

# TOWN OF SEEKONK

## Meeting Minutes



November 13,  
2023

## FALL TOWN MEETING

**Town Moderator**  
Peter Hoogerzeil

**Town Clerk**  
Florice Craig

**Select Board**  
Michael P. Healy, Chairman  
Christopher Zorra, Vice  
Chairman  
Michelle A. Hines, Clerk  
Justin Sullivan  
Pamela Pozzi

**Finance Committee**  
Matthew Salisbury, Chairperson  
Michael Brady, Vice Chairperson  
Phillip Yan, Clerk  
Michael Bradley  
Normand Duquette  
Joanna L'Heureux

**Town Administrator**

**Director of Finance**

BRISTOL, SS.

11/13/2023

Town Clerk opened meeting with the Pledge of Allegiance:

Town Clerk read the greeting: In the name of the Commonwealth of Massachusetts, you are hereby requested to notify the inhabitants of the Town who are qualified to vote in Town affairs, to meet at Seekonk High School, 261 Arcade Avenue, Seekonk, Massachusetts on: **Monday, November 13, 2023 at 7:00 P. M.**

To vote on the following Articles. The Meeting was called to order by the Town Clerk at 7:05PM with a quorum of over 75 registered voters and the meeting was turned over to the Town Moderator, who presided over the meeting.

**A motion was made to all ow the following non-residents speak at the meeting:**

Shawn Cadime, Town Administrator, Carol Ann Days, Assistant Town Administrator, Kate Hibbert, Library Director, Jennifer Argo, Director of Finance, Tracy Jamieson, Asst. Treasurer/Collector, John Aubin III, Town Planner, Rebecca Kidwell, School Superintendent, Dr. Ryan McGee, School Dept. Finance Administrator, , Town Counsel KP Law, James LaFlame, Veterans Agent, Brain Darling, Health Agent, David Enos, Chief of Police, Capt. Dalessio, Fire Chief, Donna Wunschel, Communications Director, Andrea Russo, Animal Control Officer, Donald Cooper, Water Superintendent, Adeline Bellsheim, Conservation Agent

**Action on the motion: Motion passed**

## **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.**

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**Action on the motion: Motion passed . (93-Yes - 2-No) No reports were given.**

## **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 Select Board, April 2021, or take any other action relative thereto.

- a. The sum of \$676,544.40 from Free Cash to the Stabilization Fund.
- b. The sum of \$676,544.40 from Free Cash to the Municipal Capital Stabilization Fund.
- c. The sum of \$967,420.40 from Free Cash to the Building & Infrastructure Stabilization Fund.
- d. The sum of \$676,544.40 from Free Cash to the Other Post-Employment Benefits (OPEB) Trust Fund.

**A motion was made that the Town transfer from Free Cash the sums detailed below in accordance with Financial Policies adopted by the Select Board, April 2021.**

- a. The sum of \$ 676,544.40 from Free Cash to the Stabilization Fund**
- b. The sum of \$676,544.40 from Free Cash to the Municipal Capital Stabilization Fund**
- c. The sum of \$967,420.40 from Free Cash to the Building & Infrastructure Stabilization Fund**

**Action on the motion: Passed (78-Yes - 16-No)**

## **ARTICLE 3**

To see if the Town will vote to transfer a sum of \$40,000.00 from Free Cash to the FY 2024 Town Meeting Operating Budget Line Item #71 (Conservation Expense) for consultant fees related to the finalization of the Town of Seekonk's Open Space and Recreation Plan, or take any other action relative thereto.

**A motion was made that the Town vote to transfer the sum of \$40,000 from Free Cash to FY 2024 Town Meeting Line Item #71 (Conservation**

**Action on the motion: Passed (78-Yes - 16-No)**

## **ARTICLE 4**

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 sum of \$70,000 to fund the cost elements of the first fiscal year of a three-year collective bargaining agreement

between the Town and the United Steelworkers AFL-CIO, Local 9517-09 (Supervisory), for a term covering the period of July 1, 2023 through June 30, 2026, or take any other action relative thereto.

**A motion was made that the Town appropriate from Free Cash the sum of \$70,000 to fund the cost elements of the first fiscal year of a three-year collective bargaining agreement between the Town and the United Steelworkers AFL-CIO, Local 9517-09 (Supervisory) for a term covering the**

**Action on the motion: Motion Passed (76-Yes - 18-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 \$25,000 to fund the cost elements of the first fiscal year of a three-year collective bargaining agreement between the Town and the Seekonk Public Library Employee Association, MLSA, AFT, AFL-CIO, for a term covering the period of July 1, 2023 through June 30, 2026, or take any other action relative

**A motion was made that the Town appropriate from Free Cash the sum of \$25,000 to fund the cost elements of the first fiscal year of a three-year collective bargaining agreement between the Town and the Seekonk Public Library Employee Association, MLSA, AFT, AFL-CIO, for a term covering**

thereto.

