



# Town of Webster



## Town Meeting Guide

May 8, 2023

# TABLE OF CONTENTS

# PAGE

TOWN MEETING INFORMATION .....	4
--------------------------------	---

## SPECIAL TOWN MEETING ARTICLES

ARTICLE 1. GENERAL FUND PRIOR YEAR BILLS .....	7
ARTICLE 2. SEWER ENTERPISE FUND PRIOR YEAR BILLS.....	7
ARTICLE 3. WATER ENTERPRISE FUND PRIOR YEAR BILLS .....	8
ARTICLE 4. FUND SNOW AND ICE DEFICIT.....	8
ARTICLE 5. AUTHORIZE TRANSFER OF PARK AVE FUNDS .....	9
ARTICLE 6. APPROPRIATION FOR TOWN CAPITAL PROJECTS .....	9
ARTICLE 7. APPROPRIATION FOR SEWER DEPARTMENT CAPITAL PROJECTS.....	12
ARTICLE 8. APPROPRIATION FOR WATER DEPARTMENT CAPITAL PROJECTS.....	14
ARTICLE 9. RESCUE TRUCK.....	16
ARTICLE 10. LIBRARY GENERATOR.....	17
ARTICLE 11. NUISANCE PROPERTY ASBESTOS ABATEMENT.....	17
ARTICLE 12. APPROPRIATE TO THE STABILIZATION FUND.....	18
ARTICLE 13. WASTE WATER TREATMENT PLANT AERATION SYSTEM PHASE I.....	18
ARTICLE 14. WASTE WATER TREATMENT PLANT AERATION SYSTEM PHASE I.....	19
ARTICLE 15. SEWER COLLECTION SYSTEM REHABILITATION CONSTRUCTION.....	19
ARTICLE 16. PFAS WATER TREATMENT PLANT.....	20
ARTICLE 17. APPROPRIATION FOR FY23 SEWER DEFICITS.....	21

## ANNUAL TOWN MEETING ARTICLES

ARTICLE 1. REPORTS FROM THE FINANCE COMMITTEE OR BOARD OF SELECTMEN .....	22
ARTICLE 2. FY2024 GENERAL FUND ANNUAL BUDGET.....	22
ARTICLE 3. FY2024 SEWER ANNUAL BUDGET .....	23
ARTICLE 4. FY2024 WATER ANNUAL BUDGET .....	23
ARTICLE 5. AUTHORIZE SHORT-TERM BORROWINGS .....	24
ARTICLE 6. DEPARTMENTAL REVOLVING FUNDS .....	24
ARTICLE 7. CREATE BUDGET FOR CABEL ACCESS .....	25
ARTICLE 8. ACCEPTANCE OF DAVIS STREET AS A TOWN WAY .....	25
ARTICLE 9. AMEND BY-LAWS – NONCRIMINAL DISPOSITION FINES.....	26
ARTICLE 10. AMEND BY-LAWS – PERSONNEL ADVISORY BOARD.....	26
ARTICLE 11. AMEND FLOOD PLAIN .....	27
ARTICLE 12. AMEND ZONNG BY-LAWS – ARTICLE IV § 650-14 – DISTRICT 1.....	34

ARTICLE 13. AMEND ZONNG BY-LAWS – ARTICLE IV § 650-15 – DISTRICT 2.....	35
ARTICLE 14. AMEND ZONNG BY-LAWS – ARTICLE IV § 650-16 – DISTRICT 3.....	36
ARTICLE 15. AMEND ZONNG BY-LAWS – ARTICLE IV § 650-18 – DISTRICT 5.....	37
ARTICLE 16. AMEND ZONNG BY-LAWS – ARTICLE IV § 650-21 – DISTRICT 7.....	38
ARTICLE 17. CITIZENS PETITION: AMEND ZONNG BY-LAWS – ZONING.....	38
ARTICLE 18. CITIZENS PETITION: PAVING OF OAKWOOD DRIVE .....	39

# Town Meeting Information

Thank you for taking an interest in the Town of Webster's Town Meeting. Town Meeting is part of a great tradition of democracy which has been taking place in Webster ever since its townspeople came together to found Webster in 1832. Town Meeting is the legislative body of the Town, acting much like our legislative counterparts at the State and Federal level, to fund a budget and to establish bylaws. One important difference is that in Webster's Open Town Meeting form of government, every registered voter of the Town is a Legislator and has the opportunity to participate in, and vote on, every issue.

## **Procedures**

Webster's Town Meeting is governed by State law, the Town's Bylaws, tradition, and the book "Town Meeting Time: A Handbook of Parliamentary Law". Voters don't need to read these documents in order to participate in Town Meeting as your elected Town Moderator is there to guide the Town through the meeting while adhering to all applicable rules and regulations. Always remember that if you are not clear on the issue being voted on or the topic being discussed, you can always step up to the nearest microphone and ask questions.

At the front of the room you will find:

- The Moderator: Elected to preside over Town Meeting
- The Town Administrator: Webster's Chief Administrative and Financial Officer
- Town Counsel: the Town's attorney
- The Town Clerk: Officially records the votes taken at Town Meeting

Sitting at tables, also at the front of the room, are the following Boards/Committees:

- The Board of Selectmen: The Governing Body of the Town
- The School Committee: Recommends the School Department Budget
- The Finance Committee: Makes recommendations on all articles involving Town finances

## **Town Meeting Warrant**

The Board of Selectmen post a Warrant before the Town Meeting. The Warrant lists the agenda for what topics will be discussed and voted on at the Town Meeting. Each item on the agenda is called an "Article". An Article may be specific or broad. The booklet distributed at the Town Meeting includes both the Warrant that was posted by the Board of Selectmen as well as the Motions expected to be presented following the reading of each Article. Keep in mind that these may change.

## **Motions**

While a Warrant Article generally describes what topics will be discussed, a Motion is a statement of a specific action that is proposed to be taken. For example, a Motion to appropriate (designate) funds would specify the dollar amount, the source of the funds, and what purpose the funds are for. The Motions that are expected to be presented are printed in this booklet, but the actual Motion that ends up being presented may differ. It's important to realize the difference between the Warrant Article and

the Motion: the Warrant Article is the agenda item describing the subject matter to be voted on, and the Motion outlines the specific action to be voted on.

### **Amendments to Motions**

A Motion may also be made to amend the original Motion, in which case that amendment will be discussed and voted on before the original Motion. If the amendment passes, then discussion will return to the original Motion as amended. If the amendment is defeated, then discussion will return to the original Motion.

### **Motions to Pass Over**

A Motion to "Pass Over" is a proposal to take no action on the Warrant Article at the Town Meeting. The Town's practice has been to either make a "Motion to Pass Over" or a "Motion to Pass Over for More Information". The Town of Webster's General Bylaw, 253-14, prohibits an Article that received a favorable vote on a "Motion to Pass Over" from being re-considered prior to the next Annual Town Meeting. If the Motion to Pass Over is approved, then no action will be taken and the Town Meeting will move on to the next Article. If the motion is defeated, then the Town Meeting would ask for a Motion to take action as it relates to the Article being discussed.

### **Discussion**

After a Motion is presented, the topic of the Article is then open for discussion, questions, and debate by everyone participating in the Town Meeting. In order to for this to take place, residents may line up behind microphones stationed in each aisle if they have questions or would like to make comments. When recognized by the Moderator, the individual clearly states their name and address so that others in attendance know who is speaking. All comments should focus on the specific topic of the Article being discussed and not address a particular person or group other than the Moderator.

### **Ending the Discussion**

If a voter has heard sufficient discussion and wants to end further debate, they can make a Motion to end the debate which is often referred to as "moving the question". A voter cannot both comment on an Article and then "move the question" during the same turn at the microphone: he/she can only do one or the other. A motion to "move the question" is not debatable and requires a 2/3 majority vote in order to pass. If the motion to "move the question" passes, then further debate on the Article ends and Town Meeting will vote on the Motion. If the Motion to "move the question" is defeated, then the debate of the Motion continues.

### **Reconsideration**

If substantial new information becomes available that could alter the outcome of a vote after it has already been taken, a voter can make a "Motion to Reconsider" that earlier vote. The Moderator will not entertain a "Motion to Reconsider" on the basis of having different voters present in the room or because some voters are unhappy with the outcome of the original vote. If the "Motion to Reconsider" is accepted by the Moderator, it will be discussed by the Town Meeting. If the majority of the Town Meeting vote in favor of Reconsideration, then the original Motion that was previously voted upon will again be read to the voters. A "Motion to Reconsider" can only be made by an individual who earlier

voted on the prevailing side. The Town of Webster General Bylaw 253-13 requires a 2/3 majority vote in order to Reconsider.

