



Town Of Webster

Massachusetts

Est. 1832

Finance Committee

350 Main Street
Webster, MA 01570

Earl Gabor, Chairman
Sarah Sansom, Vice Chairman
Christine Jackel, Recording Secretary
Nick Adamopoulos
Laura Backus

Laurie Bysiewicz
Neil Dixon
Michael Finamore
Carole Marchand

MINUTES
October 5, 2017

Present: Laura Backus, Neil Dixon, Michael Finamore, Earl Gabor, Carole Marchand and Sarah Sansom

Absent: Nick Adamopoulos and Laurie Bysiewicz

The meeting of the Finance Committee was called to order on October 5, 2017 at 7:00 PM in the Board of Selectmen's meeting room by Chairman Earl Gabor. Town Administrator Doug Willardson was also in attendance.

Minutes

Motion was made by Mike Finamore and seconded by Neil Dixon to approve the minutes of September 21, 2017. Vote was unanimous; motion carried.

Warrant Article 20

Fire Chief Brian Hickey was present to discuss Warrant Article 20, and because discussion of the warrant articles was toward the end of the agenda, Chairman Gabor asked Chief Hickey to address the committee. Chief Hickey is requesting the Town to appropriate \$575,000 to purchase a new fire engine to replace Engine 5 and Ladder 2 and a tanker truck at a cost of \$565,000 which would breakdown to about \$21.50/per year /per household. The purchase if approved would be paid through borrowing. The Chief stated engine 5 is 22 years old, broke down in the Spring and difficult to get replacement parts. With regard to Ladder 2, the Chief said he is not comfortable having fire fighters climbing the ladder built in 1952; there was a problem to re-certify which cost \$8,000. He said the tanker truck built in 1998 has a 1,250 gallon tank. He said Route 16 and Upper Gore Road have had problems getting water and at times the road has been blocked. Chief Hickey said they have another truck scheduled to be funded in 2021 at a cost of \$821,000, and a pumper scheduled to be replaced in 2024 and another in 2026. Chairman Gabor said he understands the importance of the purchase, but would like more detail on the capital project and asked if there would be other costs and if training would be included.

Question was asked why not purchase a refurbished truck and Chief Hickey said it would be a waste of money, could last maybe 10-15 years and \$100,000-\$200,000 on a 25-year old truck. Chairman Gabor requested a breakdown; the Chief said he has a quote but not specifications. Mr. Finamore asked if the Town approves the full amount for the truck without having to borrow, if a capital improvement stabilization fund should be started. He said the management letter says no spending and feels we should abide by that. The Chief said he has a process to follow and the T/A agreed and he commended Chief Hickey for his analysis of the fleet.

Town Administrator's Report

Monthly Budget Report

Financial Calendar

Town Auditor Update & State Financial Update

Follow-Up from Previous Discussions on Town Inspectors

Follow-Up on Memorial Beach and Compost Revenues Including Volume

Old Business

Transfer Station Contract Update; RFP

Library Project Update

Water Capital Projects Update

New Business

Certified Free Cash

Recommendations for Warrant Articles for the Fall Town Meeting on 10/16/17

ARTICLE 1: To hear and act upon the report and recommendations of the Board of Selectmen and the Finance Committee.

Sponsored by the Board of Selectmen – *Motion made by Sarah Sansom and seconded by Mike Finamore; vote was unanimous; motion carried.*

ARTICLE 2: To see if the Town will vote to transfer from any available funds in the Treasury, a sum sufficient to the Town Administrator Unpaid Bills account for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

Sponsored by the Town Accountant – Selectmen/ Finance recommend approval – *Amount is \$7,129.00 Motion was made by Neil Dixon and seconded by Sarah Sansom to approve; vote was unanimous, motion carried.*

ARTICLE 3: To see if the Town will vote to transfer from any available funds in the Treasury, a sum sufficient to the Sewer Unpaid Bills account for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen / Finance recommend approval – Amount is \$105.00
Motion made by Sarah Sansom and seconded by Mike Finamore; vote was unanimous; motion carried.**

ARTICLE 4: To see if the Town will vote to transfer from any available funds in the Treasury, a sum sufficient to the Water Unpaid Bills account for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen / Finance recommend approval – Amount is \$3,778.46
Motion made by Mike Finamore and seconded by Neil Dixon; vote was unanimous, motion carried.**

T/A Willardson noted that Articles 2-3-4 are bills from prior years (one from 3 years ago). Vice Chairman Sansom asked if regarding Articles 3-4 if it has to be from within Sewer Retained Earnings and the T/A said it did not.

ARTICLE 5: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, sums sufficient to the following accounts:

Selectmen Vacation Incentive – **The T/A will look into this one**

Selectmen Audit Services – **The T/A said we hired a new auditor and he is more expensive than the prior one**

Town Administrator Executive Secretary – **Transferred from BOS to T/A budget**

Town Administrator Certification Stipend – **Transferred from BOS to T/A budget**

Code Enforcement Conservation Agent – **Saved \$5,000**

Public Buildings Maintenance Custodian – **Tried to cut down by ½ FTE, needed coverage for Police and Library; went back to original FTE, an increase of .5**

Fire Other Labor Part Time – **Settled Fire Collective Bargaining Agreement; slight increase of \$3,000**

Fire Vehicles – **Rounded down instead of up - \$.30**

Inspectional Services Part Time Clerk – **Person out sick, needed someone to cover**

Recreation Director – **Not funded from General Fund but from Recreational Revolving Fund**

Gas Inspector Salary – **Paid per inspection however if for whatever reason need to go for re-inspection need to pay those instances; customer cannot be charged**

Debt Principal DPW Vehicles & Debt Principal Fire Air Paks – **From previous years and had not been budgeted for; approximately \$110,000 for both; should now be on schedule. Will need to use free cash**

; or take any action thereon.