**Action on the motion: Motion Passed (80-Yes - 16-No)**

## **ARTICLE 6**

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 \$70,000 to fund the cost elements of the first fiscal year of a three-year collective bargaining agreement between the Town and the AFL-CIO, Council 93 Local 1701 Department of Public Works, for a term covering the period of July 1, 2023 through June 30, 2026, or take any other action relative thereto.

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A motion was made that the Town appropriate from Free Cash the sum of \$70,000 to fund the cost elements of the first fiscal year of a three-year collective bargaining agreement between the Town and the AFL-CIO, Council 93 Local 1701 Department of Public Works, for a term covering the

**Action on the motion: Motion Passed (83-Yes - 13-No)**

## **ARTICLE 7**

To see if the Town will vote to accept the provisions of G.L. c.44, §54(b)(1), as most recently amended by Section 26 of Chapter 28 of the Acts of 2023, to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule", or take any

A motion was made that the Town vote to accept the provisions of G.L. c.44, §54(b)(1), as most recently amended by Section 26 of Chapter 28 of the Acts of 2023, to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule".

other action relative thereto.

**Action on the motion: Motion Passed (78-Yes - 16-No)**

## **ARTICLE 8**

To see if the Town will vote to accept as public ways the roads known as Stone Ridge Drive and Brady Lane, as heretofore laid out by the Select Board, copies of which are on file with the Seekonk Town Clerk, for all purposes for which public ways are used in the Town of Seekonk, and to authorize the Select Board to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith, or take any other action relative thereto.

A motion was made that the Town vote to accept as public ways the roads known as Stone Ridge Drive and Brady Lane, as heretofore laid out by the Select Board, copies of which are on file with the Seekonk Town Clerk, for all purposes for which public ways are used in the Town of Seekonk, and to authorize the Select Board to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith.

**Action on the motion: A Motion was made to indefinitely postpone: (93-Yes - 7- No)**

Reason: The Select Board initially voted to recommend approval when finalizing the Town Meeting Warrant. After a public hearing was held by the Select Board, it was voted that Article

8 **not** be, recommend for approval. There continues to be issues and concerns with storm water structures that the developer needs to remedy.

## **ARTICLE 9**

To see if the Town will vote to amend the Zoning Bylaws of the Town of Seekonk by deleting existing language as indicated by ~~strike through text~~ and by inserting new language as indicated by underlined, boldfaced type, all as presented below, or take any other action relative thereto. Comments below each amendment are for informational purposes only.

### **Amendment 1:**

#### Section 1.2 Purpose

These Zoning By-laws are intended to be and shall be interpreted and construed as ~~prohibitive~~ **permissive**.

**Comment:** Included at the request of the Zoning Board of Appeals. The “prohibitive” was changed from permissive at the Spring 2016 Town Meeting is for consistency with the use table and an expression of intent of the Zoning By-law.

### **Amendment 2:**

#### Section 4.2.3 Residential Use Table

Principal Uses (unless specified otherwise)	Residence Districts				Business Districts			Industrial District
	R-1	R-2	R-3	R-4	LBD	HBD	LCVD	I
Accessory Residential Uses								
1. Accessory residential apartment above ground floor commercial (maximum 8 units <u>per building</u> )	N	N	N	N	SP	<del>SP</del> <b><u>Y</u></b>	Y	SP <sup>4</sup>

**Comment:** The proposed amendment would allow for up to eight accessory residential units “per building” versus the current eight total per lot and would allow for such units by right in the highway business district. The amendment is intended to allow for more mixed-use development within the Town and particularly within the highway business district consistent with recent economic development plans.

### **Amendment 3:**

#### Section 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 (feet) <sup>2</sup>	Minimum Depth of Rear Yard (feet)	Minimum Width of Each Interior Side Yard	Maximum Height (Stories/ Feet)
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>

<sup>3</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 would reinstate the ability to utilize the alternate minimum standard in the R-4 zoning district and originally adopted 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.