### **Voting**

Rather than a voice vote or raising hands, each voter will be assigned an electronic voting device when they register at the door. Voters simply need to press a designated button, as instructed by the Moderator, for their vote to be recorded. Not only will this system be more accurate, but it also allows each vote to remain confidential. Additionally, the use of the electronic voting system will eliminate the need for any ballot votes, thus potentially reducing the length of Town Meeting. The electronic voting system will be tested prior to the Town Meeting to ensure that all votes will be accurate.

# SPECIAL TOWN MEETING

Moderator's Motions to begin the meeting:

1. The Moderator moves the Town votes to dispense with the reading of the warrant.
2. The Moderator moves that the Moderator may extend the floor to Town Management and staff and other non-voters provided that they must be recognized by the Moderator.

## ARTICLE 1. GENERAL FUND PRIOR YEAR BILLS

To see if the Town will vote to appropriate and 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 other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to transfer from the following funds \$2,674.95 to the Town Administrator Unpaid Bills account (0112352-579000) for the purpose of funding the payment of prior years' unpaid invoices.

Amount	Vendor	Account #	Account Description
\$ 34.93	EZDriveMA	0129252-570000	Other Charges & Expenses
\$ 870.00	Summit Engineering & Survey	0129252-570000	Other Charges & Expenses
\$ 499.00	Amazon Business	0112352-570000	Other Charges & Expenses
\$ 843.41	KP Law, P.C.	0115152-530010	Legal Services
\$ 427.61	Direct Energy Business	0119252-521003	Heating Fuel
<b>\$ 2,674.95</b>	<b>Total</b>		

**Background:** In accordance with MGL Chapter 44, Section 64 Town Meeting may appropriate funds to pay bills of a previous year's appropriation. For Special Town Meetings a 9/10ths vote is required. Most of these bills came in well past the end of the fiscal year, but the services were performed in the prior fiscal year.

## ARTICLE 2. SEWER ENTERPRISE FUND PRIOR YEAR BILLS

To see if the Town will vote to appropriate and 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 other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to transfer from the following funds \$496.76 to the Sewer Unpaid Bills account (6046052-579000) for the purpose of funding the payment of prior years' unpaid invoices.

Amount	Vendor	Account #	Account Description
\$178.26	Thomas Scientific	6046052-553004	Sewer Supplies
\$25.88	Thomas Scientific	6046052-553004	Sewer Supplies
\$68.72	Stericycle, Inc.	6046052-527000	Rental & Leases
\$69.90	Stericycle, Inc.	6046052-527000	Rental & Leases
\$74.79	Stericycle, Inc.	6046052-527000	Rental & Leases
\$79.21	Stericycle, Inc.	6046052-527000	Rental & Leases
<b>\$496.76</b>	<b>Total</b>		

**Background:** In accordance with MGL Chapter 44, Section 64 Town Meeting may appropriate funds to pay bills of a previous year's appropriation. For Special Town Meetings a 9/10ths vote is required. Most of these bills came in well past the end of the fiscal year, but the services were performed in the prior fiscal year. Most of these bills came in well past the end of the fiscal year, but the services were performed in the prior fiscal year.

### **ARTICLE 3. WATER ENTERPRISE FUND PRIOR YEAR BILLS**

To see if the Town will vote to appropriate and 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 other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend to pass over this article.

**Recommended Motion:** I move that the Town vote to pass over this article.

**Background:** In accordance with MGL Chapter 44, Section 64 Town Meeting may appropriate funds to pay bills of a previous year's appropriation. For Special Town Meetings a 9/10ths vote is required. Most of these bills came in well past the end of the fiscal year, but the services were performed in the prior fiscal year. Most of these bills came in well past the end of the fiscal year, but the services were performed in the prior fiscal year.

### **ARTICLE 4. FUND SNOW AND ICE DEFICIT**

To see if the Town will vote to raise and appropriate, or appropriate and transfer from any available funds in the Treasury, a sum sufficient to the DPW Snow and Ice Supplies Accounts; or take any other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to transfer from free cash the amount of \$130,000 for funding anticipated FY23 deficits snow and ice deficit accounts.

**Background:** The Town annually budgets \$155,000 for snow and ice. For FY 2023 the Town anticipates a snow and deficit of \$130,000.

#### **ARTICLE 5. AUTHORIZE TRANSFER OF PARK AVE FUNDS**

To see if the Town will vote to appropriate and transfer the balance of \$557,163.28 in the Park Ave Construction Fund (#5037) to the Bartlett High School Renovation Fund (#5033), or take any other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to transfer \$557,163.28 from the Park Ave Construction Fund (#5037) to the Bartlett High School Renovation Fund (5033).

**Background:** When the Park Ave Construction project was completed, final construction costs were less than originally anticipated resulting with a remaining fund balance per above. Since the remaining funds are from bond proceeds (excluded from prop 2 ½), MA General Laws and Department of Revenue regulations place certain requirements for re-appropriating those funds. Prior to this article, Town Management considered a few possible projects; however, some of the projects were funded from grants. Town management, the Bartlett High School Renovation Committee, Finance Committee and Board of Selectmen have come to consensus that this is best timing and project for the re-appropriation of Park Ave Construction Fund balance.

#### **ARTICLE 6. APPROPRIATION FOR TOWN CAPITAL PROJECTS**

To see if the Town will vote to appropriate and transfer from free cash, a sum sufficient for the purpose of funding capital purchases/projects as listed in the table below, including all costs incidental and related thereto, or take any other action thereon.

<b>Department</b>	<b>Project</b>	<b>Amount</b>
Town Administrator	Town Hall Entrance Improvements	\$ 46,000
Town Administrator	Inventory of Town Buildings /Structures and their related systems	\$ 50,000
Information Technology	Computer Replacements (Computer not compatible with windows 11)	\$ 42,000
Police Department	Speed Trailer	\$ 25,000

Police Department	Unified Storage, Server & Backup Disaster Recovery Solution	\$ 190,000
Police Department	Core Network Switch Upgrade	\$ 82,000
Police Department	Police Camera Server Replacement	\$ 40,000
Police Department	Cruiser/SUV Replacement Plan	\$ 55,000
Fire Department	Radio System Upgrade	\$ 90,000
Fire Department	Fire Camera System Upgrade	\$ 20,000
Highway Department	F450 Super Duty Dump Truck	\$ 82,000
Highway Department	Industrial Class/Detachable Snowblower	\$ 205,000
School Department	Middle School Window Replacement	\$ 100,000
Highway Department	Transfer Station Engineering Services	\$ 43,300

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to transfer from free cash \$1,070,300 for purposes of this article.

**Background:**

**Town Hall Entrance Improvements:** Improvements will make entrances safer for everyone and will meet current codes. Improved drainage will extend the useful life of the fixtures. The entrances to Town Hall have degraded over time and are becoming unsafe. We anticipate continued operating costs to be neutral.

**Inventory of Town Buildings /Structures and their related systems:** In an effort to gain a better understanding of conditions of the Town's facilities/structures and their integral systems, Town management has been tasked with inventorying the Town facilities and structures. Having a study done to inventory the Town's facilities/structures and evaluate their integral systems will provide Town management an understanding of the condition of Town owned properties. The Town is in the process of obtaining estimates as to such a study. If needed, additional fund may be requested.

**Computer Upgrades:** Need to replace obsolete computers. Windows operating software updates will make about 25 computers obsolete for the following departments: sewer, water, highway, town hall, and senior center. We anticipate continued operating costs to be neutral.

**Speed Trailer:** Replace inoperable speed trailer. The current speed trailer was made in 2007 and purchased in 2010. It is currently inoperable, and prior to investing more money into repairing it, it seems like purchasing a new, upgraded unit might be more appropriate. We anticipate continued operating costs to be neutral.

**Unified Storage, Server & Backup Disaster Recovery Solution:** With older systems the Town is at a greater risk of loss of data and greater financial risk to recover data. The current storage,

server & backup disaster recovery solution has exceeded its useful life and is now obsolete. We anticipate continued operating costs to be neutral; however, in the event of a system failure significant financial savings will be achieved with upgraded equipment.

