

TOWN OF SEEKONK

WARRANT/MINUTES



November 18, 2019

Fall Town Meeting

Town Moderator

Peter Hoogerzeil

Board of Selectmen

David J. Andrade, Chairman

Nelson Almeida, Vice Chairman

David F. Viera, Clerk

Justin Sullivan

Christopher Zorra

Town Administrator

Shawn E. Cadime

Town Clerk

Florice Craig

Finance Committee

Matthew Salisbury, Chairperson

Derick Medeiros

Jack Horton

Phillip Yan

Michael Brady

Normand Duquette

Michael Healy

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 18, 2019 at 7:00 P. M.

To vote on the following Articles. The Meeting will be called to order by the Town Clerk at 7:06 with a quorum of over 75 registered voters and the meeting was turned over to the Town Moderator, who presided over the Meeting.

Town Moderator made a motion to allow the following non-residents to speak at the meeting:

Shawn Cadime, Town Administrator; Lorraine Sorel, Asst. Town Clerk, Peter Fuller, Library Director; Theodora Gabriel, Town Assessor; Bruce Alexander, Director of Finance; Brittney Faria; Director, Human Services Council; Christine DeFontes, Treasure/Collector; John Aubin, III Town Planner; Dr. Richard Drolet, School Superintendent; Susa Doe, Special Education Director; Jill Brilhante, School Dept. Finance Administrator; Zachary Waddicor, Asst. Superintendent for Teaching & Learning; Town Counsel, KP LAW; James LaFlame, Veterans Agent; Jennifer Miller, Conservation Agent; Carol Ann Days, Director of Communications; Rob Bernardo, Water Superintendent; Scott Olobri, Asst. Superintendent DPW, Jeffery Hochwarter, Jay Cooke & Tiffany Tiberio, Kompan Co.

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

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

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

Town Moderator made a motion to allow the Town Moderator to declare a 2/3 vote on article requiring that vote.

Action on the motion: Motion passed 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.

Moved that the Town vote to receive the reports of Town Officers, or Committees, and to place them on file with the Town Clerk

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

M. Durkay gave report for Library Board of Trustees. J. Proulx gave report for Aitken School Expansion Committee.

ARTICLE 2

To see if the Town of Seekonk will vote to appropriate the sum of \$7,373.00 from the Ambulance Receipts Reserved Account for the purchase of EMS medical equipment and rifle plates for six (6) Active Shooter Backpacks, or take any other action thereto.

Moved that the Town appropriate from the Ambulance Receipts Reserved Account the sum of \$7,373.00 for the purchase of EMS medical equipment and rifle plates for six (6) Active Shooter Backpacks, under the direction of the Board of Selectmen.

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

ARTICLE 3

To see if the Town of Seekonk will vote to appropriate the sum of \$72,000.00 from the Ambulance Receipts Reserved Account for the purchase and equipping of two (2) Monitor/Defibrillators for Fire Department rescue vehicles, or take any other action thereto.

Moved that the Town appropriate from the Ambulance Receipts Reserved for Appropriation Account the sum of \$72,000.00 for the purchase and equipping of two (2) Monitor/Defibrillators for the Fire Department rescue vehicles, under the direction of the Board of Selectmen.

Action on the motion: Motion passed 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 borrow a sum of money not to exceed \$200,000.00 for the cost of engineering services for the design, plans, specifications and estimates for the proposed addition of a turf athletic field and renovations to the athletic complex located at Seekonk High School, property owned by the Town of Seekonk, including demolition and site preparation and all other incidental and related costs, and to create a building committee of seven or nine members to oversee the projects, to be appointed by the Town Moderator, or to take any other action relative thereto.

Moved that the Town appropriate from Free Cash the sum of \$200,000.00 for design, plans, specifications, and estimates for the proposed addition of a turf athletic field and renovations to the athletic complex located at Seekonk High School, including demolition and site preparation and all other incidental and related costs; and, further, to create a building committee of seven or nine members to oversee the projects, to be appointed by the Town Moderator.

