

BOARD OF SELECTMEN MEETING MINUTES JANUARY 26, 2021

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

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

A regular Board of Selectmen meeting was held on Tuesday, January 26, 2021, at the Swansea School Administration Building, One Gardners Neck Road, Swansea, Massachusetts.

The meeting was called to order at 6:15 p.m.

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

There was a moment of silence for Mr. Anthony Waring, who was Chairman of Planning Board and also served on the Park Commission and the Soil Conservation Board.

REVIEW OF POLICE DEPARTMENT FY2022 PROPOSED BUDGET

Police Chief George Arruda presented the FY2022 Budget for the Police Department.

He stated salaries received a base increase of 2%, as well as other increases for training.

Mr. Heim requested additional information regarding separation/buyouts.

Chief Arruda explained there is an employee who is eligible for retirement, as well as a civilian maintenance employee. He'd like to have the funds available if this occurs.

Mr. Kitchin requested additional information regarding a decrease in the Reserve Police Officer budget.

Chief Arruda explained this budget is grant funded, but in the event the grant doesn't come through, he keeps this item funded.

Mr. Carreiro requested additional information regarding night pay.

Chief Arruda explained there is one lieutenant who receives night pay.

Chief Arruda explained additional increases for expenses in his budget.

Mr. Kitchin requested additional information regarding the computer supplies budget.

Chief Arruda explained he plans on updating the technology at the Police Station.

MOTION made by Mr. Heim and seconded by Mr. Kitchin to approve this budget and recommend to the Advisory & Finance Board as presented.

ROLL CALL VOTE: Mr. Carreiro – Aye, Mr. Heim – Aye, Mr. Kitchin – Aye.

Motion passes unanimously.

**DISCUSSION AND APPOINTMENT OF SWANSEA POLICE CHIEF
BERNARD LYNCH, COMMUNITY PARADIGM ASSOCIATES**

Mr. Carreiro welcomed Bernie Lynch of Community Paradigm Associates, who joined the meeting remotely via Zoom.

Mr. Carreiro stated the Selectmen have interviewed three candidates and an appointment would be made.

Mr. Heim stated that his decision is based on what best positions the department for short- and long-term services and his recommendation is Lt. Marc Haslam.

Mr. Kitchin stated his recommendation for appointment is Lt. Marc Haslam.

Mr. Carreiro stated that Lt. Marc Haslam has risen to the top and he is the best candidate for the job.

MOTION made by Mr. Kitchin and seconded by Mr. Heim to appoint Lt. Marc Haslam as the Police Chief for the Swansea Police Department, subject to contract negotiations.

ROLL CALL VOTE: Mr. Carreiro – Aye, Mr. Heim – Aye, Mr. Kitchin – Aye

Motion passed unanimously.

Mr. Carreiro thanked Mr. Lynch for his advice and perspective throughout this rigorous process.

CLASS II LICENSE TRANSFER

Ms. Aronstein gave an update and as of this date, there were 30 cars for sale on the lot. She also stated she had received notification from the Town Planner that a fence still needs to be installed.

Mr. Heim recommended to wait to approve this transfer until the fence is installed.

Attorneys Michael Khoury and Mayara Cordeiro, joined the meeting remotely via Zoom.

Attorney Khoury stated that he received a site plan dated October 20, 2020 that was approved by the Planning Board.

Attorney Cordeiro stated that the Planning Board said her client could install a fence or concrete car stops at the back of the lot, and the concrete car stops are there right now.

Attorney Khoury explained issues Mr. Scott Barbato, Building Inspector had and those issues would be taken care of in the next thirty days.

Mr. Kitchin inquired as to when the thirty-day deadline started for conditions to be met.

Attorney Cordeiro stated there is no deadline with the Planning Board. There are three conditions with the Building Department: the counter height, installation of a handicap sign, and the installation of wireless smoke detectors. They have six months to complete the last item.

Mr. Scott Barbato, Building Inspector, joined the meeting remotely via Zoom. He stated that he did give six months for the smoke alarm installation, but didn't give a deadline for the other issues because they were only minor.

Mr. Heim again stated that the Planning Board site plan requires a fence be installed.

MOTION made by Mr. Kitchin and seconded by Mr. Heim to table this item.

ALL IN FAVOR – Mr. Carreiro – Abstention, Mr. Heim – Aye, Mr. Kitchin – Aye.

