

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

**WARRANT
TOWN OF SEEKONK
SPECIAL TOWN MEETING
JANUARY 25, 2010**

22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

BRISTOL, SS.

Greetings:

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, Arcade Avenue, Seekonk, MA on:

MONDAY, January 25, 2010 at 7:00 p.m.

To vote on the following Articles. The Meeting will be called to order by the Town Clerk who will turn the meeting over to the Town Moderator, who shall preside at said Meeting.

ARTICLE 1: To see if the Town will vote to amend The Home Rule Charter of Seekonk, Massachusetts, as follows, or take any other action relative thereto:

**Town of Seekonk, Massachusetts
Home Rule Charter**

Preamble

We, the people of the Town of Seekonk, Massachusetts, in order to form a more perfect community, reaffirm the customary and traditional liberties of the people with respect to the conduct of our local government, and take full advantage of the home rule amendment to the constitution of the Commonwealth, do ordain and adopt this revised home rule charter for our town.

ARTICLE ONE POWERS OF THE TOWN

Section 1 Incorporation

The inhabitants of the Town of Seekonk, within the town's corporate limits as established by law, shall continue to be a body corporate and politic with perpetual succession under the name: **Town of Seekonk.**

Section 2 Form of Government and Title

This charter provides for an Open Town Meeting, Board of Selectmen form of town government, and it shall be known by the title: *Seekonk Home Rule Charter.*

Section 3 Scope and Interpretation of Town Powers

The town shall possess, exercise, and enjoy all local government powers, rights, and privileges under the Constitution and statutes of the Commonwealth as completely and fully as though they were expressly enumerated herein. The power of the town under this charter shall be construed liberally in its favor, and no specific charter grant of particular power is intended to limit in any measure its general grant of power.

Section 4 Intergovernmental Cooperation

In the exercise of its powers and function, the town may enter into intergovernmental agreements with any one or more civil divisions, subdivisions, or agencies of any state government or the United States government, by any appropriate means.

48 **Section 5 Definitions**

49 ***By-law(s)*** Duly enacted by laws of the Town of Seekonk

50 ***Constitution*** The Constitution of the United States or the Constitution of the
51 Commonwealth of Massachusetts, as the context requires.

52 ***Day(s)*** Calendar days unless specifically noted to the contrary.

53 ***Registered Voter*** A resident of the Town of Seekonk who is duly registered to vote in a
54 federal or state election

55 ***Home Rule Charter*** This document

56 ***May*** Grants discretion in the body or individual directed to act.

57 ***Resolution*** Duly adopted vote of the Board of Selectmen having the force of a by-law but
58 enacted for a single, specified purpose.

59 ***Shall*** Action directed to be taken is mandatory and without discretion to act.

60 ***Special Town Meeting*** A meeting other than the Annual Meeting convened under the
61 provisions of Article TWO, Section 5 of the Home Rule Charter.

62 ***Statutes*** The Massachusetts General Laws, as amended from time to time

63 ***Town Moderator*** That person elected under the provisions of Article FOUR who presides
64 over the annual and special town meetings.

65 **ARTICLE TWO LEGISLATIVE BRANCH**

66 **Section 1 Composition and Membership**

67 The legislative powers of the town shall be vested in a town meeting open to all registered voters. All
68 registered voters shall sign in before entering the meeting for recording purposes. All other residents
69 shall have the right to attend and speak, but will not be allowed to vote.

70 **Section 2 Presiding Officer**

71 A moderator shall be elected as provided in Article Five. The Moderator shall preside at all sessions of
72 the town meeting, regulate the proceedings, decide all questions of order, make public declaration of all
73 votes, and perform such other duties as may from time to time be assigned to the office through by-law
74 or town meeting vote.

75 The town meeting may at any session elect a Moderator "pro tempore" to preside in the Moderator's
76 absence.

77 **Section 3 Clerk of the Town Meeting**

78 The Town Clerk shall serve as clerk of the town meeting and shall give notice of all town meetings and
79 adjourned sessions thereof, to the public. The Town Clerk shall maintain a written record of the town
80 meeting proceedings, which shall be published regularly in the town report. The Town Clerk shall
81 maintain an attendance record of town meeting members and shall perform such other duties as may be
82 assigned by this charter, by-law, or town meeting vote. The town meeting may at any session elect a
83 clerk "pro tempore" to serve in the Town Clerk's absence.

84 **Section 4 General Powers**

85 The town meeting shall possess and exercise all general and legislative powers of the town, except as
86 otherwise provided by general law or this charter.

87 **Section 5 Procedures**

88 ***Annual Meetings***

89 Town meeting shall convene at least twice annually on dates and at times as determined through the by-
90 laws. Provided however, that the first business meeting shall convene during March, April, or May to act
91 on financial and other matters, including the consideration and adoption of an annual operating and
92 capital budget. The second meeting shall convene during September, October, or November. The
93 warrant shall be available to the voters at least fourteen (14) days prior to the meeting.

94 ***Special Meetings***

95 The town meeting shall also convene in special session: (A) By call of the Board of Selectmen, or (B) By
96 petition of at least two hundred registered voters in town.

97 ***Quorum***

98 The quorum necessary for the conduct of town meeting business shall be seventy-five (75) members, but
99 a smaller number may adjourn from time to time.

100 ***Attendance of Town Officials***

101 Town officers, members of boards and commissions, and department heads or their designated
102 representatives, shall attend town meeting sessions as appropriate to provide information on warrant
103 articles pertaining to their respective offices. The absence of such individuals, however, shall not
104 invalidate any town meeting action.

105 **Section 6 Initiative**

106 Any ten (10) voters of the town may secure, by written petition to the Board of Selectmen, the inclusion
107 of an article or item for the warrant or agenda of any session of the annual town meeting and at least
108 one hundred (100) registered voters may secure the same for any duly scheduled special town meeting.

109 Upon petition by at least two hundred (200) voters, the Board of Selectmen shall call a special town
110 meeting within forty-five (45) days following receipt of such petition.

111 **Section 7 Referendum**

112 No measure adopted by the town meeting except a vote: (A) to adjourn, (B) to appropriate money for
113 the payment of notes or bonds, or (C) to borrow money temporarily in anticipation of revenue, shall
114 become operative until the expiration of ten (10) days following the dissolution of the meeting.

115 If within such period of ten (10) days, a petition secured from the Town Clerk and signed by the qualified
116 voters of the town equal in number to not fewer than five percent (5%) of those registered at the last
117 regular town election is filed with the clerk, asking that any question involved in such a vote be submitted
118 to the voters, then a referendum shall be held for the sole purpose of presenting the question or
119 questions to the voters of the town for their final determination.

120 If, within ten (10) days following receipt of the petition the Town Clerk shall determine it to contain a
121 sufficient number of signatures, the Board of Selectmen shall provide for a referendum to be held within
122 thirty-five (35) days thereafter.

123 Each question to be voted on the referendum shall be submitted to the voters in the same form and
124 language as passed by the voters at town meeting.

125 All procedures for voting upon referendum questions shall be in the same manner as provided in
126 Massachusetts General Law for the conduct of elections.

127 No referendum against any action of the town meeting shall be valid unless at least thirty percent (30%)
128 of the registered voters of the town cast a ballot on each question submitted.

129 **ARTICLE THREE ELECTIONS**

130 **Section 1 Annual Town Election**

131 The regular annual election of all town offices shall be by official ballot held on a date as determined
132 through the by-laws. All elections of town officers shall be non-partisan and all election ballots shall be
133 printed without any party mark or other political emblem. The order of candidates' names on the official
134 ballot shall be determined by a lottery conducted by the Town Clerk or a designated agent and duly
135 publicized in advance. Any person elected to any office or board shall take up the duties of such office
136 immediately upon being declared duly elected and sworn in.

137 **Section 2 Eligibility**

138 Any registered voter shall be eligible to hold any elective office. No person shall simultaneously hold
139 more than one elected office.

140 **Section 3 Establishments of Precincts**

141 The Board of Selectmen shall be responsible for: (A) The division of the town into voting precincts which
142 shall be compact, contiguous, and substantially equal in population; and (B) A decennial review as
143 required by state law, including a revision of precinct lines and increases in the number of precincts, as
144 necessary, unless more frequent action is deemed necessary by the town meeting.

145 **Section 4 Recall of Elective Officers**

146 Any elective officer of the town may be recalled and moved from office by the voters as herein provided.
147 Any voter may file a petition containing the name and title of the elective officer whose removal is sought
148 with the Town Clerk. Such petition shall be signed by qualified voters of the town equal in number to at
149 least fifteen percent (15%) of those registered at the last regular town election, provided that such recall
150 petition must be filed within fourteen (14) days following its initial date of issuance. If, within ten (10)
151 days following receipt of the petition the Town Clerk determines the petition and signatures to be
152 sufficient, a recall election shall be held within ninety (90) days but no sooner than sixty-five (65) days
153 thereafter, provided that no such election shall take place within one hundred to one hundred twenty
154 (100-120) days. All procedures for voting upon the recall question shall be in the same manner as
155 provided in Massachusetts General Law for the conduct of elections.

156 A majority of those voting at the recall election shall be sufficient to recall such elective officer, provided
157 that at least thirty percent (30%) of all those entitled to vote shall have voted.

158 **Section 5 Special Election to Fill Recall Vacancy**

159 Any officer whose recall is sought may be a candidate to succeed himself at a special election to take
160 place concurrently with the recall election, the purpose of which shall be to fill any vacancy resulting from
161 the recall election. The nomination of all candidates to fill a vacancy created by a recall election, the
162 publication of the warrant for the special election to fill such vacancy, and the conduct of same shall be in
163 accordance with the provisions of general election laws, unless otherwise provided by this Home Rule
164 Charter.