Action on the motion: Motion passed with a majority vote.

ARTICLE 5

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, including funds reserved for appropriation, the sum of \$115,000.00 to fund the cost elements of the first fiscal year of a collective bargaining agreement with the Fraternal Order of Police, MASS C. O. P Local #215, beginning July 1, 2019 through June 30, 2022, or take any other action relative thereto:

Moved that the Town appropriate from Free Cash the sum of \$115,000.00 to fund the costs of the first fiscal year of a collective bargaining agreement with the Fraternal Order of Police, MASS C. O. P. Local #215, beginning July 1, 2019 through June 30, 2022.

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

ARTICLE 6

To see if the Town will vote pursuant to G.L. c.40, §5B to establish a special purpose stabilization fund, to be known as the Public Buildings and Infrastructure Stabilization Account, and in connection therewith, to transfer to said fund from Free Cash or available funds in the treasury the sum of \$200,000.00, or take any other action relative thereto.

Moved that the Town transfer from Free Cash the sum of \$200,000.00 dollars to establish a Public Building and Infrastructure Stabilization Account. (2/3 vote required.)

Action on the motion: Motion passed with a 2/3 vote. (2) Votes in opposition

ARTICLE 7

To see if the Town will transfer from Free Cash or available funds in the treasurer the sum of \$500,000.00 to the Municipal Capital Stabilization Account, or take any other action relative thereto.

Moved that the Town transfer from Free Cash the sum of \$500,000.00 to the Municipal Capital Stabilization Fund.

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

At 7:30PM there were 169 people checked –in.

ARTICLE 8

To see if the Town will vote to amend the General Bylaws of the Town of Seekonk, by deleting the language noted below in ~~strike through~~ and by adding the language set forth below in **bold underline**, or take any other action relative thereto:

Category 39, Enforcement

Section 1 – Criminal Complaint

Whoever violates any provision of these Bylaws may be penalized by indictment or on complaint brought in the District Court. Except as may be otherwise provided by law, as the District Court shall see fit to impose, the maximum penalty for each violation, or offense, brought in such manner, shall be three hundred (\$300.00) dollars.

Section 2 – Non-Criminal Complaint

Whoever violates any provisions of these Bylaws, the violation of which is subject to a specific penalty, may be penalized by a non-criminal disposition as provided in General Laws, Chapter 40, Section 21D. The non-criminal method of disposition may also be used for violation of any rule or regulation of any municipal officer, board or department. Without intending to limit the generality of the foregoing, it is the intention of the provision that the following Bylaws and sections of Bylaws and Regulations are to be included within the scope of this subsection, that the specific penalties as listed in the fine schedule established in Attachment A shall apply in such cases. ~~And that in addition to Police Officers, who shall always be considered enforcing~~ **Where expressly designated in these Bylaws, Police Officers shall be considered an enforcing authority for the purpose of this provision or persons for the purpose of this provision,** the municipal personnel listed in each category, if any, shall be enforcing persons for such sections; each day on which any violation exists shall be deemed to be a separate offense. **Notwithstanding the foregoing, the Zoning Enforcement Officer shall have the authority to enforce all provisions of these Bylaws unless such enforcement authority has been delegated solely to Police Officers.**

Moved that the Town amend the General Bylaws of the Town of Seekonk, Category 39, Enforcement, as presented in this warrant.

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

ARTICLE 9

To see if the Town will vote to accept the provisions of Massachusetts General Law, Chapter 59, Section 5, Clause 22G as follows, or take any other action relative thereto:

"In any city or town that accepts this clause, real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F if the person were the owner of the real estate."

Moved that the Town accept the provisions of Massachusetts General Law, Chapter 59, Section 5, Clause 22G.

