

TOWN OF SEEKONK

WARRANT/MINUTES



November 13, 2017

FALL Town Meeting

Town Moderator
Peter Hoogerzeil

Town Clerk
Florice Craig

Board of Selectmen
David J. Andrade, Chairman
Nelson Almeida, Vice Chairman
David F. Viera, Clerk
David S. Parker
Michelle A. Hines

Finance Committee
Russell Horsman, Chairperson
Justin Sullivan
Anne Harnett
Jack Horton
Matthew Salisbury
Doreen Taylor

Town Administrator
Shawn E. Cadime

Town of Seekonk

FALL TOWN MEETING

BRISTOL, SS.

Town Clerk opened meeting with the Pledge of Allegiance.

Town Clerk read the greeting: 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: **Monday, November 13, 2017 at 7:00 P.M.** to vote on the following Articles.

The Meeting was called to order by the Town Clerk at 7:00PM with a quorum count of 77 registered voters and the meeting was turned over to the Town Moderator, who presided at said Meeting.

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

Shawn Cadime, Town Administrator; Peter Fuller, Library Director; Theodora Gabriel, Town Assessor; Bruce Alexander, Director of Finance; Bernadette Huck, Director, Human Services Council; Christine DeFontes, Treasure/Collector; John Aubin, III Town Planner; Arlene Bosco, School Superintendent; Town Counsel, KP LAW; James LaFlame, Veterans Agent; Jennifer Miller, Conservation Agent; Christopher Campbell, Director of Communications; Rob Bernardo, Water Superintendent;

Action on the motion; motion passes with a unanimous vote.

A motion was made by the Town Moderator to allow the Town Moderator to proceed with all articles, even those that affect him/her personally.

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

A motion was made by the Town Moderator to allow the Town Moderator to declare a 2/3 vote on articles requiring that vote.

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

ARTICLE 1

To receive the reports of Town Officers, or Committees, if any, and to act thereon, or take any action relative thereto.

A motion was made that the Town vote to receive the reports of Town Officers, or Committees, and to place them on file with the Town Clerk

Report was given by: Jeff Harris Planning Board member

Action on the Motion: Motion Passes with a unanimous vote.

ARTICLE 2

To see if the Town of Seekonk will vote to accept as a public way the layout identified and described as follows, a copy of which is on file with the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith for all purposes for which public ways are used in the Town of Seekonk, or take any other action relative thereto:

Becky Lane as shown on a Plan of Land entitled "Definitive Lotting Plan of Summer Meadows" in Seekonk, Massachusetts, prepared for Trebor Properties. LLC" dated September 9, 2013, as revised, and recorded with Bristol County Northern District Registry of Deeds in Plan Book 493, Page 80

A motion was made that the Town vote to accept the layout of the public way known as Becky Lane as described in the warrant for this Town Meeting, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an interest in said may be necessary or appropriate for all purposes for which public ways are used in the Town of Seekonk.

Action on the Motion: Motion with a unanimous vote.

ARTICLE 3

To see if the Town will vote to dissolve the Library Facilities Committee, established at Town Meeting on November 18, 2013, or take any other action relative thereto.

A motion was made that the Town vote to dissolve the Library Facilities Committee established by Town Meeting to serve until completion.

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

ARTICLE 4

To see if the Town will vote to raise and appropriate, transfer from Free Cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the sum of \$170,052 to be expended for the purchase and implementation of a computer-based permitting and licensing system, or take any other action relative thereto.