165 If a majority of the votes cast on the recall question is in the affirmative, then the candidate receiving the
166 highest number of votes in the special election shall be declared elected to fill the vacancy created. If a
167 majority of the votes on the question is in the negative, the ballots for candidates to fill the potential

168 vacancy need not be counted.

169 **ARTICLE FOUR ELECTED TOWN BOARDS AND OFFICERS**

170 **Section 1 General Provisions**

171 Members of town boards to be elected from the town at large shall be:

172 (A) Five (5) member Board of Selectmen

173 (B) A Town Moderator, for a three (3) year term.

174 (C) A Town Clerk, for a three (3) year term.

175 (D) Five (5) member School Committee, for three (3) year overlapping terms.

176 (E) Three (3) member Board of Assessors, for three (3) year overlapping terms.

177 (F) Seven (7) member Board of Library Trustees for three (3) year overlapping terms.

178 (G) Seven (7) member Planning Board, for five (5) year overlapping terms.

179 (H) Five (5) member Housing Authority, as provided by statute, with one (1) member being
180 appointed under the authority of the Commonwealth of Massachusetts and four (4) members to
181 be elected from the town at large for five (5) year overlapping terms.

182 Officers and members of elective boards, except Town Clerk, whose salary shall be set by Town Meeting,
183 established under this Article, unless otherwise prohibited by statute, shall serve without salary or other
184 compensation for services rendered without a vote and approval of a Town Meeting authorizing the
185 same.

186 The budget as presented at a Town Meeting shall delineate whether or not a salary is to be provided. If
187 so, a Town Meeting shall take a separate vote on the salary proposed for each elected office. However,
188 the officers and members of elective boards shall be reimbursed for actual expenses incurred in the
189 performance of their official duties within the annual appropriation for such purposes.

190 Officer and members of boards and commissions established under this Article shall exercise such powers
191 and duties as are and may be provided by statute, this Home Rule Charter, the Town of Seekonk By-Law,
192 and the vote of a Town Meeting.

193 **Section 2 Special Provisions**

194 **Assessors**

195 The Board of Assessors elected under this Article shall appoint, subject to an appropriation made for this
196 purpose, an individual qualified to provide professional assistance to the town's assessing functions and
197 responsibilities. Such an appointed individual shall not simultaneously be employed by any company or
198 business that provides assessing services while serving as an employee of the town.

199 **School Committee**

200 The School Committee shall have all the powers and duties given to school committees by statute. The
201 School Committee shall have general charge of the public schools of the town. The School Committee
202 shall have the power to select and to terminate a superintendent of schools and to establish educational

203 goals and policies for the schools, consistent with the requirement of the laws of and standards
204 established by the Commonwealth of Massachusetts.

205 **Moderator**

206 The Moderator elected under this Article shall have the power to appoint: (a) a Finance Committee as
207 provided in Article Seven hereof; (B) members of "ad hoc" committees ~~(B) a Personal Board of five (5)~~
208 ~~members for three (3) year terms, including building committees,~~ as may be authorized from time to time
209 by a Town Meeting.

210 **Planning Board**

211 The Planning Board elected under this article shall appoint, subject to an appropriation made for that
212 purpose, a planner to be selected on the basis of educational qualifications, training, and experience, and
213 who shall not simultaneously hold Planning Board membership.

214 **Section 3 Vacancies**

215 Vacancies on boards established under this Article shall be filled by the Board of Selectmen together with
216 the remaining members of the respective board in accordance with the provisions of statute. A vacancy
217 in the office of Town Moderator or Town Clerk shall be filled in accordance with provisions of statute.

218 **ARTICLE FIVE EXECUTIVE BRANCH**

219 **Board of Selectmen**

220 **Section 1 Composition, Term of Office, Vacancies**

221 A five-member Board of Selectmen shall be elected from the town at large for three year terms of office,
222 so arranged that as an equal number of terms as possible shall expire each year.

223 Any vacancy that occurs on the Board of Selectmen more than six months prior to the next annual
224 election must be filled promptly by a special election.

225 Members of the Board of Selectmen shall serve without compensation unless expressly authorized by a
226 Town Meeting.

227 **Section 2 General Powers and Duties**

228 The executive powers of the town shall be vested in the Board of Selectmen. The board shall have all of
229 the executive powers given to Boards of Selectmen by statute and by this Charter. The Board of
230 Selectmen shall serve as the chief policy-making agency of the town, responsible for the establishment of
231 policy directives and guidelines to be followed by all town agencies serving under it, provided, however,
232 that no individual members of the Board of Selectmen, nor a majority of such board shall, at any time,
233 attempt to be **or become** involved in the day to day administration of affairs of the town, but shall act
234 through the established policies, directives, and guidelines which are to be implemented by officers and
235 employees.

236 The Board of Selectmen shall cause the laws and orders for the government of the town to be enforced
237 and shall cause a record of all its official acts to be kept. To aid in the performance of its duties, the
238 Board of Selectmen shall appoint a Town Administrator, as provided in Article Six.

239 **Section 3 Specific Powers and Duties**

240 The Board of Selectmen shall, within its area of jurisdiction, be responsible for the functions of:

241 **General Administration.**

242 (A) **Licensing Authority**
243 Unless otherwise provided by statute, the Board of Selectmen shall be the licensing board for the
244 town and shall have the power to issue licenses, to make necessary rules and regulations
245 regarding the issuance of such licenses, and to attach conditions and impose restrictions thereto
246 as it deems to be in the public interest, and to enforce the laws relating to all businesses for
247 which it issue licenses.

248 (B) **Investigations**
249 The Board of Selectmen may investigate **and may authorize the Town Administrator to**
250 **investigate** any town agency or office appointed or hired by them or the Town Administrator,
251 and they shall have access to all records they deem necessary for this purpose. **In furtherance**
252 **of any investigations undertaken, the Board of Selectmen may subpoena witnesses,**
253 **administer oaths and take evidence, and require the production of evidence. The**
254 **Board of Selectmen shall issue a final, written report within sixty (60) days after the**
255 **completion of any such investigation. The final report shall be filed in the office of the**
256 **Town Clerk.**

257 (C) **Town Administrator**
258 The Board of Selectmen shall hire, determine compensation for, within the available
259 appropriation, and be responsible for assessing the qualifications of the Town Administrator and,
260 if required, a temporary Town Administrator.

261 The Board shall communicate to the Town Administrator its plans and policies so as to secure
262 their effective implementation. The Board shall prepare a contract establishing the conditions for
263 the Town Administrator's employment, its terms, and his compensation.

264 The Board shall remove and replace the Town Administrator if and when required in accordance
265 with the provisions of this Home Rule Charter in Article Six, Section 5.

266 **Section 4 Powers of Appointment General Provisions**

267 The Board of Selectmen shall have the power to appoint the following town officers:

268 (A) A Town Administrator

269 (B) A Town Counsel for a one-year term of office. **The appointed town counsel shall be a**
270 **member in good standing of the Massachusetts Bar for at least ten (10) years.**

271 **ARTICLE SIX TOWN ADMINISTRATOR**

272 **Section 1 Appointment**

273 The Town Administrator shall be appointed in accordance with Article Five for a three (3) year term. The
274 appointment shall be renewable at the discretion of the Board of Selectmen. ~~The Board of Selectmen~~
275 ~~shall fix the Town Administrator's compensation within limits of an available appropriation made for that~~
276 ~~purpose.~~

277 **Section 2 Qualifications and Duties**

278 The Town Administrator shall be appointed on the basis of educational, executive, and administrative
279 qualifications and experience, including, at a minimum, a four year college or university degree and five
280 (5) years experience in municipal finance and municipal administration. **The Board of Selectmen may**
281 **require additional qualifications from those stated. At the discretion of the board,**
282 **appropriate professional experience in the public or private sector may be accepted in lieu of**

283 **municipal work experience. The Town Administrator shall be appointed based upon**
284 **demonstrated executive and administrative abilities and accomplishments.**

285 The Town Administrator shall not have served in an elected office in the Town of Seekonk within twelve
286 (12) months immediately prior to the appointment. The Town Administrator shall be the chief
287 administrative officer of the town and shall be accountable to the Board of Selectmen for the proper
288 discharge of all duties of the office and for the proper administration of all town affairs placed under his
289 charge by or under the charter. The powers and duties of the Town Administrator shall include, but need
290 not be limited to, the following:

291 (A) The Town Administrator shall supervise, direct and be responsible for the efficient administration
292 of all functions under his control, as may be authorized by the charter, by-law, town meeting
293 vote, or by vote of the Board of Selectmen.

294 (B) The Town Administrator shall attend all regular and special meetings of the Board of Selectmen,
295 unless excused. He shall have a voice, but no vote, in all of the board's discussions.

296 (C) The Town Administrator shall attend all sessions of the town meeting and answer all questions
297 concerning warrant articles which are directed to him and which relate to matters under his
298 general supervision.

299 (D) The Town Administrator shall see that all provisions of the Massachusetts General Laws, this
300 Charter, the town by-laws, and votes of the town meeting and the Board of Selectmen which
301 require enforcement by him or officers or employees subject to his direction and supervision, are
302 faithfully carried out and performed.

303 (E) The Town Administrator shall prepare and submit a proposed annual operating budget and a
304 proposed capital outlay program.

305 (F) The Town Administrator shall keep the Board of Selectmen and the Finance Committee fully
306 informed as to the financial condition and needs of the town, and shall make such
307 recommendations to the Board of Selectmen for actions to be taken as he deems to be
308 necessary, advisable, or expedient.

309 (G) The Town Administrator shall assure that full and complete records of the financial and
310 administrative activities of the town are kept and shall render full reports to the Board of
311 Selectmen at the end of each fiscal year and at such other times as it may reasonably be
312 required.