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

ARTICLE 10

To see if the Town will vote to accept Massachusetts General Law, Chapter 40, Section 8J, allowing for the creation of a Commission on Disability of 5 to 13 members to be appointed by the Board of Selectmen, with the following scope of responsibility as detailed in said section, or take any other action relative thereto:

1. Research local problems of people with disabilities;
2. Advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities;
3. Coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on Disability;
4. Review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of the town as they affect people with disabilities;
5. Provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability;
6. Coordinate activities of other local groups organized for similar purposes.

A majority of said commission members shall consist of people with disabilities, one member shall be a member of immediate family of a person with a disability and one member shall be either an elected or appointed official of the town. The terms of the first members shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. The commission may receive gifts of property, both real and personal, in the name of the town, subject to the approval of the Board of Selectmen, such gifts to be managed and controlled by said commission for the purpose provided in Massachusetts General Law.

Moved that the Town accept the provisions of Massachusetts General Law Chapter 40, Section 8J and approve Article 10 as printed in this warrant for the purpose of establishing a Commission on Disability.

Action on the motion: Motion passed with a majority vote. (2) in opposition.

ARTICLE 11

To see if the Town will vote to amend the General Bylaws of the Town of Seekonk to include Category 14B: Fowl as follows, or take any other action relative thereto:

SEEKONK GENERAL BY-LAWS

Category 14B: Fowl

Section 1. Purpose

The purpose of this by-law is to provide for the keeping of a limited number of fowl, as defined herein, within the Town of Seekonk on single family or two family residential properties in accordance with the following definitions, standards and procedures. It is intended that this by-law provide for the keeping of fowl for domestic purposes in a manner that is safe and in conformance with the standards for the keeping of fowl as set forth by the Massachusetts Department of Agricultural Resources ("MDAR") and in a manner which does not create a nuisance or detriment to the health, safety or welfare of the resident of Seekonk.

The provisions of this by-law shall be in addition to and notwithstanding any other applicable local or state requirements, regulations, or applicable by-law provisions. Nothing herein is intended to or should be construed to provide and approval of or relief from any required application or

applicable local state or federal rule, regulation, by-law, or statute. The provisions of this by-law shall not apply to any agricultural use exempt under Massachusetts General Laws Chapter 40A, Section 3, or conducted under a previously granted and current approval by the Seekonk Zoning Board of Appeals.

Section 2. Definitions

A. For the purpose of this by-law the following terms shall be defined as follows:

1. **Enclosure:** An accessory residential structure constructed for the keeping of fowl, completely enclosed so as to prevent the escape of fowl and protection from predators with fencing or the like, and providing adequate shelter for any fowl kept therein in accordance with the standards of this by-law.
2. **Enforcing Officer:** Seekonk Animal Control Officer, an authorized agent of the Seekonk Office of Animal Control, the Zoning Enforcement Officer and any duly sworn officer of the Seekonk Police Department.
3. **Fowl:** Female chickens or hens and shall specifically exclude roosters which shall be prohibited.
4. **Manure Management Plan:** A plan for handling of manure that shall address the cleaning composting, storage, use, and or removal of manure.
5. **Pest Management Plan:** A plan that adequately define measures that shall be taken to minimize the presences of rodents, insects and pests.
6. **Residential Property:** Any property in residential use in the Town of Seekonk developed with either a one or two family dwelling.

Section 3. Registration

Any person seeking to keep fowl, as defined herein, in the Town of Seekonk shall annually, on a schedule to be set by the Office of Animal Control, register with the Animal Control Officer on a form provided by the Town the following information:

A.

1. Name of the registrant;
2. Address of the registrant;
3. Name of the property owner;
4. Address of the property owner;
5. Letter of authorization from property owner if registrant is not the property owner;
6. Number of fowl to be kept;
7. A site sketch, prepared by the applicant and filed with the Office of Animal Control; documenting the size and location of enclosure including compliance with the required setback from occupied structures on abutting properties;
8. A manure management plan documenting the cleaning, composting, storage, use, and/ or removal of manure; prepared by the applicant and filed with the Office of Animal Control;
9. A pest management plan documenting measures to be taken to adequately minimize the presences of rodent, insect, and pests; prepared by the applicant and filed with the Office of Animal Control; and
10. A statement acknowledging the registrant's responsibility for annual inspections by the Animal Inspector.

