent: Michelle Hines

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), anyone recording the meeting must notify the Chairman. The Board of Selectmen is recording via audio and visual.

BOARD OF COMMITTEE OPENINGS UPDATE

Mr. Zorra announced that volunteers are needed on the Charter Study Committee (up to 6 Board of Selectmen appointments), Conservation Commission (3 BOS), Cultural Council (2 BOS), Energy Committee (1 BOS), Historical Commission (3 BOS), Property Tax Work-Off Committee (3 BOS), Recycling Committee (up to 4 BOS), Taxation Aid Fund Committee (1 BOS), 540 Arcade Avenue Building Committee.

COMMUNITY SPEAKS

Police Chief Frank John mentioned that the Police, Fire, and Communications Departments are sponsoring a toy drive to benefit Boston Children's Hospital. Donations of new unwrapped toys or gift cards can be placed in a box at the entrance of the Public Safety Complex

PRIORITY MATTERS

Consider the Conditional Offer of Employment to Douglas W. Hood as Third Class Patrolman

Chief John requested a conditional offer of employment for Douglas W. Hood. Mr. Cadime recommended as presented by the Chief.

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

VOTED: To extend a conditional offer of employment to Douglas W. Hood as third-class patrolman.

Consider Accepting a Donation of \$3,800 from "Gilly's Golfing 4 Paws" to the Canine Gift Account

Chief John advised this is made in memory of Gil Pereira.

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

VOTED: To accept the donation of \$3,800 from “Gilly’s Golfing 4 Paws” to the Canine Gift Account.

Consider Accepting a Donation of Stop & Shop Gift Cards in the Amount of \$1,270 from Wampanoag Rod & Gun Club to Human Services

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

VOTED: To accept the donation of Stop & Shop gift cards in the amount of \$1,270 from the Wampanoag Rod & Gun Club to Human Services.

Mr. Viera asked what the cards would be used for.

Mr. Cadime advised for food in the event of an emergency.

Consider the Property Inspection Notice from the Board of Assessors to be Inserted in Tax Bills

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

VOTED: To approve the Inspection Notice from the Board of Assessors to be included in the tax bills.

Consider the Request from the Animal Control Officer to set March 9, 2019 for Rabies Clinic

Mr. Cadime advised the clinic is done in conjunction with the Town of Rehoboth. The fee is \$10 cash only.

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

VOTED: To approve the request from the Animal Control Officer to set March 9, 2019 for the rabies clinic.

PUBLIC HEARING

Fiscal Year 2019 Tax Classification Hearing

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

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

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

Board of Assessors Chairman Paul Buckley advised the 2019 residential values increased at 6.7%, commercial values by 3%, new growth 2.8 % to \$916,532 and average residential single family assessment increased from \$326,000 to \$346,000 or 6%. The maximum levy increased 4.68% at \$41,913,600. The top five taxpayers are Algonquin Gas P/P Lines; Seekonk Square Realty Trust; RI Seekonk Holdings, LLC; Seekonk Shop Center Equity Group; and Scannell Properties #254, LLC. The total value for FY 2019 is \$2,490,457,125 compared to FY 2018 at \$2,350,751,620. The maximum commercial, industrial and personal property (CIP) shift for the Town of Seekonk for Fiscal 2019 is 1.71 or a residential factor of .7775, 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).

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

VOTED: To close the public hearing at 7:17 p.m.

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

Mr. Cadime noted that 90% of new growth was a result of Fed Ex coming into town.

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

VOTED: To maintain the tax rate the same as last year at .7775 factor.

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

VOTED: To approve the shift at 1.71, factor at .7775, commercial rate with exemption at 28.83, average commercial value at \$29,695, tax bill % differential at 3.96%, and tax bill difference at \$1,175.

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

VOTED: To authorize the Town Administrator to submit the application into the Department of Revenue Gateway system.

LICENSE HEARING

Consider the Request for a New Class I Motor Vehicle License for Tasca Automotive Group Two, Inc., d/b/a Tasca Ford MA, 200 Fall River Avenue

A representative from Tasca was in attendance. He said the manufacturers wanted two separate licenses.

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

VOTED: To approve the request for a new Class I Motor Vehicles license for Tasca Automotive Group Two, Inc. d/b/a Tasca Ford MA, 200 Fall River Avenue, as submitted.