313 (H) The Town Administrator may at any time inquire into the conduct of any office of any town
314 officer, employee, and department or agency under his **jurisdiction and** control.

315 (I) The Town Administrator shall be responsible for the negotiation of all contracts involving any
316 subject within his jurisdiction ~~including the negotiation with town employees over wages, hours~~
317 ~~and other terms and conditions of employment.~~ All such contracts as may be proposed by him
318 shall be subject to final approval and execution by the Board of Selectmen. **The Board of**
319 **Selectmen may authorize the Town Administrator to execute any such approved**
320 **contract on behalf of the town. The Town Administrator shall be included in the**
321 **negotiations for the School Department to the extent required by statute.**

322 (J) The Town Administrator **shall administer, with the assistance of the Human Resources**
323 **Advisory Board, the** ~~assist the Personnel board with the Administration of a town personnel~~
324 system, including, **but** not limited to, personnel policies and practices, rules and regulations, and

325 personnel by-laws. He shall, in conjunction with **that Board**, ~~the Personnel Board~~, prepare and
326 maintain ~~and keep current~~ a plan establishing the personnel staffing requirements for each town
327 agency **or department** within his jurisdiction.

328 (K) The Town Administrator shall be **the Chief Procurement Officer for the town and be**
329 responsible for the purchase of all **common-use** supplies, materials and equipment **for the**
330 **Town, including the School department, to the extent permitted by state law,**
331 excepting books and other educational materials for schools and books and other media
332 materials for the libraries. He shall approve the award of all contracts for all town departments
333 with the exception of the School Department, subject to the approval of the Board of Selectmen.

334 (L) The Town Administrator shall perform any other duties required of him under this Charter, the
335 Town of Seekonk by-laws, town meeting vote or a vote of the Board of Selectmen.

336 **Section 3 Administrative Organization**

337 The Town Administrator, subject to the approval of the Board of Selectmen, may from time to time
338 prepare and submit plans of organization or reorganization of town departments, boards, commissions,
339 and offices in the form of proposed by-laws to the town meeting. Whenever the Town Administrator
340 prepares such a plan, the Board of Selectmen shall hold one or more public hearings on the proposal
341 giving notice by publication in a local newspaper no less than seven (7) days in advance of such a
342 hearing. The notice shall describe the scope of the proposal and the **date**, time and place the hearing
343 shall be held.

344 Except as otherwise provided in this Charter, the town meeting may by by-law reorganize, create,
345 consolidate, or abolish departments, boards, ~~and~~ commissions, and offices, in whole or in part; may
346 establish new departments, boards, commissions, or offices as deemed necessary; and may transfer
347 powers, duties and responsibilities of one department, board, commission or office, to another.

348 **Section 4 Vacancy**

349 Any vacancy in the office of the Town Administrator shall be filled as soon as possible by the Board of
350 Selectmen and in the interim the Board shall appoint a suitable person to serve as temporary Town
351 Administrator to perform the duties of the office. Such temporary appointment may not exceed three (3)
352 months, but may be renewed by a majority vote of a full Board of Selectmen to extend for a second
353 three (3) month term. Compensation for such an appointment shall be set by the Board of Selectmen.

354 **Section 5 Removal**

355 The Board of Selectmen may remove the Town Administrator from office in accordance with the following
356 procedure:

357 (A) The Board of Selectmen shall adopt a preliminary resolution of removal by the affirmative vote of
358 a majority of the **full** Board which must state the reason or reasons for the removal. The
359 preliminary resolution may suspend the Town Administrator for a period not to exceed forty-five
360 (45) days. A copy of the resolution adopted shall be delivered to the Town Administrator by
361 certified mail, **return receipt requested, or by commercial delivery service for which a**
362 **receipt for delivery is obtained.**

363 (B) Within five (5) days of receipt of the Board's preliminary resolution, the Town Administrator may
364 request a public hearing by filing a written request for such a hearing with the Board of
365 Selectmen. Thereafter, a public hearing shall be held not more than thirty (30) days after the
366 request is filed, nor sooner than twenty (20) days after the filing of the request. The Town
367 Administrator may file a written statement in justification of his tenure in office with the Board of
368 Selectmen, provided any such statement is received by the Board not more than forty-eight (48)
369 hours in advance of the public hearing.

370 (C) The Board of Selectmen may adopt a final resolution of removal, which may be made effective
 371 immediately, by affirmative vote of a majority of the **full** Board, at any time after ten (10) days
 372 following the date of delivery of a copy of the preliminary resolution to the Town Administrator, if
 373 he has not requested a public hearing, or at any time after the public hearing if he has requested
 374 one. Within ten (10) days following the vote to make the preliminary resolution final, but in no
 375 event more than forty-five (45) days following the date of adoption of the preliminary resolution,
 376 the Board of Selectmen shall, by a majority vote of the **full** board, either affirm or **dismiss deny**
 377 the final resolution of removal. Failure to affirm a final resolution of removal shall nullify the vote
 378 to **dismiss remove** the Town Administrator.

379 (D) The Town Administrator shall continue to receive a salary until the final date of removal shall
 380 become effective ~~unless otherwise provided~~. The action of the Board of Selectmen in suspending
 381 or removing the Town Administrator shall be final, it being the intention of this provision to vest
 382 all authority and responsibility for such suspension or removal with the Board of Selectmen.

383 **Section 6 Appointment Recommendations of the Administrator.**

384 The Town Administrator shall recommend the appointment of the following board and commission
 385 members **to the Board of Selectmen for approval:**

386	BOARD/COMMISSION	NUMBER OF MEMBERS
387	Zoning Board of Appeals	5 and 3 alternate members
388	Board of Health	5
389	Board of Registrars other than Town Clerk	3
390	Park and Recreation Committee	5
391	Human Services Council	7
392	Conservation Commission	7
393	Arts Council Commission	5

394 The Town Administrator shall recommend the appointment of the following town officers **to the Board**
 395 **of Selectmen for approval:** Police Chief, Fire Chief, Superintendent of Public Works, Building
 396 Inspector, Zoning Officer, Town Treasurer/Town Collector, **Human Services Director,**
 397 **Communications Director, Veteran's Agent, Animal Control Officer, Park and Recreation**
 398 **Director, Emergency Management Director, Sealer of Weights & Measures, Plumbing**
 399 **Inspector, Gas Inspector, Electrical Inspector, Mechanical Inspector,** and Director of Finance,
 400 **Health Agent, Conservation Agent, and any other position of the level of department head.**

401 ~~NOTE: The positions of Town Treasurer and Town Collector to be consolidated into a single office)~~

402 The board or commission members and officers of the town-as-appearing-above **appointed under this**
 403 **article** shall serve for three (3) year terms, unless otherwise removed as provided in Article Eight, or
 404 removed in accordance with the provisions of the town's personnel by-law.

405 Recommendations made by the Town Administrator shall become effective on the fifteen (15th) day
 406 following the day on which notice of the appointment is filed with the Board of Selectmen unless the
 407 Board of Selectmen shall, within said period, by a majority vote of the board, vote to reject any such
 408 recommendation or has voted to sooner affirm the appointment.

409 **Section 7 Merit Principle**

410 All appointments and promotions in the town's services shall be made solely on the basis of merit and
411 fitness demonstrated by examination or other evidence of competence and suitability to perform the
412 duties of the office or of the employment.

413 **ARTICLE SEVEN FINANCIAL PROVISIONS AND PROCEDURES**

414 **Section 1 Finance Department**

415 The Town Administrator shall recommend **to the Board of Selectmen** the appointment of an individual
416 with qualifications and experience in municipal and financial matters to serve as Director of Finance. The
417 Director of Finance shall also serve as the town accountant. He shall coordinate the town's financial
418 management functions, including, but not limited to, the oversight of offices and employees responsible
419 for municipal finance functions. He shall assist the Town Administrator and Board of Selectmen in the
420 preparation of the town's annual **operating** and capital budgets.

421 **Section 2 Finance Committee**

422 A Finance Committee of seven (7) members shall be appointed by the Town Moderator for three (3) year
423 overlapping terms of office. No elected or appointed town officer or employee shall be eligible to serve
424 on the Finance Committee. Any committee member who submits nomination papers for an elected
425 position ~~shall take a temporary leave of absence from the Finance Committee. The Moderator shall~~
426 ~~appoint a temporary replacement to service until the election.~~ **shall resign from the committee upon**
427 **the certification of his election to the elected office. The Moderator shall appoint a**
428 **replacement to serve the remaining term of office of the resigning member.**

429 Finance Committee members shall serve without compensation. Vacancies in the Finance Committee
430 shall be filled promptly by the Moderator for the remainder of the unexpired term.

431 The Finance Committee shall carry out its duties in accordance with the provisions of statute, this
432 Charter, and town by-laws, and it shall be provided with regular and free access and inspection rights to
433 all books, accounts, and the financial management of any town department or office. The Committee
434 shall issue its recommendation prior to the consideration, debate, and vote by the town meeting.

435 **Section 3 Preparation of the Budget**

436 The Board of Selectmen and the School Committee shall meet and confer prior to and during the budget
437 process to review the financial condition of the town's revenue and expenditure forecasts and other
438 relevant information in order to develop a coordinated and balanced budget. The Finance Committee
439 **and the Capital Improvements Committee** shall participate in the discussions with the Board of
440 Selectmen and the School Committee in an advisory capacity. The School Superintendent and the Town
441 Administrator shall jointly develop guidelines consistent with policies developed by the Board of
442 Selectmen and the School Committee.

