

**Board of Selectmen
Open Meeting of November 10, 2021
Seekonk Town Hall, 100 Peck Street
BOS Meeting Room**

Members Present: Justin Sullivan, Chris Zorra, Adam Petronio, David Andrade, Michael Healy
Town Administrator: Shawn E. Cadime
Asst. Town Administrator/ Director of Human Resources: Carol-Ann Days

Chairman Sullivan opened the meeting at **6:00 p.m.** followed by the Pledge of Allegiance and moment of silence.

Community Speaks -N/A

A. Consider the conditional offer of employment of Elaijah St. Germain to the position of Confidential Administrative Assistant to the Police Department

S. Cadime recommended a conditional offer of employment be made to Elaijah St. Germain. The interview panel interviewed six candidates and they recommended Elaijah St. Germain to the position Confidential Administrative Assistant to the Police Chief.

Chief Isabella introduced Elaijah St. Germain.

C. Zorra made a motion to appoint Elaijah St. Germain to the position of Confidential Administrative Assistant to the Police Department subject to the successful completion of the preemployment background and CORI checks, physical examination, drug screening, and completion of all preemployment paperwork; A. Petronio seconded, and it was unanimously approved.

VOTE: 5-0 all in favor

B. PUBLIC HEARING - Fiscal Year 2022 Tax Classification Hearing

D. Andrade made a motion to open the public hearing at 6:05 p.m.; A. Petronio seconded and it was unanimously approved.

ROLL CALL VOTE: 5-0 all in favor

Paul Buckley, Chairman of the Board of Assessors, presented the FY22 Tax Classification presentation. Lydia Cordeiro, Tax Assessor was also present. The Board of Assessors include Paul Buckley, Joyce Solomon, and Edward McGovern. The Classification Act require Municipalities to classify Real Property. The Board of Selectmen action include selecting the residential factor and granting small commercial exemption. The maximum commercial, industrial and personal property (CIP) shift for FY22 is 1.75 or residential factor of .7781. A residential factor of 100 would result in a single tax rate. A residential factor of less than 100 would increase the share of the levy raised by commercial, industrial and personal property owners and reduce the share paid the by the residential property owners (split tax rate).

Chair Sullivan asked where the shifts come from.

Mr. Buckley explained the Town submits information to the State and the State tells the Town what the maximum shift can be.

The Board discussed: 1.73 property shift or a residential factor of .784058 with 10% CIP (Commercial, Industrial, and Personal).

Chair Sullivan asked if anyone was present to speak in favor or against the tax levy.

No one was present to speak for or against.

M. Healy made a motion to close the public hearing at 6:25 p.m.; D. Andrade seconded, and it was unanimously approved.

ROLL CALL VOTE: 5-0

J. Sullivan read the following motion: Set the CIP shift at 1.73 which is .784058 residential factor with a 10% small business commercial exemption; it was seconded by A. Petronio, and it was unanimously approved.

VOTE: 5-0 all in favor

C. CONTINUED PUBLIC HEARING (Continued from October 20, 2021)- Consider the proposal and adoption of an order to layout the roadway “Patriot Way” in accordance with the as-built plan and legal description

M. Healy continued public hearing from October 20, 2021 at 6:29 p.m. ; A. Petronio seconded and all approved.

ROLL CALL VOTE: 5-0 all in favor

Ryan Duvally advised the Board he met with Ms. Menonca to discuss his plan, and at her request, Mr. Abelson was looped in. The work was completed last weekend which included installing a trench with piping and a yard catch basin to capture the water to redirect it to the rear of property to a swale. The trench will fill up and spill over since it is designed to collect water. During a heavy rain, it will flow.

Mary Menonca said Mr. Abelson did check the work, but she was not at home at the time. She would like to wait until she speaks with Mr. Abelson and have the engineer check it. As long as it works, she will be happy.

D. Andrade made a motion to further continue the public hearing until December 8, 2021 at 6:00 p.m. This will allow time for the Town engineer (GPI) to verify the work was been completed and meets the scope and design of the project; M. Healy seconded it, and it was unanimously approved.

VOTE 5-0 all in favor

D. Consider accepting the Animal Control Warrant

The Animal Control Officer, Andrea Russo, read the Animal Control Warrant into the record.

A. Petronio made a motion to accept the Animal Control Warrant; it was seconded by M. Healy, and unanimously approved.

VOTE: 5-0 all in favor

E. Consider adopting the Seekonk Police Departments General Order 2.28 “Civilian Ride Along Program”

Chief Isabella advised the Board the ride along policy was put together based on best practices. The ride along program is part of their community outreach.