Sponsored by the Town Accountant - Selectmen / Finance recommend approval – Motion made by Sarah Sansom and seconded by Laura Backus; vote YES-4, NO-1; motion carried.

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, sums sufficient to the following accounts:

Insurances Health Insurance

Sewer Health Insurance

Water Health Insurance

The T/A said employees pay 75%; retirees pay 50%, on average Town pays 69%. Health Insurance Trust should be at that contribution level; currently the Town has a negative balance and employees have a \$500 credit. Need to have the Town make a deposit into the fund; won't know numbers until FY18 claims finished. To end FY17 employees get a credit of \$330,000. Will have to put \$350,000 – 400,000 into the account using free cash. Mr. Finamore asked if we have a Health Insurance Committee, thought someone came in once a month and consulted, and if so why didn't we know sooner there were insufficient funds. The T/A said this has been a problem for a long time and there are issues on how this was managed and the issues will be addressed. T/A said we should consider moving to a premium based plan 350 employees enrolled; T/A said he can negotiate all collective bargaining contracts at one time under MGL 21-23. If we stay self-insured, which we would still have to do for 3 months, we would need \$900,000 to cover last few months under the current plan before moving to the premium based plan. Funds for water/sewer (only 7 employees).

Mr. Adamopoulos asked how much free cash do we expect to receive and the T/A said he guess was around \$1.5m. Chairman Gabor asked about FY18 snow/ice and the T/A said if a deficit, he is holding \$40,000 for May and that could be increased. Mr. Finamore stated back 8-10 years ago we talked about removing the tanks but were told it was not funded. He said if soil tests were not done that could add to the cost and the T/A said he would look into that. T/A said the DEP has ordered the tanks be removed by July and if there were any issues, we could be fined.

T/A gave the following items/amounts for using FY2018 free cash: Articles 7-8-9: Transfer to Stabilization Fund \$45,000, \$250,000 and \$150,000; Health Claims Trust Fund \$ 375,000; Prior year debt \$110,000; DPW Snow Plow \$40,840; Fuel Storage Tank Removal \$48,000; Hold for May \$40,000; School Utility Tractor \$34,593.72; Finish School Administration Renovation \$132,852; Additional Health Claims \$125,000 – Total to be used from Free Cash is \$1,351,285.72. Mr. Adamopoulos said with the amounts given by the T/A to be taken out of free cash, it appeared that would leave us approximately \$140,000 left in free cash. He also asked when we could join the GIC Plan, July 1 or January 1. The T/A said new rates are set in March, Towns are notified by July 1 and can then join on January 1.

; or take any action thereon.

Sponsored by the Town Accountant – Selectmen / Finance recommend approval – *Motion made by Sarah Sansom and seconded by Neil Dixon; vote YES-4, NO-1, motion carried.*

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, the sum of \$45,000 to the Stabilization Fund; or take any action thereon.

Sponsored by the Town Accountant – Selectmen / Finance recommend approval – *Mr. Finamore said he felt town should start a capital fund stabilization account, putting \$530,220 into Stabilization, per the Management Letter and would propose it on the town meeting floor (as a private citizen).*

ARTICLE 8: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, the sum of \$250,000 to the Stabilization Fund; or take any action thereon.

Sponsored by the Town Accountant – Selectmen / Finance recommend approval – *Chairman Gabor suggested putting 10% into the stabilization fund making it \$260,000.*

ARTICLE 9: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, the sum of \$150,000 to the Stabilization Fund; or take any action thereon.

Sponsored by the Town Accountant – Selectmen Finance / recommend approval – The T/A said the DOR said Town is looking good. Mr. Finamore

Motion made by Mike Finamore and seconded by Neil Dixon to combine Articles 7-8-9 and approve; vote was unanimous, motion carried.

ARTICLE 10: To see if the Town will vote to accept the fourth paragraph of M.G.L. c. 40, §5B, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under M.G.L. c. 40, § 5B, with such acceptance to be effective as of July 1, 2018; or take any action thereon.

Sponsored by the Town Accountant – Selectmen / Finance recommend approval – Motion made by Sarah Sansom and seconded by Neil Dixon to approve; vote was unanimous, motion carried.

ARTICLE 11: To see if the Town will vote to dedicate all or a percentage, which may not be less than 25 percent, of the landfill solar annual base rent payment revenue to the Town Hall Improvements Stabilization Fund established under M.G.L. c. 40, § 5B, with such dedication to be effective for fiscal year 2019, beginning on July 1, 2018; or take any action thereon.

Sponsored by the Town Accountant - Selectmen / Finance recommend approval – Motion made by Sarah Sansom and seconded by Mike Finamore; vote was unanimous, motion carried.