443 **Section 4 Budget Proposal**

444 The proposed budget shall provide a complete financial plan for all town funds and activities, including
445 the proposed School Committee budget, for the ensuing year. Except for the School budget or as may be
446 required by Massachusetts General Laws, it shall be in the form which the board of Selectmen and the
447 Finance Committee may require. In submitting a proposed budget, the Town Administrator and Director
448 of Finance shall utilize modern fiscal principles so as to furnish maximum information and financial
449 control. The budget shall detail all estimated revenue from the property tax levy, and other sources, and
450 all proposed expenditures including: debt service for the previous, current, and ensuing years and shall
451 indicate separately:

452 (A) Proposed expenditures for both current operations and capital projects during the ensuing year,
453 detailed by agency, purpose, and position, together with proposed methods,

454 (B) Estimated surplus revenue and free cash available at the close of the fiscal year, including
455 estimated balances in special accounts.

456 **Section 5 Submission of Budget and Budget Message**

457 Not less than one hundred and twenty (120) days prior to the date of the spring town meeting, the Town
458 Administrator shall submit ~~to the Board of Selectmen, and file copies with the Finance Committee~~, a
459 proposed budget for the ensuing fiscal year, with an accompanying budget message and supporting
460 documents to the Board of Selectmen and file copies with the Finance Committee.

461 **Budget Message**

462 The budget message shall be an integral component of the total budget proposal presented to the town
463 meeting and shall explain the budget for all town agencies in both fiscal and programmatic terms.

464 The message shall:

465 (A) Outline proposed financial policies of the town for the ensuing fiscal year.

466 (B) Describe important features of the budget.

467 (C) Indicate any major variations from the current year in financial policies, expenditures, and
468 revenue, together with the reasons for such changes.

469 (D) Summarize the town's debt position.

470 **(E) Contain a narrative description explaining and supporting the numerical budget**
471 **proposal. The narrative shall provide a detailed explanation of the assumptions and**
472 **rationale upon which the proposed budget is based.**

473 **(F) Provide *pro forma* budgets for the two (2) years subsequent to the immediately**
474 **ensuing year. The *pro forma* budgets shall be based upon good faith estimates or**
475 **projections of revenue and expenditures, including debt service, and capital**
476 **expenditures. The budget message shall also include a narrative overview or**
477 **summary of the projections contained in the *pro forma* budgets.**

478 **(G) Include such other materials as the Board of Selectmen and Finance Committee may**
479 **require.**

480 **Section 6 Action on the Proposed Budget**

481 The School Committee and Board of Selectmen shall conduct separate public hearings on their respective
482 proposed budgets, and the Finance Committee shall issue in print its recommendations on the aggregate
483 budget proposal and make copies available to the voters at least fourteen (14) days prior to the annual
484 town meeting. In preparing its recommendations, the Finance Committee may require any town
485 department, board, office or agency to furnish it with appropriate financial reports and information.

486 The Board of Selectmen shall be responsible for presenting the proposed budget ~~to~~ at the spring session
487 of the town meeting for appropriate action.

488 **Section 7 General Government and School Department**

489 **Capital Improvements Program.**

490 Not less than one hundred fifty (150) days prior to the date of the spring town meeting, the Town
491 Administrator shall submit to the Board of Selectmen, and file copies with the Finance Committee, a five
492 (5) year capital improvement program. Such program shall include:

- 493 (A) A clear summary of its contents.
- 494 (B) A list of all capital improvements proposed to be undertaken during the next five (5) years,
495 together with supporting data.
- 496 (C) Cost estimates, methods of financing and recommended time schedules for each project.
- 497 (D) The estimated annual cost of operating and maintaining any facility to be constructed or
498 acquired.

499 Information requirements described above shall be revised and extended annually with respect to capital
500 improvements in the process of construction or acquisition. A capital improvement plan shall be defined
501 by the Director of Finance following consultation with the Finance Committee, **Capital Improvement**
502 **Committee**, and other town committees. The plan may be changed from time to time to reflect current
503 economic conditions.

504 **ARTICLE EIGHT GENERAL PROVISIONS**

505 **Section 1 Charter Amendment**

506 This charter may be replaced, revised, or amended in accordance with the provisions of the Constitution
507 of the Commonwealth and the Massachusetts General Laws. **This Charter shall be reviewed at such**
508 **times as may be directed by the Board of Selectmen, but at least within ten (10) years from**
509 **the time of last review. The committee formed to review the Charter shall be elected or**
510 **appointed in accordance with state law.**

511 **Section 2 Specific Provisions to Prevail**

512 To the extent that any specific provision of the charter shall conflict with any general provision thereof,
513 the specific provision shall prevail.

514 **Section 3 Severability of Charter**

515 The provisions of this charter are severable. If any provision is held **by a court of competent**
516 **jurisdiction** to be invalid, the remaining charter provisions shall not be affected thereby. If the
517 application of the charter or any of its provisions to any person or circumstance is so held to be invalid,
518 the application of the charter and its provision to other persons and circumstances shall not be affected
519 thereby.

520 **Section 4 Review and Revision of Town By-laws.**

521 It shall be the responsibility of the Town Moderator to appoint, at least every five (5) years, a by-law
522 study committee, one (1) member to be selected from each precinct of the town and one (1) member to
523 be selected from the town at large. The committee shall, within one (1) year following its appointment,
524 review the by-laws of the town, **propose revisions** revise them as necessary, and present such
525 proposed revisions to the town meeting for consideration and action.

526 **Section 5 Boards, Commission and Committees**

527 All boards, commissions and committees, whether special or standing, shall at least annually elect a chair,
528 vice-chair, clerk and other necessary officers; establish a majority quorum requirement for meetings;
529 adopt rules of procedure and voting; and maintain a journal of proceedings, copies of which shall be a
530 public record signed by the clerk of each body. All such bodies, in submitting their annual report to the
531 Board of Selectmen, shall summarize their formal powers, duties, and obligations for dissemination to the
532 general public.

533 **Section 6 Residency Requirement**

534 The successful candidates for the officers listed herein, if a non-resident of the town at the time of
535 appointment, shall take up residency in the Town of Seekonk within twelve (12) months, unless an
536 extension for extenuating circumstances is granted by the Board of Selectmen or School Committee,
537 respectively.

538 The positions are: Town Administrator, Police Chief, Fire Chief, Superintendent of Public Works and
539 Superintendent of Schools.

540 This section shall not be retroactive and shall apply only to employees hired for these positions after the
541 adoption date of this charter.

542 **Section 7 6 Number and Gender**

543 Words importing the singular may extend and be applied to several persons or things. Words importing
544 the plural number may include the singular. Words importing the feminine gender shall include the
545 masculine and words importing the masculine gender shall include the feminine gender.

546 **Section 8 7 Counting of Days**

547 In counting days under this charter, every calendar day shall be counted, including Sundays and holidays.

548 **Section 9 8 Phasing of Terms**

549 Elections and appointments to boards, commissions, and committees consisting of more than one
550 member and terms greater than one year shall be made so that terms overlap. Terms of equal, or as
551 nearly equal as can be, number of board, commission or committee members shall expire each year.

552 **Section 10 9 Power to Rescind Appointments**

553 All appointing authorities under this charter shall have the power to rescind appointments made by them,
554 except appointments to the Board of Appeals and other quasi-judicial boards; provided that the appointee
555 shall first have been served with a written notice of such intent of removal, and provided further that the
556 appointee shall have the right to a public hearing on his removal.

557 **Section 11 10 Vacating Appointive Offices**

558 Any member of an appointive board or commission of the town shall be deemed to have vacated his
559 office upon being absent from five (5) consecutive, regularly scheduled meetings.

560 **Section 12 11 Personnel Procedures**

561 The Personnel Board, **Human Services Advisory Board**, in consultation with the Town Administrator,
562 shall from time to time propose, and the town meeting shall consider and act upon, personnel by-laws,
563 rules and regulations establishing a personnel system. The personnel system shall make use of modern
564 concepts of personnel management and may include, but not limited to, the following elements: a
565 method of administration; personnel policies indicating the rights, obligations and benefits of employees;
566 a classification plan; a compensation plan; a method of recruiting and selecting employees based upon
567 merit principles; a centralized record keeping system; disciplinary procedures; and other elements that
568 are deemed necessary except as otherwise be provided by general law, civil service regulations or town
569 collective bargaining agreements, and those of the school department **shall provide guidance to the**
570 **Town Administrator and Board of Selectmen in the areas of employment and employee**
571 **relations; compensation and benefits; employee communications, training and development;**
572 **health and safety issues; and other tasks assigned by this statute, this Charter, or town by-**
573 **laws, to the Town Administrator and/or Board of Selectmen. The board may on its own**
574 **accord meet from time to time in furtherance of its stated role. The board shall work**
575 **cooperatively with the Town Administrator to periodically review and update as necessary**
576 **the human resources, policies and procedures manual, employee classification and**
577 **compensation plans, and other documents related to human resource management. The**
578 **board shall consist of five members appointed by the Town Administrator, subject only to**

579 **the approval of the Board of Selectmen. At least two (2) members of the board shall possess**
580 **a business background in Human Resources, acquired in either the private or public sector,**
581 **or a combination of both. Appointments shall be for staggered three (3) year terms.**

582 **ARTICLE NINE TRANSISTIONAL PROVISIONS**

583 **Section 1 Effective date**

584 This charter shall become fully effective upon ratification by the voters, except as otherwise may be
585 provided in this section.