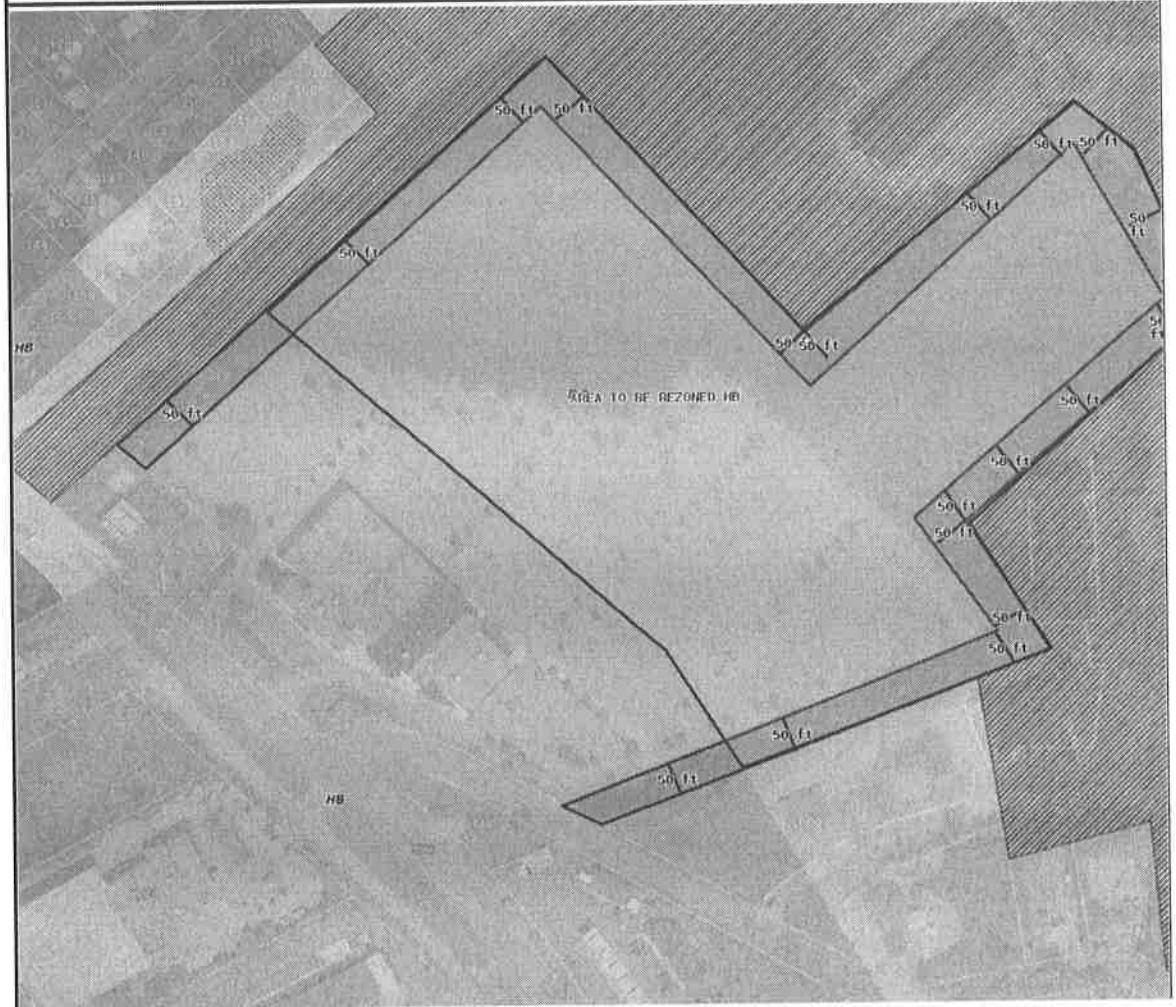
A motion was made that the Town appropriate from Free Cash the sum of \$170,052 for the purchase and implementation of a computer-based permitting and licensing system, such funds to be expended under the direction of the Board of Selectmen.

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

ARTICLE 5

To see if the Town will vote to amend the Zoning Bylaw by changing the zoning designation of the property located at 800 Fall River Avenue and identified as Seekonk Assessor's Plat 8, Lot 3 containing approximately 22.04 acres of land from R-3 and Highway Business to Highway Business and require a minimum residential buffer of fifty (50) feet from the side and rear lot lines of the property, or take any other action relative thereto.