ARTICLE 12: To see if the Town will vote to appropriate \$330,000 for the purpose of converting the existing streetlights to LED bulbs and for all incidental and related expenses; and to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority and issue bonds and notes therefor; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any action thereon.

Sponsored by the Town Administrator – Selectmen / Finance recommend approval – T/A said \$113,000 grant to start the audit and pay back in less than 2 year. The T/A said the survey has not begun yet; this will save \$170,000/year - Motion made by Mike Finamore and seconded by Sarah Sansom to approve; vote was unanimous, motion carried.

ARTICLE 13: To see if the Town will vote to adopt the “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 1, 2018, a copy of which is on file with the Town Clerk, and to amend the Town of Webster’s General Bylaws by inserting a new Chapter 329-3, entitled “Stretch Energy Code” as set forth below:

329-3 Stretch Energy Code

329-3-1. Adoption. The Town has adopted the provisions of 780 CMR Appendix 115.AA (i.e., Appendix 115.AA of the State Building Code or the “Stretch Energy Code”), as it may be amended from time to time, and incorporated said 780 CMR Appendix 115.AA into the Town’s

General Bylaws by reference.

329-3-2. Purpose. The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise applicable to the relevant sections of the State Building Code for both new commercial and residential construction and existing commercial and residential buildings.

329-3-3. Applicability. The Stretch Code shall apply to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

329-3-4. Enforcement. The Stretch Code shall be enforced by the Building Commissioner or any Inspector of Buildings.

; or take any other action relative thereto.

Sponsored by the Town Administrator – Selectmen / Finance recommend approval – *Motion made by Mike Finamore and seconded by Sarah Sansom; vote was unanimous, motion carried.*

T/A said we must adopt this to be energy efficient; we can apply for a grant up to \$100,000. There are approximately 205 communities who have adopted the “stretch energy code.” This will allow us to become a green community and we can apply for a grant up to \$100,000 to fund energy improvement projects (could possibly be used for street lights). Auburn’s initial payment was \$150,000 and they received three (3) grants \$157,000 in 2015; \$180,000 in 2016 and \$213,000 in 2017. State will be coming to the October 2 Board of Selectmen meeting and they will also be at the Town meeting.

ARTICLE 14: To see if the Town will vote to initiate the process to aggregate electrical load for its residents and businesses pursuant to Massachusetts General Laws Chapter 164, § 134, and grant the Board of Selectmen authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities or regional governmental entities, retaining the right of individual residents and businesses to opt-out of the aggregation plan; or take any other action relative thereto.

Sponsored by the Town Administrator – Selectmen / Finance recommend approval – *Motion was made by Mike Finamore and seconded by Neil Dixon to approve; vote was unanimous, motion carried.*

The T/A said towns are automatically enrolled, unless specific reason. He said in Grafton they negotiated a 19-month contract in March of 2017 and their rate was 9.7 and it is now 9.4. We can go out to bid and contract can be one year or longer. Have to put together a plan and probably not have it done until summer. Mr. Finamore asked if rate negotiated would benefit business owners; T/A said you can opt out any time. For Webster, it would be \$.04 kilo/hour savings.

ARTICLE 15: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, easements for the reconstruction of the road, sidewalk, drainage and general utility purposes on portions of properties in the vicinity of the Lake Parkway/Klebart Avenue Project; or take any action thereon.

Sponsored by the Town Administrator – Selectmen / Finance recommend approval – *Motion made by Mike Finamore and seconded; vote was unanimous, motion carried.*

The T/A said we must acquire easements and overall project cost is estimated to be \$4.8m but not sure about easement. We have to design it as part of the project through Chapter 90.

ARTICLE 16: To see if the Town will vote to accept the donation, by gift, of approximately 1.13 acres of real property located at 0 High Street made up of the four parcels 1_T_4_0, 1_T_5_0, 1_T_6_0 and 1_T_7_0, described in a deed recorded with the Worcester South District Registry of Deeds in Book 35155, Page 201; or take any action thereon.

Sponsored by the Town Administrator – Selectmen recommend approval / The T/A said the owner has had offers but owes \$14,000 in taxes so if property sold, the Town gets the money. Finance Committee feels the Board of Selectmen should make the decision. *Motion was made by Mike Finamore and seconded by Sarah Sansom to pass over for more information; vote was unanimous, motion carried.*

Approached by 0 High Street to see if we might access land behind former Montgomery Ward building; homeless living in this area (between railroad tracks and Dunkin Donuts. Board of Selectmen looking at cutting down trees and as possible additional parking space or a dog park. It is a problem location and if nothing done will continue as a place for homeless. We just do not want to take ownership and have more problems; T/A said it could be potential for downtown area.

ARTICLE 17: To see if the Town will vote to raise and appropriate, borrow or transfer from any available funds in the Treasury, the sum of \$40,840 for the purpose of financing the purchase of one (1) snow plow and frame with wing for the Highway Department; or take any action thereon.

Sponsored by the Highway Superintendent – Selectmen / Finance recommend approval – *Motion was made by Neil Dixon and seconded by Sarah Sansom to approve; vote was unanimous, motion carried.*

The T/A said the plow cannot be purchased with Chapter 90 funds.