B. Fees for registration under this by-law shall be in accordance with Attachment B to the **General Bylaws of the Town of Seekonk**.

Section 4. Standards and Inspections

A. **Standards** All fowl kept under this by-law shall be kept in accordance with following standards:

1. Not more than 12 female chickens or hens shall be kept per residence;
2. Enclosures shall provide fowl being kept both shelter and protection from predators and shall conform to the following:
 - a. Minimum space requirements of 10 square feet of enclosure space and 2 square feet of shelter or roosting structure space per chicken. Thus 12 chickens would require a minimum 120 square foot enclosure with a minimum 24 square foot shelter.
 - b. The enclosure shall be located on a permeable surface so as to prevent waste runoff.
 - c. The enclosure shall be thorough ventilated and designed for easy access and cleaning by the registrant.
 - d. The enclosure shall be maintained in a reasonably clean, sanitary, and structurally sound condition free of decaying food, filth, stagnant water, excess dirt or accumulated waste.
 - e. Enclosures shall be located a minimum of 30 feet from any occupied structure located on any property abutting the property on which the enclosure is located.
3. All feed or other natural materials stored in relation to the keeping of fowl shall be stored in a manner so as to prevent infestation by rodents and insects or the release of objectionable odors.
4. All fowl shall be kept in adherence with the best practices for biosecurity for backyard poultry facilities as set forth in the guidelines and regulations promulgated and published the United Stated Department of Agriculture and Massachusetts Department of Agricultural Resources.

5. Any eggs generated by the keeping of fowl under this by-law shall only be kept, stored, and transferred in strict adherence to the guidelines and regulations promulgated and published the United States Department of Agriculture, Massachusetts Department of Agricultural Resources, and Massachusetts General Laws Chapter 129, Section 26B.
 6. All fowl shall be kept on the property to which they are registered by fencing or the like and shall not be permitted to roam at large from that property.
 7. All waste generated as a result of the keeping of fowl under this by-law shall be disposed of as follows:
 - a. Waste shall be collected and stored in a covered container and either removed from the property or composted on the property in a manner that will not attract pests, promote disease, or negatively impact abutting property owners with odor or runoff.
 - b. No waste resulting from the keeping of fowl under this by-law shall be placed the household municipal trash.
 8. In all cases the keeping of fowl and uses, structures or activities appurtenant thereto such as; the storage of food, storage and removal of waste shall comport to the minimum standards for public health, safety and sanitation as set forth by the applicable provisions of the Code of Massachusetts Regulations, Massachusetts General Law, and local regulations of the Seekonk Board of Health and specifically, but not limited to **105 CMR 410.602: Maintenance of Areas Free from Garbage and Rubbish** and **Seekonk Health Regulations Section 18 Property Maintenance Regulation**.
- B. There shall be no variance from the above standards permitted however nothing herein shall prevent any resident of the Town of Seekonk from seeking a special permit from the Zoning Board of Appeals pursuant to **Section 4.21. Agricultural Uses** as permitted under **Section 2.2 Special Permits of Category 42 ZONING** of these General By-laws of the town of Seekonk.
- C. **Inspections**
1. Any person keeping fowl under this by-law shall schedule an annual inspection by the Animal Inspector in accordance with the 330 CMR 05 of the Code of Massachusetts Regulations. Failure to request and assent to such an inspection by the Animal Inspector shall be a violation of this by-law and grounds for revocation of registration.
 2. The Animal Inspector shall ensure that all standards of this by-law and applicable provisions of the Code of Massachusetts Regulations with regard to the keeping of animals are met by all registrants keeping fowl under this by-law. Failure by a registrant to meet all standards of this by-law or the CMR shall be a violation of this by-law and grounds for revocation of registration.

