

BOARD OF SELECTMEN MEETING MINUTES NOVEMBER 2, 2020

MEMBERS PRESENT: Mr. Christopher R. Carreiro, Chairman
Mr. Derek W. Heim, Vice Chairman
Mr. Steven H. Kitchin, Clerk

ALSO PRESENT: Ms. Mallory Aronstein, Town Administrator
Mr. William Anderson, Interim Town Administrator
Mr. Jordan Remy, Administrative Assistant

A regular Board of Selectmen meeting was held on Monday, November 2, 2020, at the Swansea School Administration Building, One Gardners Neck Road, Swansea, Massachusetts.

The meeting was called to order at 6:30 p.m.

Mr. Carreiro led the meeting with the Pledge of Allegiance.

Mr. Carreiro welcomed Ms. Mallory Aronstein on her first day as our new Town Administrator.

Mr. Carreiro said we will be discussing town meeting related items tonight. Mr. Anderson, our Interim Town Administrator has taken the lead on the matter.

Because we have folks here tonight from the Covid Task Force, Mr. Carreiro said he would like to take Item 2 out of order, in order to decide if we are going to schedule the Special Town Meeting for November 23rd.

MOTION made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to take Item 2 out of order.

ALL IN FAVOR – UNANIMOUS.

DISCUSSION – SCHEDULING SPECIAL TOWN MEETING -NOVEMBER 23, 2020

Mr. Anderson said he met with the Covid group this morning to try to figure out what options are available for November 23rd. He noted that the numbers of our Covid cases have been going up, and we reached the red zone on Friday.

Mr. Anderson said the warrant for the Special Town meeting will need to be posted on November 9th. He spoke about the articles and other related items.

Mr. Anderson reported the roof at the Venus deMilo is still leaking. He said they've tried various solutions including having Serve Pro clean the building, venting the building, the heat has been turned on, but it still smells like mold.

Mr. Anderson said potentially the high school auditorium, cafeteria, and gymnasium could be used, as well as His Providence Church at the Swansea Mall and the Regal Cinema. He said we are looking at public safety.

The Covid Task Force came forward to give their thoughts on the matter.

Fire Chief Eric Hajder said he had a lengthy conversation today with the task force regarding public safety. He said the main focus is on the residents and employees of the town that will work at this meeting. After a lengthy discussion and input, the task force in general terms felt we could put something together safely with modifications.

Town Nurse Emily Lachance reported at this time there are forty-five active cases being attended to. She said our numbers have gone up dramatically in the last couple of weeks.

Board of Health Agent Zachary Seabury commented on the situation and felt at this point, Venus deMilo would be the best option. He said if the Board of Selectmen decided on scheduling the meeting, depending on what happens, the date for meeting may need to be extended.

Mr. Anderson said even if we don't have the meeting on the 23rd, the tax bills still need to go out on January 1st. He said we may have to cancel this meeting. If we miss this window, we still have to set the tax rate to get the tax bills out.

Mr. Heim asked if a virtual meeting would be a possibility.

Ms. Aronstein replied for open town meetings, it is not allowed.

Mr. Heim asked if it's a possible solution to have smaller numbers of people moved to smaller rooms such as the theatre.

Chief Hajder said it would be challenging as they need to get cable capabilities at the site. He said there are ten rooms in the theatre. He said he is waiting for a call back from someone higher than what we have locally.

Mr. Burke explained the need for assistant moderators and additional town clerk employees in every single room if they decided to go with the theatre.

Mr. Heim asked Chief Hajder if using the theatre was a possible solution.

Chief Hajder said yes it was a possible solution.

Mr. Kitchin commented there are a number of consequences if we don't pull off this meeting on November 23rd. He confirmed with Chief Hajder that we could conduct this meeting safely.

Chief Hajder said with where we are today, yes.