ARTICLE 18: To see if the Town will vote to authorize the Town Administrator to enter into a contract for disposal of waste sludge from the Town's Wastewater Treatment Facility with an initial term of 10 years and the option to renew for two additional 5-year terms for a total contract term not to exceed 20 years; or take any action thereon;

Sponsored by the Town Administrator – Selectmen / Finance recommend approval – *Motion made by Sarah Sansom and seconded by Neil Dixon to approve; vote was unanimous, motion carried.*

The T/A said we will have prices before Town meeting. It is paid by tonnage. If we stay with person doing it now or a new one, we can put in a clause to terminate at our convenience should something come up. The 5-year term is at our discretion.

ARTICLE 19: To see if the Town will vote to appropriate a sum sufficient for the purpose of incorporating the sewer pump stations into the SCADA (Supervisory Control and Data Acquisition) System and for all incidental and related expenses. To meet said appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority; or take any action thereon.

Sponsored by the Sewer Superintendent – Selectmen / **Finance** recommend approval – The T/A said the rates will go up 12% in May, 9% sewer and 3% water, then flat next few years. *Motion made by Earl Gabor and seconded by Sarah Sansom to approve; Vote YES-3 NO-2; motion carried.*

The T/A provided a handout for the Waste Water remote pumping stations SCADA updates. Phase one has been completed and the second phase of the SCADA upgrades is now being proposed. The project required the updated radio communications on the water tank and waste water treatment plant work to occur, before or simultaneously to be effective. In addition, the cost of the total project was significant, so the decision was made to phase the budget into two (2) capital expenditures. The currently proposed phase of the SCADA system upgrades include all waste water remote pump stations. All the benefits described will apply and each station will communicate via licensed radio to the waste water treatment plant's main SCADA computer. The ability to monitor station flows, wet well levels, pump status, as well as real-time alarms for each station will be a major improvement. The waste water pump stations are a primary piece of municipal infrastructure and the ability to monitoring of these assets and respond to problems quickly is critical in avoiding system disruptions or environmental impacts. A large number of the pump stations are around Webster Lake, which is clearly a valued recreational asset in the community, and the proposed improvements will provide safeguards that are currently not as robust. Estimate is \$800,000; T/A will double check but he thinks increase is 9%.

There were some questions/concerns about the water/sewer rate being increased, additional hot spots and what impact that would have and feel the T/A must be responsible concerning costs and upgrades. The T/A said he will have the capital plan by October 2. Mr. Dixon suggested a timeline be put on the Town website for people to access.

ARTICLE 20: To see if the Town will vote to appropriate \$575,000 for the purpose of purchasing a new fire engine, including associated equipment and all related incidental costs, to replace Engine 5 and Ladder 2, and that to meet said appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority and issues bonds and notes therefore; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any action thereon.

Sponsored by the Fire Chief – Selectmen recommend approval / *Motion made by Sarah Sansom and seconded by Mike Finamore to pass over for more information; vote was unanimous, motion carried.*

The T/A said the Chief would like to purchase one fire apparatus truck to replace engine 5 which would cost \$565,000. They have another truck scheduled to be funded in 2021 at a cost of \$821,000 and a pumper scheduled to be replaced in 2024 and another in 2026. Chairman Gabor said he understands the importance but wanted to know if other towns do the same. Chairman Gabor requested the Fire Chief come to the October meeting to answer questions the committee has.

ARTICLE 21: To see if the Town will vote to raise and appropriate, or transfer from any available funds in the Treasury, or borrow a sum of money to fund the removal of the underground fuel storage tank at the

fire station including all incidental and related costs; the present estimated cost being \$48,000.00; or take any action thereon.

Sponsored by the Fire Chief – Selectmen / Finance recommend approval – Mr. Finamore asked if we could fill them with clean sand; T/A said no we could not. This is mandated by the DEP. *Motion made by Earl Gabor and seconded by Sarah Sansom to approve; vote was unanimous, motion carried.*

ARTICLE 22: To see if the Town will vote to accept the provisions of M.G.L. Chapter 48, Sections 42, 43, and 44, establishing a Fire Department under the control of the officer known as the Chief of the Fire Department; or take any action thereon.

Sponsored by the Fire Chief – Selectmen / Finance recommend approval – *Motion made by Sarah Sansom and seconded by Neil Dixon to approve; vote was unanimous, motion carried.*

The T/A said currently the Chief is under the Board of Fire Engineers.

ARTICLE 23: To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, §5, clause 54, which will allow the Town to establish a minimum fair cash value not in excess of \$4,000 required for personal property accounts to be taxed, which minimum value may be modified by future vote of the Town Meeting; or take any action thereon.

Sponsored by the Town Assessor – Selectmen / Finance recommend approval –Mr. Finamore said the amount stated in the management letter was \$3,000. *Motion made by Sarah Sansom and seconded by Neil Dixon to approve; vote was unanimous, motion carried.*

ARTICLE 24: To see if the Town will vote to appropriate the sum of \$34,593.72 to purchase and equip a John Deere 3033R Compact Utility Tractor with a Mower and Snow Blower, with the funding to come from Free Cash; or take any action thereon.

