

# TOWN OF SEEKONK

## WARRANT/MINUTES



May 13, 2019

Spring 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  
Christopher Zorra  
Justin Sullivan

**Finance Committee**  
Matthew Salisbury, Chairperson  
Michael Brady  
Derick Medeiros  
Jack Horton  
Phillip Yan  
Normand Duquette

**Town Administrator**  
Shawn E. Cadime

# Town of Seekonk

## SPRING 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, May 13, 2019 at 7:00 P. M.**

To vote on the following Articles. The Meeting was called to order by the Town Clerk at 7:03PM with a quorum of 75 registered voters and the meeting was turned over to the Town Moderator, who presided over the Meeting.

---

**A motion was made 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; Christopher Campbell, Director of Communications; Rob Bernardo, Water Superintendent; Mike Quinlan, Compass Project Management; Jim Barrett, DRA Architects

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

**A motion was made by the Town Moderator 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, if any, of Town Officers or Committees and to act thereon, or take any action relative thereto.

*A motion was made 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 with a unanimous vote.

## **ARTICLE 2**

To see what sums of money the Town will vote to raise and appropriate, or transfer from available funds or borrow for Operating Expenses and the Sanitation Fund of the Town for the Fiscal Year commencing July 1, 2019 and ending June 30, 2020, or take any other action relative thereto.

**A motion was made that Town appropriate the sum of \$ 58,924,512 to defray charges and expenses of the Town for Fiscal Year 2020 for the purposes and amounts set forth in Budget Schedules A through J in column titled Board of Selectmen Recommended Budget 2020:**

**The sum of \$43,543,747 to be raised by taxation within the levy limit under proposition 2 1/2;**

**The sum of \$400,000 to be transferred from the Overlay Surplus**

**The sum of \$784,476 to be transferred from Ambulance Fees;**

**The sum of \$49,961 to be transferred from the Sanitation Enterprise Fund;**

**The sum of \$450,000 to be transferred from Dedicated Receipts**

**The sum of \$9,417 to be transferred from Septic Payback**

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

## ARTICLE 2 continued

To see what sums of money the Town will vote to raise and appropriate, or transfer from available funds or borrow for Operating Expenses and the Sanitation Fund of the Town for the Fiscal Year commencing July 1, 2019 and ending June 30, 2020, or take any other action relative thereto.

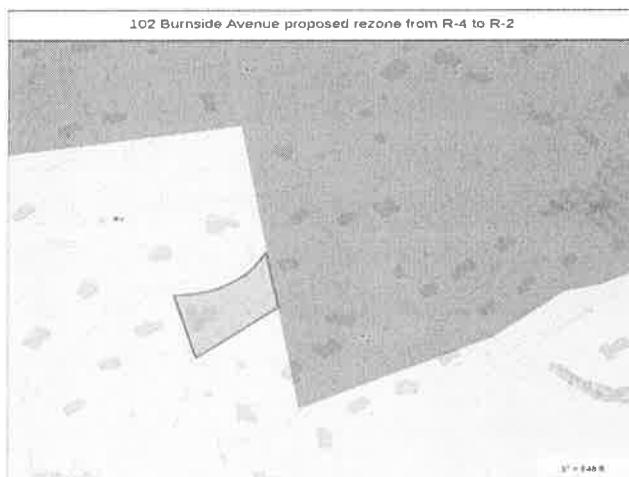
**A motion was made that Town appropriate the sum of \$ \$1,275,134 to defray charges and expenses of operating the Sanitation Enterprise Fund for the Fiscal Year 2020 for the purpose and amount set forth in Schedule K in the column titled Board of Selectmen Recommended Budget 2020;**

**The sum of \$1,275,134 to be provided from revenues of the Sanitation Enterprise Fund.**

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

## ARTICLE 3

TO SEE IF THE TOWN WILL VOTE TO AMEND SECTION 3.2 OF THE TOWN OF SEEKONK ZONING BYLAWS AND THE ZONING MAP BY CHANGING THE ZONING DESIGNATION OF THE PROPERTY LOCATED AT 102 BURNSIDE AVENUE, AND IDENTIFIED AS SEEKONK ASSESSOR'S PLAT 38, LOT 134, CONTAINING APPROXIMATELY 1.44 ACRES OF LAND FROM THE R-4 ZONE TO THE R-2 ZONE, OR TAKE ANY OTHER ACTION RELATIVE THERETO.



**A motion was made that the Town amend Section 3.2 of the Town of Seekonk Zoning Bylaw and zoning map by changing the zoning designation of the property located at 102 Burnside Avenue and identified as Seekonk Assessor's Plat 38, Lot 134, containing approximately acres of land from R-4 Zone to R-2 Zone.**

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

(At 7:30pm the quorum was 222 checked in to the meeting).

## **ARTICLE 4**

To see if the Town will raise and appropriate, transfer from free cash or available funds in the treasury, or from designated funds that have been reserved for appropriation the sum of \$285,000.00 for data collection, engineering, and permitting services relative to the Pond Street bridge, including all incidental and related expenses, or take any other action relative thereto.

*A motion was made that the Town appropriate from Free Cash the sum of \$285,000.00 for data collection, engineering, and permitting services relative to the Pond Street Bridge, including all incidental and related expenses.*

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

## **ARTICLE 5**

To see if the Town will vote to fix the salary and compensation for the following elected officials of the Town as provided by GL c 41, s108 for their services for the fiscal year commencing July 1, 2019 as follows, provided that any part-time elected official may waive receipt of compensation, or take any other action relative thereto:

Board of Selectmen, Chairman	\$2,400
Board of Selectmen, Member	\$2,100
School Committee, Chairman	\$1,400
School Committee, Member	\$1,000
Board of Assessor, Chair	\$3,139
Board of Assessor, Member	\$2,789
Town Clerk	\$70,776

*A motion was made that the Town vote to fix the salary and compensation for the following elected officials of the Town as provided by G.L. c. 41, s. 108 for their services for the fiscal year commencing July 1, 2019, as follows, provided that any part-time elected official may waive receipt of the specified stipend.*

Board of Selectmen, Chairman	\$2,400
Board of Selectmen, Member	\$2,100
School Committee, Chairman	\$1,400
School Committee, Member	\$1,000
Board of Assessor, Chair	\$3,139
Board of Assessor, Member	\$2,789
Town Clerk	\$70,776

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

## ARTICLE 6

To see if the Town will vote to transfer the sum of \$200,000.00 from Free Cash to the Municipal Capital Stabilization Fund, or take any other action relative thereto.