Section 5. Enforcement

- A. The following penalties shall be applicable in the enforcement of this by-law:
1. Any person keeping fowl without registration shall be subject to a fine and/or removal of the unregistered fowl.
 2. Any person failing to keep fowl in accordance with the standards herein shall be subject to either a written warning by the Office of Animal Control or further enforcement at the discretion of the Animal Control Officer based on the severity of the infraction and any previous history of enforcement regarding the registration or registrant under this by-law.
- B. Fines for violations of this by-law shall be in accordance with Attachment A to the **General Bylaws of the Town of Seekonk**.

- C. This by-law shall be enforced by the Animal Control Officer, their authorized designee, the Zoning Enforcement Officer, or the Seekonk Police Department.

Section 6. Severability and Transitional provisions

- A. Until such time as the Board of Selectmen adopt an amendment to Attachment B to the **General Bylaws of the Town of Seekonk** to provide for a Fowl registration fee or the like, the initial registration fee, as referenced above in Section 3(B), shall be \$10.00.
- B. If any provision, paragraph, sentence, or clause of this by-law shall be held invalid for any reason, all other provisions shall continue in full force and effect.

Moved that the Town amend the General Bylaws of the Town of Seekonk to include Category 14B: Fowl, as presented in this warrant.

Action on the motion: Motion passed with a majority vote.

ARTICLE 12

To see if the Town will vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts as follows, or take any other action relative thereto:

Please note: Each amendment is presented below with existing language to be deleted indicated by ~~striketrough~~ and proposed new language indicated by **bold underline**. Where a portion of a section or subsection is proposed for amendment it is denoted by "parentheses" and ... before and/ or after ... to indicate the language not quoted. Additional comments or information needs are denoted by italicized text.

Amendment 1: Section 2 Administration - 2.1 Board of Appeals

Amend Section 2.1.3 Appeal Procedure as follows:

Any appeal to the Zoning Board of Appeals under Section 2.1.2.1 of this By-law shall be taken within thirty days from the date of the order or decision which is being appealed, by filing a notice of appeal, specifying the grounds thereof, with the Town Clerk, who shall forthwith transmit copies thereof to such Officer or Board whose order is being appealed and to the Zoning Board of Appeals **with a copy in such electronic format as may be provided for by the Town**. Such Officer or Board shall forthwith transmit to the Zoning Board of Appeals all documents and papers constituting the record of the case in which the appeal is taken.

Comment: The proposed amendment is intended to facilitate the adoption of online permitting by the Town

Amendment 2: Section 2 Administration - 2.2 Special Permits

Amend Section 2.2.3 Appeal Procedure as follows:

Special permits shall only be issued following public hearings held, as required under G.L. c.40A, within sixty-five (65) days after filing of an application with the Town Clerk, a copy

of which shall forthwith be given to the SPGA, normally the Zoning Board of Appeals, by the Town Clerk **with a copy in such electronic format as may be provided for by the Town.** The SPGA shall adopt and from time to time amend rules relative to the issuance of such permits and shall file a copy of said rules in the office of the Town Clerk. Such rules must prescribe the size, form, contents, style, and number of copies of plans and specifications and the procedure for the submission and approval of such permits. Failure to conform to submission requirements shall constitute a reason to deny the relief sought.

Comment: The proposed amendment is intended to facilitate the adoption of online permitting by the Town

Amend Section 2.3.1.1 to add following language: An application for a variance over which the Zoning Board of Appeals exercises original jurisdiction shall be filed by the petitioner with the town clerk, with a copy in such electronic format as may be provided for by the Town, and a copy of application or petition, including the date and time of filing, certified by the town clerk, shall be transmitted forthwith by the petitioner to the Zoning Board of Appeals.

Amendment 3: Section 2 Administration - 2.8 Site Plan

Amend Section 2.8.5 Procedure as follows:

...