M. Healy asked Chief Isabella if an in-house civilian background check is a requirement for a ride along. He also expressed concerned regarding liability for the town.

Chief answered yes.

Mr. Cadime stated he is not in favor of the policy due to the liability concerns with civilians and will need to follow up with the Insurance Company. Mr. Cadime stated he also understands Chief’s community engagement. He suggested the following things be considered: 1) what type of calls will civilians go on; 2) what calls should be responded to, or not respond to, with a civilian; 3) union concerns; and 4) limit the number of ride alongs allowed.

Chair Sullivan asked if surrounding communities utilize this program.

Chief said Swansea and Somerset do and he has had successful ride along programs. He said he does understand the Town Administrator’s concerns and is opened to exploring those concerns. Only the Police Officers who want to participate in the program will be chosen. They control the process and set the perimeters.

D. Andrade mentioned Item 8 under Participation, “Participating officers will assume their normal patrol during the ride along.” Mr. Andrade is concerned since no one knows what will happen on each call.

A. Petronio said he was concerned with staffing levels during certain shifts.

M. Healy asked if this policy was discussed with the Police Union. He also asked about a cell phone usage policy during a ride along.

Chief Isabella said they have had informal conversations with the union. He also said they can add cell phone usage to the policy.

Chair Sullivan asked if there is the potential of opening up any discrimination concerns if someone is denied a ride along.

Chief Isabella said he is not familiar with that happening and will ask legal counsel.

M. Healy asked for further clarification on the following: 1) civilian cell phone usage; 2) better stance from the Union; 3) the Town Administrator to obtain liability insurance information; and 4) legal opinion for the waiver.

S. Cadime stated legal counsel said the waiver was written fine, but cautioned liability issues with participation during a ride along.

D. Andrade said, 1) he would like to see who participates in the program be limited (i.e., only Board of Selectmen and/or someone enrolled in the academy); 2) under Post Participation change the language to read “individuals may participate no more than once a year in the civilian ride along program.”; and 3) he is uncomfortable with civilians in emergency rides.

Chief Isabella said he will have a more formal discussion with the Union.

Chair Sullivan asked for clarification for the following: 1) limit the rides per year; 2) limit participants to the academy, Board of Selectmen, liaison from Finance Committee, State Representative or Senator; 3) insurance clarification; and 4) legal clarification.

F. Consider accepting the Bureau of Justice Assistance 2021 Patrick Leahy Bulletproof Vest partnership Grant in the amount of \$9,904.85

M. Healy made a motion to accept the grant; it was seconded by A. Petronio, and unanimously approved.

VOTE: 5-0

G. Consider accepting the grant in the amount of \$97,000 from MassWorks Infrastructure Program for the Attleboro Dye Works Area Revitalization Study project

J. Aubin, Town Planner and Jennifer Miller were present to summarize the grant.

M. Healy made a motion to accept the grant; it was seconded by A. Petronio, and unanimously approved.

VOTE: 5-0 all in favor

H. Consider accepting the grant in the amount of \$74,660 from Housing Choice Communities Grant Program

J. Aubin, Town Planner and Jennifer Miller were present to summarize the grant.

M. Healy made a motion to accept the grant; it was seconded by A. Petronio, and unanimously approved.

VOTE: 5-0 all in favor

I. Consider accepting the Real Estate Services Technical Assistance grant in the amount of \$25,000 from MassDevelopment

J. Aubin the Town Planner and Jennifer Miller the Conservation Agent, were present to summarize the grant.

D. Andrade made a motion to accept the grant; it was seconded by M. Healy, and unanimously approved.

VOTE: 5-0 all in favor

J. Consider approval of the American Institute of Architects Change Order for the Track and Field project

S. Cadime said the Committee is responsible for change orders, so a vote would not be needed from the Board at this meeting.

K. Accept the retirement of Ingrid Gustafson from the position of Secretary for the Department of Public Works

M. Healy made a motion to accept the notice of retirement from Ingrid Gustafson; it was seconded by A. Petronio, and unanimously approved.

VOTE: 5-0 all in favor

L. Accept the resignation of Nicholas Faria from the position of Patrolman for the Seekonk Police Department

A. Petronio made a motion to accept the resignation from Nicholas Faria; it was seconded by M. Healy, and unanimously approved.

