

BOARD OF SELECTMEN
MAY 20, 2020
REGULAR MEETING

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 the Governor's order suspending certain provisions of the Open Meeting Law, the public is not allowed to physically access the meeting. The meeting will air live on TV9 and can be accessed remotely. Instructions are on the town's website.

BOARD AND COMMITTEE OPENINGS UPDATE

Mr. Sullivan announced that volunteers are needed on the Capital Improvement Committee (1 Board of Selectmen appointment), Commission on Disability (5-13 BOS), Economic Development Committee (4 BOS), Energy Committee (1 BOS), Historical Commission (2 BOS), Recycling Committee (up to 3 BOS), Zoning Board of Appeals (2 Alternates).

PRIORITY MATTERS

Discussion of Amendments to the Town Charter

Chairman Andrade said the Board has three options; no action, partial action, or full action. Each individual recommendation will be brought to town meeting for approval.

Mr. Viera felt the decision should be made at town meeting as to whether these articles go forward and become part of the Charter.

He said the Charter Review Committee did due diligence and worked hard for almost two years to put this document together. They heard testimony from different individuals as to why these changes should or should not be made.

Chairman Andrade noted that, when the Board met with members of the Charter Review Committee, some of them did not agree with all the items. As members of the Board of Selectmen, it is their responsibility to make recommendations.

Mr. Viera asked if the document was sent to legal for review.

Mr. Cadime said after the Board makes decisions.

Chairman Andrade noted recommendations are highlighted in red.

Article One, Section Three - Scope and Interpretation of Town Powers

The appointed members serving on committees, boards and ad hoc committees must be residents of the Town of Seekonk and remain a resident while serving on such board, committee or ad hoc committee. Non-resident may serve as non-voting member of said committees, boards, or ad hoc committees. Reason for change to coincide with town by-laws.

Chairman Andrade felt previous discussion was to include non-resident town employees.

Mr. Cadime said the one that came up would be the Superintendent of School search.

Mr. Almeida said he is ok with non-resident town employee.

Chairman Andrade said a non-resident town employee as a voting member.

Mr. Viera and Mr. Almeida agreed that not as a voting member.

Chairman Andrade disagreed.

Mr. Cadime asked what would be the purpose.

Mr. Viera said "input."

Chairman Andrade gave Conservation Agent as an example.

Mr. Cadime said a search committee should be an exemption to the rule. He doesn't think an employee should sit on a board or commission that has town residents.

Mr. Viera said non-resident employees could come in on an advisory capacity.

Mr. Sullivan suggested any non-resident department head.

Mr. Viera wanted to add a sentence that, "This does not apply to non-resident department heads."

Chairman Andrade said town administrator and department heads on ad hoc committees should be allowed to vote.

Mr. Sullivan suggested determination by the Board of Selectmen at the time of assembling committee whether or not they would have voting rights.

Mr. Viera questioned whether a non-resident, non-taxpayer would have the right to be on a building committee.

Mr. Cadime said a search committee does not have appointing authority. It is different with a building committee that approves invoices, etc.

Mr. Viera would approve adding non-resident department heads on ad hoc committees can vote.

Mr. Zorra said the Superintendent's Search Committee had several non-residents.

Mr. Cadime said strike the last sentence and add that this would not apply to non-resident department heads for ad hoc committees.

On Home Rule Charter – eliminate “and amendments to it.”

Article Two, Section 1 - Composition and Membership

Eliminate, “The Town Meeting shall have all powers under this Charter, our Town By-laws, Mass. and U.S. General Laws to police and enforce all matters procedurally and otherwise that may affect the conduct of appointed and elected town officials. The body shall have the power to censure an elected or appointed individual for failure to comply to Town Charter, By-laws, Mass. and US General Laws.”

Article Two, Section 2 - Presiding Officer

Town Clerk as Moderator pro tempore in the absence of the Moderator and the Assistant Town Clerk will assume the Town Clerk's responsibilities.

Article Two, Section 3 - Clerk of the Town Meeting

Add to the first sentence that the Town Clerk may serve as Moderator pro tempore. Add to the last sentence that the Assistant Town Clerk would assume the responsibilities of the Town Clerk. The Town Meeting may, at any session, elect a clerk pro tempore to serve in the Town Clerk's absence.

Article Two, Section 4 - General Powers (No change)

Article Two, Section 5 – Procedures

Annual Meetings

With respect to the Town of Seekonk shall make the warrant content available, via U. S. Mail, to each household with a registered voter at least 14 days prior to the date of Town Meeting, the Board decided to send a flyer with summary information. There was discussion of timing it with another mailing. It would be costly to send entire warrant.

Mr. Viera said the thought was to get more people interested in Town Meeting.

If approved, it will begin with Fall Town Meeting.

Article Three, Section 4 – Recall of Elective Officers

Mr. Almeida noted that John Alves had suggested 20%.

May 20, 2020

-4-

Mr. Cadime noted that recall is difficult to do. It has detrimental effect on the community. There is an election every year in Seekonk. Board members agreed to keep it at 15%.

Chairman Andrade said legal was supposed to look at paragraph structure.

Article 4 – Elected Town Boards and Committee

Article Four, Section 1 – General Provisions

Planning Board is mandated by the State to be five years.

Town Clerk is a three-year term.