Where the a property, for which a site plan approval is filed, abuts residential zoned or used property, notice ~~shall~~ **may, at the discretion of the Planning Board after an initial review,** be provided to all abutters, as identified by the Seekonk Tax Assessor, within 300' of the property of the time and place of the Planning Board's review of the application.

Said notice shall be provided at least fourteen (14) days prior to the Planning Board meeting at which the application will be reviewed and shall be mailed by regular mail by the applicant in a form to be provided by the Planning Board. Upon completing such mailing the applicant or their representative shall either file an affidavit attesting to the provision of notice with the Planning Board or enter testimony on the record that such notice has been accomplished.

...

Comment: The proposed amendment would provide for a determination by the Planning Board to allow for notice of a site plan application to abutters rather than a blanket notice requirement.

Amendment 4:

Section 4 Use Regulations Section 4.2 Use Table

Amend Section 4.2.1 Agricultural Uses to add a footnote 4 referencing Category 14B of the Seekonk General By-laws.

Agricultural Uses

Principal Uses (unless specified otherwise)	Residence Districts				Business Districts			Industrial District
	R-1	R-2	R-3	R-4	LBD	HBD	LCVD	I
Agricultural Uses								
1. Agriculture								
a. On parcels not protected under M.G.L. Chapter 40A Section 3 and devoted principally to the raising of crops	SP	SP	SP	SP	SP	SP	SP	SP
b. On parcels protected under M.G.L. Chapter 40A Section 3 and devoted principally to the raising of crops	Y	Y	Y	Y	Y	Y	Y	Y
c. On parcels not protected under M.G.L. Chapter 40A Section 3 and devoted to the raising of livestock ⁴	SP	SP	SP	SP	SP	SP	SP	N
d. On parcels protected under M.G.L. Chapter 40A Section 3 devoted to the raising of livestock ¹	Y	Y	Y	Y	Y	Y	Y	Y
2. Stables	SP	SP	SP	SP	SP	SP	SP	N
3. Kennels ²	SP	SP	SP	SP	SP	SP	SP	N
4. Commercial greenhouses ³	Y	Y	Y	Y	Y	Y	Y	Y

¹Agriculture on parcels protected under M.G.L. Chapter 40A Section 3 devoted to the raising of livestock is permitted provided the following reasonable standards and limitations shall be met:

- Physical restraint – livestock shall be restrained from passing outside the farm's property lines while unattended or uncontrolled to prevent a public nuisance; and
- Odors – no objectionable odor shall be observable at the property line that creates a public nuisance. Detailed plans for the elimination of odor may be required before the issuance of any building permit.

²Please see Section 8.9 for standards related to Kennels.

³Minimum lot size for greenhouses in residence districts shall be 45,000 square feet.

⁴The keeping of fowl as provided for in Category 14B shall be permitted by right.

Comment: The proposed amendment would add footnote 4 to allow for the keeping fowl in accordance with **Category 14B Fowl** (proposed).

Moved that the Town amend the Zoning Bylaws of the Town of Seekonk, Massachusetts, as presented in this warrant. (2/3 vote required)

Action on the motion: Motion passed with a 2/3 majority vote. (2) in opposition

ARTICLE 13

To see if the Town will vote to amend the General Bylaws of the Town of Seekonk, Massachusetts Category 47: Public Consumption of Marijuana or Tetrahydrocannabinol, by deleting the language noted below in ~~strikethrough~~ and by adding the language set forth below in **bold underline**, or take any other action relative thereto:

CATEGORY 47 – ~~Public Consumption of Marijuana or Tetrahydrocannabinol~~

Section 1 – Public Consumption of Marijuana or Tetrahydrocannabinol

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in M. G. L. c.94, s. 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stair, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

This bylaw may be enforced through any lawful means or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to M. G. L. c. 40, s. 21, or by non-criminal disposition pursuant to M. G. L. authorized agents, any police officer. Any individual who violates this Bylaw shall be subject to fines in accordance with Category 39 of the Bylaw and the fine schedule established in Attachment A. Any

penalty imposed under this bylaw shall be in addition to any civil penalty imposed under M. G. L. c. 94c, s. 32L.