Ms. Aronstein noted as of today, there are forty-five active cases, and most likely there will be more than this in two weeks. She said she likes the idea of using the theatre and the church, and also said we could look at outdoor places where you could vote from your car.

Ms. Aronstein spoke about limiting the articles to money items and only what absolutely has to be done.

Mr. Kitchin said he doesn't ever want it said for the sake of one million dollars, we put our citizen's lives at risk, or we didn't consult with the professionals that are responsible for advising us on this subject. He said he still hasn't made up his mind as his final position.

Mr. Kitchin stated at this point, we're being advised this meeting can be conducted safely, but that can change. He said he wants to hear loud and clear that we are all going to agree to limit this warrant to clear up financial items we need to clear up and that is all. If the advice from the professionals is to move forward, he said lets move forward and just limit the warrant to financial articles.

Mr. Carreiro agreed we should limit the articles, and spoke about having the meeting outdoors and voting from your car.

There was a discussion on the location where to have the Special Town Meeting.

Mr. Burke recommended cleaning the Venus deMilo in order to hold the meeting there. If we cannot have it there, he would recommend the high school.

Chief Hajder said the high school is do able but Venus is the best location. He said he was notified that we could use the church as an option.

Mr. Burke stated if we posted the meeting to be held at the Venus, and chose to change the location, we could make he change as late as the day of the meeting.

Chief Hajder said the potential does exist that we may need to say let's not do it, but as of today, he is comfortable with it.

Mr. Carreiro said the consensus of the Board of Selectmen is to post the warrant by 3 p.m. on November 9th. He said if there is a material change in circumstances, we will discuss it then.

DISCUSSION & POTENTIAL APPROVAL OF NOVEMBER 23, 2020 SPECIAL TOWN MEETING WARRANT – ATTACHED

Mr. Carreiro noted everything was approved but Articles 4, 7, 10 & 12 due to scrivener errors.

Mr. Carreiro noted everything up to Article 12 are money articles.

There was a discussion on the remaining articles. It was noted Article 14 was time sensitive. It is a new article regarding the appointment of members to the Redevelopment Authority rather than an election.

Mr. Kitchin recommended a vote to reconsider the placing of the warrant articles 15 through 21 that were approved on October 27th.

MOTION made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to reconsider the placing of warrant articles 15 through 21 that were approved on October 27th.
ALL IN FAVOR – UNANIMOUS.

MOTION made by Mr. Steven H Kitchin and seconded by Mr. Derek W. Heim, to table these articles.
ALL IN FAVOR – UNANIMOUS.

Mr. Anderson read Articles 1 to 14.

Mr. Carreiro said it is the consensus of the Board of Selectmen to place all of these articles on the Special Town Meeting warrant.

Mr. Heim concurred that everything listed on the warrant as presented would be acceptable. His position on Article 10 is to put it on the warrant and let the voters make the decision.

Mr. Kitchin stated the reason Article 14 is so important is the consequences if we don't act at this point to petition our legislature to pass a law that would give the Board of Selectmen the authority to appoint members to the Redevelopment Authority rather than an election. He said the timing of this is so critical.

Mr. Kitchin and Mr. Carreiro concurred with Mr. Heim regarding placing Article 10 on the warrant.

MOTION made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to include all articles inclusive between Article 1 to Article 14.
ALL IN FAVOR – UNANIMOUS.

DISCUSSION – PROPOSED REGULATION AMENDMENTS FOR BOARD OF HEALTH (NOVEMBER 4TH, 2020)

Mr. Carreiro noted this is something that usually doesn't come before the Board of Selectmen, but because we have a selectman that is on the Board of Health, (Mr. Heim) he felt it was prudent to put on the agenda.

Mr. Carreiro gave background on an issue that came up in 2019 with a septic system that was designed and approved by the Town of Swansea that was installed and was defective. The Town of Swansea appropriated \$34,000.00 and assisted the homeowner with replacing the septic system, something that should have been done through an error and omission policy.

