

TOWN OF SEEKONK

Meeting Minutes



November 14, 2022

FALL TOWN MEETING



Town Moderator

Peter Hoogerzeil

Board of Selectmen

Justin Sullivan, Chairperson
Christopher Zorra, Vice
Chairperson
Adam Petronio, Clerk
David Andrade
Michael Healy

Town Administrator

Shawn E. Cadime

Town Clerk

Florice Craig

Finance Committee

Matthew Salisbury, Chairperson
Michael Bradley
Michael Brady
Normand Duquette
Joanna L'Heureux
Phillip Yan

Director of Finance

Jennifer Argo

BRISTOL, SS.

11/14/2022

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 14, 2022 at 7:00 P. M.

To vote on the following Articles. The Meeting was called to order by the Town Clerk at 7:15PM 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 went on to describe the new electronic voting system and presented a Power Point presentation with a test question for the audience. This was done to remind everyone how to use the new voting system.

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

Shawn Cadime, Town Administrator, Carol Ann Days, Assistant Town Administrator, Kate Hibbert, Library Director, Jennifer Argo, Director of Finance, Christine DeFontes, Treasurer/Collector, John Aubin III, Town Planner, Richard Drolet, School Superintendent, Jill Brilhante, School Dept. Finance Administrator, Town Counsel KP Law, Joseph Fair, James LaFlame, Veterans Agent, Jennifer Miller, Conservation Agent, Brain Darling, Health Agent, Dean Isabella, Chief of Police, Sandra Lowery, Fire Chief, Donna Wunschel, Communications Director, Andrea Russo, Animal Control Officer, Donald Cooper, Water Superintendent.

Action on the motion: Motion passed

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 passed with a unanimous vote.

ARTICLE 1

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

It was moved and seconded that the Town vote to receive the reports, if any, of Town Officers or Committees and to place them on file with the Town Clerk.

Action on the motion: Motion passed. No reports were given.

It came into question if there was a quorum. (A quorum for Town meeting per Seekonk By-laws is 75).

A motion was made to call for a quorum vote.

Action on the motion: Motion passed with 78 votes.

ARTICLE 2

To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury or transfer from designated funds that have been reserved for appropriation the sums detailed below in accordance with the Financial Policies of the Town of Seekonk adopted by the Board of Selectmen, April 2021, or take any other action relative thereto.

- a. The sum of \$415,737.75 from Free Cash to the Stabilization Fund.
- b. The sum of \$415,737.75 from Free Cash to the Municipal Capital Stabilization Fund.
- c. The sum of \$530,149.28 from Free Cash to the Building & Infrastructure Stabilization Fund.
- d. The sum of \$415,737.75 from Free Cash to the Other Post-Employment Benefits (OPEB) Trust Fund.

It was moved and seconded that the Town transfer from Free Cash the sums detailed below in accordance with Financial Policies adopted by the Board of Selectmen, April 2021.

- a. The sum of \$415,737.75 from Free Cash to the Stabilization Fund**
- b. The sum of \$415,737.75 from Free Cash to the Municipal Capital Stabilization Fund**
- c. The sum of \$530,149 from Free Cash to the Building & Infrastructure Stabilization Fund**
- d. The sum of \$415,737.75 from Free Cash to the Other Post-Employment Benefits (OPEB) Trust Fund**

Action on the motion: Motion passed (72-Yes – 5-No)

ARTICLE 3

To see if the Town will vote to transfer a sum money from Free Cash to the FY 2023 Town Meeting Operating Budget Line Item #57 (Tri-County School Assessment) and to the FY 2023 Town Meeting Operating Budget Line Item #59 (Bristol County Agricultural), or take any other action relative thereto.

It was moved and seconded that the Town vote to transfer the sum of \$41,409 from Free Cash to FY 2023 Town Meeting Line Item #57 (Tri-County School Assessment), and \$16,397 from Free Cash to FY 2023 Town Meeting Line Item #59 (Bristol County Agricultural).