2019 LICENSE RENEWAL HEARING – See Attached List of Renewal Applications, Business Names and Addresses – Alcohol, Class I, II, III Motor Vehicles, Entertainment, Amusement Machines, Antiques and Second Hand

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

VOTED: To approve the 2019 license renewals for Alcohol, Class I, II, III Motor Vehicles, Entertainment, Amusement Machines, Antiques, and Second Hand, with the exception of Blazin Wings, Inc. and Outback Steakhouse.

Mr. Cadime explained Blazin Wings and Outback are waiting for third party sprinkler inspection signoffs in order to get certification from the building inspector.

OLD BUSINESS

Discussion Regarding the Process for Hiring a Deputy Police Chief

Chief John reviewed the job description with the Board.

Mr. Viera wanted to add that the Deputy Chief would answer to the Town Administrator in the absence of the Chief.

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

VOTED: To approve the job description for Deputy Police Chief, as amended.

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

VOTED: To post the position of Deputy Police Chief.

Chief John explained that he had looked at 14-15 departments with deputies. He looked at his salary and the Captain's salary. He calculated a 10% increase over the Captain's salary. The average difference is 14% below the Chief's salary. He proposed a total package salary range of \$120,000 to \$125,000 for Deputy Chief. The deputy chief being able to do details is a matter for future discussion.

Chief John noted that, in Seekonk, the sergeant makes 15% above patrolmen, lieutenant 12% above sergeant, and the captain 10% above lieutenant.

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

VOTED: To set the Deputy Chief's salary at a range of \$120,000 to \$125,000.

NEW BUSINESS

General Discussion of Fall Town Meeting

Chairman Andrade stated that he thought the ballot question wasn't necessary following the Town Meeting vote. The Town Clerk sent an e-mail to counsel asking if the ballot question would go forward. She got an e-mail from the attorney that once a scheduled election is within 35 days and absentee ballots sent out, the special election is somehow under way and some ballots may have already been cast. It ensures the integrity of the election process and maintains the public confidence in that process.

Chairman Andrade said there has been a lot of talk about this.

We can take the town meeting vote and forget the election. Or, have the election, and, in his opinion, unless there is an overwhelming response from residents in excess or near the 2/3 vote, it is a moot issue. It is not an underhanded effort to bypass people. It is what to do with people who have already voted.

Mr. Viera said this is a catch twenty two. The biggest question is where to go from here if the voters don't support the ballot question.

Chairman Andrade said the issue would have to be revisited about potentially going back to town meeting.

Mr. Cadime said people are not understanding the issue at hand. We have recommendation of Town Meeting and we have the overlay district.

Mr. John Alves of 25 River Street said he was on the prevailing side at town meeting. He thought he heard from town counsel that the vote was not needed. It would be up to the Board of Selectmen to make the decision. The Town Meeting is the legislative body and has spoken.

He talked about the flyer distributed at Town Meeting regarding the special election.

Mr. Cadime said the flyer was drafted by his office to inform people that a special election is still required. He noted that absentee ballots are not opened when submitted at town hall.

Mr. Justin Sullivan of 29 Emily Way could not attend Town Meeting. He didn't think it was going to be such an issue. The process matters to him. This town approved legalization of mariyana back in 2016. The special election should not be happening because it was within 35 days of Town Meeting. He questioned the advice given by legal counsel.

Mr. Cadime read the memo from Atty. Lauren Goldberg of KP Law. At one time, she worked for the Secretary of State.

Mr. Tom Benoit of Ferncliffe Road said it is a ban on retail sales. He questioned what would happen if it passes. He asked if it would be possible to have a town meeting before January 1. He felt they should proceed with the election and see what happens.

Mr. Paul Nunes, 920 County Street, said the moderator or someone else announced there wouldn't be an election. Legal counsel was in attendance and didn't speak up. He felt something has to be done about the town's legal counsel. He said people left town meeting thinking there wasn't going to be a special election.

Mr. Cadime said he did not hear that. He would have corrected that. The process is still in place. He doesn't know that legal addresses philosophical differences. Legal is there to review warrant articles and that motions and votes are made properly.

Mr. Nunes asked what has taken so long.

Chairman Andrade said there is a moratorium until December 31, 2018. It was scheduled for the spring town meeting but the Planning Board suggested the fall town meeting.

Mr. Almeida added that the Board wanted to place it in the industrial area and keep it away from neighborhoods.

Mr. Nunes talked about the economic impact on Seekonk. People will be able to go to Swansea to purchase marijuana.

Chairman Andrade said that is not the substance of tonight's meeting.

Mr. Josh Mullins, Greenwood Avenue, felt the presentation was confusing. Some of the selectmen were tagged on Facebook but no comments were made.