VOTE: 5-0 all in favor

M. Update on the status of the South End Fire Station Building project

Mr. Tusino, Chair of the South End Fire Station Building Committee, provided an update to the Board. The committee met with Chief Lowery last week. He would like to keep the project moving forward and thinks they are at the point to appoint an MPO. After doing some research, he believes there may be some money available next year from the Firefighter Assistant Program.

S. Cadime has spoken with Chief Lowery regarding staffing concerns for both headquarters and Banna Fire Station at this time. The Board has to consider the costs associated with projects and future discussions need to take place. Mr. Cadime stated the original estimated costs of construction (approximately 2 years ago) was \$3.7M, which included design services. The total construction itself was \$2.8M (design cost, escalation costs, contingencies, etc.). The OPM cost was estimated at \$101,053. When they went out to bid, the first firm came in at \$269,000. He tried to negotiate the cost without

success. The second OPM firm came in at \$391,000. He negotiated to \$253,000 but again, it remains significantly higher than their \$101,053 estimate.

D. Andrade stated 25% delta with escalation equates to an additional \$1.2M.

Mr. Tusino said some of the costs for the MPO may be recoverable with available programs. Materials have gone up, but administrative cost have not gone up the same.

S. Cadime said he needs clarification from the Board as to how they want to proceed with the project: 1) attempt to renegotiate again from \$253,000; 2) throw out all the bids and put OPM services out to bid again with a “not to exceed” clause with the understanding you may be limiting the pool; 3) rework the response times by adding additional staff to headquarters and Banna. This may eliminate headquarters having to respond to the North end; and 4) consider the cost to the taxpayers.

M. Healy said due to the shortage of staff currently and the rising costs of everything, the Board may want to give the new Chief time to consider the department’s priorities. It may be a year before new staffing is fully trained and out of the academy.

Mr. Tusino said the committee would like to continue to move forward with the project.

Chair Sullivan said he would recommend directing the Town Administrator to renegotiate with OPM services. The risk of not doing maybe greater and the scope and scale of the project will come later. Further discussion with Chief Lowery will also take place in regard to a staffing plan.

N. Discussion of Fall Town Meeting

The Board discussed the vote to postpone the amendment to the Town Charter. In summary, the Board voted 3-2 to hold a special town meeting. The Charter Review Committee spent numerous hours, a lot of time holding public meetings, gave presentations, answered questions, and brought their recommendations to the Board of Selectmen. The Board of Selectmen reviewed their recommendations. Some changes were made, some were amended, some were removed or reworded, and some were accepted. The process was followed.

The Board also discussed their concern of not having a quorum at a Special Town Meeting. The Board further discussed ideas on how to create more of a presentation to help residents better understand the submitted changes.

VOTE: 3 in favor - 2 against (M. Healy, D. Andrade)

Mr. Cadime will have follow-up conversations with the Town Clerk and Town Moderator in regard to a date for a special town meeting.

Community Speaks: N/A

OTHER BUSINESS - N/A

TOWN ADMINISTRATOR’S REPORT - N/A

BOARD OF SELECTMEN LIAISON REPORTS AND COMMENTS

- Bristol County Advisory Board (Michael Healy) -N/A
- Aitken School Expansion Building Committee Report (Chris Zorra) – N/A
- 540 Arcade Avenue Building Committee Report – Sub-bids were submitted last Friday and General Contractor Bids are due next Friday.
- Veteran Committee (Adam Petronio) – the Motor Veterans Parade is tomorrow and starts at Briarbrook Plaza at 9:30 a.m. and ends with a ceremony at the Veterans Memorial.

Adjournment to Enter into Executive Session

A. Petronio made a motion to adjourn the meeting and enter into Executive Session at 8:40 p.m.; it was seconded by M. Healy, and unanimously approved.

ROLL CALL VOTE: 5-0

Respectfully submitted,
Adam Petronio, Clerk

Prepared by:
Kristen L'Heureux

Items Distributed at the October 20, 2021 Board of Selectmen Meeting

- Elaijah St. Germain's resume
- Fiscal FY 22 Classification presentation
- Animal Control Warrant
- Police Department General Order 2.28 "Civilian Ride Along Program"
- Memo from Chief Isabella regarding the BVP grant
- Memo from Mike Kennealy regarding MassWorks Infrastructure grant
- Memo from Jennifer Miller regarding Housing Choice Grant
- Memo from Dan Rivera regarding MassWorks Development FY 22 Technical Assistance Award
- Change Order from Huntress Associates
- Retirement note from Ingrid Gustafson
- Resignation letter from Nicholas Faria