

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEBSTER
SPECIAL TOWN MEETING WARRANT
May 14, 2012**

Worcester, ss

To either of the Constables in the County aforesaid:

In the name of the Commonwealth of Massachusetts you are hereby required and directed to notify and warn the inhabitants of the Town of Webster aforesaid who are qualified to vote in elections and Town affairs to meet in the Bartlett High School Auditorium, 52 Lake Parkway in said Webster, on **Monday, May 14, 2012 at 6:00 PM** then and there to act on the following Articles to wit:

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 - Selectmen and Finance Committee recommend approval

ARTICLE 2: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient to the Town Administrator Unpaid Bills Account #0112352 579000 for the purpose of funding the payment of FY2011 unpaid invoices; or take any action thereon.

Sponsored by the Town Accountant - Selectmen and Finance Committee recommend approval

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient for the purpose of paying current year BAN interest costs; or take any action thereon.

Sponsored by the Treasurer - Selectmen and Finance Committee recommend approval

ARTICLE 4: To see if the Town will vote to raise and appropriate, borrow or transfer from any available funds in the Treasury, a sum sufficient for Student Transportation; or take any action thereon.

Sponsored by the School Committee - Selectmen and Finance Committee refer to Sponsor

ARTICLE 5: To see if the Town will vote to transfer the sum of \$6,000.00 from the Police Dispatchers Regular Overtime Account #0121151 513000 to the Police Vehicle Maintenance Account #0121052 524003; or take any action thereon.

Sponsored by the Police Department - Selectmen and Finance Committee recommend approval

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, the sum of \$44,500.00 as follows:

\$36,000.00 to the Police Regular Overtime Account #0121051 513000

\$2,500.00 to the Police Office Supplies Account #0121052 542000

\$1,000.00 to the Police Telephone/Communications Maintenance Account #0121052 524006

\$5,000.00 to the Police Employee Training Account #0121052 530008

;or take any action thereon.

Sponsored by the Police Department - Selectmen and Finance Committee refer to Sponsor

ARTICLE 7: 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 by re-designating certain parcels of land from the current zoning of Single-Family Residential (S.F.R.) to a zone of Business with Sewer (B-4), identified as said real estate in the Town of Webster located on Harry's Way, Old Worcester Road and Bigelow Road in the County of Worcester in the Commonwealth of Massachusetts as shown on Assessors Plat 23, Lots A2, A3, A3.1, A3.2, A3.3 and Assessors Plat 18 Lot B1. The subject parcels consist of 47.5 acres of land, more or less. Said parcels are currently assessed to Webster-Dudley Sand & Gravel, Sunny Shores estates/Ralph Leo, Harry and Elizabeth Leo, DJJ Realty and Henry J. Ceppetelli Co., Inc. Said described land to be re-designated is bounded as follows: To the north by land currently designated as Business with Sewer (B-4) zone, by land now or formerly of St. Joseph's Cemetery, and by land now or formerly of the Town of Webster; To the west by Bigelow Road; To the south by the center line of Mill Brook, and by land now or formerly of New England Power Company; and To the east by land now or formerly of the Town of Webster Mt. Zion Cemetery; or take any other action thereon.

Sponsored by the Planning Board - Selectmen and Finance Committee take no action

ARTICLE 8: To see if the Town will vote to transfer the sum of \$15,000.00 from the Sewer Sludge Treatment/Disposal Account #6046052 529005 to the Sewer Capital Outlay Account #6046058 580000 to fund the replacement of the generator transfer switch located in the Wastewater Treatment Facility's pump house; or take any action thereon.

Sponsored by the DPW/Sewer Division - Selectmen and Finance Committee recommend approval

ARTICLE 9: To see if the Town will vote to raise and appropriate, borrow or transfer from any available funds in the Treasury, a sum sufficient for the purpose of financing the purchase and equipping of two (2) replacement vehicles for the Highway Department; or take any action thereon.

Sponsored by the DPW/Highway Division - Selectmen and Finance Committee recommend approval

ARTICLE 10: To see if the Town will vote to transfer the sum of \$50,000.00 from Sewer Retained Earnings for the purpose of financing the purchase and equipping of one (1) replacement vehicle for the Sewer Department; or take any action thereon.

Sponsored by the DPW/Sewer Division - Selectmen and Finance Committee recommend approval

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient to the DPW Repairs and Maintenance Account #0142052 524022 for the purpose of funding payment to Little River Recycling, Inc. pursuant to the provisions of the Processing Agreement between the Town of Webster and Little River Recycling, Inc. dated September 27, 2007; or take any action thereon.

