

WARRANT
TOWN OF SEEKONK
SPECIAL TOWN MEETING
February 18, 2014

BRISTOL, SS.

Greetings:

The Town Moderator, Michelle Hines, the Town Clerk, Janet Parker, The BOS Chairman, Nelson Almeida, the Acting Town Administrator, Gary Stenhouse, and a citizen, James Roy, appeared at the Seekonk High School on February 18, 2014 at 7:00PM. The Moderator opened the meeting at 7:00PM and took a motion that was made by Nelson Almeida to continue the meeting until Tuesday, February 25, 2014 at 7:00PM at the Seekonk High School. Mr Almeida said that the meeting was being continued to February 25th due to inclement weather on the 18th and the public safety risk. The motion was seconded by James Roy. The motion was passed with unanimous vote and the moderator declared that the meeting was adjourned at 7:05PM, until Tuesday, February 25, 2014 at 7:00PM at the Seekonk High School.

The February 25th, 2014 meeting was opened with the Pledge of Allegiance. Due to the absence of the Moderator for this one meeting, a temporary Moderator was elected for the meeting. The Town Clerk ran the election for the temporary Moderator, at which Harold Devine was elected by unanimous vote.

In the name of the Commonwealth of Massachusetts, you are hereby requested to notify the inhabitants of the Town who are qualified to vote in Town affairs, to meet at Seekonk High School, 261 Arcade Avenue, Seekonk, Massachusetts on:

Tuesday, February 18, 2014 at 7:00 P. M.

To vote on the following Articles. The Meeting was called to order by the Town Clerk at 7:07PM with a quorum of 170 registered voters , who then turned the meeting over to the temporary Moderator.

A motion was made to allow the following non-residents to speak at the meeting:

Gary Stenhouse, Interim Town Administrator, Peter Fuller, Library Director, Theodora Gabriel, Town Assessor, Bruce Alexander, Director of Finance, Bernadette Huck, Director, Human Services Council, Seth Bai, Veteran's Agent, Beth Hallal, Health Agent, Christine DeFontes, Treasurer/Collector, John Hansen, Town Planner, Robert Lamoureux, DPW Superintendent, Arlene Bosco, School Superintendent, Bernadette DeBlander, Conservation Agent, Lauren Goldberg, Town counsel.

Action on the motion: Motion passes with a unanimous vote.

ARTICLE 1: A motion was made to receive the reports of Town Officers, or Committees, and place them on file with the Town Clerk.

David Bowden read a report from the Senior Center Building Committee.

Action on the motion: Motion passes with a unanimous vote.

Submitted by: Board of Selectmen

Board of Selectmen: Recommend Approval

ARTICLE 2: A motion was made to see if the Town will vote to amend the vote taken under Article #10 of the November 13, 2012 Town Meeting to authorize construction of the Veterans Memorial Garden on Town owned property at 410 Newman Avenue (Seekonk Meadows/Seekonk Public Library)

Action on the motion: Motion passes with a near unanimous vote

Submitted by: Board of Selectmen

Board of Selectmen: Recommend Approval

ARTICLE 3: A motion was made to see if the Town will vote to amend the vote taken under Article 6 of June 10, 2013 Town Meeting by reducing the appropriation from the Municipal Capital Stabilization Fund for the renovation of roof drainage at Seekonk Public Library from \$161,300.00 to \$30,000, thereby returning to the fund balance of the Municipal Capital Stabilization Fund the sum of \$131,300.00.

Action on the motion: Motion passes with unanimous vote.

Submitted by: Board of Selectmen

Board of Selectmen: Recommend Approval

ARTICLE 4: To see if the Town will vote to appropriate from raise and appropriate, or other available funds, the sum of \$90,000.00 for the renovation, expansion, construction, and other related expenses to the parking facilities at 410 Newman Avenue (Seekonk Meadows/Seekonk Public Library, or take any action relative thereto.

A motion was made to indefinitely postpone article 4.

Action on the motion: Motion to postpone passed with a unanimous vote.

Submitted by: Board of Selectmen

Board of Selectmen: Recommend Approval

Finance Committee:

ARTICLE 5:

A motion was made to appropriate from the Community Preservation Fund the sum of \$250,000.00 to fund the Seekonk Common Preservation Project, with the sum of \$100,000.00 from the Community Housing Reserve and the sum of \$150,000.00 from the Unbudgeted Reserve, and further to authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into a grant agreement with the Seekonk Housing Authority for such purposes.

Action on the motion: Motion passes with a unanimous vote.