Motion carries by majority.

HOST COMMUNITY AGREEMENTS – ALCHEMY LEAGUE, 4 SEARS ROAD

Ms. Leah Daniels of Alchemy League joined the meeting remotely via Zoom.

Ms. Daniels gave a brief description of herself. She stated that she is seeking a Recreational and Medicinal Marijuana Host Community Agreement from the Town.

Mr. Heim stated he would like to see more information regarding their vision for Swansea, as well as a preliminary Host Community Agreement.

Ms. Daniels stated she has a license for Recreational Marijuana issued to her in January of 2020 from the State, however she needs the Host Community Agreement from the Town to finalize the Medicinal License.

Mr. Carreiro stated he would like additional information regarding the procedural process of the granting of a license. He would also like information from the Fire Department regarding improvements that need to be made along the roadway.

MOTION made by Mr. Kitchin and seconded by Mr. Heim to table this item until more information is received.

ALL IN FAVOR – UNANIMOUS

JOINT MEETING WITH SEWER COMMISSIONERS REGARDING SOMERSET/SWANSEA INTERMUNICIPAL AGREEMENT

Members present from the Sewer Commission were Mr. Thom Souza, Chairman, Mr. Howard Bonner, Mr. Richard Finlaw (via Zoom), Mr. Christopher Carreiro, Mr. Derek Heim (via Zoom), and Mr. Steven Kitchin.

MOTION made by Mr. Souza and seconded by Mr. Bonner to convene the meeting at 7:48 p.m.

Mr. William Anderson, Highway Director, stated that we've been negotiating the intermunicipal agreement with the Town of Somerset since June of 2020. He explained issues we have with the current agreement, specifically Section 15. He recommended a clause be added allowing third party arbitration.

Ms. Aronstein recommends the Commission sign the agreement, allowing for arbitration in Section 15.4, and present that Intermunicipal Agreement to the Town of Somerset before the deadline of February 1, 2021.

Attorney Brian Cruise joined the meeting via Zoom. He explained where the "Cause for Termination" clause originated. He concurred with Mr. Anderson and Ms. Aronstein that third party arbitration needs to be included in our signed agreement.

Mr. Souza stated he doesn't like the agreement as presented from the Town of Somerset and he feels the language needs to be added regarding arbitration.

Mr. Bonner agreed with the inclusion of third party arbitration needs to be included to protect the Town of Swansea.

Mr. Finlaw agreed and stated there is a risk to Swansea if the arbitration language is not included.

Mr. Heim would like to move forward, insert the arbitration language, and sign the agreement.

Mr. Kitchin said there has been too much litigation and would like to move forward.

MOTION made by Mr. Heim and seconded by Mr. Souza to adopt the Somerset/Swansea Intermunicipal Agreement as proposed and amended.

ROLL CALL VOTE: Mr. Heim – Aye, Mr. Finlaw – Aye, Mr. Souza – Aye, Mr. Kitchin – Nay, Mr. Bonner – Aye, Mr. Carreiro – Aye.

Motion passes by majority.

MOTION made by Mr. Kitchin and seconded by Mr. Souza to adjourn the Sewer Commission meeting at 8:25 p.m.

ROLL CALL VOTE: Mr. Heim – Aye, Mr. Finlaw – Aye, Mr. Souza – Aye, Mr. Kitchin – Aye, Mr. Bonner – Aye, Mr. Carreiro – Aye.

Motion passes unanimously.

MOTION made by Mr. Kitchin and seconded by Mr. Heim to recess at 6:29 p.m.

ALL IN FAVOR – UNANIMOUS

MOTION made by Mr. Kitchin and seconded by Mr. Heim to reconvene the Board of Selectmen meeting at 8:28 p.m.

ALL IN FAVOR – UNANIMOUS

TRASH ABATEMENTS

MOTION made by Mr. Heim and seconded by Mr. Kitchin to approve 2021 Real Estate Trash Liens in the amount of \$265.56.

ALL IN FAVOR – AYE. Motion carries unanimously.

MOTION made by Mr. Heim and seconded by Mr. Kitchin to approve 2021 Trash Fees in amount of \$240.

ALL IN FAVOR – AYE. Motion carries unanimously.

MOTION made by Mr. Heim and seconded by Mr. Kitchin to approve Trash Liens dated January 12, 2020 in the amount of \$731.39

ALL IN FAVOR – AYE. Motion carries unanimously.

