

Notice for Voters in the Town of Webster

Dear Voters,

The October 30, 2017 Special Town Meeting voted under five separate articles to amend the Town Charter in accordance with the recommendations of the Charter Review Committee and the requirements of General Laws chapter 43B, the Home Rule Procedures Act. The Charter amendments were then forwarded to the Attorney General for review. The Attorney General concluded that the amendments were not in conflict with the laws or constitution of the Commonwealth of Massachusetts.

Therefore, as required by law, the charter amendments approved by Town Meeting must appear as ballot questions at the Annual Town Election for your vote of final approval. An integrated version of the Town Charter, showing the Charter as it would appear if all of the amendments proposed by the Charter Review Committee and approved by the October 30, 2017 Special Town Meeting were approved, can be viewed on the Town's website at <https://www.webster-ma.gov/>.

In addition, the Town is required by law to provide each household of one or more registered voters a copy of the Charter amendments approved by Town Meeting. Accordingly, please see the revised Charter document appearing after this notice that reflects minor and moderate Charter amendments as voted under Article 2 at the October 30, 2017 Special Town Meeting. Also, below please find the text of the non-minor and moderate Charter amendments as voted under Articles 3, 4, 5, and 6 at the October 30, 2017 Special Town Meeting:

Article 3: Amend the Town Charter to change the manner of selection of the Town Collector, Town Treasurer and Chief Assessor from elected to appointed by:

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

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

Following the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the elected incumbent town treasurer and town collector shall serve for the remainder of their respective elected terms or sooner resignation or vacating of office; upon the expiration of the elected term or such resignation or sooner vacating of office, the elected office shall be abolished and the town administrator may immediately appoint a town treasurer or town collector in accordance with section 4-2(b). Upon the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the elected office of board of assessors shall be abolished and the terms of the remaining members terminated. The town administrator may immediately appoint a chief assessor pursuant to section 4-2(b), and service as an elected assessor shall not be a disqualification for appointment.

Article 4: Amend the Town Charter to decrease the number of members on the Finance Committee from fifteen (15) to nine (9), and to do so by deleting in the newly re-numbered Section 3-6(a), Finance Committee, Composition, Term of Office, the word “fifteen” and inserting in place thereof the following, “nine (9)”; and replacing the word “five” with the word “three (3)” in each place in which it appears, so that Section 3-6(a) will provide as follows:

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

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

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

Article 5: Amend the Town Charter to increase the size of the Board of Health from three (3) to five (5) members, with the two (2) new members to be appointed, and to do so by:

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

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

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

Following the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the town administrator shall, in accordance with the provisions of section 4-

2(b) of this charter, appoint two (2) members to the board of health – one (1) for a two (2) year term and one (1) for a three (3) year term.

Article 6: Amend the Town Charter to replace the Water and Sewer Advisory Board with a newly created Water and Sewer Commission by deleting Section 5-5, “Water and Sewer Advisory Board” in its entirety, and inserting a new section, 5-4: “Water and Sewer Commission” as follows:

Section 5-4 Water and Sewer Commission

- (a) Composition, term of office - There shall be a water and sewer commission consisting of five (5) members appointed by the board of selectmen for terms of three (3) years each so arranged that the term of office of as nearly an equal number of members as is possible shall expire each year. In addition, the director of public works and superintendents of the water and sewer departments shall serve by virtue of their offices, shall each have a voice but no vote, and shall not count towards the quorum required hereunder. The town administrator may attend all meetings of the water and sewer commission, and shall have a voice but not vote.
- (b) Powers and duties - The water and sewer commission shall be responsible for advising the town on the adequacy of the public sewer system and the quantity and quality of the public water supply. The commission may recommend that the town take by eminent domain or acquire by purchase or otherwise, and hold the waters of any portion thereof, of any pond, brook, spring, stream or groundwater sources within the town limits, not already appropriated for purposes of public water supply, and any water or flowage rights connected therewith; and also for said purpose they may recommend that the town may take by eminent domain, or acquire by purchase or otherwise, and hold all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof, as well as any other matters falling within its jurisdiction as set forth herein. The commission shall grant abatements on a quarterly basis as well as set annual water and sewer rates after a public hearing for which at least two weeks’ notice is provided by posting on the town website.

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

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

On Election Day, Monday, May 7, 2018 the polls will be open from 7:00 AM to 8:00 PM. Absentee ballots may be requested until 5:00 PM on Friday, May 4, 2018. For further information regarding the form of the ballot questions and the availability of absentee ballots, please contact the Town Clerk's Office or visit the Town's website at <https://www.webster-ma.gov/>.

Please contact the Town Clerk's office at 508-949-3800 with any questions.