ARTICLE 6:

To see if the Town will vote to authorize the Board of Selectmen to file special legislation with the General Court to amend the Town Charter, Article 4, Section 2 and Article 6, Section 6, by revising said sections, shown below as “proposed language” (set forth in strike-through format for informational purposes), for the purpose of:

- making the Town Administrator, subject to the approval of the Board of Selectmen, appointing authority for all department heads, excepting the Library Director and the School Superintendent, by specifically including the Principal Assessor, Town Planner, Health Agent and Conservation Agent;
- clarifying that the Board of Assessors, Planning Board, Board of Health and Conservation Commission shall play a role and continue to participate in the appointment process for such department heads
clarifying further that such boards and commissions will still be responsible for setting policy for their respective functions; and
- exempting from the appointing authority of the Town Moderator ad-hoc building committees;

provided further that said legislation shall be subject to approval by the voters at an annual or special Town election, or at the November 4, 2014 biennial state election on the state ballot used in the Town of Seekonk; and that the General Court shall be authorized to make changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment which are within the scope of the general public objectives of this petition, and to authorize the Board of Selectmen to approve such amendments;

AMENDMENTS TO ARTICLE 4, SECTION 2

ASSESSORS

PRESENT LANGUAGE-The Board of Assessors elected under this Article shall appoint, subject to appropriation made for this purpose, an individual qualified to provide professional assistance to the town’s assessing functions and responsibilities. Such an appointed individual shall not simultaneously be employed by any company or business that provides assessing services while serving as an employee of the town.

PROPOSED LANGUAGE- There shall be in the office of the Board of Assessors elected under this Article ~~shall appoint~~, subject to appropriation made for this purpose, an individual **known as a principal assessor** qualified to provide professional assistance to the town’s assessing functions and

responsibilities. Such an appointed individual shall not simultaneously hold membership on the Board of Assessors or be employed by any company or business that provides assessing services while serving as an employee of the town. **The principal assessor shall be appointed in accordance with Article 6 Section 6 of this charter following consultation at a properly posted meeting with the Board of Assessors, who shall present a candidate(s) to the Town Administrator. The Board of Assessors shall be charged with developing and implementing policy to perform all the Town's assessing functions and responsibilities in accordance with Massachusetts General Law and Town by-laws.**

MODERATOR

PRESENT LANGUAGE- The Moderator elected under this Article shall have the power to appoint: (A) a Finance Committee as provided in Article Seven hereof; (B) Three (3) members of Capital Improvement Committee and members of "ad hoc" committees, as may be authorized from time to time by Town Meeting.

PROPOSED LANGUAGE- The Moderator elected under this Article shall have the power to appoint: (A) a Finance Committee as provided in Article Seven hereof; (B) Three (3) members of Capital Improvement Committee and members of "ad hoc" committees, **excluding building committees**, as may be authorized from time to time by a Town Meeting.

PLANNING BOARD

PRESENT LANGUAGE- The Planning Board elected under this Article shall appoint, subject to an appropriation made for that purpose, a planner to be selected on the basis of educational qualifications, training, and experience, and who shall not simultaneously hold Planning Board membership.

PROPOSED LANGUAGE- There shall be in the office of the Planning Board elected under this Article, subject to an appropriation made for this purpose, a town planner to be selected on the basis of educational qualifications, training, and experience, and who shall not simultaneously hold Planning Board membership. **The town planner shall be appointed in accordance with Article 6 Section 6 of this charter following consultation at a properly posted meeting with the Planning Board, who shall present a candidate(s) to the Town Administrator. The Planning Board shall be charged with developing and implementing policy to perform all of the functions and responsibilities of the Planning Board in accordance with Massachusetts General Law and Town by-laws.**

AMENDMENTS TO ARTICLE 6, SECTION 6

(other than as set forth below, no further amendments are proposed to Article 6, Section 6)

BOARD OF HEALTH

PRESENT LANGUAGE- * The Board of Health shall appoint a Health Agent and additional personnel for the board: such employees shall not be current board members.

PROPOSED LANGUAGE- *There shall be in the office of the Board of Health, subject to an appropriation made for this purpose, a Health Agent ~~and additional personnel~~; such Health Agent employees shall not be a current board members. The Health Agent shall be appointed in accordance with Article 6 Section 6 of this charter following consultation at a properly posted meeting with the Board of Health, who shall present a candidate(s) to the Town Administrator. The Board of Health shall be charged with developing and implementing policy to perform all the functions and responsibilities of the Board of Health in accordance with Massachusetts General Law and Town by-laws.