Action on the motion: Motion passed (69-Yes – 5-No)

ARTICLE 4

To see if the Town will vote to raise and appropriate, transfer from Free Cash or available funds in the treasury, including funds reserved for appropriation, the sum of \$120,000 to fund the cost elements of the collective bargaining agreement between the Town and the Seekonk Public Library Employee Association, MLSA, AFT, AFL-CIO, for a term beginning July 1, 2020 through June 30, 2023, and, further, to authorize the Town Accountant to allocate such amounts accordingly, or take any other action relative thereto

It was moved and seconded the Town appropriate from Free Cash the sum of \$120,000 to fund the cost elements of the collective bargaining agreement between the Town and the Seekonk Public Library Employee Association, MLSA, AFT, AFL-CIO, for a term beginning July 1, 2020 through June 30, 2023, and, further, to authorize the Town Accountant to allocate such amounts accordingly.

Action on the motion: Motion passed (59-Yes 12-No)

ARTICLE 5

To see if the Town will vote to raise and appropriate, transfer from Free Cash or available funds in the treasury, including funds reserved for appropriation, the sum of \$140,000 to fund the cost elements of the first fiscal year of a collective bargaining agreement between the Town and the Fraternal Order of Police, MCOP, Local #215, for a term beginning July 1, 2022 through June 30, 2025, or take any other action relative thereto.

It was Moved and seconded the Town appropriate from Free Cash the sum of \$140,000 to fund the cost elements of the first fiscal year of a collective bargaining agreement between the Town and the Fraternal Order of Police, MCOP, Local #215, for a term beginning July 1, 2022 through June 30, 2025.

Action on the motion: Motion passed (61- Yes – 15 -No)

ARTICLE 6

To see if the Town will vote to accept Clause 56 of Massachusetts General Laws, Chapter 59, Section 5, allowing members of the Massachusetts National Guard or military reservists who are on active duty to obtain a reduction of all or part of their real estate and personal property taxes for any fiscal year they are serving in a foreign country, to be effective beginning fiscal year 2024, provided, further, that in

accordance with said law, the authority to grant abatements under this section shall be for a period of two years after the effective date unless extended by Town Meeting, or take any other action relative thereto.

It was moved and seconded that the Town vote to accept Clause 56 of Massachusetts General Laws, Chapter 59, Section 5, allowing members of the Massachusetts National Guard or military reservists who are on active duty to obtain a reduction of all or part of their real estate and personal property taxes for any fiscal year they are serving in a foreign country, to be effective beginning fiscal year 2024, provided, further, that in accordance with said law the authority to grant abatements under this section be for a period of two years after the effective date unless extended by Town Meeting.

Action on the motion: Motion passed (63-Yes – 11- No)

ARTICLE 7

To see if the Town will vote to amend the Town of Seekonk General Bylaws, Category 27, Special Event Permit, Section 4, by deleting the word “certified”, with the text to be deleted shown below in **bold strikethrough**, or take any other action relative thereto.

CATEGORY 27 – SPECIAL EVENT PERMIT

Section 4 — Notice to Abutting Owners

The Board of Selectmen applicant shall send special notice by **certified** mail to all owners of abutting property within two hundred (200) feet of the proposed site of the event and associated parking area(s) containing the time and place of the public hearing regarding said special event. The applicant shall bear the cost of the certified mail.

It was Moved and seconded that the Town amend Section 4 of Category 27 of the Town of Seekonk General Bylaws, entitled “Special Event Permit”, as set forth in the warrant.

There was a motion to make an amendment to motion that was on the floor to add a second strikethrough of the word “Certified” which can be found in the last sentence of the paragraph.

Action on the motion: (Show of hands vote per Moderator) Motion passed.

Town Moderator called for the final amended vote on the floor for Article 7.

