

**BOARD OF SELECTMEN MEETING MINUTES AUGUST 26, 2020**

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

**ALSO PRESENT:** Mr. James P. Purcell, Acting Town Administrator  
Mr. Jordan Remy, Administrative Assistant

A regular Board of Selectmen meeting was held on Wednesday, August 26, 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 announced this evening's meeting is being broadcast live on Swansea Cable Access Television and on the Swansea Cable Access Facebook page.

Mr. Carreiro advised anyone who would like to record the meeting to contact the Chairman.

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

Mr. Carreiro asked for a moment of silence in remembrance of our former and retired Town Administrator John McAuliffe who passed away on August 12, 2020.

Mr. Carreiro announced the Board of Selectmen will be going into executive session for Item 1 on the agenda – Pursuant to M.G.L. c30A, s21(a)(3): To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public and the chair so declared.

--Swansea Police Supervisors Association F.O.P. Lodge 30

And in addition, will be entering executive session for Item 2 on the agenda – Pursuant to M.G.L. c30A, s21 (a)(2): To conduct contract negotiations with non-union personnel:

--Swansea Police Lieutenant Contracts

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to enter executive session for the stated purpose pursuant to Item 1 and Item 2.

ALL IN FAVOR – UNANIMOUS

Mr. Carreiro said Board of Selectmen will return to open session to address the balance of the agenda once they are finished with the executive session.

**ROLL CALL VOTE:** Mr. Heim; Aye, Mr. Kitchin; Aye, Mr. Carreiro; Aye.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to recess at 6:35 p.m.  
ALL IN FAVOR – UNANIMOUS.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchen to reconvene at 7:22 p.m.  
ALL IN FAVOR – UNANIMOUS.

**RATIFY CONTRACTS**

- Swansea Police Supervisors Association F.O.P. Lodge 30
- Swansea Police Lieutenant Contracts

**Swansea Police Supervisors Association**

Mr. Carreiro noted the term of the contract is starting July 1, 2019 to June 30, 2022.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to approve this contract.  
ALL IN FAVOR – UNANIMOUS.

**Swansea Police Lieutenant Contracts**

Mr. Carreiro noted these contracts are for Lieutenant Haslam and Lieutenant Martin.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to approve both the contracts for Lieutenant Haslam and Lieutenant Martin with the starting dates of the day following the termination of their current contract and ending June 30, 2023.  
ALL IN FAVOR – UNANIMOUS.

Mr. Carreiro said he felt it was important to note all provisions in these contracts are much really the same.

**VOTE – RIGHT OF FIRST REFUSAL – CHAPTER 61A, SECTION 14**

**1100 Bark Street, Assessor's Map 27, Lot 17 (Medeiros Farm)**

Mr. Purcell stated a public hearing was held on this matter, testimony was taken from Ms. Colleen Brown, Community Preservation Committee, and Mr. John Latham, Consultant to the town who did a site suitability analysis and presentation to the Board. He said it is now ready for a vote.

Mr. Carreiro stated this is something we've been working on for quite some time, was approved at town meeting, and we are going through the procedural steps with respect to having public hearings and navigating through the issues with respect to COVID, and this is for the vote to exercise our right of first refusal.

**MOTION** made by Mr. Steven H. Kitchin and seconded by Mr. Derek W. Heim to exercise the right of first refusal.  
ALL IN FAVOR – UNANIMOUS.

**APPOINTMENT – INTERIM TOWN ADMINISTRATOR, EFFECTIVE SEPTEMBER 5, 2020**  
William Anderson, East Greenwich, RI 02818

As a reminder, Mr. Purcell said his original contract was extended from June 30, 2020 to September 4, 2020.

He gave an update on the status for a new town administrator search. The application deadline was last Sunday. As of August 19<sup>th</sup>, there were 30 applications. The consulting firm Paradigm Associates has been reviewing the applications as they come in, and they've been trying to do some direct recruiting as well.

Mr. Purcell said the consultant would be ready to meet with the Board of Selectmen if they were meeting on September 8<sup>th</sup> to discuss four or five individuals. He said the consultant is confident that at the end of September, the Board would probably be in a position to extend an offer of employment to a candidate.

He also said a notice period for the successful applicant may be another four weeks or so if he is working elsewhere.

In considering Mr. Anderson's appointment as Interim Town Administrator effective September 5<sup>th</sup>, Mr. Purcell said we are looking at least at an eight week period of time in his estimate. He said he feels Mr. Anderson is a terrific choice. He is well respected in house, and he can't think of anyone more appropriate.