There was discussion about terms for Board of Selectmen- staggering or overlapping.

Chairman Andrade said he has a note that Housing Authority has to be modified to fit Mass. law.

Mr. Zorra explained – five members. One must be resident of Housing Authority property and one appointed by the Governor.

Mr. Cadime said he would have legal check on that.

Moderator

Board members discussed the elimination of the Capital Improvement Committee.

Mr. Sullivan, Mr. Viera, Chairman Andrade in favor of elimination of the Capital Improvement Committee. Mr. Almeida, Mr. Zorra against.

Mr. Zorra noted there are knowledgeable people on the CIC.

Mr. Viera said they should go on the Finance Committee.

Article Five, Section One – Board of Selectmen Composition, Term of Office, Vacancies

Board members agreed to remove Article Five Amendment.

Article Five, Section Two – General Powers and Duties

It was 4 to 1 to remove the following statement. Mr. Almeida, Mr. Sullivan, Mr. Viera, and Chairman Andrade agreed. Mr. Zorra opposed.

“The Board of Selectmen shall be allowed to interact but not interfere with department heads in the day to day activity. Any concerns with departments will be sent to the Chairman. It will

May 20, 2020

-5-

then be the Chairman's responsibility to relay these concerns to the Town Administrator for action. Within two weeks, if there is no action, the Chairman has the authority to contact the department head directly."

The Board of Selectmen agreed to include the statement, "The Board of Selectmen shall establish the goals and objectives for the upcoming fiscal year and will be presented at the Spring Town Meeting.

Article Five - Section Three – Specific Powers and Duties (No change)

Article Five – Section Three – General Administration Investigations

Chairman Andrade said it is to change the word "may" to "shall." The question is should the Board investigate the Moderator.

Mr. Cadime felt it is giving authorization to the Town Administer to investigate Town Moderator appointments.

Board members agreed.

Adding a Section Five – Appointment of Committee Members

OK with Board.

Article Six – Town Administrator

Wording "shall" or "will."

A member of the Board of Selectmen has the right to go into negotiations but does not have authority to make decision without the direction of the full Board.

Removing the assistance of the Human Resource Advisory Board – This would fall under Asst. Town Administrator position. Board members agreed.

Voted 4 to 1 to remove Community Preservation Commission from list. Mr. Zorra wanted to keep it

Eliminate the sentence, "Two members of the Board of Selectmen must participate in the screening and interview process with the Town Administrator." Keep, "In the event the Board of Selectmen is not satisfied with the recommendation, they shall have the right to request a new candidate be submitted." Any recommendations must be supported with facts. The Board has the right to override the recommendation with super majority vote of the Board of Selectmen.

Article Seven – Financial Provisions and Procedures

Section 1, Finance Department

Eliminate wording, "with municipal and" and keep "experience in financial manners."

Mr. Cadime said the Finance Director does not have to be a Town Accountant. That sentence should be eliminated. Include Town Accountant on the list of appointment made by the Town Administrator.

Section Two, Finance Committee

Board members favored keeping it at seven members.

On the third paragraph, it reads the Committee should submit recommendation prior to Town Meeting. The suggestion is that the Committee should have printed information posted prior to Town Meeting.

Board members wanted to leave it as is, but, with justification.

Board members approved the appointment of liaisons to various departments.

Section Three, Preparation of the Budget

Removal of reference to Capital Improvement Committee in second sentence.

Mr. Sullivan suggested the Finance Committee have a liaison preparing a Capital Improvement summary.

Mr. Cadime said liaisons will make recommendations in the preparation of one Capital Improvement Plan.

Section Four, Budget Proposal

Insert, "including all operating and capital expenses" in first paragraph.

Board members OK with it.

Section Six, Action on the Proposed Budget

Mail one flyer to each household of a registered voters.

The Board of Selectmen shall be responsible for presenting the Board of Selectmen proposed budget at the spring session of the Town Meeting for appropriate action.

Article 8 – General Provisions

Section One, Charter Amendment

The Committee or Commission formed to review the Charter shall be appointed or elected in accordance with State law.

Section 7, Counting of Days

Include Saturdays. OK

May 20, 2020

-7-

Section 10, Vacating Appointive Offices

Change from 5 to 3 consecutive regular meetings and cause to include family or work conflicts.

4 members wanted to keep it at five. Mr. Zorra against.

Mr. Viera felt the Board of Selectmen should meet once a week to avoid late night meetings.

Section 11, Personnel Procedures

Eliminate Human Resources Advisory Board. Ok will all members.

Mr. Almeida thanked committee members who put this Charter together ten years ago and the current committee for revising and coming up with these suggestions. He thanked them for their time. Other members agreed.

NEW BUSINESS

COVID-19 Updates

Mr. Cadime advised the task force is looking at a re-entry plan. Guidelines came down from the Governor's office. There are some limitations on how many people in an office. Town Hall is still closed. Hoping to re-open in a couple of weeks.

The location of the Town Meeting and election has not changed. They are trying to find a way to do Town Meeting safely.

OTHER BUSINESS – None.

COMMUNITY SPEAKS – None.

ADJOURNMENT

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

VOTED: To adjourn at 9:56 p.m.

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

Respectfully submitted,

Prepared by:

David Viera, Clerk

Patricia Gamer, Secretary

Amended Charter was included in the Board of Selectmen packet.