*A motion was made that Town vote to transfer the sum of \$200,000.00 from Free Cash to the Municipal Capital Stabilization Fund.*

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

## ARTICLE 7

To see if the Town will vote to transfer the sum of \$15,000 from the Dog License Receipts Reserved account #23063000 to Dog License Receipts Appropriated account #23064000, to be expended by the Animal Control Department as provided by Town By-law, or take any other action relative thereto.

*A motion was made that the Town vote to transfer the sum of \$15,000 from the Dog License Receipts Reserved account #23063000 to Dog License Receipts Appropriated account #23064000, to be expended by the Animal Control Department as provided by Town By-law.*

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

## ARTICLE 8

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease purchase agreement in accordance with the provisions of G.L. c.44, §21C for a period in excess of three years for the purchase and equipping of a new EMS Vehicle/Ambulance, and to raise and appropriate, transfer from free cash or available funds in the treasurer, or transfer from designated funds that have been reserved for appropriation, or borrow a sum of money for the first year payment of such agreement, or take any action relative thereto.

*A motion was made that the Town vote to authorize the Board of Selectmen to enter into a lease purchase agreement in accordance with the provisions of G.L. c.44, §21C for a period in excess of three years for the purchase and equipping of a new EMS Vehicle/Ambulance, and to appropriate \$79,000.00 from the Ambulance Receipts Reserved Fund for the first year payment of such agreement.*

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

## **ARTICLE 9**

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 following sums to be expended for departmental equipment listed below, including new or continuing leases for such equipment, and further to authorize appropriate Town officials to enter into lease purchase agreements or other contracts for more than three years for such purposes, as applicable, or take any other action relative thereto:

1. Year Five (5) of a seven (7) year lease/purchase of an aerial fire apparatus for the Fire Department to be expended under the direction of the Board of Selectmen \$106,852.00
2. Year Four (4) of seven (7) year lease/purchase of a Fire Engine to be expended under the direction of the Board of Selectmen \$80,713.47
3. Year Two (2) of a seven (7) year lease/purchase for a Fire Engine to be expended under the direction of the Board of Selectmen \$87,745.10
4. Purchase and equip an administrative vehicle for the Fire Department to be expended under the direction of the Board of Selectmen \$45,000.00
5. Funding of Phase III of the Seekonk Public Library project to be expended under the direction of the Board of Library Trustees \$35,000.00
6. Purchase and equipping of a wood chipper for use by the Department of Public Works to be expended under the direction of the Board of Selectmen \$70,000.00
7. Purchase and equipping of a finish mower for use by the Department of Public Works to be expended under direction of the Board of Selectmen \$20,000.00
8. Purchase and equipping of a heavy duty truck and sander for use by the Department of Public Works to be expended under direction of the Board of Selectmen \$180,000.00
9. Purchase and equipping of a maintenance van for use by the Department of Public Works to be expended under the direction of the Board of Selectmen \$42,000.00
10. Purchase and equipping of a heavy duty pickup with plow for use by the Department of Public Works to be expended under the direction of the Board of Selectmen \$45,000.00
11. Purchase and installation of lighting, rigging, and curtain for the Seekonk High School stage to be expended under direction of the School Committee \$138,761.00
12. Purchase and installation of stage curtains at the Aitken, Martin, and Hurley Middle schools to be expended under direction of the School Committee \$55,045.00
13. Purchase and installation of lighting and electrical improvements in the TV Studio at Seekonk High School to be expended under direction of the School Committee \$83,682.00
14. Purchase and provide training of new voting machines for local, state, and federal elections for use by the Town Clerk to be expended under the direction of the Board of Selectmen \$26,500.00

15. Purchase and equipping of a pickup truck with tow capabilities for use by the Conservation Commission and Recreation Department to be expended under the direction of the Board of Selectmen	\$40,000.00
--	-------------

**A motion was made** from Town Meeting floor to divide motion into 15 separate motions.

Action on the motion: Motion failed.

**A motion was made** to amend #12 under Article 9 to reduce the total from \$55,045.00 to \$36,045.00. Taking \$19,000 from Aitken school stage curtains line item.

Action on the motion: Motion failed.

**A motion was made** to amend # 15 under Article 9 to add the language "Purchase and equipping of a pickup truck with tow and *snow plowing* capabilities for use by the Conservation Commission and Recreation Department to be expended under the direction of the Board of Selectmen.

Action on the motion: Motion passed unanimously.

**A motion was made that the Town vote to transfer from the Municipal Capital Stabilization Fund the sums set forth in the warrant under Article 7 for the purposes specified, to authorize appropriate Town officials to enter into lease purchase agreements or other contracts for more than three years for such purposes, and to take such other action as is needed to carry out this vote.**

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

## **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 \$34,000 to fund the cost items of the first and second fiscal years of the collective bargaining agreement between the Town and the Seekonk Public Library Employee Association, MLSA, AFT Massachusetts, AFL-CIO, for the period beginning July 1, 2017 through June 30, 2020, or take any other action relative thereto:

**A motion was made that the Town transfer from Free Cash the sum of \$34,000 to fund the cost items of the first and second fiscal years of the collective bargaining agreement between the Town and with the Seekonk Public Library Employee Association, MLSA, AFT Massachusetts, AFL-CIO, for the period beginning July 1, 2017 through June 30, 2020.**