Action on the motion: Motion failed (Yes-17– No-56)

ARTICLE 8

To see if the Town of Seekonk will vote to accept as a public way the road known as Lannister Lane, as heretofore laid out by the Board of Selectmen, all as shown on a Definitive Subdivision Plan entitled "Winterfell" in Seekonk, Massachusetts, prepared by InSite Engineering Services, LLC, dated September 9, 2014, final version dated December 8, 2014, and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 498, Page 52, said plan on file with the Town Clerk, for all purposes for which public ways are used in the Town of Seekonk, 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, or take any other action thereto.

It was Moved and seconded that the Town vote to accept the layout of the public way known as Lannister 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 roadway as may be necessary or appropriate to create such public way.

Action on the motion: Motion passed (66 Yes- 8-No)

ARTICLE 9

To see if the Town will vote to amend the Town of Seekonk Personnel Bylaw, Section 050, The Personnel Board, by adding the text shown below in **bold** at the end of the second paragraph, or take any other action relative thereto.

050 – THE PERSONNEL BOARD

The Personnel Board shall consist of five members appointed by the Town Moderator. This Board shall be responsible for the administration of all aspects of the Personnel By-law, and shall establish such procedures, as it deems necessary. **In absence of a Personnel Board, the Board of Selectmen shall fulfill the role and responsibilities of the Personnel Board.**

It was moved and seconded that the Town amend Section 050 of the Personnel By-laws, entitled "The Personnel Board", as set forth in the warrant.

Action on the motion: Motion passed: (44-Yes – 28- No)

ARTICLE 10

To see if the Town will vote to amend the Salary and Wage Plan, as referred to in Section 403 Salary Wage Plan, of the Personnel By-law, by deleting Appendix B of the By-law and inserting in its place the following:

Appendix B					
Non-Exempt Salary Structure					
Grade	Minimum	2nd Quartile	Midpoint	4th Quartile	Maximum
1	\$ 15.00	\$ 15.90	\$ 16.85	\$ 17.87	\$ 18.94
2	\$ 15.90	\$ 16.85	\$ 17.87	\$ 18.94	\$ 20.07
3	\$ 16.85	\$ 17.87	\$ 18.94	\$ 20.07	\$ 21.28
4	\$ 17.87	\$ 18.94	\$ 20.07	\$ 21.28	\$ 22.55
5	\$ 18.94	\$ 20.07	\$ 21.28	\$ 22.55	\$ 23.91
6	\$ 20.07	\$ 21.28	\$ 22.55	\$ 23.91	\$ 25.34
7	\$ 21.28	\$ 22.55	\$ 23.91	\$ 25.34	\$ 26.86
8	\$ 22.55	\$ 23.91	\$ 25.34	\$ 26.86	\$ 28.47
9	\$ 23.91	\$ 25.34	\$ 26.86	\$ 28.47	\$ 30.18
10	\$ 25.34	\$ 26.86	\$ 28.47	\$ 30.18	\$ 31.99
11	\$ 26.86	\$ 28.47	\$ 30.18	\$ 31.99	\$ 33.91
12	\$ 28.47	\$ 30.18	\$ 31.99	\$ 33.91	\$ 35.95
13	\$ 30.18	\$ 31.99	\$ 33.91	\$ 35.95	\$ 38.11
14	\$ 31.99	\$ 33.91	\$ 35.95	\$ 38.11	\$ 40.39
15	\$ 33.91	\$ 35.95	\$ 38.11	\$ 40.39	\$ 42.82

Moved that the Town amend Section 403 of the Personnel By-laws, entitled "Salary and Wage Plan", as set forth in the warrant.

Action on the motion: Motion Passed (Yes- 54 – No- 19)

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 following sums to be expended for department equipment and all incidental and related expenses, including new or continuing

leases for such equipment, and further to authorize the appropriate Town officials to enter into contracts for more than three years for such purposes, as applicable, or take any other action relative thereto:

From the Special Education Stabilization Fund the sum of \$94,301.00 for expenses related to required unanticipated and unbudgeted out-of-district special education services.