MOTION made by Mr. Heim and seconded by Mr. Kitchin to approve Trash Fees dated January 12, 2020 in the amount of \$480.

ALL IN FAVOR – AYE. Motion carries unanimously.

SECOND HAND DEALER PERMIT RENEWAL

MOTION made by Mr. Heim and seconded by Mr. Kitchin to approve a second hand dealer permit for Eco ATM.

ALL IN FAVOR – AYE. Motion carries unanimously.

ACCEPTANCE OF MINUTES

MOTION made by Mr. Heim and seconded by Mr. Kitchin to approve the open session minutes of December 22, 2020 and January 5, 2021 as submitted.

ALL IN FAVOR – AYE. Motion carries unanimously.

MOTION made by Mr. Heim and seconded by Mr. Kitchin to approve but not release the executive session minutes of January 5, 2021 as submitted.

ALL IN FAVOR – AYE. Motion carries unanimously.

TOWN ADMINISTRATOR'S REPORT**Update on Human Resources Policies**

Ms. Aronstein stated we've developed a number of policies. A policy review group has also been established consisting of a member of each union and a non-union member to review each policy. An employment application has been created and more policies will be created in the future.

Covid-19 Update

Ms. Aronstein stated we've partnered with the Town of Somerset to put together a vaccine clinic for first responders and it was successful. Phase II starts on February 1, 2020.

Reauthorization for Southeastern Regional Services Group (SERSG)

Ms. Aronstein stated the Board had already signed an agreement on January 5th, but it has since expired and another vote on this item was needed.

She explained this a public purchase group that gives us bulk buying ability and savings on items we use all the time.

MOTION made by Mr. Kitchin and seconded by Mr. Heim to vote to reauthorize and amend the Intermunicipal Agreement that created the Southeastern Regional Services Group (SERSG) so as to extend the term of that agreement for a period of twenty five years from February 1, 2021, subject to any rights of termination or withdrawal, with all other terms of the original agreement remaining in place without change, and to authorize Mallory Aronstein, Town Administrator to execute any documents necessary to effectuate the purposes of this vote.

ALL IN FAVOR – UNANIMOUS

MOTION made by Mr. Heim and seconded by Mr. Kitchin to vote to sign the Intermunicipal Agreement with the Southeastern Regional Services Group (SERSG).

ALL IN FAVOR – UNANIMOUS

Resignation of Mr. Jordan Remy, Board of Selectmen/Town Administrator Administrative Assistant

Ms. Aronstein stated Mr. Remy has submitted a letter of resignation and he will be going to the Town of Wayland.

Mr. Remy stated the Town of Swansea has been important to him and he will miss it, but he is excited about moving on. He thanked the Board of Selectmen.

Mr. Carreiro stated it's been an honor to have Mr. Remy working for Swansea and he appreciates his service.

Mr. Heim thanked Mr. Remy for his three and a half years of service to the Town. He congratulated him and wished him the best of luck.

Mr. Kitchin wished Mr. Remy good luck in his future pursuit of being a Town Administrator.

OLD BUSINESS

None

NEW BUSINESS

Mr. Carreiro stated Comcast is charging overage fees for date usage. He'd like our Comcast contract reviewed by Town Counsel.

Ms. Aronstein presented a draft Criminal Offender Record Information (CORI) Policy.

Mr. Heim stated there's two minor issues in the policy he'd like to address and would request more time for this. The Board agreed to discuss it at a future meeting.

MOTION made by Mr. Heim and seconded by Mr. Kitchin to enter into executive session.

ROLL CALL VOTE: Mr. Carreiro – Aye, Mr. Heim – Aye, Mr. Kitchin – Aye.

Motion carries unanimously.

Open session will not reconvene.

MOTION made by Mr. Heim and seconded by Mr. Kitchin to recess at 9:01 p.m.
ALL IN FAVOR - UNANIMOUS

Respectfully Submitted,

Janet Helley
Administrative Assistant

List of Documents in the January 26, 2021 Open Session Meeting

- Police Department Budget
- Planning Board site plan for Gas on the Run
- Somerset/Swansea Intermunicipal Agreement
- Trash Abatements
- Minutes of December 22, 2020, January 5, 2021
- Resignation Letter from Jordan Remy
- Draft CORI Policy