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

## ARTICLE 11

To see if the Town of Seekonk will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation Budget and to appropriate from the Community Preservation Fund, pursuant to G.L. c. 44B, § 6, a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2020; and to reserve for later appropriation monies from the Community Preservation annual revenues or available funds in the amounts recommended by the Community Preservation Committee for open space, historic resources and community housing purposes, as well as a sum of money to be placed in the Fiscal Year 2020 budgeted reserve for general Community Preservation Act purposes, with each item to be considered a separate appropriation, as follows:

**Appropriations:**

From FY 2020 estimated revenues for Committee Administrative Expenses	\$22,100
---	----------

**Reserves:**

From FY 2020 estimated revenues for Historic Resources Reserve	\$44,200
--	----------

From FY 2020 estimated revenues for Community Housing Reserves	\$44,200
--	----------

From FY 2020 estimated revenues for Open Space Reserve	\$44,200
--	----------

From FY 2020 estimated revenues for the FY 2020 Budgeted Reserve	\$287,300
--	-----------

And further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation Act projects or purposes as recommended by the Community Preservation Committee; or take any other action thereon.

*A motion was made that the Town vote to appropriate from the Community Preservation Fund FY 2020 estimated annual revenues the sum of \$22,100 for administrative expenses of the Community Preservation Act Committee for the fiscal year ending June 30, 2020; and further to reserve for future appropriation the following sums recommended by the Community Preservation Committee, with each item to be considered a separate reservation*

Historic Resources Reserve	\$44,200
Community Housing Reserve	\$44,200
Open Space Reserve	\$44,200
FY 2020 Budgeted Reserve	\$287,300

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

## **ARTICLE 12**

To see if the Town will vote to authorize the Board of Selectmen to dispose of surplus property or material, exclusive of buildings and land, but including compost, no longer needed by the Town, or take any other action relative thereto.

*A motion was made that the Town vote to authorize the Board of Selectmen to dispose of surplus property or material, exclusive of buildings and land, but including compost, no longer needed by the Town.*

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

## **ARTICLE 13**

To see if the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow in anticipation of revenue for the Fiscal Year beginning July 1, 2019, in accordance with the provisions of G.L. c.44, §4, and to renew any note or notes in accord with the provisions of G.L. c.44, §17, or take any other action relative thereto.

*A motion was made that the Town vote to authorize the Treasurer with the approval of the Board of Selectmen to borrow in anticipation of revenue for the Fiscal Year beginning July 1, 2019 in accordance with provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes in accordance with the provisions of General Laws, Chapter 44, Section 17.*

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

## **ARTICLE 14**

To see if the Town will vote to transfer sums of money from Free Cash to the FY 2019 Town Meeting Operating Budget Line Item #68 (Snow and Ice Payroll) and to the FY 2019 Town Meeting Operating Budget Line Item #69 (Snow & Ice Expenses), or take any other action relative thereto.

*A motion was made that the Town vote to transfer the sum of \$8,477.00 from Free Cash to FY 2019 Operating Budget Line Item #68 (Snow & Ice Payroll), and \$87,097.00 from Free Cash to FY 2019 Operating Budget line #69 (Snow & Ice Expense).*

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

## **ARTICLE 15**

To see if the Town will vote to accept **G.L. c.64N, §3**, imposing a local excise tax on the retail sale of marijuana for adults, noting further that all sales by a marijuana retailer are also subject to the state excise on marijuana retail sales, and to any payments addressed in a host community agreement with the Town, or take any other action relative thereto.

*A motion was made that the Town of Seekonk vote to accept the provisions of G.L. c.64N, §3 to impose an excise of three (3) percent on retail sales of marijuana for adult use.*

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

## **ARTICLE 16**

To see if the Town will enact the Seekonk Single Use Plastic Bag Ban By-law as presented in is warrant, or to take any other action relative thereto:

### **Category 3: Single Use Plastic Bag Ban By-law**

#### **3.1 Declaration of findings and policy – Scope**

The Town of Seekonk hereby finds that the reduction in the use of disposable checkout bags by retail establishments in the Town of Seekonk is a public purpose that protects marine environments, advances solid waste reductions, reduces greenhouse gas emissions and protects waterways. This ordinance seeks to reduce the number of plastic bags that are being burned, used, discarded, and littered, and to promote the use of reusable checkout bags by Retail Establishments located in the Town of Seekonk.

#### **3.2 Definitions:**

The following words shall, unless the context clearly requires otherwise, have the following meanings:

1. "Check-out bag" shall mean a bag provided by a store to a customer at the point of sale for transporting food and merchandise from the establishment. The following bag types are excluded from this definition:
  - a. Bags, whether plastic or not, in which loose produce or products are placed to delivery such items to the point of sale or check out area of a retail establishment; or
  - b. Laundry or dry-cleaner bags; or
  - c. Newspaper bags; or
  - d. Bags used to contain or wrap frozen foods, meat or fish, whether prepackaged or not, to prevent or contain moisture.
2. "Recyclable paper bag" shall mean a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word "recyclable" or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being

made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.

3. "Reusable check-out bag" shall mean any bag with handles that is specifically designed and manufactured for multiple, long-term reuse, made of cloth or other machine or hand-washable fabric; other durable material, including plastic that is at least 4.0 mils thick.
4. "Retail Establishment" shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including but not limited to, retail.
- 5.
6. "Thin-film, single-use plastic check-out bags" shall mean those bags typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low-density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness.

### 3.3 Regulated Conduct:

(A) No Retail Establishment in the Town of Seekonk shall provide thin-film, single-use plastic check-out bags to customers, except as provided in Section 7-11.4 Exemptions. If a Retail Establishment provides a check-out bags to customers, the bags must be one of the following: recyclable paper bag or reusable check-out bag.

(B) Retail Establishments with a total of 3,500 square feet or more that make available thin-film, single-use plastic check-out bags, with or without handles, that are exempt from the provisions of this ordinance, shall provide in-store collection and proper recycling of thin-film, single-use plastic check-out bags. In store collection locations must be prominently displayed and easily accessible.