**Core Network Switch Upgrade:** With older systems the Town is at a greater risk of loss of data and greater financial risk to recover data. The current network switch system has exceeded its useful life and is now obsolete. We anticipate continued operating costs to be neutral; however, in the event of a system failure significant financial savings will be achieved with upgraded equipment.

**Police Camera Server Replacement:** Webster PD has 56 cameras in and around the building. In order to continue to provide video security of the Police Station building including critical areas such as evidence storage replacement of the servers is necessary. While the cameras are overall in good working order and not currently in need of replacement, the storage servers are 9 years old and have exceeded expected life. They have also aged out of support. We anticipate continued operating costs to be neutral.

**Cruiser/SUV Replacement Plan:** The Town has implemented a plan to replace 2 or 3 vehicles annually. The plan allows for most heavily used vehicles to be replaced every 3 years. Administrative and other vehicles are replaced every 6 to 8 years. When appropriate, vehicles with remaining useful life are transitioned to other departments. Other expiring vehicles are identified as obsolete and are sold.

**Radio System Upgrade:** This is the second and final phase in radio equipment upgrades for Police and Fire. This will provide far improved communications for the mission critical public safety responses in town. This is the second and final phase in radio equipment upgrades for Police and Fire. This will provide far improved communications for the mission critical public safety responses in town. We anticipate continued operating costs to be neutral.

**Fire Camera System Upgrade:** Additional cameras are needed to provide for security of all access points of the building. The existing camera recorder and 1 camera were installed in 2014. The one camera only covers the emergency call box. We anticipate continued operating costs to be neutral.

**F450 Super Duty Dump Truck:** Current truck has exceeded useful life & is expensive to maintain. This vehicle will replace a 2011 F450 Super Duty Dump Truck with considerable signs of wear and tear along with rust. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Industrial Class/Detachable Snowblower:** Current snow blower has exceeded useful life & is expensive to maintain. Current snow blower is 46 years old and in poor condition. It is difficult to find replacement parts. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Middle School Window Replacement:** Windows at the Middle School have exceeded their useful life and have been on the capital plan for several years. Recently the Town (School System) received a grant which will fund part of the replacement project. School and Town management are requesting the remaining needed funding to complete project.

**Transfer Station Engineering Services:** During the COVID-19 pandemic inspections of the solar farm on the Town's landfill did not occur. The Massachusetts Department of Environmental Protection (MASSDEP) has informed the Town that required inspections must be performed. The funds requested will bring allow the Town to meets its requirements for fiscal years 2023 and 2024.

## **ARTICLE 7. APPROPRIATION FOR SEWER CAPITAL PROJECTS**

To see if the Town will vote to appropriate and transfer from Sewer retained earnings, a sum sufficient for the purpose of funding capital purchases/projects as listed in the table below, including all costs incidental and related thereto, or take any other action thereon.

<b>Project</b>	<b>Amount</b>
Actiflow Polymer Pump Replacement	\$ 20,000
Portable Generator Collections	\$ 75,000
Actiflow Generator Wiring & Transfer Switch-New	\$ 40,000
½ Cost of 2024 Backhoe/Loader, other ½ from Water Fund	\$ 110,000
Evaluate Dudley P.S. Flow Equalization Pump	\$ 40,000
Rebuild Pump 1 & 2 Mill Brook P.S.	\$ 44,000
Replace Pneumatic Ejectors with Submersible Pumps Narrow	\$ 75,000
Replace 2011 Ford F-350 4x4 Utility	\$ 96,000
Polymer Pump Replacement	\$ 15,000
Thompson 1 Pump Station VFD Replacement	\$ 25,000
Thompson Rd Pumps Station VFD Well Rehab	\$ 90,000
Twister Agitator Mixer – Beach, Pebble & Lake PS	\$ 45,000
Twister Agitator Mixer – Dudley Wet-well	\$ 15,000
Parking Lot Repairs	\$ 35,000

**Sponsored by the Water Sewer Commission and Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to transfer \$725,000 from Sewer retained earnings for the purposes of this article.

**Background:**

**Actiflow Polymer Pump Replacement:** Replace (3) chemical feed pumps. Existing diaphragm style pumps are past their useful life. We will replace the three pumps with a peristaltic style pump which will work much better with polymer. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Portable Generator Collections:** Backup unit to remote stations. Purchase or frequent rentals are expensive and leaves collections vulnerable when a unit is out of service at our sewer pumping stations. We anticipate continued operating costs to be neutral.

**Actiflow Generator Wiring & Transfer Switch-New:** Replace high voltage switches that are no longer operating properly or safely. Switches that are difficult for staff to operate and are no longer safe. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**½ Cost of 2024 Backhoe/Loader, other ½ from Water Fund:** Purchase one new loader/backhoe for the Water & Sewer Department as combined 50/50 split. This machine is standard equipment for water and sewer departments. The purchase will improve operation efficiency and reduce work back log. It will also aid with snow removal at the waste water treatment plant and reduce work that is subcontracted. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Evaluate Dudley P.S. Flow Equalization Pump:** Rebuild (2) pumps Existing equipment is past its useful life and have not been evaluated in over 20 years. Pumps will be evaluated and rebuilt improving the overall operation of the station. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Rebuild Pump 1 & 2 Mill Brook P.S.:** Rebuild (2) pumps Existing equipment is past its useful life and have not been evaluated in over 20 years. Pumps will be evaluated and rebuilt improving the overall operation of the station. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Replace Pneumatic Ejectors with Submersible Pumps Narrow:** Purchase (2) replacement pumps. Existing equipment is past its useful life and parts are no longer available. We have only one pump available leaving no redundancy at the Station. The pneumatic pumps will be replaced with submersible style pumps improving the overall operation of the station. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Replace 2011 Ford F-350 4x4 Utility:** Replace 2011 Ford F350 Utility Crane vehicle with a new 2023 Ford F-450 Utility Crane vehicle. Existing vehicle has 135K miles and is in poor condition with significant rust and rot. Annual maintenance/repairs to keep the vehicle going has become a problem including ongoing emission trouble. This vehicle is the first response emergency sewer repair vehicle and it is no longer reliable for the department as such. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Polymer Pump Replacement:** Replace Belt Thickener Polymer Pump. Existing pump has become problematic and is in need of replacement. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Thompson 1 Pump Station VFD Replacement:** Replace (3) variable frequency electrical drives at Thompson 1 Pumps Station. Existing electrical equipment is no longer supported and parts

are not available. Failure at this main pumping station will be catastrophic. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Thompson Rd Pumps Station VFD Well Rehab:** Repair wet well. Existing wet well has an inside wall that is detreating due to high-pressure sewer flow. This manhole is a major junction in the collection system that receives flow from other stations along with a gravity feed line. Failure will be catastrophic for the system. Station will need to be by-passed around the clock for about three days to allow for repairs. It is anticipated that maintenance cost for the next 6 to 10 years will be less the last few years.

**Twister Agitator Mixer – Beach, Pebble & Lake PS:** Purchase one twister agitator system for (3) Pump Station wet-wells. Unit will prevent grease buildup in wet well which will allow for more efficient operations including a reduction in manual grease removal and less frequent blockages with rags. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Twister Agitator Mixer - Dudley Wet-well:** Purchase one twister agitator system for Dudley Pump wet well. Unit will prevent grease buildup in wet well which will allow for more efficient operations including a reduction in manual grease removal and less frequent blockages with rags. It is anticipated that maintenance cost for the next 3 to 6 years will be less the last few years.

**Parking Lot Repairs:** Repair replace asphalt-parking area at the WWTP. Parking lot looks terrible and has several very uneven areas making it an injury liability for employees and customers. The handicap site also needs to be relocated to the spot closest to the building entrance. We anticipate continued operating costs to be neutral.

## ARTICLE 8. APPROPRIATION FOR WATER CAPITAL PROJECTS

To see if the Town will vote to appropriate and transfer from Water retained earnings, a sum sufficient for the purpose of funding capital purchases/projects as listed in the table below, including all costs incidental and related thereto, or take any other action thereon.

Project	Amount
Clearwell Demo	\$ 80,000
Park Road Storage Tank Fence Repair/Replacement	\$ 10,000
Park Road Storage Tank Exterior Cleaning	\$ 12,000
Sutton Rd Booster Station Repairs	\$ 46,000
Towable Air Compressor Replacement	\$ 40,000
½ Cost of 2024 Backhoe/Loader, other ½ from Sewer Fund	\$ 110,000
Paint Water Garage Blue Building	\$ 12,000
Annual Well Rehabilitation Stations 1, 2, and 3	\$ 40,000
Water Main Design	\$ 150,000

**Sponsored by the Water Sewer Commission and Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to transfer \$500,000 from Water retained earnings for the purposes of this article.