Mr. Almeida noted he responded and said there would be an answer tonight.

Chairman Andrade stated that Facebook is not the place to comment. It is a violation of the open meeting law if three or more members participate in an on-line discussion. This is where that conversation should take place.

He agreed that clarification of the statement would have been helpful. The question now is the election and maintaining the integrity of the election process. Town Counsel has made a recommendation regarding that process.

Mr. Mullins said there was no information on the website.

Mr. Cadime said the election cannot override town meeting.

Mr. Almeida read legal opinion that the town could put warrant article back before town meeting.

There was no second to a motion by Mr. Zorra to cancel the special election.

Mr. Almeida said the special election will move forward. It is a confirmation of what people want. Majority of the people at town meeting approved the sale of marijuana. People have cast absentee ballots. He is certain the majority will prevail again. He will not support putting this back at town meeting.

Mr. Viera noted that any warrant article can be brought back for consideration. Some people walked out as soon as the vote was passed to defeat the article.

Mr. Andrade apologized for raising his voice to Mr. Mullins.

Consider the Approval of Regular Session Minutes of October 17, 2018

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

VOTED: To accept the regular session minutes of October 17, 2018.

COMMUNITY SPEAKS

Mr. Tom Benoit asked if work on the County Street Bridge will continue.

Chairman Andrade said the Board was notified several weeks ago that the project is postponed due to the season. An article in the East Providence newspaper indicated that Seekonk was the cause of the delays. The Chairman hoped the person who wrote the article would correct that statement. All work will be done on the Seekonk side.

Mr. Benoit noted that the Veterans Memorial Committee reports to the Board of Selectmen. He asked if other boards do.

Mr. Almeida said that Mr. Viera is the liaison to the Veterans Memorial Committee.

Mr. Benoit gave kudos as far as the actual placement of the Hollister.

Mr. Viera said that DPW did a great job.

Mr. Benoit asked about a list of pending projects so the public can have an input on the priority. He mentioned money being spent for building projects for schools and the animal shelter.

Mr. Cadime said there are capital projects on the website. Money has been appropriated to the animal shelter and the second phase of the senior center as well as architectural services for Aitken School. No money for the library or south end fire station right now.

Mr. Benoit asked if residents would have an opportunity for input during negotiations with Cable TV.

Mr. Cadime said negotiations are underway. The Town does not negotiate rates.

Mr. Almeida said he requested an a la carte type service but it is not available.

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

Mr. Viera advised nothing right now.

He said there are a number of camper trailers with people living in them that have been victims of fire and also others that were not involved in fires. He questioned how long people can live in a camper.

Chairman Andrade said it could be a two to three year window before something can be done.

Mr. Viera said by-laws might be specific as to the length of time.

Mr. Viera asked who is responsible for the property that Cumberland Farms was going to take over on Route 44. He felt the town should condemn and remove the building. He asked the building inspector to look into it.

Mr. Cadime will follow up on that. He said the property manager is George Collias. In order for the town to go in there and do involuntary razing, it would require three independent engineers out there to make a determination. The burden of cost would be on the town.

Mr. Viera said the town could put a lien on the property. He said there are several similar properties in town.

Mr. Al Silva wanted to know when Cumberland Farms withdrew.

Mr. Viera said right after the Board voted not to give a permit to store fuel.

Chairman Andrade advised he sent Mr. Cadime an e-mail asking him to look into a few things.

There is a mountain of asphalt shavings, debris, etc. in the area just past the Firefly.

He has heard some individuals are claiming hotels as residents.

Mr. Cadime said some communities house homeless families in certain motels for a number of years under the McKinley-Vento Bill.

Chairman Andrade announced the 4th Annual Tree Lighting sponsored by the Kiwanis Club will be on Thursday, December 5, at 6 p.m. at town hall. Donations will be accepted for Doorways.

Executive Session - None.

Adjournment

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

VOTED: To adjourn at 8:59 p.m.

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

Respectfully submitted,

Prepared by:

David Viera, Clerk

Patricia Gamer, Secretary

Items Distributed at the Board of Selectmen Meeting of November 28, 2018

Check for \$3,800 from Gilly's Golfing 4 Paws to the Canine Gift Account

Stop & Shop gift cards from the Wampanoag Rod & Gun Club to Human Services

Board of Assessors – 2019 Tax Classification

Sharon Hall, Animal Control Officer – Date for Rabies Clinic

Documents for New Class Motor Vehicle License for Tasca

List of Renewals