800 Fall River Avenue aerial with proposed zoning and 50' buffer



A motion was made from Town Meeting floor to make an amendment to the motion changing the language in the last line from a "buffer of fifty (50) feet" to "a buffer of twenty-five (25) feet":
Changing the motion to read in full below:

Moved that the Town amend the Zoning Bylaws by changing the zoning designation of the property located at 800 Fall River Avenue and identified as Seekonk Assessor's Plat 8 Lot 3 containing approximately 22.04 acres of land from R-3 and Highway Business to Highway Business and require a minimum residential buffer of twenty-five (25) feet from the side and rear lot lines of the property.

Action on the motion: Motion passes

ARTICLE 5 CONTINUED:

A motion was made that the Town amend the Zoning Bylaws by changing the zoning designation of the property located at 800 Fall River Avenue and identified as Seekonk Assessor's Plat 8 Lot 3 containing approximately 22.04 acres of land from R-3 and Highway Business to Highway Business and require a minimum residential buffer of **Twenty- five (25) feet** from the side and rear lot lines of the property.

Action on the motion: Motion did not get the 2/3 vote required. Motion fails to pass.

ARTICLE 6

To see if the Town will vote to amend Zoning Bylaw, **Section 4.2 USE TABLE**, 4.2.4 Business and Commercial Uses, Subsection 16. Non-residential mixed use development, by deleting the strikethrough text and inserting the underlined text as follows:

Section 4.2.4 Business and Commercial Uses

Business and Commercial Uses								
Principal Uses (unless specified otherwise)	Business Districts			Industrial District	Residence Districts			
	LBD	HBD	LCVD	I	R-1	R-2	R-3	R-4
16. Non-residential mixed use development	<u>NSP</u>	<u>NY</u>	<u>NSP</u>	<u>SPY</u> ²	N	N	N	N

A motion was made that the Town amend the Zoning Bylaw, Section 4.2 USE TABLE, Section 4.2.4 Business and Commercial Uses, Subsection 16. Non-residential mixed use development, by deleting the strikethrough text and inserting the underlined text as presented in the warrant for this Town Meeting.

Action on the motion: Motion passes with 2/3 votes.

At 8:00PM there were 94 voters checked in

ARTICLE 7

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the total sum of \$100,000, with \$50,000 for a feasibility study for the construction of a South-End Fire Station and \$50,000 for a feasibility study for the construction of Phase II of the Seekonk Senior Center, or take any other action relative thereto

A motion was made on Town Meeting floor to spilt Article 7's motion into two separate motions. One motion for \$50,000 for a feasibility study for the construction of the south end fire station. And a separate motion for \$50,000 for a feasibility study for the construction of Phase II of the Seekonk Senior Center.

Action on the Motion: Motion fails (1 in favor)

ARTICLE 7 Continued:

***A motion was made** the Town appropriate from free cash the total sum of \$100,000, with \$50,000 for a feasibility study for the construction of a south end fire station and \$50,000 for a feasibility study for the construction of Phase II of the Seekonk Senior Center (\$50,000), said funds to be expended under the direction of the Board of Selectmen.*

Action on the motion: Motion passes

ARTICLE 8

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the total sum of \$33,130.92 to fund the cost items for the first fiscal year of collective bargaining agreements with The United Steelworkers of America, AFL-CIO, CLC Local 9517-10 (Clerical Unit) and The United Steelworkers of America, AFL-CIO, CLC Local 9517-09 (Supervisors Unit), and, in connection therewith, to amend the vote taken under Article 2 of the June 5, 2017 Annual Town Meeting to allocate such additional amounts as follows, or take any other action relative thereto:

Line	Title	Increase
13	Finance Payroll	\$1,015.16
15	Assessor Payroll	\$5,326.22
21	Treasurer Payroll	\$3,721.41
19	Collector Payroll	\$2,909.52
24	Town Clerk Payroll	\$1,085.13
30	Planning Payroll	\$1,981.09

28	Zoning Payroll	\$972.97
47	Building Inspector Payroll	\$2,689.27
44	Fire Payroll	\$1,015.16
54	Animal Control Payroll	\$2,377.69
71	Conservation Payroll	\$1,137.60
74	Board of Health Payroll	\$2,632.46
76	Human Services Payroll	\$4,837.00
78	Veterans Services Payroll	\$1,430.24
	Total	\$33,130.92