### 3.4 Exemptions:

Thin-film plastic bags typically without handles, which are used to contain produce, meat, bulk foods, wet items, dry cleaning are not prohibited under this ordinance.

### 3.5 Enforcement

The Health Agent and the Seekonk Health Department shall have the authority to administer and enforce this ordinance. For the first violation, the enforcing authority, upon a determination that a violation occurred, shall issue a written warning notice to the establishment specifying the violation. The following penalties shall apply: A fine of \$50 shall apply for the first violation following the issuance of a written warning notice. A fine of \$100 shall apply for the second and each additional violation of this ordinance after the issuance of a written warning notice. Fines shall be cumulative and each day on which a violation occurs shall constitute a separate offence.

### 3.6 Regulations:

The Health Agent or his/her designee may promulgate guidelines and regulations consistent with the enforcement of this chapter.

### 3.7 Effective Date:

This ordinance shall take effect on and after January 1, 2020 for Retail Establishments with a floor area equal to or exceeding 3,500 square feet or at least two (2) locations under

the same name within the Town of Seekonk that total 3,500 square feet or more. For retail establishments with a floor area less than 3,500 square feet, the Health Agent or his/her

designee may exempt the Retail Establishment from the requirements of this section for a period of up to six (6) months upon a finding of the Health Agent or his/her designee that (1) the requirements of this section would cause undue hardship; or (2) a retail establishment requires additional time in order to draw down an existing inventory of thin-film, single-use plastic check-out bags.

### 3.8 Severability:

If any provision of this by-law is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

*A motion was made to enact the Seekonk Single Use Plastic Bag Ban By-Law as presented in the Seekonk Town meeting Warrant, Article 16 - May 13, 2019.*

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

## **ARTICLE 17**

To see if the Town will vote to appropriate the sum of \$73,247.82 from the Ambulance Receipts account for the lease payment for the last year of a four (4) year lease purchase of an ambulance/EMS vehicle for the Fire Department, or take any other action relative thereto.

*A motion was made that the Town appropriate the sum of \$73,247.82 from the Ambulance Receipts account for the lease payment for the last year of a four (4) year lease purchase of an ambulance/EMS vehicle for the Fire Department.*

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

## ARTICLE 18

To see if the Town will vote to amend the **Zoning Bylaws** of the Town of Seekonk, as presented below in Proposed Amendments 18-1 through 18-5, or take any other action relative thereto:

**Please note:** Each amendment is presented below, existing language to be deleted is indicated by ~~strike through~~ and proposed new language is indicated by **bold underline**. See the “comment” beneath each

proposed amendment for an explanation; the comment, both in italics and bold type, is not intended to be part of the amendment and will not be added to the Zoning Bylaw.

### AMENDMENT 18-1:

#### Section 2.8 Site Plan

Amend Section 2.8.3 Applicability, paragraph 1 as follows:

Any construction or alteration of a non-residential structure or change of use of a building or property to a non-residential use that would necessitate an on-site change to any of the design standards of Section 78 shall be subject to Site Plan Review. Residential uses shall be exempt from this section.

Amend Section 2.8.6 Design Standards as follows:

The development and design standards outlined in Section 78 in addition to any standards prescribed elsewhere in this By-law, shall be utilized by the Board in considering all site plans.

Amend Section 2.8.7 Compliance, paragraph 2 as follows:

Any changes in the approved site plan or in the activity to be conducted on the site that would cause a change to any of the design standards of Section 78 shall be submitted to the Planning Board for review and approval. The Town Planner may administratively approve any changes to the approved site plan that do not cause a change in any of the design standards of Section 78.

**Comment:** *The proposed amendment corrects a reference to Section 8 Design Standards*

**Motion 18-1** *A motion was made that the Town vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts and approve Amendment 18-1 as printed in Article 18 in the warrant.*

**2/3 vote required.**

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

### AMENDMENT 18- 2:

#### Sec 3.2 Zoning Map

Amend the Zoning Map with regard to the boundaries of the Marijuana Overlay District in accordance with the MOD Expansion Map printed in Article 18 of the warrant.

**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.**



**Motion 18 -2: Moved that the Town vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts and approve Amendment 18-2 as printed in Article 18 in the warrant.**

**Action on the motion: Motion failed to get a 2/3 majority vote to amend 18-2 as printed in Article 18 in the warrant.**

**A motion was made on the floor to continue Town Meeting past 10:30PM.**

**Action on the motion: Motion passed unanimously.**

**Amendment 3:****Section 4.2 Use Table**

Amend Section 4.2.3 Residential Uses to delete in its entirety the row in the Use Table labeled "4. Temporary Mobile Homes" and renumber the remainder of the table accordingly, as shown in the Use Table printed in Article 18 of the warrant.

Principal Uses (unless specified otherwise)	Residence Districts				Business Districts			Industrial District
	R-1	R-2	R-3	R-4	LBD	HBD	LCVD	I
<b>Residential Uses</b>								
1. Single-family dwelling units (not including mobile homes <sup>1</sup> )	Y	Y	Y	Y	N	N	Y	N
2. Two-family dwelling units	N	N	N	N	N	N	Y	N
3. Multi-family dwelling units	N	N	N	N	N	N	Y	N
4. Temporary mobile homes	Y	Y	Y	Y	N	N	Y	N
5-4. Trailer of mobile home, as a temporary office incidental to continuous construction on the site on which the trailer or mobile home is located	SP	SP	SP	SP	N	N	Y	N
4-5. Conversion of single-family dwelling unit to a two-family dwelling unit <sup>2</sup>	SP	SP	SP	SP	N	N	Y	N
<b>Other Residential Uses</b>								
1. Bed and breakfast establishment <sup>3</sup>	SP	SP	SP	SP	SP	SP	Y	SP <sup>4</sup>
2. Boarding house	N	N	N	N	N	N	Y	SP <sup>4</sup>
<b>Accessory Residential Uses</b>								
1. Accessory residential apartment above ground floor commercial (maximum 8 units)	N	N	N	N	SP	SP	Y	SP <sup>4</sup>

<sup>1</sup>With the following exception: mobile home on the site of a residence which has been destroyed by fire or other natural holocaust for occupancy by the owner and occupier of the destroyed residence for a period not to exceed twelve months while the residence is being rebuilt. (Said mobile home must satisfy the provisions of the state sanitary code while being so used and must be recorded with the Inspector of Buildings upon commencement of such use.)