#### **Amendment 4:**

##### Section 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 (feet) <sup>2</sup>	Minimum Depth of Rear Yard (feet)	Minimum Width of Each Interior Side Yard	Maximum Height (Stories/ Feet)
LBD	10,000	<del>40</del> <b>50</b>	50	15/15 <sup>6,7</sup>	See note 8	15 feet <sup>6,7</sup>	3/40
HBD	10,000	<del>30</del> <b>40</b>	50	70/50 <sup>6,7</sup>	See note 8	15 feet <sup>6,7</sup>	<del>34</del> /40 <b>45</b>

LCVD	10,000	75	50	0/0 <sup>6,7</sup>	See note 8	5 feet <sup>6,7</sup>	4/45
I	20,000	50	50	50	20 <sup>9,10</sup>	20 <sup>9,10</sup>	3/40 <sup>11</sup>

**Comment:** The proposed amendment would allow for increased building stories/ height 4/45' and maximum building coverage 40% within the Highway Business zoning district and increased maximum building coverage in the Local Business zoning district to encourage more compact development and reflect previously reduced parking requirements.

#### **Amendment 5:**

##### Section 8.8.8 Temporary Signs

8.8.8.1 Temporary exterior signs are permitted to advertise: the opening of a business at its new location; to advertise a special event at its intended location **including such events at an existing business**; or to advertise political candidates, campaigns, or programs.

8.8.8.2 Such signs shall not exceed thirty-two (32) square feet.

8.8.8.3 No two or more such signs shall be closer than five hundred (500) feet apart on land in contiguous ownership.

8.8.8.4 Any illumination of such permitted sign shall not exceed the allowed limits in the district in which it is located.

8.8.8.5 All temporary signs require a permit from the Building Official.

8.8.8.6 All such temporary signs as herein described must meet the approval of the Building Official regarding safety of construction, placement, mounting and lighting. By written notice specifying the corrections needed, the Building Official shall order the immediate action of the displayer to either make the corrections or remove the sign. If immediate action is not taken, the Building Official may, at his own initiative or with the enlisted aid of any other Town Department remove such sign.

8.8.8.7 All such temporary signs as permitted in this section shall be permitted on the same premises for not more than thirty (30) days, or each subsequent election, in the same calendar year. At the end of the period of permitted use, the sign shall be removed by the initiative of the company, organization, individual, or their agents, as indicated by the displayed information.

**Comment:** The proposed amendment would specifically allow for temporary commercial signage in conformance with the remainder of Section 8.8 Signs to advertise special events on a business's location.

#### **Amendment 6:**



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Section 9. SPECIAL REGULATIONS:

**9.3 SUPPLEMENTAL WATER SUPPLY**

9.3.1 Upon the purchase for the purposes of subdivision or Construction, three (3) or more residential buildings on contiguous lots or the development of three (3) or more residential buildings or a commercial building of more than 2000 square feet of size which is not serviced by a public water supply the requirement of section 9.3.2 shall apply.

9.3.2 A dry hydrant system or a cistern shall be installed for the exclusive utilization of essential fire and maintenance personnel in accordance with the following:

a. Capacity - The capacity of these dry hydrant systems or cisterns shall be in conformance with the current requirements of NFPA 1231.

1. Capacity will be based upon the required flow for the structure being constructed.

2. For residential areas, a minimum capacity will be twelve thousand (20,000) gallons.

3. For commercial structures, the minimum capacity will be twenty-five thousand (25,000) gallons.

4. Farm and agricultural uses will be exempt from these requirements for accessory use.

5. Residences shall not be exempt.

b. Dry Hydrants shall:

1. Have a four- and one-half inch (4 1/2) male National Standard Thread nipple with female cover located within fifteen (15) feet of maintained vehicle access.

2. Design of dry hydrants shall include usage of worksheet B 5.3.3 National Fire Protection Association.

3. Signage as described in Section 9.3.2 (g.).

c. Cisterns shall be designed in accordance with the current edition of NFPA 1231 and are to include:

1. A four and one half (4 1/2") National Standard Thread (NST) male connection with female cover within fifteen (15) feet of maintained vehicle access.

2. A maximum six-inch (6") diameter drilled well with a minimum twenty-five - foot (25) casing and drive shoe, equipped with a minimum one half (1/2) horsepower well pump to provide a 5 10 GPM constant flow.