586 ~~(A) **Board of Selectmen**~~

587 ~~Immediately upon adoption by the voters, the incumbent Town Clerk shall call a special election~~
588 ~~to fill the positions of the two new members of the Board of Selectmen, one for a term of one~~
589 ~~year and one for a term of two years.~~

590 ~~(B) **Library Board of Trustee**~~

591 ~~On the same special election identified in Section (A), the Board of Library Trustees shall be~~
592 ~~expanded by one position for a three (3) year term, to comply with general law.~~

593 ~~(C) **Town Administrator**~~

594 ~~Immediately following the election bringing the Board of Selectmen to its full authorized level of~~
595 ~~five (5) persons, the Chairman of the Board of Selectmen shall initiate proceedings to establish a~~
596 ~~Town Administrator screening committee. This committee shall be composed of five (5)~~
597 ~~members; tow (2) members of the Board of Selectmen, the Town Moderator, one (1) member of~~
598 ~~the Finance Committee (to be chosen by the Finance Committee) and one (1) citizen at large~~
599 ~~appointed by the Board of Selectmen. The screening committee shall submit to the Board of~~
600 ~~Selectmen the names of such number of candidates that the committee deems best suited to~~
601 ~~perform the duties of Town Administrator. The intention and purpose of the screening~~
602 ~~committee is to assist the Board of Selectmen in the recruitment and selection of the Town~~
603 ~~Administrator. However, nothing in this section shall limit the right of the Board of Selectmen to~~
604 ~~appoint the Town Administrator as provided in Article six, Sections 1 and 2 of this charter.~~

605 ~~(D) **Executive Secretary**~~

606 ~~Upon the appointment of the Town Administrator, the position of Executive Secretary is~~
607 ~~abolished. However, the Executive Secretary may continue to receive a salary for a period of~~
608 ~~sixty (60) days, at the discretion of the Board of Selectmen, to assist the town in transition. The~~
609 ~~incumbent Executive Secretary may be a candidate for the office of Town Administrator.~~

610 ~~(E) **Town Collector**~~

611 ~~Shall become appointed on April 7, 1997. The incumbent Town Collector may apply for the~~
612 ~~position. A successful candidate shall be selected sixty (60) days prior to April 7, 1997.~~

613 ~~(F) **Town Treasurer**~~

614 ~~Shall become appointed on April 1, 1996. The incumbent Town Treasurer may apply for the~~
615 ~~position. A successful candidate shall be selected sixty (60) days prior to April 1, 1996.~~

616 **Section 2 Continuation of Government**

617 Appointed or elected town officials and board members holding office on the effective date of the charter
618 shall continue to serve until re-elected, re-appointed, their successors having been qualified, or their
619 duties having been transferred. Except as may otherwise be provided by this charter, no regular full-time
620 or part-time employee of the town shall forfeit his pay grade or longevity as a result of the adoption of
621 this charter.

622 **Section 3 Continuation of By-laws**
623 All special acts, by-laws, resolutions, rules, regulations, and votes of the town meeting in force on the
624 effective date of this charter, not inconsistent with its provisions, shall continue in force until amended or
625 repealed.

626 **Section 4 Continuance of Contracts and Other Obligations**
627 All leases, contracts, franchise, and obligations entered into by the town or for its benefit prior to the
628 effective date of this charter shall continue in full force and effect.

629 **Section 5 Pending Actions and Proceedings**
630 No action or proceedings, civil or criminal, in law or in equity, pending at the time this charter takes
631 effect, brought by or against the town or any office, department, or other agency
632 thereof, shall be affected or abated by the adoption of this charter.

Submitted by: Board of Selectmen

633
634
635
636 **ARTICLE 2:** To see if the Town will vote to amend the General Bylaws by inserting CATEGORY 5B –
637 DEPARTMENTAL FEES as follows, or take any other action relative thereto:
638

639 **CATEGORY 5B – DEPARTMENTAL FEES**

640
641 The Board of Selectmen, when establishing any fee as authorized by a Town of Seekonk
642 Bylaw or by a Massachusetts General Law, shall encourage public participation and fiscal
643 accountability in setting the amount of such fee.
644

- 645 A.) Each board, committee or department shall observe the provisions of M.G.L. c. 40,
646 s. 22F in setting any fee.
647
648 B.) Each year while preparing the Town’s annually operating budget for the ensuing
649 fiscal year, each board, committee and department that is authorized to charge a
650 fee for service shall analyze the cost of providing such service and recommend any
651 appropriate revisions to the Board of Selectmen.
652
653 C.) The Board of Selectmen shall hold a public hearing not later than April 1 of each
654 year to obtain public comment on any revision to any fee, or on the establishment
655 of any fee. Notice of such hearing shall be made at least fourteen days in advance
656 by advertising in a newspaper of general circulation, posting on the Town’s
657 website, and through similar action.
658
659 D.) Members of the public may submit written comments about any matter discussed
660 during the public hearing to the Board of Selectmen within ten days after the
661 hearing is closed.
662
663 E.) Any action by the Board of Selectmen to revise any fee shall not take effect until at
664 least thirty days after the date of such action, and shall be posted on the Town’s
665 website and reported in the Town Report.
666

Submitted by: Board of Selectmen

667
668
669 **ARTICLE 3:** To see if the Town will vote to amend the General Bylaws to reflect the actions of the
670 Town Meeting of November 27, 2006 under ARTICLE 17, the Town Meeting of November
671

672 26, 2007 under ARTICLE 8, and the Town Meeting of May 15, 2006 under ARTICLE 3, by
673 adding the following new Category 2B thereto, or take any other action relative thereto:

674
675 **CATEGORY 2B -- CAPITAL IMPROVEMENT COMMITTEE**
676

677 Section 1: Purpose and Function
678

679 There is hereby established a Capital Improvement Committee. The establishment of a
680 Capital Improvement Committee will ensure sound fiscal and capital planning. The
681 Committee will develop capital improvement policies according to accepted practice. The
682 Committee will ensure the involvement and cooperation of all municipal departments.
683 Each department will be asked annually to provide an inventory of existing assets, a clear
684 statement of needs, and justification for new capital items or projects. The department
685 heads will provide: information about the fiscal impact of the net cost to acquire each
686 new capital item or implement each new capital project; an implementation schedule;
687 and, indication of priority (high, medium, or low).
688

689 The Committee will present a capital outlay plan to the Town Administrator and Board of
690 Selectmen for review.
691

692 The Committee may develop and propose bylaws and policies for capital planning and
693 improvement based on sound accepted practices.
694

695 Section 2: Organization
696

697 The Committee shall be comprised of seven (7) members, appointed to three year
698 overlapping terms of office. The Board of Selectmen shall appoint four (4) members and
699 the Town Moderator shall appoint the remaining three (3) members. The Board of
700 Selectmen and Town Moderator shall strive to appoint at least three members who
701 possess experience in financial planning, construction planning, or related fields of
702 experience.
703

704 No member may serve more than six (6) consecutive years on the Committee. No
705 elected or appointed Town officer or employee shall be eligible to serve on the
706 Committee. Any member who submits nomination papers for an elected office shall
707 resign from the Committee.
708

709 Section 3: Municipal Capital Stabilization Fund
710

711 There is established a Municipal Capital Stabilization Fund, as provided by M.G.L. c. 40, s.
712 5B for the purpose of accepting funds from a variety of sources to be used exclusively for
713 the annual capital expenditures by Town departments.
714

715 **Submitted by: Board of Selectmen**
716

717
718 **ARTICLE 4:** To see if the Town will vote to amend the General Bylaws by inserting CATEGORY 2C –
719 PERMANENT BUILDING COMMITTEE, as follows, or take any other action relative
720 thereto:
721

722 **CATEGORY 2C – PERMANENT BUILDING COMMITTEE**
723

724 SECTION 1: Purpose

725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776

The purpose of this By-Law is to provide for a Permanent Building Committee that has continuing responsibility for the management of major construction and maintenance projects of all buildings and facilities of the Town of Seekonk and for which funds are appropriated by Town Meeting. The Permanent Building Committee shall: review the design of every project and prepare design and construction specifications and all bid documents, and conduct all procurement processes as directed by the Chief Procurement Officer; be responsible for financial estimates; oversee construction for those projects for which funds are appropriated by Town Meeting; and, establish guidelines for communication with the Capital Improvement Committee, interested committees, and the public regarding proposed projects.

SECTION 2: Establishment

There is hereby established a Permanent Building Committee, which shall oversee the design, construction, reconstruction, major alteration, renovation, enlargement, major maintenance, demolition, and removal of Town buildings and related site improvements, including School Department buildings and municipal buildings, and including any significant installation, renovation or upgrade of service equipment and major systems as provided in this By-Law.

SECTION 3: Definitions

For purposes of this By-Law, the following definitions shall apply:

- 1) "Construction" means whatever is necessary to implement or complete a building project, except project design and acquisition of funds. It includes excavation, filling and grading of the building or project site.
- 2) "Design" means schematic design, design development, and development of construction documents (or equivalent documents) from the project goals established by the Proposing Body. It includes selection of architects and consultants as needed in compliance with applicable provisions of the General Laws.
- 3) "Major Maintenance" shall include projects that are capital in nature, that is: a substantial improvement to or repair of a building, structure, Building Service Equipment, major system or related infrastructure; intended to have a useful life of five or more years; and, has an estimated cost of more than \$25,000, or such other amount as may be established from time to time by the Town Administrator subject to approval by the Board of Selectmen and School Committee, in writing addressed to the Committee.
- 4) "Building Service Equipment and Major Systems" means the mechanical, electrical and elevator equipment, including piping, wiring, fixtures and other accessories, which provide sanitation, lighting, heating, ventilation, fire suppression and other physical features that are essential for the habitable occupancy of a building or structure for its designated use. It includes process piping, specialized electrical systems, boilers, elevators, generators, HVAC systems, septic systems, fire alarms, overhead doors, automatic handicapped access doors, major electrical service including wiring and fixtures, major plumbing service including piping and sanitation fixtures, and building skin (roofs, gutters, masonry, windows, exterior paint, etc.). It does not include tangible items that may be installed in a building but which are not