**Comment:** The proposed amendment would eliminate "Temporary mobile Homes" as a land use category, as the use of mobile homes on a temporary basis where a residence has been destroyed by fire or natural disaster is addressed in footnote 1 to Table 4.2.3.

**Motion 18 -3:** A motion was made that the Town vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts and approve Amendment 18-3 as printed in Article 18 in the warrant.

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

**AMENDMENT 18- 4:**

**Section 4.3 Non-conforming Use and Structures**

Amend Section 4.3.2 Extension as follows:

Lawfully nonconforming structures or uses may be extended or altered by special permit upon a finding by the SPGA that such change, extension or alteration shall not be substantially more detrimental than the lawfully nonconforming structure or use to the neighborhood.

However, in the Residential 4 (R-4) zoning district, where a pre-existing lot of record, having not less than 75% of the required frontage (150'), and otherwise meeting the area requirements as set forth for the "alternate minimum standard" in footnote 3 to Section 5.1.4 Dimensional Table a lawfully nonconforming structure or use may be extended or altered by right, without the grant of a special permit by the Zoning Board of Appeals, subject to all other requirements and standards as set forth in this By-law....

**Comment:** The proposed amendment has been drafted in response to concerns raised with regard to a previous proposal to eliminate the alternate minimum standard from the R-4 zoning district.

**Motion 18 -4:** A motion was made that the Town vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts and approve Amendment 18-4 as printed in Article 18 in the warrant.

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

**Amendment 18-5:**

**Section 5 Dimensional Regulations**

Amend Section 5.1.4 Dimensional Table as follows:

**5.1.4 Dimensional Table**

District	Minimum Lot Area (Square Feet) <sup>12</sup>	Maximum Building Coverage (%) <sup>12</sup>	Minimum Frontage <sup>1</sup> (feet)	Minimum Depth of Front Yard/ Corner Side Yard	Minimum Depth of Rear Yard (feet)	Minimum Width of Each Interior Side Yard	Maximum Height (Stories/ Feet)

				(feet) <sup>2</sup>			
R-4 <sup>3</sup>	62,500 <sup>5</sup>	--	200	50/50	80	35 feet + 5 feet for each story over one	3/40 <sup>4</sup>

Alternate to Standard Minimums in Residential Districts: this alternate is offered to encourage more normally acceptable lot configurations, increased open space, decreased density, reduced lengths of roads, utilities and drains, and to legalize potential nonconforming uses:

- The minimum lot area shall be increased by 250 square feet for each foot, or fraction thereof, of reduction of the minimum frontage measured at the street line.
- The minimum frontage may be reduced to not less than 75% of the standard minimum of the affected zone, but not to less than 100 feet.
- Any lot designed under this alternate shall be prominently identified on plans submitted for approval and/or endorsement

**Comment:** *The proposed amendment by striking superscript 3 would eliminate the ability to utilize the alternate minimum standard in the R-4 zoning district and was drafted in response to concerns raised with regard to the impact of the application of the alternate minimum standard in the R-4 zoning district resulting in excessive frontage lot with reduced frontage creating a negative impact character this district.*

**Motion 18 -5:** *Moved that the Town vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts and approve Amendment 18-5 as printed in Article 18 in the warrant.*

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

## **ARTICLE 19**

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 \$95,000 for a feasibility study for the construction of a new DPW Facility, including all incidental and related expenses, or take any other action relative thereto.

**A motion was made** from Town Meeting floor to amend warrant article 19 to change the source of funding from free cash to municipal capitalization stabilization account.

Action on the motion: Motion failed.

**A motion was made** from Town meeting floor to reduce the sum of \$95,000 to \$50,000.

Action on the motion: Motion failed.

*A motion was made that the Town appropriate from Free Cash the sum of \$95,000 for a feasibility study for the construction of new DPW facility, including all incidental and related expenses, said funds to be expended under the direction of the Board of Selectmen.*

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

## **ARTICLE 20**

To see if the Town will raise and appropriate, transfer from Free Cash or available funds in the treasury from designated funds that have been reserved for appropriation, including but not limited to the Community Preservation Fund, the sum of \$300,000.00 for design, purchase, equipping, furnishing and installation of a playground to be located on the Town Hall campus at 100 Peck Street, including all incidental and related expenses, or take any other action relative thereto.

**A motion was made to indefinitely postpone Article 20**

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

## ARTICLE 21

PETITION TO AMEND THE SEEKONK ZONING BYLAWS AND THE ZONING MAP FOR THE TOWN OF SEEKONK PURSUANT TO MGL c. 40A SECTION 5

NOW COMES, the within Petitioner and owner, R.I. Seekonk Holdings, LLC (hereinafter "Petitioner") pursuant to M.G.L. c. 40A Section 5 and hereby requests that the Seekonk Zoning Bylaws and Zoning Map be amended as follows:

Article No.\_\_\_\_. The Town of Seekonk Zoning Bylaws and the Town of Seekonk's Zoning Map as it pertains to the 'front' portion of the property located at **800 Fall River Avenue, Seekonk, Massachusetts (commonly known as the 'Showcase Cinemas' property)**.