**Background:**

**Clearwell Demo:** The clear-well has been out of service a significant amount of time and is no longer needed for the public water supply. The structure around the clear-well was deemed unsafe and has been razed. The \$80,000 is additional money needed for the FY23 capital budget to cover the costs associated with removing the unsafe structure.

**Park Road Storage Tank Fence Repair/Replacement:** Several areas of fencing and barbed wire at the top need repair/replacement. Failure of the fence system will allow potential trespassers and could be a potential MassDEP sanitary survey action item. DEP has noted the poor condition of the fencing system on several occasions but has not pursued the issue. We anticipate continued operating costs to be neutral.

**Park Road Storage Tank Exterior Cleaning:** Pressure wash the exterior of the 125' tall storage tank. Mold and mildew have become a problem mostly on the lower northern sections of the tank. Cleaning will help prolong the life of the paint system. This is also a MassDEP action item identified on our sanitary survey. Failure of the paint system could result in costly capital repairs including tank replacement. Due to the height of the tank, a specialty company will be needed for this task. We anticipate continued operating costs to be neutral.

**Sutton Rd Booster Station Repairs:** Repair or replace leaky "high-pressure" piping inside station. Repairs will last 10 yrs. We have had similar leaks inside the station in the past. Failure of the station will cause damage to the station along with water outages to the business park and along Cudworth Rd. The Station will need to be by-passed while work is performed further complicating the repairs. It is anticipated that maintenance cost for the next 6 to 10 years will be less the last few years.

**Towable Air Compressor Replacement:** Replace one 1995 towable air compressor with a new 2023 unit. This unit is past its useful life and is in need of replacement. It is the one and only air compressor used on emergency water main repairs and is considered a key piece of equipment. Failure of this equipment will make an emergency water main repair challenging especially after hours when rental units are not readily available. Equipment lead times are also a challenge. We anticipate continued operating costs to be neutral.

**½ Cost of 2024 Backhoe/Loader, other ½ from Sewer Fund:** Purchase one new loader/backhoe for the Water & Sewer Department as combined 50/50 split. This machine is standard equipment for water and sewer departments. The purchase will improve operation efficiency and reduce work back log. It will also aid with snow removal at the WWTP and reduce work that is subcontracted. It is anticipated that maintenance cost for the next 6 to 10 years will be less the last few years.

**Paint Water Garage Blue Building:** Refinish exterior of water department garage. Most of the paint is peeling or has faded away leaving bare metal exposed. New paint will add 10-15 years to

the life of the structure. It is also an eye sore at the entrance of the WWTP. Repainting will preserve the structure for another 10-15 year and will improve the aesthetics when entering the WWTP grounds. We anticipate continued operating costs to be neutral.

**Annual Well Rehabilitation Stations 1, 2, and 3: Annual Well Maintenance Program:** Useful life could run from 1-3 years depending on how much iron/manganese fouling takes place on the intake screens. Pumps and motors will be inspected and worn parts will be replaced. Sudden failure of well pumps due to iron and manganese fouling or malfunctioning pumps and motors leaves the Town vulnerable. There are long leads for replacement parts. The plan will be to rehabilitate two of seven well system every 12-18 months to ensure the Town can meet its needs. We anticipate continued operating costs to be neutral.

**Water Main Design:** Improve Water Quality & Fire Protection. The Town is proactively planning water main replacement based on age, condition and water quality complaints. Areas identified are vulnerable to unexpected service interruptions, customer complaints and costly repairs. We hope to advert expensive costs related emergency repairs; however, it is be difficult provide a savings estimate.

## **ARTICLE 9. RESCUE TRUCK**

To see if the Town will vote to appropriate \$1,200,000 for the purpose of purchasing a new rescue truck, including associated equipment and all related incidental costs, 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, Section 7 and/or any other enabling authority and to issue bonds and notes therefor; or to take any action thereon.

### **Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town appropriate \$1,200,000 for the purpose of purchasing a new rescue truck, including associated equipment and all related incidental costs, 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, Section 7 and/or any other enabling authority and to issue bonds and notes therefor; or to take any action thereon.

**Background:** Replacing this truck will give the town another front-line rescue/pumper that can be used for most emergency calls. This rescue pumper will replace 2 trucks. Rescue 1 is a 1995 heavy rescue truck that is now 27 years old and has been rotting out for some time now, this truck carries specialized rescue equipment and will last the town at least 20 years.

This requires a 2/3rds vote for passage.

## **ARTICLE 10. LIBRARY GENERATOR**

To see if the Town will vote to appropriate \$350,000 for the purpose of purchasing a generator for the Gladys E. Kelly Library, including associated equipment and all related incidental costs, 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, Section 7 and/or any other enabling authority and to issue bonds and notes therefor.

### **Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town appropriate \$350,000 for the purpose of purchasing a generator for the Gladys E. Kelly Library, including associated equipment and all related incidental costs, 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, Section 7 and/or any other enabling authority and to issue bonds and notes therefor.

**Background:** The standby generator was not part of the original design scope due to budget constraints. During a power interruption, the elevator does not function leaving occupants stranded and unsafe.

This requires a 2/3rds vote for passage.

## **ARTICLE 11. NUISANCE PROPERTY ASBESTOS ABATEMENT**

To see if the Town will vote to appropriate and transfer from the Town's free cash, a sum of \$250,000 (Two Hundred Fifty Thousand Dollars), or any other sum, for the Asbestos abatement and removal of an unsafe structure known as 124R High Street, or take any other action thereon..

### **Sponsored by the Building Department**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town appropriate and transfer from the Town's free cash, a sum of \$250,000 (Two Hundred Fifty Thousand Dollars), or any other sum, for the Asbestos abatement and removal of an unsafe structure known as 124R High Street.

**Background:** The Town is seeking the funds to pay the removal of the dilapidated structure located at 124R High Street, which is currently in various stages of failure. The roof has collapsed in various areas, the windows and doors have been smashed and removed, and the structure has tested positive for asbestos, causing a major safety concern for the local area and the Town of Webster. The Town has repeatedly had the structure boarded up for securing purposes, but it continues to attract vandalism and excessive loitering within the structure and area; again, making the structure unsafe to the public and the local population.

## **ARTICLE 12. APPROPRIATE TO THE STABILIZATION FUND**

To see if the Town will vote to appropriate and transfer from Free Cash, \$1,000,000, or any other sum, to the Stabilization Fund; or take any other action thereon.

### **Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town appropriate and transfer from Free Cash, \$1,000,000 to the Stabilization Fund.

**Background:** By transferring \$1,000,000 to the Stabilization Fund funds to Town will continue to meet its policy of maintaining a minimum Stabilization Fund balance of 5% of the annual budget.

This requires a 2/3rds vote for passage.

## **ARTICLE 13. WASTE WATER TREATMENT PLANT AERATION SYSTEM PHASE I**

To see if the Town will vote to appropriate \$500,000 for the purpose of the Waste Water Treatment Plant Aeration System Phase I Rehabilitation project, and all related incidental costs, 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, Sections 7 and 8 and/or any other enabling authority and to issue bonds and notes therefor; or to take any action thereon.

### **Sponsored by the Water Sewer Commission**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town appropriate \$500,000 for the purpose of the Waste Water Treatment Plant Aeration System Phase I Rehabilitation project, and all related incidental costs, 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, Sections 7 and 8 and/or any other enabling authority and to issue bonds and notes therefor.

**Background:** The three aeration tanks that remain offline since 2016 leave the facility with no redundancy and do not allow staff to remove the three active tanks for much needed regular routine maintenance. The facility has recently undergone discharge permit changes, which require the use of all six aeration basins operating efficiently to ensure we remain in compliance with federal and state regulations. The most recent cost estimates provided by our engineer indicate we need an additional \$900,000 to complete mechanical repairs on the basins.

It is anticipated that future debt service will be funded from future sewer fund receipts.

This requires a 2/3rds vote for passage.

## **ARTICLE 14. WASTE WATER TREATMENT PLANT AERATION SYSTEM PHASE I**

To see if the Town will vote to transfer \$400,000 in the SCADA Fund (#6139) to the Waste Water Treatment Plant Aeration System Phase I Fund (# to be determined), or take any action thereon.