Section 2 - Limitations on Adult Use Marijuana Retailers

The number of Adult Use Marijuana Retailers, as defined in M. G. L. c.94G, s. 1 and 935 CMR 500.000, permitted to be located in the Town shall be limited to twenty percent (20%) of the number of year-round licenses issued within the Town for the retail sale of averages not to be drunk on the premises where sold pursuant to M. G. L. c. 138, s. 15. In the event that 20% of said licenses is not a whole number, the limit shall be rounded to the nearest whole number.

Section 3 – Limitation on Adult Use Marijuana Establishments

With the exception of Adult Use Marijuana Retailers, the number of licensed Marijuana Establishments, as defined in 935 CMR 500.02, shall be limited as follows within the Town of Seekonk:

<u>Type of Marijuana Establishment</u>	<u>Number Permitted</u>
<u>Marijuana Cultivator</u>	<u>1</u>
<u>Marijuana Product Manufacturer</u>	<u>1</u>

<u>Independent Testing Laboratory</u>	<u>1</u>
<u>Marijuana Research Facility</u>	<u>1</u>
<u>Marijuana Transporter</u>	<u>1</u>

Moved that the Town amend the Town Bylaws, Category 47 – Public Consumption of Marijuana or Tetrahydrocannabinol, as presented in this warrant.

Action on the motion: Motion passed with a majority vote.

ARTICLE 14

To see if the Town will make the following additions to Zoning Bylaw 8.8 Signs
Add to the Sign By-law under 8.8.3.2: Exemptions from Permit:

Section J: Permitted yard sale premises are allowed a maximum of four (4) off premise signs, not to exceed one foot by 2 feet in size for a maximum of three days prior to sale date(s) and removal promptly after permitted day(s).
One additional sign can be displayed on premise for the same amount of time.

And under 8.8.3.3. Prohibited Signs: add to section h.) and those exempt under 8.8.3.2.

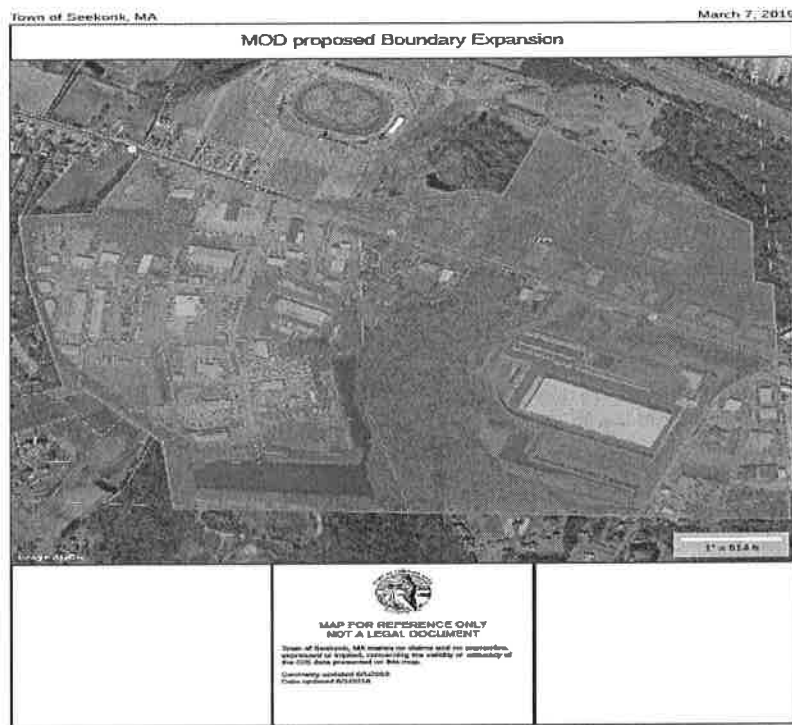
Motion that the Town make additions to Zoning Bylaw 8.8 Signs. Add to the Sign-By-law under 8.8.3.2: Exemptions from Permit.