Mr. Carreiro told Mr. Purcell that he couldn't thank him enough for his service to the Town of Swansea. He said it is the consensus of the community, town leadership, and the Board members, they have a tremendous amount of respect for him, and appreciate the time he has been here.

Mr. Carreiro also expressed a tremendous amount of gratitude to Mr. Purcell's family, and appreciates their sacrifice as well.

Mr. Carreiro spoke about Mr. Anderson's problem solving approach, respect for the community, and patience. He said it would serve him very well as interim as of September 5<sup>th</sup> and as long as we needed him.

Mr. Heim thanked Mr. Purcell for all he's done for the Board of Selectmen and the community. He said we are extremely lucky to have had him at the helm.

Mr. Heim had no reservations with Mr. Anderson taking on the role of Interim Town Administrator until we select a new leader for this community. Mr. Anderson is highly respected by his peers in the community and he feels this is the best course of action until we make that selection.

Mr. Kitchin said Mr. Purcell has served this community admirably and exceedingly well. He listed the number of accomplishments that Mr. Purcell has been in the center of, and said we were blessed to have Mr. Purcell step up to the plate for this community.

Mr. Kitchin said he has no doubt in his mind that Mr. Anderson has the capacity and ability to handle this assignment and he is looking forward to working with him effective September 5<sup>th</sup>. He said he is the right man for us at this right time during this transition.

Mr. Kitchin also stated that Mr. Anderson is not a candidate for the position of Town Administrator.

**MOTION** made by Mr. Steven H. Kitchin and seconded by Mr. Derek W. Heim, to nominate Mr. William Anderson, of East Greenwich, RI, to be our Interim Town Administrator effective September 5, 2020.

ALL IN FAVOR – UNANIMOUS.

Mr. Carreiro thanked Mr. Anderson for stepping up to the plate.

**DISCUSSION & VOTE – ALLEGED OPEN MEETING LAW VIOLATION – RECEIVED AUGUST 12, 2020**

From Patrick Higgins

Mr. Purcell said the alleged open meeting law violation seems to have occurred and it seems to be our fault. He said at the last meeting, there were two trash abatements to be acted on. The agenda was posted without the attachments.

Mr. Carreiro clarified that the Board of Selectmen meeting agenda was posted in the place where it is normally posted, however it was not posted with the two trash abatement attachments.

**MOTION** made by Mr. Steven H. Kitchin and seconded by Mr. Derek W. Heim, to refer to legal counsel.

ALL IN FAVOR – UNANIMOUS.

**TOWN ADMINISTRATOR'S REPORT**

Brayton Point Monitoring

Somerset-Swansea Wastewater Services Intermunicipal Agreement

Mr. Purcell referred the matters to Mr. Anderson.

**Brayton Point Monitoring**

Mr. Anderson reported on the GZA proposal for dust and noise monitoring services. He said dust and noise monitors have been placed at three agreed upon locations. There will be continuous twenty-four hour monitoring, and he will receive weekly reports.

Mr. Anderson pointed out that continuous monitoring is not cheap. The cost for set up was \$2,500.00 and it will cost \$2,000.00 per week for monitoring.

Mr. Heim calculated based on five months as is listed on the proposal, the estimated cost for monitoring is \$42,000.00. His major concern is a funding mechanism.

Mr. Anderson said he would not recommend monitoring for five months.

Mr. Kitchin felt we have a responsibility to the residents of the Brayton Point neighborhood. His suggestion is to go forward on a one to two month limited basis.

Mr. Kitchin said he feels this could meet the qualifications under the law of a reserve account expenditure. It would require A & F approval.

Mr. Carreiro voiced concerns on monitoring if it doesn't render any results on dust and excessive noise in the area.

Mr. Heim said he would be inclined to do this on a short period of time of one month at a time.

Mr. Carreiro said he is comfortable with a \$20,000.00 expenditure for a month to month monitoring. He said if we go over that, he would have to see a direct correlation between the results that we're receiving and the problem existing.

Mr. Anderson said he would speak with GZA in regards to a month to month time frame.

Mr. Carreiro clarified the term would be month to month, and noted there is a consensus from the Board, and Mr. Anderson has direction.