Mr. Carreiro said these regulations would protect the town of Swansea in the future of similar situations .

Mr. Zachary Seabury, Board of Health Agent, said the Board had asked the town attorney to look at the regulations. There have been multiple instances where this has happened in town.

Mr. Seabury said the purpose of the amendment is to establish local licensing requirements.

There was a discussion on a past designer that did not have any insurance, and the need for insurance.

Mr. Carreiro referred to iterations Attorney Cruz originally proposed for this document.

Mr. Heim said nothing has been struck from Attorney Cruz's document, and we are taking up one part of the document that has to do with the designers and licensing

Mr. Heim encouraged taxpayers to attend the public hearing on Wednesday night.

Mr. Kitchin said designers having insurance is a legitimate thing to raise at the hearing. He strongly encouraged the Board of Health and its members, including Mr. Heim, to consider that.

Mr. Kitchin spoke about an explicit statement on the bottom of the permit that states the Town of Swansea is not liable for erroneous activities that occur as a result of a design or installation process. He said if that has been removed or changed, he would like to see it put back on future permits.

Mr. Heim referenced that much of the language on the regulations was already adopted by the Board of Health on December 15, 2014.

Mr. Seabury said the public hearing will be on ZOOM and will be televised, and Attorney Cruz will be there.

Mr. Carreiro said he wants to make sure when it comes to designers, they have professional liability insurance.

Mr. Carreiro asked Mr. Seabury about questions that the Board of Health weren't answering properly.

Mr. Seabury gave an example of the Board of Health questions relative to plan designing.

Mr. Heim said we are putting policy in place because there is a new board.

Mr. Carreiro said he would like to require errors and omissions coverage for designers to protect the Town of Swansea, the homeowner, and the public at large.

APPOINTMENT – CHIEF PROCUREMENT OFFICER

Mallory Aronstein, Town Administrator, expires 6/30/2021

MOTION made by Mr. Steven H. Kitchin and seconded by Mr. Derek W. Heim, to appoint Mallory Aronstein as Chief Procurement Officer. Term to expire 6/30/2021.
ALL IN FAVOR – UNANIMOUS.

TOWN ADMINISTRATOR REPORT

Ms. Aronstein reported she had a busy, wonderful first day, and met many employees.

Mr. Anderson reported the monitors at Brayton Point are still monitoring, and he has an item he would like to discuss about the EMA at the next meeting.

ACCEPTANCE OF MINUTES

MOTION made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to approve the open session minutes of October 6, 2020.
ALL IN FAVOR – UNANIMOUS.

MOTION made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to approve the executive session minutes of October 6, 2020, but not yet release.
ALL IN FAVOR – UNANIMOUS.

OLD BUSINESS

Mr. Kitchin asked Mr. Anderson to be sure to keep Ms. Aronstein in the loop during the transition on the liquor license draft proposal.

Mr. Kitchin asked for an update on the electronic permitting system the town is thinking about procuring for municipal licenses.

Mr. Remy said he and Ms. Aronstein have looked at the different requirements and different companies, and once Ms. Aronstein has settled in, this is one item they will try to tackle first.

NEW BUSINESS

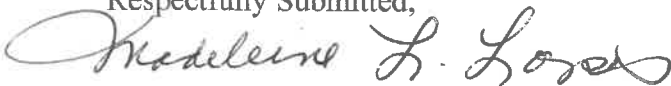
Mr. Kitchin referred to Governor Baker's newly issued orders.

CORRESPONDENCE

None

MOTION made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to adjourn at 7:54p.m.
ALL IN FAVOR – UNANIMOUS.

Respectfully Submitted,



Madeleine L. Lopes
Board of Selectmen Minutes Clerk

List of Documents in the November 2, 2020 Open Session Meeting

- Draft of Articles for the November 23, 2020 Special Town Meeting
- Board of Health Agenda for Public Hearing Notice
- Governor Baker's newly issued orders