It was Moved and seconded that the Town appropriate the sum of \$94,301.00 from the Special Education Stabilization Fund for expenses related to required unanticipated and unbudgeted out-of-district special education services.

2/3 vote required

Motion was made and seconded to allow non-resident Mr. George Kelleher the Director of Student Services to speak at Town Meeting:

Motion passed: Allowing him to speak to and explain Article 11.

Action on the motion: Motion passed by a 2/3 majority vote (57-yes – 17– No)

ARTICLE 12

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 School Capital Stabilization Account, or take any other action thereto.

It was moved and seconded that the Town vote pursuant to G.L. c.40, §5B to establish a special purpose stabilization account to be known as the School Capital Stabilization Account.

Action on the motion: Motion passed by a 2/3 majority vote (54-Yes 21- No)

ARTICLE 13

To see if the Town will transfer \$200,000 from the amounts appropriated under Article 7 of the November 9, 2020, which was held on March 27, 2021, Town Meeting for the Arcade Ave Sidewalk project for the purpose of funding the Arcade Ave Traffic Control Signal project, the construction of a Traffic Control Signal at the intersection of Arcade Avenue and Ledge Road, including all incidental and related expenses, such sums to be expended under the direction of the Board of Selectmen, or take any action relative thereto.

It was moved and seconded that the Town transfer \$200,000 from the amounts appropriated under Article 7 of the November 9, 2020 Town Meeting, which was held on March 27, 2021, for the Arcade Ave Sidewalk project for the purpose of funding the Arcade Ave Traffic Control Signal project, the construction of a Traffic Control Signal at the intersection of Arcade Avenue and Ledge Road, including all incidental and related expenses such sums to be expended under the direction of the Board of Selectmen.

Action on the motion: Motion passed (61- Yes – 16 No)

ARTICLE 14

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 following sums to be expended for the Arcade Ave Traffic Control Signal project for the construction of a Traffic Control Signal at the intersection of Arcade Avenue and Ledge Road, including all incidental and related expenses, to be expended under the direction of the Board of Selectmen, or take any action relative thereto.

It was moved and seconded that the Town appropriate the sum of \$50,000.00 from the Public Building and Infrastructure Stabilization Fund, for the Arcade Ave Traffic Control Signal project, to include the construction of a Traffic Control Signal at the intersection of Arcade Avenue and Ledge Road and all incidental and related expenses, such sums to be expended under the direction of the Board of Selectmen.

(2/3 vote required)

Action on the motion: Motion passed by a 2/3 majority 61-Yes- 10-No

ARTICLE 15

To see if the Town will vote to transfer from the Board of Selectmen for the purposes for which it is currently held to the Board of Selectmen for the purpose of sale or other disposition, and authorize said board to sell or otherwise dispose of, the property known as "County Street Fire Station" located at 170 County Street and shown as Assessors Map #13, Lot #21, inclusive of buildings and land, as such property is no longer needed by the Town, or take any other action relative thereto.

It was moved and seconded that the Town transfer from the Board of Selectmen for the purposes for which it is currently held to the Board of Selectmen for the purpose of conveyance or other disposition, and authorize said board to sell or otherwise dispose of, the property known as "County Street Fire Station" located at 170 County Street and shown as Assessors Map #13, Lot #21, inclusive of buildings and land.

(2/3 vote required)

Action on the motion: Motion failed to get a 2/3 majority. (26-Yes 48-No)

ARTICLE 16

To see if the Town will vote to transfer from the Board of Selectmen for the purposes for which it is currently held to the Board of Selectmen for the purpose of conveyance or other disposition, and authorize said board to sell or otherwise dispose of the property located on Assessor's Map #10, Lot #12, at 0 Howland Street, inclusive of buildings and land, no longer needed by the Town, or take any other action relative thereto.