Sponsored by the School Department – Selectmen / Finance recommend approval - Mr. Finamore said he felt the school should pay. *Motion made by Sarah Sansom and seconded by Neil Dixon to approve; vote YES-4 NO-1, motion carried.*

Chairman Gabor asked if this can plow sidewalks and Mr. Avlas said yes, it can be used winter and summer. Mr. Dixon said the track base is 53” from outside to outside; sidewalks basically outside to curbing about 72.” Mr. Avlas said it is the same as what they purchased and use at Park Avenue and the Middle School.

ARTICLE 25: To see if the Town will vote to raise and appropriate, transfer from any available funds in the Treasury, or borrow the sum of \$132,852 for the purpose of renovating, constructing improvements, remodeling, reconstructing, making extraordinary repairs to the Bartlett High School for use as School Administration Offices, including but not limited to costs for planning, design, site preparation, construction, furnishing and equipping, as well as all other costs incidental or related thereto; or take any action thereon.

Sponsored by the School Department – Selectmen recommend approval – *Motion made by Mike Finamore and seconded by Sarah Sansom to pass over for more information; vote was unanimous, motion carried.*

Mr. Avlas said that Bay Path has been working on the renovation project since school began in September. He said the work is coming along nicely. He said the keyless entry is not in yet, the infrastructure is in place, but need to use keys at this time. He said there is a local

company willing to donate furniture and he has seen it, said it is high quality. Mr. Avlas provided copies of the Renovation Budget Update Costs and Total Bay Path/Other which includes: supervisory/labor, finish carpentry, acoustical tile ceilings, painting, plumbing and wiring (electrical/date/security). is \$55,342.00. Total for Contractors: wood doors and hardware, resilient flooring, carpet/base is \$76,511.00 for a Total of \$132,852.00 to occupy. Mr. Avlas said he will assure the Town the school will not come back for more money (after it failed in May). He said there is a “wish list” which would amount to \$38,781.00 and that would bring the cost to \$171,634.009.

ARTICLE 26: To see if the Town will vote to amend the Town of Webster Zoning Map referenced in Section 650-13 of the code of the Town of Webster to re-zone an 87,472 square foot (2.008 acres) parcel of land from the current zoning of Single Family Residential (SFR) District to a zone of Business without Sewer (B-5) District identified as said real estate in the Town of Webster located on Old Worcester Road in the County of Worcester in the Commonwealth of Massachusetts as shown on the map entitled “Proposed Old Worcester Road Zoning Map Amendment – Webster, Massachusetts” dated July 6, 2017, and as shown on as Lot 1 on the Plan entitled “Plan of Property Surveyed for the Roman Catholic Bishop of Springfield, Old Worcester Road, Webster Massachusetts” dated June 14, 2017, prepared by Jarvis Land Survey, Inc. 29 Grafton Circle, Shrewsbury, MA 01545 and shown on a plan on file with the Town Clerk’s Office; or take any action thereon.

Sponsored by the Director of Planning and Economic Development – Selectmen / Finance recommend approval – *Motion made by Neil Dixon and seconded by Laura Backus; vote was unanimous, motion carried.*

The T/A said this is to take 2 acres out of residential and put into commercial for business to expand, adjacent to St. Joseph Cemetery.

ARTICLE 27: To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section XII, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS,

1. ZBL new Article XII entitled Temporary Moratorium on Recreational Marijuana Establishments as follows:

§650:92 Temporary Moratorium on Recreational Marijuana Establishments

A. Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018, and to begin accepting applications for licenses no later than April 1, 2018.

Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

B. Definition

"Recreational Marijuana Establishment" shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

C. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through December 31 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues at the regularly scheduled Spring Annual Town Meeting.

; or take any action thereon.

Sponsored by the Board of Selectmen – Selectmen / Finance recommend approval – *Motion made by Mike Finamore and seconded by Sarah Sansom to approve; vote was unanimous, motion carried.*

The T/A said the state has not yet developed the plan and we want to put a moratorium on it until December 2018.

ARTICLE 28: To see if the Town will vote to amend the Town of Webster Waterways and Boating: Lake Rules and Regulations By-Laws, Chapter 635 by adding a new section 635-33.5 as follows:

Personal Watercraft – Launching Restrictions

Personal Watercrafts, or jet skis, shall be prohibited from being launched at the Town of Webster Memorial Beach Boat Ramp by individuals who are not residents of the Town of Webster.

Any personal watercraft launched at the Town of Webster Memorial Beach Boat Ramp shall be registered with the Massachusetts Environmental Police utilizing a Webster Address or shall be towed into Memorial Beach by a vehicle registered with the Massachusetts of Motor Vehicles utilizing a Webster address. Proper documentation shall be provided upon request of an employee of the Town of Webster Parks and Recreation Department.

Personal watercraft not meeting the above listed requirements shall not be allowed entrance into Memorial Beach Park.

Nothing in this section shall restrict a seasonal resident of Webster Lake, with proper documentation of property ownership, from launching a Personal Watercraft at the Town of Webster Memorial Beach Boat Ramp. Further, nothing in this section shall prohibit the use of any Personal Watercraft on Webster Lake nor shall it prohibit the lawful launching of any Personal Watercraft at any other public or private boat launch located within the Town of Webster.

; or take any action thereon.