To see if the Town will vote to amend the Town of Seekonk Zoning Bylaw and the Town of Seekonk's Zoning Map as follows:

Section 3.2 of the Town of Seekonk Zoning Bylaws governs the Town of Seekonk Zoning Map. The Zoning Map of the Town of Seekonk is the map reflecting the official zoning districts of the Town of Seekonk. The Property located at 800 Fall River Avenue, Parcel ID Number 265-008-003 is a 22 acre parcel commonly known as the 'Showcase Cinemas' property (hereinafter the "Showcase Property"). Currently, the front portion of Showcase Property has a zoning designation of Highway Business District (HBD) and Economic Development Area Overlay District (EDAOD). Said front portion of the Showcase Property is reflected on the official zoning map as the portion of that Property South of the rear portion (which is currently zoned R-4) and is further delineated on the proposed site plans attached hereto as Exhibit 1 (hereinafter the "Showcase Front Property").

This Article No.\_\_\_\_ proposes to amend the Town of Seekonk Zoning Bylaw and the Town of Seekonk's Zoning Map to create an "Marijuana Cultivation and Wholesale Sale Overlay District" (hereinafter "MCWSOD") to overlay the Showcase Front Property. Said amendment shall permit the Showcase Front Property to be developed as a medicinal and/or recreational facility for the growth, cultivation and wholesale sale/distribution of medicinal and/or recreational marijuana as set forth herein, in addition to all other uses otherwise currently permitted by the Seekonk Zoning Bylaw governing the HBD and the EDAOD.

In addition to amending the Town of Seekonk Zoning Map and Section 3.2 of the Zoning Bylaw, Article No.\_\_\_\_ proposes to amend the Town of Seekonk Zoning Bylaw to add Article 6.12 as hereafter described:

### 6.12 MARIJUANA CULTIVATION AND WHOLESALE SALE AND DISTRIBUTION USE OVERLAY DISTRICT (MCWSOD)

#### 6.12.1 PURPOSES AND INTENT

A. The purpose of this Section, the Marijuana Cultivation and Wholesale Sale and Distribution Use Overlay District (MCWSOD) is to:

1. Provide for the development, cultivation, processing, testing, wholesale distribution and/or wholesale sale of marijuana products in a manner so as to ensure the health, safety, welfare and well-being of the public is protected.

---

2. To develop said facility(ies) in a manner that is harmonious with the surrounding land uses.
3. To protect and/or increase the tax base and taxable income for the Town.
4. To rid the Town of a blighted property that has fallen into disrepair in recent years;
5. To allow landowners a reasonable return on their investment in purchasing blighted property; and
6. To impose reasonable safeguards and regulations on marijuana cultivation and wholesale distribution/sale businesses so as to advance the foregoing purposes.

B. It is the intention that the Marijuana Cultivation and Wholesale Sale and Distribution Use Overlay District (MCWSOD) is:

1. Subject to the provisions of this Section 6.12 of the Seekonk Zoning Bylaw, M.G.L. c. 40A, M.G.L. c. 94C, M.G.L. c. 94G, M.G.L. c. 94I, Chapter 369 of the Acts of 2012, and the Code of Massachusetts Regulations including 105 CMR 725.000 and 935 CMR 500.000, Marijuana Businesses (as defined in Section 6.12.2.1) may do business in the MMBOD.
2. Nothing in this Section 6.12 shall be interpreted as regulating the growing, processing or manufacturing of products that are not regulated as a controlled substance by the Massachusetts Cannabis Control Commission (CCC) and/or the Massachusetts Department of Public Health (DPG).

#### 6.12.2 DEFINITIONS

6.12.2.1 Unless otherwise specifically modified herein, the DEFINITIONS set forth in this Section 6.12.2 are intended to mirror certain selected definitions set forth in the Massachusetts General Laws and the CMR. Any terms not defined herein shall adopt the meanings set forth in M.G.L. c. 40A, M.G.L. c. 94C, M.G.L. c. 94G, M.G.L. c. 94I, Chapter 369 of the Acts of 2012, and the Code of Massachusetts Regulations including 105 CMR 725.000 and 935 CMR 500.000.

6.12.2.2 MARIJUANA or MARIHUANA: all parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 1 of M.G.L. c. 94C; provided, however, that "marijuana" shall not include: (i) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination; (ii) hemp; or (iii) the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

6.12.2.3 MARIJUANA BUSINESS: a business, or group of businesses that conduct any single or combination of the following uses: Marijuana Cultivation, Marijuana Product Manufacturing and Medical Use Marijuana Cultivation but shall NOT include any retail sales or distribution of marijuana to consumers.

6.12.2.4 MARIJUANA CULTIVATION: the cultivation, processing and packaging of marijuana for delivery of marijuana to marijuana establishments and/or to transfer marijuana to other marijuana establishments, but not to consumers.

6.12.2.5 MARIJUANA ESTABLISHMENT: a marijuana cultivator, independent testing laboratory and marijuana product manufacturer but shall NOT include any retail sales or distribution of marijuana to consumers.

6.12.2.6 MARIJUANA PRODUCTS: products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

6.12.2.7 MARIJUANA PRODUCT MANUFACTURING: to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

6.12.2.8 MARIJUANA RETAILER: an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

6.12.2.9 MEDICAL MARIJUANA TREATMENT CENTER: the premises approved under a medical use marijuana license.

6.12.2.10 MEDICAL USE MARIJUANA: marijuana or marijuana products sold by a medical marijuana treatment center to a card holder for medical use or marijuana or marijuana accessories possessed by a qualifying patient under a cultivation registration.

### 6.12.3 APPLICABILITY

6.12.3.1 This Section 6.12 applies to all Marijuana Businesses as specifically defined by Section 6.12.2.3 above.

6.12.3.2 A licensed Marijuana Business shall not be established in the MCWSOD except in compliance with the provisions set forth in this Section 6.12.

6.12.3.3 Nothing in this Section 6.12 shall be construed as to supersede federal and state laws governing the sale and distribution of narcotic drugs or controlled substances.