Sponsored by the Town Accountant - Selectmen and Finance Committee recommend approval

ARTICLE 12: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the licensing authority to issue an all alcoholic beverages license to Eastern Pearl, LLC, as set forth below; provided, however, that the General Court shall be authorized to make editorial changes of form only to said bill unless the Board of Selectmen approves amendments prior to enactment, and to authorize the Board of Selectmen to approve such changes as may be within the public purposes of this petition:

An Act Authorizing the Town of Webster to Convert an Existing License for the Sale of Wine and Malt Beverages to a License for the Sale of All Alcoholic Beverages to be Drunk on the Premises

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws or of any other general or special law to the contrary, the licensing authority of the town of Webster may convert an existing license issued under section 12 of said chapter 138 for the sale of wine and malt beverages to be drunk on the premises issued to Eastern Pearl, LLC d/b/a Eastern Pearl, at 290 Main Street in said Webster to a license for the sale of all alcoholic beverages to be drunk on the premises. The license shall be subject to all of said chapter 138, except said section 17. The licensing authority shall not approve the transfer of the license to any other person, organization, corporation or location.

SECTION 2. This act shall take effect upon its passage.
Or take any other action thereon.

Sponsored by the Town Administrator - Selectmen and Finance Committee recommend approval

ARTICLE 13: To see if the Town will vote to accept the provisions of the 14th Paragraph of MGL Chapter 138, Section 12 (Alcoholic Liquors - Licenses authorizing sale of beverages to be drunk on premises), which reads as follows: "In any city or town which votes to accept the provisions of this paragraph, a common victualler, who holds a license under this section to sell wines and malt beverages may, upon written approval, also sell liqueurs and cordials pursuant to said license, subject, however, to all other licensing provisions of this chapter."; or take any action thereon.

Sponsored by the Town Administrator - Selectmen recommend approval

ARTICLE 14: To see if the Town will vote to convey the parcel of land, located at South Main Street, containing 700 square feet, more or less, and shown as Parcel B on a plan entitled "New Webster Police Department Main Street Webster, MA," dated April 8, 2012, prepared by The Lawrence Associates (the "Plan"), said Plan on file with the Town Clerk, on such terms and conditions and for such consideration, which may be in consideration for the exchange of the land hereinafter described, as the Board of Selectmen deems to be in the best interests of the Town; and further authorize the Board of Selectmen to acquire, for general municipal purposes, in consideration for the parcel the Town is to convey, a parcel, containing 735 square feet, more or less, identified as Parcel A on the Plan; both of which parcels are described in further detail below;

PARCEL A - LAND TO BE CONVEYED TO THE TOWN OF WEBSTER

The following is a description of a certain proposed Parcel of land situated on the northwesterly side of South Main Street in Webster, Worcester County, Massachusetts and shown on the accompanying plan dated April 6, 2012 and is more particularly bounded and described as follows:

Beginning at a point on the northwesterly side of South Main Street, said point being at the southeast corner of land of the Town of Webster as described in a deed recorded in Book 47878 Page 317;

Thence, running N 28°07'29" W along land of Ghassan Nayfeh a distance of 81.60 feet to a point;

Thence, running N 00°41'41" W along land of Ghassan Nayfeh a distance of 30.38 feet to a point;

Thence, running S 22°21'18" E a distance of 108.61 feet to a point on the northwesterly side of South Main Street;

Thence, running S 52°29'08" W along the northwesterly side of South Main Street a distance of 3.12 feet to the point of beginning.

Said Parcel contains 735 sq.ft. of area, more or less.

PARCEL B - LAND TO BE CONVEYED BY THE TOWN OF WEBSTER

The following is a description of a certain proposed Parcel of land situated off the northwesterly side of South Main Street in Webster, Worcester County, Massachusetts and shown on the accompanying plan dated April 6, 2012 and is more particularly bounded and described as follows:

Beginning at a point bearing the following courses and distances from the southeast corner of land of the Town of Webster as described in a deed recorded in Book 47878 Page 317; namely: running N 28°07'29" W along land of Ghassan Nayfeh a distance of 81.60 feet to a point; thence, running N 00°41'41" W along land of Ghassan Nayfeh a distance of 30.38 feet to a point; and continuing N 00°41'41" W along land of Ghassan Nayfeh a distance of 44.63 feet to a corner of land of said Town of Webster;

Thence, from said true point of beginning, running N 38°21'33" E a distance of 55.55 feet to a point on the westerly line of land of said Ghassan Nayfeh;

Thence, running S 10°34'56" E along land of Ghassan Nayfeh a distance of 33.40 feet to a corner of land of said Town of Webster;

Thence, running S 75°12'13" W along land of Ghassan Nayfeh a distance of 42.00 feet to the true point of beginning.

Said Parcel contains 700 sq.ft. of area, more or less.

Or take any other action relative thereto.

Sponsored by the Town Administrator - Selectmen and Finance Committee recommend approval

And you are directed to serve this warrant by publishing attested copies thereof in a newspaper published within the Town of Webster at least fourteen (14) days preceding the meeting and by posting attested copies thereof with the Town Clerk and filing in the Public Library.

Thereof fail not and make due return of your doings thereon to the Town Clerk at the time and place of holding said meeting. Given under our hands this Ninth Day of April in the year of our Lord Two Thousand and Twelve.

WEBSTER BOARD OF SELECTMEN

Walter D. Ricci, Chairman

Donald D. Bourque, Vice Chairman

Jeffrey P. Duggan

Mark G. Dowgiewicz

Deborah A. Keefe