- 777 capital in nature, such as information system technology (computers and computer
778 systems).
779
780 5) "Municipal Buildings" shall refer to public buildings that are not under the jurisdiction
781 of the School Department.
782
783 6) "Project" means any of the following in connection with any Town building or other
784 structures or any of the Building Service Equipment: erection, alteration,
785 rehabilitation, remodeling, acquisition and installation of original equipment and
786 furnishings, demolition, removal, excavation, filling, and grading. It does not include
787 public works infrastructure such as streets, drainage systems and the like, or any
788 uninhabited buildings and other structures used exclusively in connection with such
789 public works infrastructure; it does not include routine maintenance and upkeep of a
790 building or other structure or its service equipment which is performed on a regular
791 basis in connection with the normal use of the building or structure.
792
793 7) "Project Goals" means the general objectives and the particular needs to be met
794 through the construction of the project.
795
796 8) "Proposing Body" means the Town of Seekonk Board of Selectmen, School
797 Committee, Library Trustees, or other elected board that has custody, care and
798 maintenance of public buildings or land which is sponsoring or requesting a
799 construction or major maintenance project. The Proposing Body is responsible for:
800
801 a) Determination of the goal for the proposed project, including the function and
802 needs which it is designed to fulfill, expanded services, auxiliary public use if any,
803 additional personnel required to maintain the facility, annual maintenance costs,
804 expected hours of the facility's availability, and overall effect on the services that
805 are delivered to the citizens of the Town, and the cost of providing such services.
806
807 b) Performance of feasibility studies and needs analysis to determine the necessary
808 features and estimated size and cost requirements of the project, as well as the
809 estimated requirements for equipment and furnishings.
810
811 c) Approval of transitional building plans, including health and safety protocols for
812 maintaining the underlying service associated with the facility while construction
813 takes place.
814
815 d) Approval of any design changes or budget reprioritization having a material
816 impact, as determined by the Permanent Building Committee, on the
817 programmatic design, transitional building plans, or outcome of the project.
818

819 SECTION 4: Membership

- 820
821 1) Regular Members. The Permanent Building Committee shall consist of five (5)
822 regular voting members, all serving without compensation. The composition of the
823 Committee shall include, to the extent possible, one registered architect, one licensed
824 engineer, one individual who is primarily engaged in the construction business, and
825 one attorney. No such member shall be an officer, official, or paid employee of the
826 Town, or a member of any other board or committee, except temporary members
827 and ex-officio members as provided in this bylaw. All regular members shall be
828 residents of the Town of Seekonk. All regular members shall be appointed by the

829 Board of Selectmen and School Committee acting in joint session as the appointing
830 authority in accordance with the provisions of CATEGORY 2A of the General Bylaws.

831
832 2) Temporary Members. For each municipal project, a temporary additional member
833 who is a member or representative of the Proposing Body and a temporary additional
834 member who is a member or representative of the Capital Improvement Committee
835 shall be appointed by the Board of Selectmen.

836
837 For each school project, the School Committee shall appoint one of its members or
838 its designee, hereinafter referred to as the School Committee member, to be a
839 temporary additional member of the Permanent Building Committee.

840
841 A temporary member shall have a right to vote and participate in the activities of the
842 Permanent Building Committee with respect to the particular project of the Proposing
843 Body, and only for the period of time during which the Permanent Building
844 Committee is exercising its function with respect to such project.

845
846 3) Advisory Quasi-Member. For each project, the Permanent Building Committee may
847 invite staff or other Town residents with particular expertise to advise the Committee
848 related to that project. The Permanent Building Committee may also request the
849 designation of Town staff with similar expertise to serve in an advisory capacity for a
850 particular project. Such advisory or assigned individuals may participate in the
851 activities of the Permanent Building Committee with respect to the particular project
852 but shall not have the right to vote. Any such request shall be made to the Town
853 Administrator for Town employees other than School Department personnel, and to
854 the Superintendent of Schools for School Department personnel. The Town
855 Administrator and Superintendent shall determine the appropriate staff member in
856 each case. Such Ex Officio Advisory Quasi-members shall not have voting authority.

857
858 4) Term of Appointment

859
860 a) Regular members shall be appointed for a three (3) year term. In making the
861 original appointments under this By-Law, the appointing authority shall designate
862 two regular members to serve for no more than three years ending on June 30
863 of the third year, two regular members to serve for no more than two years
864 ending on June 30 of the second year, and one regular member to serve for no
865 more than one year ending on June 30 of the first year. Thereafter, vacancies
866 shall be filled for a three year term beginning on July 1. Upon expiration of a
867 term, members shall continue to serve until a successor has been appointed and
868 qualified.

869
870 b) Temporary members shall be appointed to the Committee for the period of time
871 during which the Committee is exercising its functions with respect to the project
872 for which the original appointment was made.

873
874 SECTION 5: Votes of Committee

875
876 The Committee shall act by majority of the regular membership except for those projects
877 for which a temporary member or members have been appointed, in which case action
878 on such project shall be by a majority of the regular membership plus the temporary
879 member or members.

880

881 SECTION 6: Powers and Duties of the Committee

882
883 1) General Duties. The Committee shall have general oversight of design, construction,
884 reconstruction, major alteration, renovation, enlargement, major maintenance,
885 demolition, and removal of Town buildings, including School Department buildings
886 and Municipal Buildings, and including any significant installation, renovation or
887 upgrade of Building Service Equipment and Major Systems as provided in this By-
888 Law.

889
890 2) Review and Audit of Buildings. The Committee, with the Capital Improvement
891 Committee shall annually review and audit the physical condition of all municipal and
892 school buildings, including service equipment and major systems. It shall report its
893 findings and recommendations to the Town Administrator before October 1 of each
894 year for his/her consideration in development of the capital improvement plan. This
895 report shall be included in the Annual Town Report.

896
897 Each board or committee that has custody and maintenance of any town building
898 shall cooperate fully with the Permanent Building Committee in the review and audit.
899

900 3) Financial Requirements and Notification. Any board or committee which proposes a
901 project shall provide information regarding the project goals and the financial
902 requirements of the project to the Committee at least 180 days in advance of the
903 Town Meeting at which funding of any kind for the project will be requested. This
904 information shall be simultaneously submitted to the Town Administrator, the Board
905 of Selectmen, the School Committee, the Finance Committee, and the Capital
906 Improvement Committee. The Permanent Building Committee shall review the
907 information provided to determine whether the sums requested are reasonable with
908 respect to the financial requirements of the project and shall report thereon to the
909 Town Administrator and to the Capital Improvement Committee at least 60 days in
910 advance of the Town Meeting.

911
912 4) Appropriations. The funds for the design and construction of a project shall be
913 appropriated to and expended by the Permanent Building Committee under the
914 direction of the appropriate Proposing Body, unless otherwise specified by Town
915 Meeting.
916

917 5) Design Review. A Proposing Body which is to supervise the project in accordance
918 with Section 6.6 shall submit to the Committee the design for that project, from
919 which technical specifications for bidding and procurement shall be prepared.

920
921 a) The Committee shall approve, disapprove, or modify the design within 30 days of
922 the receipt thereof. Failure to approve, disapprove, or modify the design within
923 the 30 day period shall constitute approval.

924
925 b) Every project must be completed in accordance with a design approved by the
926 Committee. An approved design may be modified only if the modification is
927 approved by the Committee before it is incorporated into the project.
928

929 6) Supervision of Project Construction. Prior to the initial funding of a project, the
930 determination shall be made whether the Committee or the Proposing Body shall
931 supervise the construction of a project as follows:
932

- 933 a) The Committee shall supervise all projects for which the Town incurs bonded
934 debt.
- 935
- 936 b) The Proposing Body shall supervise all projects within its operating or equivalent
937 budget.
- 938
- 939 c) The Proposing Body shall supervise the construction of any other project
940 estimated to cost less than \$25,000, unless the Committee and the Proposing
941 Body agree that the Committee shall supervise the project.
- 942
- 943 d) The Committee shall supervise the construction of all other projects, unless the
944 Committee and the Proposing Body agree that the Proposing Body shall
945 supervise the project.
- 946
- 947 7) Project Feasibility Studies. Any board or committee, including the Capital
948 Improvement Committee, undertaking a project feasibility study shall inform the
949 Committee of the study, and provide copies of any reports that result from the study
950 to the Committee upon receipt and acceptance.
- 951
- 952 8) Projects under Committee's Jurisdiction. The Committee shall oversee and supervise
953 the design and construction of all projects within its jurisdiction, including the
954 designer selection process for the solicitation, evaluation and recommendation of a
955 project designer, schematic design, design development, production of construction
956 documents, public construction bidding, contract award recommendation and
957 construction administration in compliance with the General Laws. All such projects
958 shall be developed in a manner consistent with the project goals and physical
959 requirements established by the Proposing Body and the applicable provisions of the
960 General Laws. All solicitations for designer services and invitations for bids for
961 construction shall be coordinated with the Town Administrator, acting as the Chief
962 Procurement Officer, to assure compliance with the applicable provisions of the
963 General Laws. The Town Administrator shall award and execute all designer services
964 contracts and construction contracts.
- 965
- 966 a) Financial Oversight. The Committee shall review and report the financial
967 requirements of all projects within its jurisdiction, or for which it may become
968 responsible, and oversee the expenditure of funds in the course of execution of
969 such projects.
- 970
- 971 b) Coordination with Other Town Boards and Committees. For projects under its
972 jurisdiction, the Committee shall coordinate with other Town entities as follows:
- 973
- 974 i) In consultation with the Planning Board, oversee site planning for new
975 construction and additions; such planning to include building location,
976 roadways, parking, lighting, and general landscape design concepts.
- 977
- 978 ii) In consultation with the Conservation Commission and the Department of
979 Public Works oversee plant selection, cost, and installation of landscaping for
980 new, enlarged, or renovated building projects within its jurisdiction.
- 981
- 982 iii) In consultation with the Historical Commission, oversee enlargement,
983 remodeling and/or restoration of Town-owned historic property to ensure
984 that work is done in compliance with the Secretary of the Interior's
985 Standards and Guidelines for Historic Preservation.