6.12.3.4 Where this Section conflicts with any applicable provision of M.G.L. c. 40A, M.G.L. c. 94C, M.G.L. c. 94G, M.G.L. c. 94I, Chapter 369 of the Acts of 2012, and the Code of Massachusetts Regulations including 105 CMR 725.000 and 935 CMR 500.000, the terms and conditions of State Law and the CMR shall control.

### 6.12.4 OVERLAY DISTRICT

The MCWSOD is an overlay district superimposed on all underlying zoning districts pertinent to the locus. All uses permitted by right or by special permit in the pertinent underlying zoning district shall be similarly permitted in the MCWSOD subject to the provisions of this Section. Where the MCWSOD authorizes uses or dimensional

restrictions not otherwise allowed in the underlying districts, the provisions of the MCWSOD shall control. The boundaries of the MCWSOD are shown on the Zoning Map for the Town of Seekonk.

#### 6.12.5 DIMENSIONAL REGULATIONS

6.12.5.1 **Lot Size:** The parcel or set of contiguous parcels containing the MCWSOD shall not be less than Sixty Thousand (60,000) square feet.

6.12.5.2 **Principal Structures and Buildings:** there may be more than one principal structure and/or building constructed on a single parcel in the MCWSOD.

6.12.5.3 **Residential Zoning District Buffer:** No portion of any building or structure containing a Marijuana Business use shall be located within Fifty (50') Feet of a "Residential" zoning district.

6.12.5.4 **Other Use Buffers.** No portion of any building or structure containing a Marijuana Business use shall be located within One Hundred (100') Feet of any existing principal residential structure, a daycare center, family day care home, group day care home or an existing religious institution such as a church, mosque or synagogue.

6.12.5.5 **School and Park Buffers.** No portion of any building or structure containing a Marijuana Business use shall be located within Five Hundred (500') Feet of an existing public or private school, public park, or a public playground.

6.12.5.6 **Other Dimensional Requirements:** all other dimensional requirements in the MCWSOD shall be the same as those imposed in the HBD.

#### 6.12.6 PERMITTED USES

6.12.6.1 Within the MCWSOD, any of the following uses may be permitted as a single principal use or in a combination of multiple principal and/or accessory uses on the same parcel provided site plan approval is received from the Seekonk Planning Board.

- a. Marijuana Businesses, including any or all of the following:
  - i. Marijuana Cultivation facilities;
  - ii. Marijuana Product Manufacturing facilities;
  - iii. Medical Use Marijuana Cultivation facilities; and
  - iv. Structures and uses that are accessory to any of those uses set forth in Section 6.12.4.1(i)-(iii) above.

6.12.6.2 Retail sales, distribution and/or other consumer sale and/or use of Marijuana shall be prohibited within the MCWSOD. In that same regard, and without limiting the foregoing, no Marijuana Retailers or Medical Marijuana Treatment Centers shall be permitted within the MCWSOD.

#### 6.12.7 PROCEDURAL REQUIREMENTS

6.12.7.1 Site Plan Review. All Marijuana Businesses in the MCWSOD shall obtain Site Plan Review approval from the Seekonk Planning Board following the procedures set forth in Sections 2.8.1-2.8.7 of the Seekonk Zoning Bylaws.

6.12.7.2 Host Community Agreement. All Marijuana Businesses in the MCWSOD shall possess an executed Host Community Agreement with the Town. Said Host Community Agreement shall minimally provide for each Marijuana Business to pay the Town of Seekonk three (3%) percent of gross sales for the first five (5) years of operation. At the discretion of the applicant, said Host Community Agreement may be renewed under the same terms and conditions for successive five (5) year time periods and as part of the Site Plan Review approval process, said intention(s) to renew may be included as conditions of approval provided the applicant requests such conditions be imposed.

6.12.7.3 Licenses. All Marijuana Businesses in the MCWSOD must possess the licenses as may be required to operate by the Commonwealth of Massachusetts. All Site Plan Review approvals issued by the Seekonk Planning Board shall incorporate all conditions, waivers and requirements imposed upon the Marijuana Business's license by the Commonwealth of Massachusetts.

6.12.7.4 Appeals. Any applicant aggrieved by a decision of the Planning

Board pursuant to Section 6.12.7.1 hereof shall be appealed to the Superior Court or Land Court in accordance with the procedures set forth in M.G.L. c. 40A § 17. The appeal procedures of Section 2.8.8 of the Seekonk Zoning Bylaw shall not be applicable to the MCWSOD.

## 6.12.8 GENERAL REQUIREMENTS

6.12.8.1 No marijuana shall be smoked, eaten or otherwise consumed or ingested upon the premises of a Marijuana Business in the MCWSOD.

6.12.8.2 All Marijuana Businesses in the MCWSOD shall provide adequate security measures to ensure no individual participant will pose a direct threat to the health, safety and welfare of other individuals, and the storage and/or location of the Marijuana Products (Medical or otherwise) is adequate secured.

6.12.8.3 All Marijuana Businesses in the MCWSOD shall not be located in a building that contains a license to sell alcoholic beverages.

6.12.8.4 There shall be no retail sales, retail distribution or retail trade of Marijuana in the MCWSOD.

6.12.8.5 All Marijuana Businesses in the MCWSOD shall contain adequate ventilation so as to prevent the ventilation of pesticides to the outside atmosphere and to minimize within commercially reasonable means, any odors emitted from the Business.

6.12.8.6 Marijuana Businesses in the MCWSOD shall not be open to the general public, with the exception of its reception desk, which shall provide members of the public information only, which have a public entrance visible from a public street or from the Marijuana Business's frontage.

6.12.8.7 All Marijuana Businesses in the MCWSOD shall be located in a permanent building and is expressly prohibited from be located in trailer or portable building.