CITIZEN'S PETITION – SELECTMEN DEFER – Mr. Finamore questioned if it was legal to turn away people at the gate, and could be a problem. *Motion made by Sarah Sansom and seconded by Earl Gabor; vote was unanimous, motion carried.*

The T/A said this is meant to reduce the traffic on the lake. There is a police officer there on weekends. Mr. Finamore said we have the right to regulate the beach, and now are illegally doing this at Waterfront Mary's. His concern is what will happen if we enforce it. Mr. Adamopoulos said with the number of jet skis bringing people in on weekends, it creates dangerous situations. Mr. Finamore said if we don't put a dollar value on a fine, it may be thrown out; the T/ said he will look into it. Ms. Backus asked if we considered getting a jet ski or larger boat for the harbormaster to patrol, and then fines might offset the cost. Mr. Adamopoulos said adjacent states have certification for jet skis but we do not. Chairman Gabor said there is concern on how this will affect the Town. The T/A said he can invite the sponsor.

ARTICLE 29: To see if Town will vote to accept Dominique Drive from STA 0+00 to 3+00; or take any action thereon.

CITIZENS PETITION – SELECTMEN DEFER – *Motion made by Neil Dixon and seconded by Sarah Sansom to pass over for more information; vote was unanimous, motion carried.*

The Board of Selectmen is aware.

ARTICLE 30: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town to release from that certain conservation restriction conveyed to the Town and recorded with the Worcester District Registry of Deeds in Book 36251, Page 160, which restriction is currently held in the care, custody and control of the Conservation Commission, a portion of the land now subject to that restriction located at 35 Sunny Avenue and known as Assessors Parcel ID 44-A-5-0, said portion consisting of two parcels of land together having an area of 0.25 acres, more or less, and approximately depicted as "Area To Be Taken Out of Restriction Area, 3368.263 Sq. Ft., 0.08 Acres, Lot A" and "Area To Be Taken Out of Restriction Area, 7578.967 Sq. Ft., 0.17 Acres, Lot B" on that plan entitled: "Preliminary Co[n]servation Site Plan Lot B, Konkell Avenue, Webster, Massachusetts, Applicant(s)/Owner(s) CJP Construction, Inc., Charlton Street, Dudley, MA," dated 5/7/09, prepared by

HS&T Group, Inc., a copy of which has been placed on file with the Town Clerk; and, to the extent necessary, for such permission as may be required by the provisions of Article 97 of the Amendments to the Massachusetts Constitution, all as set forth below; 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 which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments:

AN ACT RELATIVE TO A CERTAIN CONSERVATION RESTRICTION IN THE TOWN OF WEBSTER

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

SECTION 1. The Town of Webster, acting by and through its Board of Selectmen and Conservation Commission, may amend the conservation restriction granted to the Town by CJP Construction, Inc., in an instrument recorded with the Worcester Registry of Deeds in book 36251, page 160 by releasing therefrom two parcels of land together having an area of 0.25 acres, more or less, and approximately depicted as "Area To Be Taken Out of Restriction Area, 3368.263 Sq. Ft., 0.08 Acres, Lot A" and "Area To Be Taken Out of Restriction Area, 7578.967 Sq. Ft., 0.17 Acres, Lot B" on that plan entitled: "Preliminary Co[n]servation Site Plan Lot B, Konkell Avenue, Webster, Massachusetts, Applicant(s)/Owner(s) CJP Construction, Inc., Charlton Street, Dudley, MA," dated 5/7/09, prepared by HS&T Group, Inc.

SECTION 2. As consideration for the amendment to the conservation restriction authorized in section 1, the owner of the land described in section 1 shall grant a conservation restriction to the town of Webster on two parcels of land together having an area of approximately 0.75 acres, more or less, and approximately depicted as "Area To Be Added To The Conservation Restriction Area, 11,341 S.F., .26 Acres" and "Area To Be Added To The Conservation Restriction Area, 21,500 S.F., .49 Acres" on the above-described plan.

SECTION 3. This act shall take effect upon its passage.

And further, to transfer the Town's interest in that portion of 35 Sunny Avenue described above, from the Conservation Commission for the purposes for which it is held, to the Board of Selectmen and the Conservation Commission for the purpose of releasing and conveying such interest, and to authorize the Board of Selectmen and the Conservation Commission to release and convey such interest in land upon such terms and for such consideration as they deem appropriate, which consideration may include the acquisition of a conservation restriction in two parcels of land together having an area of approximately 0.75 acres, more or less, and approximately depicted as "Area To Be Added To The Conservation Restriction Area, 11,341 S.F., .26 Acres" and "Area To Be Added To The Conservation Restriction Area, 21,500 S.F., .49 Acres" on the above-described plan, said lands being a portion of Assessors Parcel ID 40-D-13-46 and Assessors Parcel ID 40-D-13-33, with such restriction to be held in the care, custody and control of the Conservation Commission, and to authorize the Board of Selectmen and the Conservation Commission to acquire such interests in land by purchase, gift, or eminent domain, and to enter into all agreements and execute any and all instruments as may be necessary in the name of the Town to effect the abovesaid disposition and acquisition and to secure the permanent protection of such lands for conservation purposes.

; or take any action thereon.