986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000
1001
1002
1003
1004
1005
1006
1007
1008
1009
1010
1011
1012
1013
1014
1015
1016
1017
1018
1019
1020
1021
1022
1023
1024
1025
1026
1027
1028
1029
1030
1031
1032
1033
1034
1035
1036
1037

- 9) Records and Reporting. The Committee shall retain drawings and specifications, bid documents, contracts, permits, reports and any other document that records the as-built condition, as well as any stages of work in progress, of any building, site or project and keep them on file in the Building Inspector’s Office. The Committee shall make an annual report of its activities and recommendations to be published in the Annual Town Report.

SECTION 7: Policies and Procedures

- 1) The Committee shall adopt local designer selection procedures consistent with the requirement of M.G.L. c. 7, §38A½ - 380.
- 2) The Committee shall, in consultation with the Board of Selectmen and School Committee, adopt and make available to all boards, officers, and officials policies and procedures implementing the provisions of this Article. Said policies and procedures shall address at least the following subjects:
 - a) Financial requirements, including monitoring and reporting during construction, for each project within its jurisdiction, including the time period(s) within which information must be available.
 - b) General criteria the Committee will use in reviewing project designs, including but not limited to “green” considerations such as energy conservation, energy efficiency and renewable energy installations.
 - c) Guidelines to be utilized by Proposing Bodies in developing the structure and content of project documentation to be utilized by the Committee in carrying out its responsibilities under this By-Law.
 - d) Guidelines for the review and discussion of project progress with the Proposing Body during the design and construction thereof.
 - e) Guidelines for communication with Town boards and committees, including the Finance Committee and the Capital Improvement Committee, in connection with the Committee’s annual review and audit of building facilities.
 - f) Guidelines for presentation of projects at Town Meeting, including designation of responsibilities as between the Committee and the Proposing Body.
- 3) The Committee may request staff support from the board or committee who has custody or maintenance of the building or land on which the project is located, or from the Proposing Body.

Submitted by: Board of Selectmen

ARTICLE 5: To see if the Town will vote to authorize the Board of Selectmen to acquire in behalf of the Town by purchase, gift, or otherwise the necessary land parcels or portions thereof or any interest therein and/or rights in such land parcels as identified on plans titled PRELIMINARY RIGHT-OF-WAY CENTRAL AVENUE (ROUTE 152) AND DATED 05/14/2008, said plans on file with the Town Clerk, for the purpose of obtaining a secure and public

1038
1039
1040
1041
1042
1043
1044
1045
1046
1047
1048
1049
1050
1051
1052
1053
1054
1055
1056
1057
1058
1059
1060
1061
1062
1063
1064
1065
1066
1067
1068
1069
1070
1071
1072
1073
1074
1075
1076
1077
1078
1079
1080
1081
1082
1083
1084
1085
1086
1087
1088
1089

right of way, allowing the construction and roadway safety improvements for the CENTRAL AVENUE IMPROVEMENT PROJECT, or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 6:

To see if the Town will vote to petition the General Court for legislation authorizing the Board of Selectmen to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF SEEKONK TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding sections 17 and 17B of chapter 138 of the General Laws, the licensing authority of the Town of Seekonk may convert one currently-issued seasonal license for the sale of all alcoholic beverages to be drunk on the premises located at 1641 Fall River Avenue to an annual license for the sale of all alcoholic beverages to be drunk on the premises located at 1641 Fall River Avenue. An annual license granted under this act shall be subject to all of said chapter 138, except said sections 17 and 17B.

(b) The licensing authority in the Town of Seekonk shall not approve the transfer of the license to any other person, organization, corporation or location but it may be re-issued to a new applicant at the same location if an applicant for the license files with the licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the Seekonk licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

Submitted by: Board of Selectmen

ARTICLE 7:

To see if the Town will vote to petition the General Court for legislation authorizing the Board of Selectmen to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen

1090
1091
1092
1093
1094
1095
1096
1097
1098
1099
1100
1101
1102
1103
1104
1105
1106
1107
1108
1109
1110
1111
1112
1113
1114
1115
1116
1117
1118
1119
1120
1121
1122
1123
1124
1125
1126
1127
1128
1129
1130
1131
1132
1133
1134
1135
1136
1137
1138
1139
1140
1141

is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF SEEKONK TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding sections 17 and 17B of chapter 138 of the General Laws, the licensing authority of the Town of Seekonk may convert one currently-issued seasonal license for the sale of all alcoholic beverages to be drunk on the premises located at 393 Taunton Avenue to an annual license for the sale of all alcoholic beverages to be drunk on the premises located at 393 Taunton Avenue. An annual license granted under this act shall be subject to all of said chapter 138, except said sections 17 and 17B.

(b) The licensing authority in the Town of Seekonk shall not approve the transfer of the license to any other person, organization, corporation or location but it may be re-issued to a new applicant at the same location if an applicant for the license files with the licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the Seekonk licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

Submitted by: Board of Selectmen

ARTICLE 8:

To see if the Town will vote to petition the General Court for legislation authorizing the Board of Selectmen to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF SEEKONK TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court, and by the authority of the same, as follows:

1142
1143
1144
1145
1146
1147
1148
1149
1150
1151
1152
1153
1154
1155
1156
1157
1158
1159
1160
1161
1162
1163
1164
1165
1166
1167
1168
1169
1170
1171
1172
1173
1174
1175
1176
1177
1178
1179
1180
1181
1182
1183
1184
1185
1186
1187
1188
1189
1190
1191
1192
1193

SECTION 1. (a) Notwithstanding sections 17 and 17B of chapter 138 of the General Laws, the licensing authority of the Town of Seekonk may convert one currently-issued seasonal license for the sale of all alcoholic beverages to be drunk on the premises located at 373 Taunton Avenue to an annual license for the sale of all alcoholic beverages to be drunk on the premises located at 373 Taunton Avenue. An annual license granted under this act shall be subject to all of said chapter 138, except said sections 17 and 17B.

(b) The licensing authority in the Town of Seekonk shall not approve the transfer of the license to any other person, organization, corporation or location but it may be re-issued to a new applicant at the same location if an applicant for the license files with the licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the Seekonk licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

Submitted by: Board of Selectmen

ARTICLE 9:

To see if the Town will vote to petition the General Court for legislation authorizing the Board of Selectmen to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF SEEKONK TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding sections 17 and 17B of chapter 138 of the General Laws, the licensing authority of the Town of Seekonk may convert one currently-issued seasonal license for the sale of all alcoholic beverages to be drunk on the premises located at 1379 Fall River Avenue to an annual license for the sale of all alcoholic beverages to be drunk on the premises located at 1379 Fall River Avenue. An annual license granted under this act shall be subject to all of said chapter 138, except said sections 17 and 17B.

(b) The licensing authority in the Town of Seekonk shall not approve the transfer of the license to any other person, organization, corporation or location but it may be re-issued to a new applicant at the same location if an applicant for the license files with the

1194
1195
1196
1197
1198
1199
1200
1201
1202
1203
1204
1205
1206
1207
1208
1209
1210
1211
1212
1213
1214
1215
1216
1217
1218
1219
1220
1221
1222
1223
1224
1225
1226
1227
1228
1229
1230
1231
1232
1233
1234
1235
1236
1237
1238
1239
1240
1241
1242
1243
1244
1245
1246

licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the Seekonk licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

Submitted by: Board of Selectmen

ARTICLE 10: To see if the Town will vote to petition the General Court for legislation authorizing the Board of Selectmen to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF SEEKONK TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding sections 17 and 17B of chapter 138 of the General Laws, the licensing authority of the Town of Seekonk may convert one currently-issued seasonal license for the sale of wine and malt to be drunk on the premises located at 1782 Fall River Avenue to an annual license for the sale of wine and malt to be drunk on the premises located at 1782 Fall River Avenue. An annual license granted under this act shall be subject to all of said chapter 138, except said sections 17 and 17B.

(b) The licensing authority in the Town of Seekonk shall not approve the transfer of the license to any other person, organization, corporation or location but it may be re-issued to a new applicant at the same location if an applicant for the license files with the licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the Seekonk licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

Submitted by: Board of Selectmen

1247 **ARTICLE 11:** To see if the Town will vote to petition the General Court for legislation authorizing the
1248 Board of Selectmen to convert a seasonal license for the sale of all alcoholic beverages to
1249 be drunk on the premises to an annual license for the sale of all alcoholic beverages to
1250 be drunk on the premises; provided, however, that the General Court may make clerical
1251 or editorial changes of form only to the bill, unless the Board of Selectmen approves
1252 amendments to the bill before enactment by the General Court. The Board of Selectmen
1253 is hereby authorized to approve amendments that shall be within the scope of the
1254 general public objectives of this petition; or to take any other action relative thereto.