Somerset-Swansea Wastewater Services Intermunicipal Agreement

Mr. Anderson gave a synopsis of the agreement. He said we will have to reconvene the Sewer Commission. A vote is needed by October 1<sup>st</sup>, or Somerset will lose their funding. He noted this is a twenty-year extendable agreement that would cover Route 6 to the Swansea Mall.

Mr. Anderson highlighted the proposed agreement and payment structure, noting this covers phase I.

Mr. Carreiro clarified this is for commercial property not residential property on Route 6 to the Swansea Mall.

Mr. Kitchin said this is a step in the right direction and is very much in support of this.

**ACCEPTANCE OF MINUTES**

Open Session July 7, 2020

Open Session July 21, 2020

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to approve the open session minutes of July 7, 2020 as presented.

ALL IN FAVOR – UNANIMOUS.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to approve the open session minutes of July 21, 2020 as presented.  
ALL IN FAVOR – UNANIMOUS.

**OLD BUSINESS**

Mr. Heim said access to waterways continues to be an effort he would like to see move forward. He noted two additional areas he would like to see access to: Swansea Dam and Milford Dam.

Mr. Anderson said he received an email from Colleen Brown regarding interest in putting a kayak launch at one or two of the locations at a cost of \$10,000.00 each. He said he doesn't know where the funding mechanism would come from, but commented that one of the boy scouts has talked about potentially doing something at one of the ponds for an Eagle Scout project.

Mr. Heim said it may be worth continuing the discussion with Colleen Brown in regards to that for a possible town meeting next year.

Mr. Kitchin said he attended another meeting of the School Building Committee for Diman Regional High School and will continue to attend as his schedule allows.

Mr. Kitchin asked that the Liquor License Permitting Policy – Belmont – get on the agenda, get it passed, and move on.

**NEW BUSINESS**

Mr. Carreiro stated that Town Clerk Diane Pelland asked him to mention there is a new Ballot Drop Box at Town Hall, and today was the deadline for mail in ballots and applications for ballots.

Mrs. Pelland encouraged anyone with questions to call the Town Clerk's Office.

**CORRESPONDENCE**

Mr. Heim received correspondence from Danielle Lambert, regarding nuisance property abutting her property at 19 Ledge Road. (Formerly Swan Finishing). He asked that the Highway Department take a look at the location.

Mr. Heim received a communication relative to property on Oak Street that needs to be forwarded to the Community Preservation Committee.

Mr. Kitchin received a communication from National Grid stating that Lewis Tree will be conducting vegetation services throughout the community.

Mr. Carreiro received correspondence from Prime Engineering on August 24, 2020, regarding acceptance of Winslow Way, requesting the Town of Swansea adopt it as a public way.

Mr. Carreiro said there is a need for executive session for two matters: Pursuant to M.G.L. c30A, s21(a)(2): To conduct contract negotiations with non-union personnel:

--Director of Engineering & Highway Services Contract

--Swansea Fire Chief Contract

He announced the Board of Selectmen will be returning to open session to ratify the two contracts.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to enter into executive session for the stated purpose.

ALL IN FAVOR – UNANIMOUS.

**ROLL CALL VOTE:** Mr. Heim; Aye, Mr. Kitchin; Aye, Mr. Carreiro; Aye.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to recess at 8:17 p.m.

ALL IN FAVOR – UNANIMOUS.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to reconvene at 8:45 p.m.

ALL IN FAVOR -UNANIMOUS.

**RATIFY CONTRACTS**

--Director of Engineering & Highway Services Contract

--Swansea Fire Chief Contract

**MOTION** made by Mr. Steven H. Kitchin and seconded by Mr. Derek W. Heim, to approve the contract of William Anderson, Director of Engineering & Highway Services.

ALL IN FAVOR – UNANIMOUS.

**MOTION** made by Mr. Steven H. Kitchin and seconded by Mr. Derek W. Heim, to approve the contract of Swansea Fire Chief Eric Hajder.

ALL IN FAVOR – UNANIMOUS.

**MOTION** made by Mr. Derek W. Heim and seconded by Mr. Steven H. Kitchin, to adjourn at 8:58 p.m.

ALL IN FAVOR – UNANIMOUS.

Respectfully Submitted,



Madeleine L. Lopes

Board of Selectmen Minutes Clerk

List of Documents in the August 26, 2020 Open Session Meeting

- Notice of Exercise of Right of First Refusal – 1100 Bark Street
- Open Meeting Law Complaint Form – from Patrick Higgins
- GZA Proposal for Dust and Noise Monitoring Services