Sponsored by the Board of Selectmen / **Finance** recommend approval – Acres could be on buildable lots; was on last year's warrant but did not provide maps. – *Motion made by Sarah Sansom and seconded by Laura Backus to approve; vote was unanimous, motion carried.*

The T/A said he feels we should invite Ms. Grabowski to the meeting. Land is contiguous with the current conservation.

Recommendations for Warrant Articles for Special Town Meeting on 10/30/17

ARTICLE 1: To hear and act upon the report and recommendations of the Board of Selectmen and the Finance Committee.

Sponsored by the Board of Selectmen

ARTICLE 2: To see if the Town will vote pursuant to the provisions of G.L. c.43B, §10(a) to amend the Town Charter by making ministerial, clerical, minor and moderate revisions thereto, as recommended by the Charter Review Committee in a document entitled, "Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017", on file in the office of the Town Clerk and available on the Town's website at: <http://www.webster-ma.gov> with all changes detailed in the "Changes" column and identified as Grammar/Punctuation, Minor, or Moderate; or take any action thereon.

Sponsored by the Charter Review Committee – Finance Committee Recommend Approval – Motion made by Sarah Sansom and seconded by Mike Finamore to approve; vote was unanimous, motion carried.

ARTICLE 3: To see if the Town will vote pursuant to the provisions of G.L. c.43B, §10(a) to the extent that the Town takes positive action under Article 2, to amend the Town Charter to change the manner of selection of the Town Collector, Town Treasurer and Chief Assessor from elected to appointed, as recommended by the Charter Review Committee in a document entitled, "Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017", on file in the office of the Town Clerk and available on the Town's website at: <http://www.webster-ma.gov>, and to do so, by:

- deleting in Section 3-1(a), Elected Offices, the words "a Board of Assessors", "a Town Treasurer", and "a Town Collector";
- deleting in Section 3-1(f), Filling of Vacancies, Town Officer, the words, "town collector or town treasurer";
- inserting in Section 3-2(d), Board of Selectmen, Appointments, in the list of officers appointed by said board, the words "a town treasurer", "a town collector", "a chief assessor", "a water and sewer commission", and "three (3) members of the finance committee;
- deleting the provisions of Sections 3-5, 3-7, and 3-8, and renumbering the remaining sections accordingly;

And in order to implement the changes contemplated hereunder, by inserting a transition section at the conclusion of Chapter 8, providing as follows:

Following the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the elected incumbent town treasurer and town collector shall serve for the remainder of their respective elected terms or sooner resignation or vacating of office; upon the expiration of the elected term or such resignation or sooner vacating of office, the elected office shall be abolished and the board of selectmen may immediately appoint a town treasurer or town collector in accordance with section 3-2(d). Upon the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the elected office of board of assessors shall be abolished and the terms of the remaining members terminated. The board

of selectmen may immediately appoint a chief assessor pursuant to section 3-2(d), and service as an elected assessor shall not be a disqualification for appointment.

;or take any action thereon.

Sponsored by the Charter Review Committee – Finance Committee Recommends Approval – Motion made by Mike Finamore and seconded by Neil Dixon to approve; vote was unanimous, motion carried.

ARTICLE 4: To see if the Town will vote pursuant to G.L. c.43B, §10(a) to the extent that the Town takes positive action under Article 2, to amend the Town Charter to decrease the number of members on the Finance Committee from fifteen (15) to nine (9), as recommended by the Charter Review Committee in a document entitled, “Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017”, on file in the office of the Town Clerk and available on the Town’s website at: <http://www.webster-ma.gov>, and to do so by deleting in the newly re-numbered Section 3-6(a), Finance Committee, Composition, Term of Office, the word “fifteen” and inserting in place thereof the following, “nine (9)”; and replacing the word “five” with the word “three (3)” in each place in which it appears, so that Section 3-6(a) will provide as follows:

There shall be a finance committee which shall consist of nine (9) members, three (3) of these members shall be elected by the voters, three (3) of these members shall be appointed by the board of selectmen, and three (3) of these members shall be appointed by the town moderator. All of the members of the finance committee shall serve for terms of three (3) years each, so arranged that the term of office of an equal number of members shall expire each year.

And, in order to implement the changes contemplated hereunder, by inserting a transition section at the conclusion of Chapter 8, providing as follows:

Following the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the finance committee shall be reduced from fifteen (15) members to nine (9) members as set forth herein, provided, however, that such reduction in membership shall not prematurely terminate the term of any elected or appointed member, but instead shall be accomplished by attrition. Of the members appointed by the board of selectmen, the first two (2) vacancies shall not be filled and such positions shall thereupon be abolished. Of the members appointed by the town moderator, the first two (2) vacancies shall not be filled and such positions shall thereupon be abolished. The first two (2) elected positions expiring more than sixty four (64) days after the effective date of this charter shall not appear on the ballot to be filled, and upon such expiration of terms the elected positions shall be abolished. No person serving as an appointed or elected member of the finance committee whose term expires and whose position is abolished as a result of this section shall serve as a so-called “holdover”.

;or take any action thereon.

Sponsored by the Charter Review Committee – Finance Committee Recommends Approval – Motion made by Mike Finamore and seconded by Neil Dixon to approve; vote was unanimous, motion carried.