It was moved and seconded that the Town transfer from the Board of Selectmen for the purposes for which it is currently held to the Board of Selectmen for the purpose of conveyance or other disposition, and authorize the Board of Selectmen to sell or otherwise dispose of the property located on Assessor's Map # 10, Lot #12, at 0 Howland Street, inclusive of buildings and land.

(2/3 vote required)

Action on the motion: Motion passed a 2/3 majority (Yes 53- No- 23)

ARTICLE 17

To see if the Town will vote to transfer from the Board of Selectmen for the purposes for which it is currently held to the Board of Selectmen for the purpose of conveyance or other disposition, and authorize said board to sell or otherwise dispose of the property located on Assessor's Map #38, Lot #54, at 0 Burnside Ave, inclusive of buildings and land, no longer needed by the Town, or take any other action relative thereto.

It was moved and seconded that the Town transfer from the Board of Selectmen for the purposes for which it is currently held to the Board of Selectmen for the purpose of conveyance or other disposition, and authorize the Board of Selectmen to sell or otherwise dispose of the property located on Assessor's Map # 38, Lot #54, at 0 Burnside Ave, inclusive of buildings and land.

(2/3 vote required)

Action on the motion: Motion passed by a 2/3 majority (54- Yes – 17 -No)

ARTICLE 18

To see if the Town will: vote to authorize the Board of Selectmen and the Library Board of Trustees to appoint a Library Building Committee consisting of five residents, two to be appointed by the Board of Selectmen, and three to be appointed by the Board of Library Trustees for the purpose of overseeing the construction of a new library at 410 Newman Ave, under the direction of the Library Board of Trustees, to include but not be limited to, planning and design for the completion of the building, development of appropriate designs, schematics, specifications, cost estimates, oversight of expenditures, and any other documentation required to construct and furnish such facility, or to take any other actions related thereto.

It was moved and seconded that the Town authorize the Board of Selectmen and the Library Board of Trustees to appoint a Library Building Committee consisting of five residents, two to be appointed by the Board of Selectmen, and three to be appointed by the Board of Library Trustees for the purpose of overseeing the construction of a new library at 410 Newman Ave, under the direction of the Board of Library Trustees, to include but not be limited to, planning and design for the completion of the building, development of appropriate designs, schematics, specifications, cost estimates, oversight of expenditures, and any other documentation required to construct and furnish such facility.

This article was explained it was a place holder if the project had been passed at a Special Town Meeting held October 24, 2022. It did not pass at that meeting. The motion was made to indefinitely postpone Article 18, it was seconded.

Action on the motion: Motion passed to indefinitely postpone. (Vote was called by Moderator by a show of hands).

ARTICLE 19

To see if the Town will vote, pursuant to G.L. c.43B, §10(a), to amend the Town Charter as set forth in a document attached to this warrant as "Appendix A", and as on file with the Town Clerk and posted on the website at www.seekonk-ma.gov, with text to be deleted indicated by ~~strike through~~ and proposed new language inserted shown in red; such document also contains explanations solely for voter convenience and not intended to be part of the Charter amendments, all as shown in ***bold italics*** preceded by the word "***NOTE:***", or take any other action relative thereto.

It was moved and seconded that the Town vote, pursuant to G.L. c.43B, §10(a), to amend the Charter of the Town of Seekonk by deleting the text shown in ~~strike through~~ and making the revisions shown in red font in the document attached to the warrant as "Appendix A".

(2/3 Vote Required)

Motion was made to amend language in Article 1 Charter Sec 3.

Action on the motion: Motion failed to get a 2/3 majority (91- Yes 42 – No)

Motion was made to amend language in Article 2 Sec 5. paragraph 1.

Action on the motion failed to get a 2/3 majority. (26 Yes – 33- No)

Final vote to amend charter: Action on the motion – Motion failed to get a 2/3 majority. (36-Yes- 22-no)

Motion to dissolve meeting:

Meeting dissolved at: 10:15PM