3. A minimum 32-inch inspection manhole.

4. An 8-inch vent constructed of ASTM Schedule 40 PVC. 7-15 General Regulations

5. A clappered Siamese two- and one-half inch (2 1/2") female National Standard Thread fill connection.
  6. A lighted control panel with green power indicating light emitting diode (LED), and low-level flashing red indicator and orange pump running indicator. These indicator lights shall be appropriately labeled. The developer must construct a mounting panel and have metered power connected to the cistern after obtaining all necessary electrical permits.
  7. The tank itself shall be constructed of reinforced concrete and be lined with an approved plastic liner or rubber membrane. All components shall be consistent with the specifications of NFPA 1231.
  8. All suction and fill piping shall be ASTM Schedule 40 Steel. Vent piping shall be ASTM Schedule 40 PVC with glued joints painted with an epoxy paint to prevent ultra violet degradation. Suction piping shall be painted red. All other exposed piping shall be painted black.
  9. Suction piping inside the tank shall be of a size to deliver the required fire flow and shall have a listed mesh screen installed vertically at the bottom of the cistern at a height of six inches off the bottom of the cistern attached to a 4' by 4' by 1/4" anti-vortex plate.
  10. All fire department pump and suction connections shall be protected from damage by either stations, posts or landscaping.
  11. All electrical controls, boxes and manholes shall be locked with "keyed alike" padlocks.
  12. Master lock number shall be obtained from the fire department.
  13. Signage as described in Section 9.3.2 (g).
- d. Prior To Construction:
1. Plans shall be reviewed and stamped by a Certified Fire Protection Engineer. When plans are submitted to the Fire Chief, they must be accompanied by a five-year bond equaling the replacement cost of the entire system as determined by the Fire Chief.
  2. The developer/builder shall provide the Fire Department's water supply account with funds necessary to cover all costs of maintenance for five (5) year after completion and acceptance. This amount will be determined by then Fire Chief. Should the full amount not be utilized, the remaining balance will be returned to the developer by the town at the end of the five-year period.
- e. After Completion of Construction, final as built drawings must be submitted and an acceptance test conducted by the Town of Seekonk Fire Department.

f. Prior To Issuance of The Building Permit for the third residence, these systems shall be complete and fully operational.

g. A Sign shall be installed which has a minimum one-inch white reflective letters on a red reflective background and shall state:

<u>FIRE DEPARTMENT CISTERN</u>  _____ Capacity  ID # _____	<u>or</u>	<u>FIRE DEPARTMENT DRY HYDRANT</u>  _____ Capacity  ID # _____
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**Comment:** The proposed amendment would provide regulations for the provision of cisterns or dry hydrants in locations not serviced by public water. Should the amendment be adopted and ultimately approved by the Office of the Attorney General companion provision will need to be adopted in to the Rules and Regulation Governing the Subdivision of Land in the Town of Seekonk

**A motion was made that the Town vote to amend the Zoning Bylaws of the Town of Seekonk, Massachusetts as presented in this warrant .**

2/3 Vote Required

Action on the motion: New Motion was made to indefinitely table, Amendment 6 within Article 9. John Aubin Town Planner gave an explanation. Vote: Passed (91-Yes - 5-No)

Motion was made to amend Zoning Bylaws: Action on the motion: Motion failed . It did not get a 2/3 vote (57-Yes - 44-No)

## ARTICLE 10

To see if the Town will vote to amend the Town of Seekonk General Bylaws, Category 5C, Departmental Revolving Funds, by adding a new Section 5.13, as shown below, or take any other action relative thereto.

### 5.13 Fire Cistern Revolving Fund

5.13.1 Fund Name. There shall be a separate fund called the Fire Cistern Revolving Fund authorized for use by the Fire Department.

5.13.2 Revenues. The town accountant shall establish a Fire Cistern Inspection Revolving Fund as a separate account and credit to the fund all of the specific fees, charges or other

receipts, charged and received by the Fire Department in connection with the inspection or administration of inspecting fire cisterns for subdivisions.

5.13.3 Purposes and Expenditures. During each fiscal year, the Fire Department may incur liabilities against and spend monies from the Fire Cistern Inspection Revolving Fund to purchase, support and maintain all inspection supplies and services related to the service/operation of fire cisterns

**A motion was made that the Town vote to amend the Town of Seekonk General Bylaws, Category 5C, Departmental Revolving Fund, by adding a new Section 5.13 as presented in this warrant, and, further, to set the annual expenditure limit for such fund at \$100,000, with such expenditure limit to apply from fiscal year to fiscal year until changed by Town Meeting prior to July 1 in any fiscal year.**

**Action on the motion: A motion was made to indefinitely postpone Article 10**

**Vote: Passed (89-Yes - 6- No)**

**Motion was made to dissolve meeting: Unanimous vote by show of hands: Meeting dissolved at 7:58PM**