**Sponsored by the Water Sewer Commission**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town transfer \$400,000 from the SCADA Fund (#6139) to the Waste Water Treatment Plant Aeration System Phase I Fund (# to be determined).

**Background:** Supervisory control and data acquisition (SCADA) is a control system architecture comprising computers, networked data communications and graphical user interfaces for high-level supervision of machines and processes. It also covers sensors and other devices, such as programmable logic controllers, which interface with process plant or machinery.

The three aeration tanks that remain offline since 2016 leave the facility with no redundancy and do not allow staff to remove the three active tanks for much needed regular routine maintenance. The facility has recently undergone discharge permit changes, which require the use of all six aeration basins operating efficiently to ensure we remain in compliance with federal and state regulations. The most recent cost estimates provided by our engineer indicate we need an additional \$900,000 to complete mechanical repairs on the basins.

## **ARTICLE 15. SEWER COLLECTION SYSTEM REHABILITATION CONSTRUCTION**

To see if the Town will vote to appropriate \$2,000,000 for the purpose of the Sewer Collections System Rehabilitation – Phase 2 project, and all related incidental costs, 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, Sections 7 and 8 and/or any other enabling authority and to issue bonds and notes therefor; or to take any action thereon.

**Sponsored by the Water Sewer Commission**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town appropriate \$2,000,000 for the purpose of the Sewer Collections System Rehabilitation – Phase 2 project, and all related incidental costs, 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, Sections 7 and 8 and/or any other enabling authority and to issue bonds and notes therefor.

**Background:** Cleaning and lining leaky sewer mains to eliminate rain infiltration. Infiltration causes strain on the collections pumping stations and the wastewater plant during rain events. Treating rainwater at the wastewater plant is not cost effective and strains the facility making it a challenge to meet state and federal permits.

It is anticipated that future debt service will be funded from future sewer fund receipts.

This requires a 2/3rds vote for passage.

## **ARTICLE 16. PFAS WATER TREATMENT PLANT**

To see if the Town will vote to appropriate and raise by taxation, transfer from any available funds or issue notes or bonds, including borrowing from the Massachusetts Clean Water Trust, or any combination thereof, a sum of thirty-three million dollars (\$33,000,000) for the purpose of financing the construction of a PFAS water treatment plant at the Memorial Beach well site and an iron, manganese, and PFAS water treatment plant at the Bigelow well site and all associated work and appurtenances related thereto including without limitation all costs thereof as defined in Section 1 Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow said sum and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C; and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Town Administrator is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project; or to take any other action relative thereto.

**Sponsored by the Water Sewer Commission**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to appropriate the sum of thirty-three million dollars (\$33,000,000) for the purpose of financing the construction of a PFAS water treatment plant at the Memorial Beach well site and an iron, manganese, and PFAS water treatment plant at the Bigelow well site and all associated work and appurtenances related thereto including without limitation all costs thereof as defined in Section 1 Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow said sum and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, or any other enabling authority; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C; and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Town Administrator is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

**Background:** PFAS treatment plan is need to be compliant with state water quality regulations. Through the MA Clean Water Trust up to 19.8% of proceeds could be grant proceeds and the remaining debt proceeds could be at 0% interest. New Treatment required by State/Federal Drinking Water Regulations. As this will be an addition to the water system, we anticipate increased operating costs upon implementation.

It is anticipated that future debt service will be funded from future sewer fund receipts.

This requires a 2/3rds vote for passage.

#### **ARTICLE 17. APPROPRIATION FOR FY23 SEWER DEFICITS**

To see if the Town will vote to transfer from Sewer retained earnings, a sum sufficient for the purpose of funding fiscal year 2023 anticipated sewer appropriation deficits as listed in the table below, including all costs incidental and related thereto, or take any action thereon.

<b>Account Description &amp; Numbers</b>	<b>Amount</b>
Electricity (6046052-521001)	\$ 116,000
Electricity (Collections) (6046052-521001-461)	\$ 88,000
Repair & Maintenance (Collections) (6046052-524000-461)	\$ 42,000
Building & Grounds Maint. (6046052-524001)	\$ 8,500
Building & Grounds Maint. (Collections) (6046052-524001-461)	\$ 17,500
Computer Equip. Maint. (6046052-524015)	\$ 6,000
Testing Services (6046052-5300021)	\$ 10,000
<b>Total</b>	<b>\$ 288,000</b>

**Sponsored by the Water Sewer Commission & Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to approve the article as presented in the warrant.

**Background:** End of year transfers for account deficits.

# ANNUAL TOWN MEETING

Moderator's Motions to begin the meeting:

1. The Moderator moves the Town votes to dispense with the reading of the warrant.
2. The Moderator moves that the Moderator may extend the floor to Town Management and staff and other non-voters provided that they must be recognized by the Moderator.

## **ARTICLE 1. REPORTS FROM THE FINANCE COMMITTEE OR BOARD OF SELECTMEN**

To hear and act upon the report and recommendations of the Board of Selectmen and the Finance Committee; or take any other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to approve the Finance Committee Report.

**Background:** - The Finance Committee works with Town Management and provides oversight for fair and comprehensive annual budgets and capital improvements program. Article 6 – Finances and Fiscal Procedures of the Charter of the Town of Webster provides a road map for the fiscal year budget and capital improvements program processes and Chapter 110 - Finance Committee provides direction to the Finance Committee for their role throughout these processes. One of the directives for the Finance Committee is to report a statement of the doings by the Committee during the year, a statement of bonded indebtedness of the Town, the amount of free cash and its recommendations or suggestions on those articles in the warrant which have been submitted to the Selectmen.

## **ARTICLE 2: FY 2024 GENERAL FUND ANNUAL BUDGET**

To see if the Town will vote to fix the compensation of elected officials, provide for a reserve fund, and determine what sum of money the Town will raise and appropriate including appropriations from any available funds to defray the charges and expenses of the Town including debt and interest for the fiscal year beginning July 1, 2023 and ending June 30, 2024; or take any other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to raise and appropriate an omnibus budget in the sum of \$57,911,496 an amount sufficient to fix the compensation of elected officials, provide for a reserve fund, and to defray the charges and expenses of the Town including debt and interest for the fiscal year beginning July 1, 2023 and ending June 30, 2024. Said sum to be raised as follows:

Funding Sources	Amount
Property Tax, State Aid, Local and Other Receipts	\$ 56,024,049
Sewer Fund (Indirect Costs)	\$ 817,679
Water Fund (Indirect Costs)	\$ 581,874
SWCCC (Dudley Indirect Costs)	\$ 112,894
Donation from Fels Foundation for the Police & Fire Stations	\$ 200,000
Transfer from Waterway Improvements Fund	\$ 15,000
Donations from Friends of the Library	\$ 50,000
Transfer from Sale of Filmer Building	\$ 45,000
Transfer from Town Hall Stabilization Fund	\$ 65,000
Total of Funding Sources	\$ 57,911,496

**Background:** The total FY24 Estimated Operational Budget is \$60,237,021, inclusive of total appropriations totaling \$57,911,496 and estimated tax rate recapitulation costs of \$2,325,525. This is an increase of \$5,681,031 or 10.41% on the total FY24 estimated operational budget. Approximately \$1,820,000 of the increase is excluded debt service for the Bartlett High School Renovation project. Please see the separate budget packet for additional information.

### **ARTICLE 3: FY 2024 SEWER ANNUAL BUDGET**

To see if the Town will vote to raise and appropriate or appropriate and transfer from any available funds a sum sufficient to operate the Sewer Enterprise Fund for the fiscal year beginning July 1, 2023 and ending June 30, 2024; or take any other action thereon.

#### **Sponsored by the Water Sewer Commission and Board of Selectmen**

**Recommendation:** The Water Sewer Commission, Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to appropriate from sewer revenues an omnibus budget in the sum of \$4,265,010, an amount sufficient to operate the Sewer Enterprise Fund for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Background:** The total FY24 Sewer Enterprise Fund Operating Budget of \$5,102,252, inclusive of total appropriations of \$4,265,010 and indirect costs of \$837,242. This is an increase of \$637,103 or 14.3%. Please see the separate budget packet for additional information.

### **ARTICLE 4: FY 2024 WATER ANNUAL BUDGET**

To see if the Town will vote to raise and appropriate or appropriate and transfer from any available funds a sum sufficient to operate the Water Enterprise Fund for the fiscal year beginning July 1, 2023 and ending June 30, 2024; or take any other action thereon.