CONSERVATION COMMISSION (new)

PRESENT LANGUAGE- NONE

PROPOSED LANGUAGE-

Insert, after the words, "Conservation Commission" in the list of committees as to which the Town Administrator makes recommendations, the symbols, "***"

Insert, immediately after the "*Board of Health" paragraph, the following new paragraph:

****There shall be in the office of the Conservation Commission, subject to an appropriation made for this purpose, a Conservation Agent; the Conservation Agent shall not be a current member of the Commission. The Conservation Agent shall be appointed in accordance with Article 6 Section 6 of this charter following consultation at a properly posted meeting with the Conservation Commission, who shall present a candidate(s) to the Town Administrator. The Conservation Commission shall be charged with developing and implementing policy to perform all the functions and responsibilities of the Conservation Commission in accordance with Massachusetts General Law and Town by-laws.**

TOWN ADMINISTRATOR

PRESENT LANGUAGE- The Town Administrator shall recommend the appointment of the following town officers to the Board of Selectmen for approval: Police Chief, Superintendent of Public Works, Building Inspector, Zoning Officer, Town Treasurer/Town Collector, Human Services Director, Communications Director, Veteran's Agent, Animal Control Officer, Park & Recreation Director, Emergency Management Director, Sealer of Weights & Measures, Plumbing Inspector, Gas Inspector, Electrical Inspector, Mechanical Inspector, Director of Finance and any other position of the level of department head under the jurisdiction of the Board of Selectmen.

PROPOSED LANGUAGE- The Town Administrator shall recommend the appointment of the following town officers to the Board of Selectmen for approval: Police Chief, Superintendent of Public Works, Building Inspector/ **Commissioner**, Zoning **Enforcement** Officer, Town Treasurer/Town Collector, Human Services Director, Communications Director, Veteran's Agent, Animal Control Officer, Park & Recreation

Director, Emergency Management Director, Sealer of Weights & Measures, Plumbing Inspector, Gas Inspector, Electrical Inspector, Mechanical Inspector, Director of Finance, **Principal Assessor, Conservation Agent, Health Agent, Town Engineer/Assistant Superintendent of Public Works, Town Planner**, and any other position of the level of department head under the jurisdiction of the Board of Selectmen.

Or take any other action relative thereto.

A motion was made to indefinitely postpone article 6.

Action on the motion: Motion to postpone passes with a near unanimous vote.

ARTICLE 7:

A motion was made that the Town appropriate \$2,759,645.72 to pay costs of (i) purchasing a parcel or parcels of land and the building(s) thereon, located at 442 Taunton Avenue, Seekonk, Massachusetts and more formally described as Assessors' Map, Plat 18, Lot 8, to be used for general municipal purposes, including, but not limited to a Senior Center, and (ii) designing, constructing, reconstructing, furnishing and equipping all or any portion of such buildings for general municipal use, including but not limited to use as a Senior Center; that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount pursuant to G.L. c.44, §§7(3) and 7(3A), or pursuant to any other enabling authority, and issue bonds or notes therefor, and amend the vote taken under Article 1 of the June 11, 2012 Special Town Meeting appropriating \$2,500,000 for the construction of a Senior Center, by reducing said appropriation by the unspent, unencumbered portion thereof, \$2,373,045.72, and to rescind the vote taken under Article 10 of the June 10, 2013 Annual Town Meeting appropriating \$386,600 for such purposes. No sums shall be borrowed or expended pursuant to this vote unless the Town shall have voted to exclude the amounts required to repay any borrowing authorized by this vote from the limitations on total property taxes contained in G.L. c. 59, §21C of the General Laws (also known as Proposition 2 1/2).

Action on the motion: Motion passes with 137 approving and 28 disapproving.

A motion was made to dissolve the meeting at 8:30 PM

Motion to dissolve the meeting passes with a unanimous vote.

Submitted by: Board of Selectmen

Board of Selectmen: Recommend Approval

Finance Committee:

And you are hereby directed to serve this Warrant by posting attested copies as required by law and vote of the Town.

Hereof fail not and make return of the Warrant with your doings thereon to the Town Clerk at or before the time of said Meeting.

GIVEN UNDER OUR HANDS ON THIS 29th DAY OF January, 2014

Approved as to Form

Joseph Braw

Town Counsel

Seekonk Board of Selectmen

Nelson Almeida

Nelson Almeida, Chairperson

Michael Brady

Michael Brady, Member

Robert McIntock

Robert McIntock, Member

David Parker

David Parker, Member

Gary Sagar

Gary Sagar, Member

Date: 2/3/14

A True Copy Attest:

[Signature]

Constable