A motion was made that the Town vote to appropriate from free cash the total sum of \$33,130.92 to fund the cost items for the first fiscal year of collective bargaining agreements with the United Steelworkers of America, AFL-CIO, CLC Local 9517-10 (Clerical Unit) and The United Steelworkers of America, AFL-CIO, CLC Local 9517-09 (Supervisors Unit), and, in connection therewith, to amend the vote taken under Article 2 of the June 5, 2017 Annual Town Meeting and allocate such additional amounts as presented in the warrant for this Town Meeting.

Action on the motion: Motion passes unanimously

ARTICLE 9

To see if the Town will vote to amend the General Bylaws by inserting as Category 51 a new Bylaw entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 1, 2019, or that any other action relative thereto.

Category 51

Stretch Energy Code

Section 1 Definitions

International Energy Conservation Code (IECC)-The International Energy Conservation Code (IECC) is a building code created by the International Code Council. It is a model code adopted by many states and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three year cycle. The baseline energy conservation requirements of the

Massachusetts State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code-Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the Massachusetts Building Code, the Stretch Energy code is an appendix to the Massachusetts Building Code, based on further amendments to the International Energy Conservation Code (IECC) to improve energy efficiency of buildings built to this code.

Section 2 Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

Section 3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 115.AA, as applicable.

Section 4 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is hereby incorporated by reference into the General Bylaws.

The Stretch Code, which shall be effective as of January 1, 2019, shall be enforceable by the building inspector.

A motion was made that the Town amend the General Bylaws by inserting a new Bylaw as Category 51, entitled "Stretch Energy Code", for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 1, 2019, all as presented in the warrant for this Town Meeting.

Action on the motion: Motion passes

ARTICLE 10

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the sum of \$236,000 to be expended for the purchase and equipping of Loader to be utilized by the Department of Public Works, or take any other action relative thereto

A motion was made that the Town appropriate from free cash sum of \$236,000.00 to be expended for the purchase and equipping of a loader to be utilized by the Department of Public Works, said funds to be expended under the direction of the Board of Selectmen.

Action on the motion: Motion passes

ARTICLE 11

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the sum of \$67,000 to be expended for the purchase and equipping of a dump truck/plow to be utilized by the School Department, or take any other action relative thereto

A motion was made that the Town appropriate from free cash sum of \$67,000 to be expended for the purchase and equipping of a dump truck/plow to be utilized by the School Department, said funds to be expended under the direction of the School Committee.

Action on the motion: Motion passes

ARTICLE 12

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the sum of \$15,000 to be added to that appropriated under Article 2 of the June 5, 2017 Annual Town Meeting for Line 46, Forestry Expense, or take any other action relative thereto.

A motion was made that the Town vote to raise and appropriate the sum of \$15,000.00 to be added to that appropriated under Article 2 of the June 5, 2017 Annual Town Meeting for Line 46, Forestry Expense.

Action on the motion: Motion passes

ARTICLE 13

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the sum of \$100,000 to be expended for work associated with asbestos abatement at the Seekonk Public Library, or take any other action relative thereto:

Motion 13: Moved that the Town appropriate from free cash sum of \$100,000 to be expended for work associated with asbestos abatement at the Seekonk Public Library, said funds to be expended under the direction of the Board of Selectmen in consultation with the Board of Library Trustees.

A motion from Town meeting floor was made to indefinitely postpone this warrant article.

Seconded

Action on the motion: Motion passes article 13 indefinitely postponed

ARTICLE 14

To see if the Town will vote pursuant to G.L. c.43B, §10, to amend the Home Rule Charter of the Town of Seekonk by inserting in Article 3, Section 2, the underlined bold language as set forth below, or take any other action relative thereto:

Article 3, Section 2 Eligibility

Any registered voter shall be eligible to hold any elective office. No person shall simultaneously hold more than one elected office, **provided, however, that for purposes of this sentence, the term "elected office" shall exclude a charter commission elected under the provisions of G.L. c.43B."**

A motion was made that the Town amend the Home Rule Charter of the Town of Seekonk as presented in the warrant for this Town Meeting.