#### **Sponsored by the Water Sewer Commission and Board of Selectmen**

**Recommendation:** The Water Sewer Commission, Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to appropriate from water revenues an omnibus budget in the sum of \$3,044,887, an amount sufficient to operate the Water Enterprise Fund for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

**Background:** The FY24 Water Enterprise Fund Operating Budget of \$3,628,826, inclusive of total appropriations of \$3,044,887 and indirect costs of \$583,939. This is an increase of \$370,888 or 11.4%. Please see the separate budget packet for additional information.

#### **ARTICLE 5: AUTHORIZE SHORT-TERM BORROWINGS**

To see if the Town will vote to authorize the Treasurer, with the consent of the Board of Selectmen, to temporarily borrow a note or notes, or make an inter-fund advance from available funds, in anticipation of revenue from taxation, bonds, or grants, and to repay said sums within the current fiscal cycle; or take any other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to authorize the Treasurer, with the consent of the Board of Selectmen, to temporarily borrow a note or notes, or make an inter-fund advance from available funds, in anticipation of revenue from taxation, bonds, or grants, and to repay said sums within the current fiscal cycle; or take any other action thereon.

**Background:** This article allows the treasurer to borrow funds as needed throughout the fiscal year to meet cash flow needs in anticipation of future revenue.

This requires a 2/3rds vote for passage.

#### **ARTICLE 6: DEPARTMENTAL REVOLVING FUNDS**

To see if the Town will vote pursuant to the provisions of G.L. c 44, §53E1/2, as most recently amended, to set FY 2024 spending limits for such Revolving Funds as follows:

REVOLVING FUND	FY 2024 SPENDING
Board of Health Inspections (Fund 3531)	\$15,000.00
Senior Center (Fund 3516)	\$8,000.00
Nuisance Properties (Fund 3530)	\$80,000.00
Inspectional Services (Fund 3534)	\$50,000.00
Composting Facility (Fund 3525)	\$13,000.00
Recreation (Fund 3521)	\$140,500.00

; or take any other action thereon.

**Sponsored by the Board of Selectmen**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** Each year the Town may authorize the use of one or more revolving funds which are accounted for separately from all other monies. The purpose of these funds is to pay for expenses directly from revenues received to provide the services or programs i.e. payments for inspectors upon payment from resident and completion of the inspection.

## ARTICLE 7. CREATE BUDGET FOR CABLE ACCESS

To see if the Town will vote to appropriate from cable PEG Access account the following Cable Access Budget in accordance with General Laws Chapter 44, Section 53F $\frac{3}{4}$ ; or take any other action thereon.

Account Description	Account Number	Amount
Salaries	3702-510000	\$ 40,000
Other Charges	3702-570000	\$ 30,000
Total		\$ 70,000

### Sponsored by the Board of Selectmen

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** This will adopt a budget from the Cable PEG Access account. The salaries will support two part-time positions. One, position will focus on the up keep of the equipment, software, and recording official meetings. The second position will focus on creating content for PEG channels as well as communicating town information to residents. The other charges has averaged expenditures of approximately \$30,000 over the last several years. This includes internet services, equipment, and recording services.

## ARTICLE 8. ACCEPTANCE OF DAVIS STREET AS A TOWN WAY

To see if the Town will vote to authorize the Board of Selectmen to: (1) acquire by gift, purchase or other manner of conveyance, Parcels 4A, 4B, 9, 10, 12, 13, 14 and 16, all as approximately shown on a plan entitled "Davis Street Extension," dated April 10, 2023, prepared by Land Planning, Inc., as said plan may be amended, said plan on file with the Town Clerk, for general municipal and/or public way purposes, subject to such easements and reservation of rights, and on such other terms and conditions as the Board of Selectmen shall deem appropriate; (2) discontinue Parcel 5 and Parcel 7, being portions of Davis Street, as shown on said Plan, as a public way; (3) convey Parcel 3, 5 and 7, as shown on said Plan, for such consideration and on such terms and conditions as the Board of Selectmen shall deem appropriate; (4) accept and/or dedicate as a public way Parcels 1, 2, 4A, 4B, 6, 9, 11, 12, 13, 14, 15, 16 and 17, being portions of Davis Street; and, further (5) authorize the Board of Selectmen to act in such manner necessary or reasonable to carry out the purposes of this article, including, but not limited to, the acceptance, conveyance, discontinuance and dedication of any and all parcels as may, from time to time, be shown on the foregoing plan, and to execute any and all documents and instruments related thereto, upon such terms and conditions as the Board of Selectmen shall determine appropriate; or take any other action thereon.

### Sponsored by the Board of Selectmen and Redevelopment Authority

**Recommendation:** The Board of Selectmen recommend favorable action on this article. Finance Committee refers to Sponsor.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** The purpose of this article is to establish a legal right-of-way that coincides with the existing layout of Davis Street and to accept the road as a public way for general municipal and/or public way purposes.

Currently Davis Street crosses over privately owned property. This article will give the Board of Selectmen the authority to work with the private property owners to acquire their sections of property that are within the approved Davis Street layout plan.

#### **ARTICLE 9. AMEND BY-LAWS – NONCRIMINAL DISPOSITION FINES**

**To see if the Town will vote to amend the Town of Webster General Bylaws by inserting the following language to Chapter 260-2 Noncriminal Disposition; or take any other action thereon.**

<b>Code Chapter</b>	<b>Subject</b>	<b>Fine</b>
<b>Chapter 314, Article I</b>	<b>Animal and Waterfowl - §314-5</b>	
	<b>1st offense</b>	<b>Warning</b>
	<b>2nd offense</b>	<b>\$50.00</b>
	<b>3rd offense</b>	<b>\$100.00</b>
	<b>4th and subsequent offense</b>	<b>\$150.00</b>

**Sponsored by Health Department**

**Recommendation:** The Board of Selectmen and Finance Committee refers to Sponsor.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** The purpose of the request is to enable the town to enforce Webster's current Animal and Waterfowl bylaw by adding the penalties to our Non-Criminal Disposition enforcement bylaw. Non-Criminal Disposition is a state statute that allows towns to enforce violations at the local level through a system of fines rather than having to pursue court action

#### **ARTICLE 10. AMEND BY-LAWS – PERSONNEL ADVISORY BOARD**

To see if the Town will vote to amend the Webster Bylaws Section 217 – 1,2 and 3 as follows:

##### Section 217-1. Establishment

The Personnel Advisory Board, hereinafter called the Board, shall consist of seven members, two appointed by the Board of Selectmen, two appointed by the Finance Committee, and two appointed by the Town Moderator, each will serve a ~~two~~**three** year term. **The terms will run consistent with the town's fiscal year, beginning on July 1.** The Town Administrator (or his/her representative) shall be the seventh member of the Board. The Board shall be set up per Section 7-9e-f of the Town Charter.

##### Section 217-2 Powers and duties

~~In addition to the items listed in Section 4-2(c) of the Town Charter, the Personnel Advisory Board shall conduct studies, surveys, and analysis as needed and upon request of the Board of Selectmen or Town Administrator. Any formal matter, action or vote, etc. undertaken by the Personnel Advisory Board shall not bind the Administrator or Board of Selectmen to any action relative to its determination. However, all activities or decisions rendered and approved by a majority vote of the Personnel Advisory Board shall be made available and presented at the request of the Board of Selectmen or Town Administrator. The Personnel Board shall coordinate all personnel rules and requirements for all Town employees, except the school department.~~

**The Personnel Advisory Board shall provide advice to the Town Administrator and Board of Selectmen pertaining to the Town's human resources program. The Board may conduct studies, surveys, and analysis upon the request of the Town Administrator or Board of Selectmen. The Board shall perform all other duties designated in the Board of Selectmen approved policies or specifically requested by the Town Administrator or Board of Selectmen. Action or vote by the Personnel Advisory Board shall not bind the Town Administrator or Board of Selectmen to action relative to its determination.**

#### Section 217-3 Limits on who may serve

No Town employee shall be eligible to serve on said Personnel Advisory Board. ~~Members currently serving will be allowed to finish out their term.~~

#### Section 217- 4 and 5

No changes.

#### **Sponsored by the Personnel Advisory Board**

**Recommendation:** The Board of Selectmen and Finance Committee recommend favorable action on this article.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** This update transitions to staggered terms and reflects the current role of the PAB.