1255
1256 **AN ACT AUTHORIZING THE TOWN OF SEEKONK TO CONVERT A SEASONAL**
1257 **LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE**
1258 **PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC**
1259 **BEVERAGES TO BE DRUNK ON THE PREMISES**
1260

1261 Be it enacted by the Senate and House of Representatives in General Court, and by
1262 the authority of the same, as follows:
1263

1264 SECTION 1. (a) Notwithstanding sections 17 and 17B of chapter 138 of the General
1265 Laws, the licensing authority of the Town of Seekonk may convert one currently-issued
1266 seasonal license for the sale of wine and malt to be drunk on the premises located at
1267 1520 Fall River Avenue to an annual license for the sale of wine and malt to be drunk on
1268 the premises located at 1520 Fall River Avenue. An annual license granted under this act
1269 shall be subject to all of said chapter 138, except said sections 17 and 17B.
1270

1271 (b) The licensing authority in the Town of Seekonk shall not approve the transfer of the
1272 license to any other person, organization, corporation or location but it may be re-issued
1273 to a new applicant at the same location if an applicant for the license files with the
1274 licensing authority a letter from the Department of Revenue indicating that the license is
1275 in good standing with the Department and that all applicable taxes have been paid.
1276

1277 (c) If the license granted under this section is cancelled, revoked or no longer in use, it
1278 shall be returned physically with all of the legal rights, privileges and restrictions
1279 pertaining thereto, to the Seekonk licensing authority, which may then grant the license
1280 to a new applicant at the same location under the same conditions as specified in this
1281 act.
1282

1283 SECTION 2. This act shall take effect upon its passage.

1284 **Submitted by: Board of Selectmen**
1285
1286

1287 **ARTICLE 12:** To see if the Town will vote to petition the General Court for legislation authorizing the
1288 Board of Selectmen to convert a seasonal license for the sale of all alcoholic beverages to
1289 be drunk on the premises to an annual license for the sale of all alcoholic beverages to
1290 be drunk on the premises; provided, however, that the General Court may make clerical
1291 or editorial changes of form only to the bill, unless the Board of Selectmen approves
1292 amendments to the bill before enactment by the General Court. The Board of Selectmen
1293 is hereby authorized to approve amendments that shall be within the scope of the
1294 general public objectives of this petition; or to take any other action relative thereto.
1295

1296 **AN ACT AUTHORIZING THE TOWN OF SEEKONK TO CONVERT A SEASONAL**
1297 **LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE**
1298 **PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC**
1299 **BEVERAGES TO BE DRUNK ON THE PREMISES**

1300
1301
1302
1303
1304
1305
1306
1307
1308
1309
1310
1311
1312
1313
1314
1315
1316
1317
1318
1319
1320
1321
1322
1323
1324
1325
1326
1327
1328
1329
1330
1331
1332
1333
1334
1335
1336
1337
1338
1339
1340
1341
1342
1343
1344
1345
1346
1347
1348
1349
1350
1351
1352

Be it enacted by the Senate and House of Representatives in General Court, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding sections 17 and 17B of chapter 138 of the General Laws, the licensing authority of the Town of Seekonk may convert one currently-issued seasonal license for the sale of wine and malt to be drunk on the premises located at 6 Olney Street to an annual license for the sale of wine and malt to be drunk on the premises located at 6 Olney Street. An annual license granted under this act shall be subject to all of said chapter 138, except said sections 17 and 17B.

(b) The licensing authority in the Town of Seekonk shall not approve the transfer of the license to any other person, organization, corporation or location but it may be re-issued to a new applicant at the same location if an applicant for the license files with the licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the Seekonk licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

Submitted by: Board of Selectmen

ARTICLE 13:

To see if the Town will vote to petition the General Court for legislation authorizing the Board of Selectmen to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF SEEKONK TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding sections 17 and 17B of chapter 138 of the General Laws, the licensing authority of the Town of Seekonk may convert one currently-issued seasonal license for the sale of wine and malt to be drunk on the premises located at 193 Central Avenue to an annual license for the sale of wine and malt to be drunk on the premises located at 193 Central Avenue. An annual license granted under this act shall be subject to all of said chapter 138, except said sections 17 and 17B.

(b) The licensing authority in the Town of Seekonk shall not approve the transfer of the license to any other person, organization, corporation or location but it may be re-issued

1353
1354
1355
1356
1357
1358
1359
1360
1361
1362
1363
1364
1365
1366
1367
1368
1369
1370
1371
1372
1373
1374
1375
1376
1377
1378
1379
1380
1381
1382
1383
1384
1385
1386
1387
1388
1389
1390
1391
1392
1393
1394
1395
1396
1397
1398
1399
1400
1401
1402
1403
1404

to a new applicant at the same location if an applicant for the license files with the licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the Seekonk licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage.

Submitted by: Board of Selectmen

ARTICLE 14: To see if the Town will vote to accept as public ways the layouts identified and described as follows 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:

MASSASOIT DRIVE AND THE EXTENSION OF DONALD LEWIS DRIVE as shown on a Plan of Land entitled "Fieldwood Estates, Section No. 21, Seekonk, Massachusetts, Belonging to C.A. Lindberg, Inc., by Waterman Eng., Co., on Aug. 1979, Scale 1"-40'", recorded in the Bristol County North District Registry of Deeds in Book 184, Page 78, a copy of which plan is on file with the Office of the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith.

BLACKSMITH ROAD, BUCKBOARD ROAD, COLLEEN ROAD, COLT DRIVE, DELJO DRIVE, MAREHAVEN DRIVE, MICHAEL ROAD, MUSKET ROAD, RUSSELL AVENUE, AND WAGONWHEEL ROAD as shown on a Plan of Land entitled "Heritage Heights Definitive Plan of Land for Heritage Homes of Attleboro, Inc., 630 Lindsey Street, Attleboro, Mass., scale 1"-40' dated Jan. 17, 1980 SMR. Surveying and Engineering Co., 4 Cross Street No. Attleboro, Mass.", recorded in the Bristol County Northern District Registry of Deeds in Book 253, Page 8, a copy of which plan is on file with the Office of the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith.

SARAH COURT as shown on a Plan of Land entitled "Definitive Subdivision Plan of Land in Seekonk, Massachusetts of Sarah Court, John W. Delano and Associates, Inc. Registered Land Surveyors and Engineers, Scale: 1"-60', August 16, 1989, Revised January 10, 1990", recorded in the Bristol County Northern District Registry of Deeds in Book 300, Page 31, a copy of which plan is on file with the Office of the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith.

KENWOOD COURT as shown on a Plan of Land entitled "Definitive Plan for Kenwood Estates AP 16, Lot 44 Lincoln Street, Seekonk, Massachusetts Scale 1"=50' Date: February 2003", recorded in the Bristol County Northern District Registry of Deeds in Book 425, Page 51, a copy of which plan is on file with the Office of the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or

1405
1406
1407
1408
1409
1410
1411
1412
1413
1414
1415
1416
1417
1418
1419
1420
1421
1422
1423
1424
1425
1426
1427
1428
1429
1430
1431
1432
1433
1434
1435
1436
1437
1438
1439
1440
1441
1442
1443
1444
1445
1446
1447
1448
1449
1450
1451
1452
1453
1454
1455
1456
1457

eminent domain any necessary easements or other interests therein in connection therewith.

HARRIS COURT as shown on a Plan of Land entitled "Definitive Subdivision Carolan Acres, Seekonk, Massachusetts, belonging to George F. and Debra A. Carolan, by Caputo and Wick, Ltd., February 22, 1998", recorded in the Bristol County Northern District Registry of Deeds in Book 371, Page 26, a copy of which plan is on file with the Office of the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith.

ELIZABETH WAY as shown on a Plan of Land entitled "Definitive Subdivision for Elizabeth Way, in Seekonk, Massachusetts owner & applicant M.A.S. Williams, LLC & Janice H. Serpa, 265 County Street, Seekonk, MA 02771 Engineer & Surveyor E. Otis Dyer, RPLS, RPE 368 Fairview Avenue Rehoboth, MA 02769 June 29, 2004", recorded in the Bristol County Northern District Registry of Deeds in Book 432, Page 3, a copy of which plan is on file with the Office of the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith.

CEDAR HILL TERRACE as shown on a Plan of Land entitled "Definitive Subdivision Plan of Land in Seekonk, Mass. Showing Cedar Hill Estates Scale 1" = 40' April 9, 1987 Freeman Engineering Co. A Division of Hayward Boynton & Williams, Inc. Land Surveyors Civil Engineers 178 North Main Street, Attleboro, Mass", recorded in the Bristol County Northern District Registry of Deeds in Book 259, Pages 55 and 56, a copy of which plan is on file with the Office of the Town Clerk, Seekonk, MA, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain any necessary easements or other interests therein in connection therewith.

Submitted by: Board of Selectmen

ARTICLE 15: To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 44, Section 53E1/2, to authorize a Library Food and Beverage Revolving Fund to be credited with receipts from the sale of food and beverages, to be expended under the direction of the Library Trustees for the purpose of replenishing the supply of food and beverages, not to exceed the amount of \$5,000, or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 16: To see if the Town will vote to appropriate a sum from free cash for the purpose of refunding Trench Permit Fees that were collected by the Town prior to July 1, 2009, said sum to be expended by the Board of Selectmen, or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 17: To see if the Town will vote to appropriate a sum from free cash or transfer a sum from the Municipal Capital Stabilization Fund for the purpose of installing a telecommunication network and applications between Seekonk public schools and Town buildings, such sum to be expended by the School Committee, or take any other action relative thereto.

Submitted by: School Committee

1458
1459
1460
1461
1462
1463
1464
1465
1466
1467
1468
1469
1470
1471
1472
1473
1474
1475
1476
1477
1478
1479
1480
1481
1482
1483
1484
1485
1486
1487
1488

And you are hereby directed to serve this Warrant by posting attested copies as required by law and vote of the Town.

Hereof fail not and make return of the Warrant with your doings thereon to the Town Clerk at or before the time of said Meeting.

GIVEN UNDER OUR HANDS ON THIS _____ DAY OF JANUARY 2010.

Seekonk Board of Selectmen

Francis Cavaco, Chair

John W. Whelan, Vice Chair

Michael Brady, Clerk

David Parker

Robert L. Richardson

A True Copy Attest: _____
Constable

Date: _____