6.12.8.8 All Marijuana Businesses in the MCWSOD shall comply with the applicable design standards imposed by 105 CMR 725.000 and 935 CMR 500.000 and unless otherwise set forth herein, all Marijuana Businesses in the MCWSOD shall comply with the Development and Design Standards imposed by Section 8 of the Seekonk Zoning Bylaw. The Planning Board is hereby empowered to reduce or waive any of the Development and Design Standards imposed by Section 8 of the Seekonk Zoning Bylaw for a Marijuana Business located in the MCWSOD.

6.12.8.9 Marijuana Businesses in the MCWSOD with multiple licenses issued to the same legal entity may co-locate within the same building, structure or on the same property.

6.12.8.10 Marijuana Businesses in the MCWSOD with licenses issued to separate legal entities may co-locate within the same facility, building, structure or on the same property provided however that each such Marijuana Business shall independently comply with all requirements set forth in this Section 6.12 as well as those imposed by M.G.L. c. 40A, M.G.L. c. 94C, M.G.L. c. 94G, M.G.L. c. 94I, Chapter 369 of the Acts of 2012, and the Code of Massachusetts Regulations including 105 CMR 725.000 and 935 CMR 500.000.

6.12.8.11 No later than January 31 of every year in operation, all Marijuana Businesses located in the MCWSOD shall submit to the Town Clerk and Building Department copies of all current applicable State licenses and registrations for the Business, any updates to the Businesses operating policies and the current insurance policies for the Marijuana Business.

6.12.8.12 All Marijuana Businesses in the MCWSOD shall submit to the Town Clerk, Police Department and Building Department a copy of any Incident Report required under 105 CMR 725.110(F) and 935 CMR 500.00 within twenty four (24) hours of creation. Such reports may be redacted as necessary to comply with Federal, State and local laws or regulations.

6.12.8.13 All Marijuana Businesses in the MCWSOD shall maintain insurance that is compliant with M.G.L. c. 40A, M.G.L. c. 94C, M.G.L. c. 94G, M.G.L. c. 94I, Chapter 369 of the Acts of 2012, and the Code of Massachusetts Regulations including 105 CMR 725.000 and 935 CMR 500.000, as may be applicable.

#### **6.12.9 RELATION TO OTHER REQUIREMENTS; SEVERABILITY**

The submittals and permits of this Article 6.12 shall be in addition to any other requirements of the Seekonk Zoning Bylaw (as may be applicable and where not superseded hereby), The Seekonk Subdivision Rules and Regulations, the Massachusetts Wetlands Protection Act and Seekonk Local Wetlands Bylaws and Regulations, Title V and other applicable Health Related bylaws and/or regulations and any other applicable State laws and regulations. In the event any provision of this Section 6.12 is deemed unconstitutional or invalid, it is the intention that such decision shall not affect the validity of this Section 6.12 as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

The Town of Seekonk Zoning Bylaws and the Town of Seekonk's Zoning map as it pertains to the 'front' portion of the property located at 800 Fall River Avenue, Seekonk, Massachusetts (commonly known as the 'Showcase Cinemas' property).

**A motion was made to indefinitely postpone Article 21.**

**Action on the motion: Motion failed to pass a majority 2/3 vote.**

**A motion was made to reject the Town of Seekonk's Warrant Article 21 in its entirety.**

**Action on the motion: The motion to vote yes to reject Warrant Article 21 in its entirety passed with a unanimous vote.**

## **ARTICLE 22**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$ 10,500,000, or any other sum of money, to design, renovate, construct and furnish the Mildred Aitken Elementary School Expansion project, including site preparation, demolition and any other incidental or related costs, which appropriation shall supplement the \$1,000,000 borrowing authorized for the project by the November 19, 2018 Town Meeting under Article 11; provided, however, that if the funding source for this article is borrowing, the vote taken hereunder shall be expressly contingent upon approval by the voters at an election of a ballot question, in accordance with G.L. c.59, §21C(k), to exempt from provisions of Proposition 2<sup>1/2</sup>, so called, the amounts necessary to pay the principal and interest on any debt authorized hereunder, or take any action relative thereto.

*A motion was made that the Town appropriate the sum of \$10,500,000 to design, renovate, construct and furnish the Mildred Aitken Elementary School Expansion project, including site preparation, demolition, and any incidental or related costs, which amount shall supplement the \$1,000,000 borrowing approved by the November 19, 2018 Town Meeting under Article 11; that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is authorized to borrow such amount under G.L. c.44, Section 7(1) or any other enabling authority and to issue bonds and notes of the Town therefor; and that any premium received by the Town 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 G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project; provided, however, that this vote shall be expressly contingent upon approval by the voters at an election of a ballot question, in accordance with G.L. c.59, §21C(k), to exempt from provisions of Proposition 2<sup>1/2</sup>, so called, the amounts necessary to pay the principal and interest on any debt authorized by this vote.*

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

## **ARTICLE 23**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$ 1,750,000, or any other sum of money, to design, renovate or reconstruct and furnish the Mildred Aitken Elementary School with air conditioning in the existing building, including any incidental or related costs; provided, however, that if the funding for this article is borrowing, the appropriation made hereunder shall be expressly contingent upon approval by the voters at an election of a ballot question, pursuant to G.L. c.59, §21C(k), to exempt from provisions of Proposition 2<sup>1/2</sup>, so called, the amounts necessary to pay the principal and interest on any debt authorized hereunder, or take any action relative thereto.

*A motion was made that the Town vote to appropriate the sum of \$ 1,750,000 to design, renovate or reconstruct and furnish the Mildred Aitken Elementary School with air conditioning in the existing building, including all incidental and related costs; that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow such amount under Massachusetts General Laws Chapter 44, Section 7(1) or any other enabling authority and issue bonds and notes of the Town therefor; and that any premium received by the Town 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 G.L. c.44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of the Town at an election of a ballot question, consistent with the provisions of G.L. c.59, §21C(k), to exempt from provisions of Proposition 2<sup>1/2</sup>, so called, the amounts necessary to pay the principal and interest on the debt authorized hereunder.*

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

A motion was made to dissolve the Town Meeting at 11:57PM

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