### **ARTICLE 11. Amend Flood Plain**

To see if they Town will vote to replace, in its entirety, the existing Article IV District Regulations, Section § 650-21 DISTRICT 8, Floodplain regulations with the following:

#### Section § 650-21 DISTRICT 8, Floodplain.

A. Statement of Purpose. The purposes of the Floodplain District are to:

- (1) Ensure public safety through reducing the threats to life and personal injury;
- (2) Eliminate new hazards to emergency response officials;

- (3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
- (4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
- (5) Eliminate costs associated with the response and cleanup of flooding conditions;
- (6) Reduce damage to public and private property resulting from flooding waters.

## B. Definitions

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.) *(if applicable in your community)*

FLOOD HAZARD BOUNDARY MAP (FHB.M.) An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E. [US Code of Federal Regulations, Title 44, Part 59] *(if applicable in your community)*

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - (1) By an approved state program as determined by the Secretary of the Interior or
  - (2) Directly by the Secretary of the Interior in states without approved programs. [US Code of Federal Regulations, Title 44, Part 59]

**NEW CONSTRUCTION.** Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14]

**RECREATIONAL VEHICLE** means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. [US Code of Federal Regulations, Title 44, Part 59]

**REGULATORY FLOODWAY** - see FLOODWAY.

**SPECIAL FLOOD HAZARD AREA.** The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AO, AH, V, VE. [Base Code, Chapter 2, Section 202]

**START OF CONSTRUCTION.** The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or

other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

**STRUCTURE** means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

**SUBSTANTIAL REPAIR OF A FOUNDATION.** When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

**VARIANCE** means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

**VIOLATION** means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

**ZONES, FLOOD** – All terms are defined in the US Code of Federal Regulations, Title 44, Part 64.3.

**ZONE A** means an area of special flood hazard without water surface elevations determined

**ZONE AE** means area of special flood hazard with water surface elevations determined

**ZONE AH** means areas of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet, and with water surface elevations determined

**ZONE AO** means area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. *(Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.)*

**ZONE A99** means area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. (Flood elevations may not be determined.)

**ZONE V** means area of special flood hazards without water surface elevations determined, and with velocity, that is inundated by tidal floods (coastal high hazard area)

**ZONE VE (for new and revised maps)** means area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (coastal high hazard area)

#### C. District Delineation

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Webster designated as Zone A, AE, AH, AO, A99, V, or VE on the Worcester County Flood Insurance Rate Map (FIRM) dated June 7, 2023 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Worcester Flood Insurance Study (FIS) report dated June 7, 2023. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

#### D. Designation of Webster Floodplain Administrator

The Town of Webster hereby designates the position of Zoning Enforcement Officer to be the official floodplain administrator for the Town.

#### E. Permits Are Required for All Proposed Development in the Floodplain Overlay District

The Town of Webster requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

#### F. Assure That All Necessary Permits Are Obtained

The town's permit review process includes the requirement that the proponent obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.

#### G. Floodway Encroachment

In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's/City's FIRM or Flood Boundary & Floodway Map (choose map which delineates floodways for your community) encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard

engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

#### H. Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

#### I. Drainage Requirements in AO and AH Zones

Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

#### J. Subdivision proposals

All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:

- (a) Such proposals minimize flood damage.
- (b) Public utilities and facilities are located & constructed so as to minimize flood damage.
- (c) Adequate drainage is provided.

#### K. Base Flood Elevation Data for Subdivision Proposals

When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

#### L. Recreational Vehicles

In A1-30, AH, AE Zones, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

#### M. Watercourse Alterations or Relocations in Riverine Areas

In a riverine situation, the Zoning Enforcement Officer shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream

- Bordering States, if affected
- NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist  
Federal Emergency Management Agency, Region I

#### N. Requirement to Submit New Technical Data

If the Town/City acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town/City will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

- NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist  
Federal Emergency Management Agency, Region I

#### O. Variances to Building Code Floodplain Standards

The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

#### P. Special Permits related to community compliance with the National Flood Insurance Program (NFIP)

The Special Permit Granting Authority (SPGA) shall be the Planning Board. Upon receipt of the Special Permit application, the SPGA shall transmit one copy each to the Board of Appeals, Fire Department, Conservation Commission, Health Department, and the Building Commissioner for their written recommendations. Failure to respond within 35 days of transmittal shall indicate approval by said agencies.

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

#### Q. Abrogation and greater restriction section

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

#### R. Disclaimer of Liability

The degree of flood protection required by this bylaw [ordinance] is considered reasonable but does not imply total flood protection.

#### S. Severability Section

If any section, provision or portion of this bylaw [ordinance] is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

and on file with the Board of Selectmen; or take any action thereon.

#### **Sponsored by the Planning Board**

**Recommendation:** The Board of Selectmen and Finance Committee refers to Sponsor.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** The current language in the District 8 regulations is no longer compliant with FEMA (Federal Emergency Management Agency) and Commonwealth of Massachusetts regulations. The proposed language will replace the existing language in its entirety. This language was proposed by and vetted with MEMA (Massachusetts Emergency Management Agency).

The Planning Board will hold a public hearing on this warrant article on Thursday, May 4, 2023 in the Board of Selectmen Meeting Room, Webster Town Hall. The Planning Board recommendation will be available at Town Meeting.

This requires a 2/3rds vote for passage.

#### **ARTICLE 12. AMEND ZONING BY-LAWS – ARTICLE IV § 650-14 - DISTRICT 1**

To see if the Town will vote to amend the Town of Webster Zoning By-Law, Article IV. § 650-14. District 1, Single Family Residential, Section C. Set-back building lines, by deleting the following language (strikethrough) or take any action relative thereto, as follows

Set-back building lines. In any Residential District no part of any enclosing wall of any building shall be nearer than 30 feet to the exterior line of any street., ~~however, if the existing buildings within 600 feet on either side of the lot in question are set back to a greater or lesser distance than the set back provided in this bylaw the allowable set back shall not be nearer than the average set back of all~~

~~existing buildings within 600 feet on either side of the lot in question.~~ No structure shall be located nearer than 15 feet to the side or rear lot lines nor nearer than 25 feet to any street line. and on file with the Board of Selectmen; or take any action thereon.

**Sponsored by the Planning Board**

**Recommendation:** The Board of Selectmen and Finance Committee refers to Sponsor.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** In October 2014, Fall Annual Town Meeting approved Warrant Article 14 which created 650 Attachment 2, Town of Webster, Table of Dimensional Regulations. It has been revised at several Town Meetings since and is listed as Attachment 2 in Chapter 650 of the Zoning By-law. The current District language conflicts with the approved Table of Dimensional Regulations with regards to the front yard setback. This language requires that the front yard setback be based on the average setback within 600 feet of the property as opposed to the 30 feet listed on the Table. The average within 600 feet can be more than the 30 feet.

This has created hardship for many property owners as they are forced to apply for a variance from the Zoning Board of Appeals which is expensive, time consuming and often results in a delay in project schedules. The proposed changes are based on staff recommendations including approval from the Building Commissioner / Zoning Enforcement Officer.

The Planning Board will hold a public hearing on this article on May 4, 2023 in the Board of Selectmen Meeting Room of Webster Town Hall. A Planning Board report and recommendation will be available at Town Meeting.

This requires a 2/3rds vote for passage.

**ARTICLE 13. AMEND ZONING BY-LAWS – ARTICLE IV § 650-15 – DISTRICT 2**

To see if the Town will vote to amend the Town of Webster Zoning By-Law, Article IV. § 650-15 District 2, Agricultural Single Family Residential, Section D. Set-back building lines, by deleting the following language (strikethrough) or take any action relative thereto, as follows

Set-back building lines. In any Agricultural-Residence District, no part of any enclosing wall of any building shall be nearer than 30 feet to the exterior line of any street; ~~however, if the existing buildings within 300 feet on either side of the lot in question are set back to a greater or lesser distance than the setback provided in this bylaw, the allowable set back shall not be nearer than the average set back of all the existing buildings within 300 feet on either side of the lot in question.~~ No structure shall be located nearer than 15 feet to the side or rear lot lines nor nearer than 25 feet to any street line.

and on file with the Board of Selectmen; or take any action thereon.

**Sponsored by the Planning Board**

**Recommendation:** The Board of Selectmen and Finance Committee refers to Sponsor.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** In October 2014, Fall Annual Town Meeting approved Warrant Article 14 which created 650 Attachment 2, Town of Webster, Table of Dimensional Regulations. It has been revised at several Town Meetings since and is listed as Attachment 2 in Chapter 650 of the Zoning By-law. The current District language conflicts with the approved Table of Dimensional Regulations with regards to the front yard setback. This language requires that the front yard setback be based on the average setback within 300 feet of the property as opposed to the 30 feet listed on the Table. The average within 300 feet can be more than the 30 feet.