Action on the motion: Motion passes with a majority 2/3 votes

ARTICLE 15

To see if the Town will vote pursuant to G.L. c.43B, §10 to amend the Home Rule Charter of the Town of Seekonk by inserting in Article 7, Section 2 the bold underlined text below, or take any other action relative thereto:

Article 7, Section 2 Finance Committee

A Finance Committee of seven (7) members shall be appointed by the Town Moderator for three (3) year overlapping terms of office. No elected or appointed town officer or employee, **other than a member of a charter commission elected under the provisions of G.L. c.43B,** shall be eligible to serve on the Finance Committee. **Members of the Finance Committee shall be allowed to serve on ad hoc committees as long as the ad hoc committee does not impact the town or school operating budgets.** Any committee member who submits nomination papers for an elected position shall take a temporary leave of absence from the Finance Committee. The Moderator shall appoint a temporary replacement to serve until the election.

A motion was made that the Town amend the Home Rule Charter of the Town of Seekonk as presented in the warrant for this Town Meeting.

Action on the motion: Motion fails. Does not pass with a 2/3 majority vote

ARTICLE 16

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, or transfer from designated funds that have been reserved for appropriation the sum of \$50,000 to be added to that appropriated under Article 2 of the June 5, 2017 Annual Town Meeting for the care and upkeep of the Dexter Avenue Cemetery, Line 34, Building Operations Expense, or take any other action relative thereto.

A motion was made the Town appropriate from free cash the sum of \$50,000.00 to be added to that appropriated under Article 2 of the June 5, 2017 Annual Town Meeting for the care and upkeep of the Dexter Avenue Cemetery, Line 34, Building Operations Expense.

Action on the motion: Motion passes unanimously

A motion was made to dissolve the meeting at 9:15PM.

Action on the motion: To dissolve the meeting passes with a unanimous vote.

November 13, 2017

Town of Seekonk

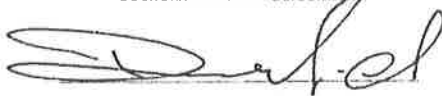
FALL TOWN MEETING

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 27 DAY OF November 2017.

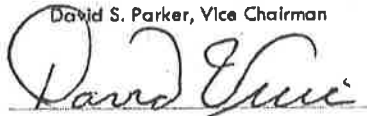
Seekonk Board of Selectmen



David J. Andrade, Chairman



David S. Parker, Vice Chairman



David F. Viera, Clerk

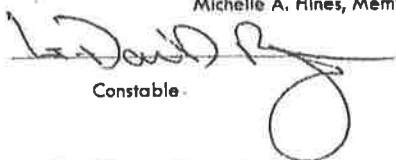


Nelson Almeida, Member



Michelle A. Hines, Member

A True Copy Attest:



Constable

Date:

10/27/17

27 OCT 2017 04:08:29



Economic Development Committee
100 PECK STREET
SEEKONK, MASSACHUSETTS 02771
508-336-2961

NOV 9 '17 AM 8:25

REPORT
AND
RECOMMENDATION TO TOWN MEETING

Date: November 13, 2017

To: Seekonk Fall Town Meeting, November 13, 2017

From: Seekonk Economic Development Committee

Re: Recommendation on Proposed rezone of a portion of the property located at 800 Fall River Avenue AP 8, Lot 3 located in the highway business (HB) and residential-3 (R-3) zoning districts and require a minimum fifty (50) foot vegetated buffer along the side and rear property lines.

On October 19, 2017 the Seekonk Economic Development Committee being duly convened at a regular meeting and with a quorum of members present did conduct a review relative to the above referenced proposed zone change. After review of the rezone proposal for the property located at 800 Fall River Avenue and upon due discussion and deliberation the Seekonk Economic Development Committee voted 3-0 with 1 abstention to offer a positive recommendation of passage to the Town Meeting regarding the proposed zone change.

John Macek, Chairman
Seekonk Economic
Development Committee