ARTICLE 5: To see if the Town will vote pursuant to G.L. c.43B, §10(a), to the extent that the Town takes positive action under Article 2, to amend the Town Charter to increase the size of the Board of Health from three (3) to five (5) members, with the two (2) new members to be appointed, as recommended by the Charter Review Committee in a document entitled, “Town of Webster Home Rule Charter As

recommended by the Charter Review Committee 2017”, on file in the office of the Town Clerk and available on the Town’s website at: <http://www.webster-ma.gov>, and to do so by:

- inserting in Section 3-1(a), Elected Offices, the words “three (3) members of” prior to the words, “a board of health,”
- deleting the text of Section 3-10(a), Board of Health, Composition, Term of Office, and inserting in place thereof the following:

There shall be a board of health which shall consist of five (5) members—three (3) of these members shall be elected by the voters and two (2) of these members shall be appointed by the town administrator in accordance with the provisions of section 4-2(b) of this charter. All of the members of the board of health shall serve for terms of three (3) years each, so arranged that the terms of office of an equal number of members shall expire each year.

And further, in order to implement the changes contemplated hereunder, by inserting a transition section at the conclusion of Chapter 8, providing as follows:

Following the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the town administrator shall, in accordance with the provisions of section 4-2(b) of this charter, appoint two (2) members to the board of health – one (1) for a two (2) year term and one (1) for a three (3) year term.

;or take any action thereon.

Sponsored by the Charter Review Committee – Finance Committee Recommends Approval – Motion made by Neil Dixon and seconded by Mike Finamore to approve; vote was unanimous, motion carried.

ARTICLE 6: To see if the Town will vote pursuant to G.L. c.43B, §10(a) to the extent that the Town takes positive action under Article 2, to amend the Town Charter to replace the Water and Sewer Advisory Board with a newly created Water and Sewer Commission by deleting Section 5-5, “Water and Sewer Advisory Board” in its entirety, and inserting a new section, 5-4: “Water and Sewer Commission”, as recommended by the Charter Review Committee in a document entitled, “Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017”, on file in the office of the Town Clerk and available on the Town’s website at: <http://www.webster-ma.gov>, as follows:

Section 5-4 Water and Sewer Commission

- (a) Composition, term of office - There shall be a water and sewer commission consisting of five (5) members appointed by the board of selectmen for terms of three (3) years each so arranged that the term of office of as nearly an equal number of members as is possible shall expire each year. In addition, the director of public works and superintendents of the water and sewer departments shall serve by virtue of their offices, shall each have a voice but no vote, and shall not count towards the quorum required hereunder. The town administrator may attend all meetings of the water and sewer commission, and shall have a voice but not vote.
- (b) Powers and duties - The water and sewer commission shall be responsible for advising the town on the adequacy of the public sewer system and the quantity and quality of the public water supply. The commission may recommend that the town take by eminent domain or

acquire by purchase or otherwise, and hold the waters of any portion thereof, of any pond, brook, spring, stream or groundwater sources within the town limits, not already appropriated for purposes of public water supply, and any water or flowage rights connected therewith; and also for said purpose they may recommend that the town may take by eminent domain, or acquire by purchase or otherwise, and hold all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof, as well as any other matters falling within its jurisdiction as set forth herein. The commission shall grant abatements on a quarterly basis as well as set annual water and sewer rates after a public hearing for which at least two weeks' notice is provided by posting on the town website.

And further, in order to implement the changes contemplated hereunder, by inserting a transition section at the conclusion of Chapter 8, providing as follows:

Upon the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the water and sewer advisory board shall be abolished and the terms of any incumbent members thereof terminated. The board of selectmen shall forthwith make appointments to the water and sewer commission. Initial appointments shall be made as follows: two (2) for three (3) year terms, two (2) for two (2) year terms; and one (1) for a one (1) year term. Thereafter, appointments shall be made for three (3) year terms in accordance with section 5-4(a). Notwithstanding any other provision of section 5-4(b) to the contrary, the board of selectmen shall continue to be responsible for setting water and sewer rates until one (1) year following the effective date of this charter amendment. Thereafter the water and sewer rates shall be set by the water and sewer commission in accordance with section 5-4(b).

;or take any action thereon.

Sponsored by the Charter Review Committee – Finance Committee Recommends Approval – Motion was made by Neil Dixon and seconded by Sarah Sansom to pass over for more information; vote was unanimous, motion carried.

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from any available funds in the Treasury, or borrow a sum sufficient for the purpose of constructing a water treatment plant, including but not limited to costs for planning, design, site preparation, construction, furnishing and equipping, as well as all other costs incidental or related thereto and, if necessary, to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority and issue bonds and notes therefor; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any action thereon.

;or take any action thereon.

Sponsored by the Town Accountant – Finance Committee Pass Over for More Information

Review FinCom Mission Statement, Goals and Member Guidelines

Discuss Methods to Track Follow-Up Duties

Set Future Meeting Dates

Adjournment

There being no further business, motion was made by Mike Finamore seconded by Neil Dixon to adjourn at 9:55 PM.

Respectfully submitted,

Christine Jackel. Recording Secretary

Documents Reviewed:

- Budget Reports
- Minutes of September 21
- Financial Calendar
- Town Auditor Update
- Webster Public Library Project Budget
- ATM Warrant Articles
- FinCom Mission Statement, Goals & Member Guidelines