This has created hardship for many property owners as they are forced to apply for a variance from the Zoning Board of Appeals which is expensive, time consuming and often results in a delay in project schedules. The proposed changes are based on staff recommendations including approval from the Building Commissioner / Zoning Enforcement Officer.

The Planning Board will hold a public hearing on this article on May 4, 2023 in the Board of Selectmen Meeting Room of Webster Town Hall. A Planning Board report and recommendation will be available at Town Meeting.

This requires a 2/3rds vote for passage.

#### **ARTICLE 14. AMEND ZONING BY-LAWS – ARTICLE IV § 650-16 – DISTRICT 3**

To see if the Town will vote to amend the Town of Webster Zoning By-Law, Article IV. § 650-16 District 3, Multiple-Family Residential, Section C. Set-back building lines, by deleting the following language (strikethrough) or take any action relative thereto, as follows

Set-back building lines. In any Residence 3 District no part of any enclosing wall of any buildings shall be nearer than 30 feet to the exterior line of any street. ~~however, the same allowance may be made regarding the adjacent building as applies to the Residence 1 Districts.~~ No structure shall be located nearer than 10 feet to the side or rear lot lines nor nearer than 25 feet to any street line. and on file with the Board of Selectmen; or take any action thereon.

#### **Sponsored by the Planning Board**

**Recommendation:** The Board of Selectmen and Finance Committee refers to Sponsor.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** In October 2014, Fall Annual Town Meeting approved Warrant Article 14 which created 650 Attachment 2, Town of Webster, Table of Dimensional Regulations. It has been revised at several Town Meetings since and is listed as Attachment 2 in Chapter 650 of the Zoning By-law. The current District language conflicts with the approved Table of Dimensional Regulations with regards to the front yard setback. This language requires that the front yard setback be based on the average setback within 600 feet of the property as opposed to the 30 feet listed on the Table. The average within 600 feet can be more than the 30 feet.

This has created hardship for many property owners as they are forced to apply for a variance from the Zoning Board of Appeals which is expensive, time consuming and often results in a delay in

project schedules. The proposed changes are based on staff recommendations including approval from the Building Commissioner / Zoning Enforcement Officer.

The Planning Board will hold a public hearing on this article on May 4, 2023 in the Board of Selectmen Meeting Room of Webster Town Hall. A Planning Board report and recommendation will be available at Town Meeting.

This requires a 2/3rds vote for passage.

#### **ARTICLE 15. AMEND ZONING BY-LAWS – ARTICLE IV § 650-18 – DISTRICT 5**

To see if the Town will vote to amend the Town of Webster Zoning By-Law, Article IV. § 650-18 District 5, Business Districts, Section B. Set-back building lines, by deleting the following language (strikethrough) or take any action relative thereto, as follows

Set-back building lines. No part of any enclosing wall of any building shall be nearer than 30 feet to the exterior line of any street. ~~, however, if the existing buildings within 300 feet on either side of the lot in question are set back to a greater or lesser distance than the set back provided in this bylaw, the allowable set back shall not be nearer than the average set back of all the existing buildings within 300 feet on either side of the lot in question.~~ No structure shall be located nearer than 15 feet to the side or rear lot lines, nor nearer than 25 feet to any street line.  
and on file with the Board of Selectmen; or take any action thereon.

#### **Sponsored by the Planning Board**

**Recommendation:** The Board of Selectmen and Finance Committee refers to Sponsor.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** In October 2014, Fall Annual Town Meeting approved Warrant Article 14 which created 650 Attachment 2, Town of Webster, Table of Dimensional Regulations. It has been revised at several Town Meetings since and is listed as Attachment 2 in Chapter 650 of the Zoning By-law. The current District language conflicts with the approved Table of Dimensional Regulations with regards to the front yard setback. This language requires that the front yard setback be based on the average setback within 300 feet of the property as opposed to the 30 feet listed on the Table. The average within 300 feet can be more than the 30 feet.

This has created hardship for many property owners as they are forced to apply for a variance from the Zoning Board of Appeals which is expensive, time consuming and often results in a delay in project schedules. The proposed changes are based on staff recommendations including approval from the Building Commissioner / Zoning Enforcement Officer.

The Planning Board will hold a public hearing on this article on May 4, 2023 in the Board of Selectmen Meeting Room of Webster Town Hall. A Planning Board report and recommendation will be available at Town Meeting.

This requires a 2/3rds vote for passage.

## **ARTICLE 16. AMEND ZONING BY-LAWS – ARTICLE IV § 650-21 – DISTRICT 7**

To see if the Town will vote to amend the Town of Webster Zoning By-Law, Article IV. § 650-21. District 7, Lake Residential, Section C. Set-Back Building Lines by inserting the following language (**in BOLD**) and deleting the following language (strikethrough) or take any action relative thereto, as follows

Set-Back Building Lines. In any Lake **Residential** District, no part of any enclosing wall shall be nearer than 20 feet to the exterior line of any street. ;~~however, if the existing buildings within 300 feet on either side of the lot in question are set back to a greater or lesser distance than the set back provided in the bylaw, the allowable set back shall not be nearer than the average set back of all existing buildings within 300 feet on either side of the lot in question. set back of all existing buildings within 600 feet on either side of the lot in question. No structure shall be located nearer than 10 feet to the side or rear lot lines.~~

and on file with the Board of Selectmen; or take any action thereon.

**Sponsored by the Planning Board**

**Recommendation:** The Board of Selectmen and Finance Committee refers to Sponsor.

**Recommended Motion:** I move that the Town vote to approve the article as presented.

**Background:** In October 2014, Fall Annual Town Meeting approved Warrant Article 14 which created 650 Attachment 2, Town of Webster, Table of Dimensional Regulations. It has been revised at several Town Meetings since and is listed as Attachment 2 in Chapter 650 of the Zoning By-law. The current District language conflicts with the approved Table of Dimensional Regulations with regards to the front yard setback. This language requires that the front yard setback be based on the average setback within 300 feet of the property as opposed to the 20 feet listed on the Table. The average within 300 feet can be more than the 20 feet.

This has created hardship for many property owners as they are forced to apply for a variance from the Zoning Board of Appeals which is expensive, time consuming and often results in a delay in project schedules. The proposed changes are based on staff recommendations including approval from the Building Commissioner / Zoning Enforcement Officer.

The Planning Board will hold a public hearing on this article on May 4, 2023 in the Board of Selectmen Meeting Room of Webster Town Hall. A Planning Board report and recommendation will be available at Town Meeting.

This requires a 2/3rds vote for passage.

## **ARTICLE 17. AMEND ZONING BY-LAWS – ZONING**

To see if the Town will vote to amend the Webster Zoning Bylaws and Zoning Map so as to change the zoning district from General Business B-5 to Agricultural – Single Family Residential (A.S.F.R.), for all property as shown on the attached segment of the Town of Webster Zoning Map attached hereto and incorporated herein, being all land westerly of the centerline of Thompson Road to the westerly line of Route 395 and northerly of the existing district boundary line to the northerly most corner of Assessor's Map lot no. 33-A-1-0. The purpose of the proposed zoning amendment is to expand the current A.S.F.R. District along Thompson Road; or take any action in relation thereto.

### **Citizens Petition**

**Recommendation:** The Board of Selectmen and Finance Committee defer to the petitioner.

**Background:** This article was submitted as a Citizens Petition. No rationale for the proposed change was provided by with the submission. The Planning Board will hold a public hearing on this article on May 4, 2023 in the Board of Selectmen Meeting Room of Webster Town Hall. A Planning Board report and recommendation will be available at Town Meeting.

This requires a 2/3rds vote for passage.

### **ARTICLE 18. PAVING OF OAKWOOD DRIVE**

To see if the Town will vote to accept the extension of Oakwood Drive from STA 12+50 to 22+13.19 and approve it as a town road; or take any action thereon.

### **Citizens Petition**

**Recommendation:** The Board of Selectmen and Finance Committee defer to the petitioner.

**Background:** This article was submitted as a Citizens Petition. No rationale for the proposed change was provided with the submission. The Planning Board will hold a public hearing on this article on May 4, 2023 in the Board of Selectmen Meeting Room of Webster Town Hall. A Planning Board report and recommendation will be available at Town Meeting.