Action on the motion: Motion passed with a 2/3 vote.

ARTICLE 15

To see if the Town will vote to amend the Zoning Bylaws of the Town of Seekonk, **Sec 3.2 Zoning Map**, by amend the Zoning Map, which is included therein by reference, to reflect the boundaries of the Marijuana Overlay District in accordance with the MOD Expansion Map printed in Article 15 of this warrant, or take any other action relative thereto.

Comment: This MOD expansion map shows proposed incorporation of the lots along Old Fall River Avenue into the Marijuana Overlay District. The area proposed to be added to the overlay district is approximately 47 acres and is being proposed in response to the de facto loss of 75 acres from the MOD as originally adopted with the development of the FedEx distribution facility at 1977 Fall River Avenue.



Moved that the Town vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts as printed in Article 15 in this warrant. (2/3 vote required.)

Action on the motion: Motion did not pass with a 2/3 vote.

A motion was made to continue Town Meeting at the 10:30 PM mark.

Action on the motion: Motion passed unanimously.

ARTICLE 16

To see if the Town will vote to appropriate from available funds in the treasury, including the Community Preservation Fund, the sum of \$357,471.51 for the creation of land for recreational use, specifically, the design, construction, and furnishing of a playground to be located on the Town Hall campus located at 100 Peck Street, including site preparation and all incidental or related expenses, or take any other action relative thereto.

Moved that the Town appropriate the sum of \$300,000.00 from the Community Preservation Fund, for the creation of land for recreational use, specifically, for the design, construction, and furnishing of a playground to be located on the Town Hall campus located at 100 Peck Street, including site preparation and all incidental and related expenses, such sum to be expended under the direction of the Board of Selectmen.

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

ARTICLE 17

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury, including funds reserved for appropriation, the sum of \$85,000.00 fund the cost elements of the first fiscal year of a collective bargaining agreement with the International Association Fire Fighters, Local 1931, beginning July 1, 2019 through June 30, 2022, or take any other action relative thereto:

Moved that the Town appropriate from Free Cash the sum of \$85,000.00 to fund the costs of the first fiscal year of a collective bargaining agreement with the International Association Fire Fighters, Local 1931, beginning July 1, 2019 through June 30, 2022.

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

ARTICLE 18

To see if the Town will vote to appropriate \$1,477,938, or any other amount, to pay costs of designing, planning, constructing and furnishing Phase II of the renovation of 540 Arcade Avenue, a building owned by the Town, including the payment of all architectural and engineering services and any other costs incidental or related thereto, to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing otherwise; to see if the Town will authorize the Moderator to appoint a building committee of approximately 7 to 9 members to oversee this project, under the direction of the Board of Selectmen, or take any other action relative thereto.

Moved that the Town appropriates \$1,477,938 to pay costs of designing, planning, constructing and furnishing Phase II of the renovation of 540 Arcade Avenue, a building owned by the Town, including the payment of all architectural and engineering services and any other costs incidental or related thereto, and that to meet this appropriation, the Treasurer, with the approval of the selectmen, is authorized to borrow said amount under and pursuant to M.G. L. c. 44, § 7(1) or any other enabling authority, and to issue bonds or notes of the Town therefor, and that the Moderator is authorized to appoint a building committee of approximately 7 to 9 members to oversee this project, under the direction of the Board of Selectmen. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M. G. L. c 44 §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Action on the motion: Motion passed with a 2/3 majority vote.

A motion was made to adjourn the Town meeting at 11:05pm

Action on the motion: Motion passed unanimously.

Total Amount of Seekonk registered voters checked in was: 184
Total Amount of registered to vote in Seekonk on that date was: 10,624
Total percent of voter turnout was 1.73%