

# Town of Webster

## Town Meeting Guide

May 14, 2018

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# 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, standing at a podium, you will find:

- The Town Administrator: Webster's Chief Administrative and Financial Officer

Sitting at tables, also at the front of the room, are the following Boards/Committees (from left to right):

- 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

The people on the stage are (from left to right):

- Town Counsel: the Town's attorney
- The Moderator: Elected to preside over Town Meeting
- The Town Clerk: Officially records the votes taken at Town Meeting

## 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 for this to take place, registered voters 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. Pursuant to rules accepted by Town Meeting (Annual Town Meeting: October, 2015), speakers are limited to 7 individuals in favor of the Article and 7 individuals against the article. Each speaker's time limit is 2

minutes. The Sponsor of the Article will be allowed 5 minutes to speak and their presentation does not count toward the 7 speaker limit. Town Meeting can extend a speaker's time for an additional 2 minutes by taking a 2/3 majority vote.

### **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**

After a successful trial period, we will continue using the electronic voting system. 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.

## Average Tax Bill

The average tax bill in Webster is \$3,846. It is broken down below. In future years the Park Ave School Debt and Library Debt will be a larger portion of the budget as the full cost of those projects has not come online.

General Government	4.0%	\$ 155.16
Public Safety	8.7%	\$ 333.48
Public Works	2.2%	\$ 83.01
Culture and Recreation	0.7%	\$ 26.73
Community Development	0.6%	\$ 23.13
Health & Human Services	1.3%	\$ 48.34
Debt	0.6%	\$ 24.24
Pension	8.1%	\$ 313.43
Insurances	12.7%	\$ 487.75
Town-School	6.6%	\$ 252.10
Education	45.3%	\$1,743.39
Assessments	2.9%	\$ 112.42
Overlay & Tax Title	0.5%	\$ 19.47
Middle School Debt	0.7%	\$ 27.84
Police Station Debt	2.1%	\$ 79.13
Park Ave School Debt	2.7%	\$ 105.17
Library Debt	0.3%	\$ 10.69
	100.0%	\$3,845.50



# SPECIAL TOWN MEETING

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

**Sponsored by the Board of Selectmen**

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

*Background:* Allows the reports from the Board of Selectmen and Finance Committee to be heard.

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

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to transfer \$76,883.24 to the Town Administrator Unpaid Bills account as follows:

\$27,497.49 FROM THE VETERANS BENEFITS ACCOUNT  
\$49,385.75 FROM THE UNEMPLOYMENT FUND

*Background:* If there are any bills from a prior fiscal year that were not encumbered, those bills must be approved by Town Meeting for payment. This is a 4/5 majority vote. Below is a list of the prior year bills.

DG Solar Lessee, LLC	\$3,901.43
TerraForm Solar XVII Manager, LLC	\$19,267.20
Unemployment	\$49,385.75
Fedex	\$23.14
Reliant Medical	\$2,254.00
D.R.A	\$500.00
C.A.P.	\$51.72
Spectrum Business	\$1,500.00

**ARTICLE 3:** To see if the Town will vote to raise and appropriate, or transfer from any available funds in the Treasury, a sum sufficient to the Sewer

Unpaid Bills Account for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to transfer \$29,391.58 to the Sewer Unpaid Bills Account as follows:

\$28,645.92 FROM THE ELECTRICITY ACCOUNT  
\$745.66 FROM THE OFFICE SUPPLIES ACCOUNT

*Background:* If there are any bills from a prior fiscal year that were not encumbered, those bills must be approved by Town Meeting for payment. This article is specific for bills to be paid from the Sewer Enterprise Fund. This is a 4/5 majority vote. Below is a list of the prior year bills.

DG Solar Lessee, LLC	\$11,646.07
TerraForm Solar XVII Manager, LLC	\$16,407.73
Direct Energy	\$82.21
Direct Energy	\$509.91
Pitney Bowes	\$49.43
Pitney Bowes	\$520.99
AT&T	\$87.62
AT&T	\$87.62

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

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to transfer \$16,868.96 to the Water Unpaid Bills Account from the Water Electricity Account.

*Background:* Again, if there are any bills from a prior fiscal year that were not encumbered, those bills must be approved by Town Meeting for payment. This article is specific for bills to be paid from the Water Enterprise Fund. This is a 4/5 majority vote. Below is a list of the prior year bills.

DG Solar Lessee, LLC	\$2,911.52
TerraForm Solar XVII Manager, LLC	\$13,909.33
E-Z Pass MA	\$7.30



AT&T	\$40.81
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**ARTICLE 5:** To see if the Town will vote to raise and appropriate, or transfer from any available funds in the Treasury, a sum sufficient to the DPW Snow and Ice Supplies Account; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to transfer \$198,984.54 from Free Cash to the DPW Snow and Ice Supplies Account.

*Background:* As of April 18, 2018, the DPW snow and ice deficit was \$198,948.54. Almost every year, the budget for snow and ice is overspent. Over the past three years, the average over expenditure for snow and ice has been \$327,608. It is typical for cities and towns in the Commonwealth to under budget the snow and ice account as it is the only account that state law allows communities to spend in a deficit. If the Town cannot cover the deficit spending within the current fiscal year with transfers from other budget lines, the deficit amount can be added to the next year's tax rate (which reduces the amount available for the next year's budget).

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, or transfer from any available funds in the Treasury, a sum sufficient to fund cleanup of the Town Compost and uncapped landfill area as required by DEP; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to transfer \$200,000 from Free Cash to fund cleanup of the Town Compost and uncapped landfill area as required by the DEP.

*Background:* Mass DEP recently sent an Administrative Consent Order to the Town of Webster requiring us to eliminate any compost stored for more than a year. Additionally, when the solar field was constructed on the old landfill on Cudworth Road, certain areas of uncapped landfill were discovered. The DEP is requiring the Town to either remove this waste or extend the cap of the landfill. We are still analyzing which option is the most economical, but it is likely that the Town will dig up the waste and have it hauled to an active landfill.

**ARTICLE 7:** To see if the Town will vote to raise and appropriate, or transfer from any available funds in the Treasury, a sum sufficient to fund debt service payments for the Town Hall heating system, Highway Department vehicles, and Fire Department equipment; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to transfer \$140,800 from Free Cash to fund debt service payments for the Town Hall heating system, Highway Department vehicles, and Fire Department equipment.

*Background:* When the FY18 Operating Budget was prepared, it was unknown that there were three debt pay-down payments required as follows:

- Town Hall heating system: \$90,000
- Highway Department vehicles: \$8,800
- Fire Department equipment: \$42,000

# ANNUAL TOWN MEETING

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

**Sponsored by the Board of Selectmen**

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

*Background:* Allows the reports from the Board of Selectmen and Finance Committee to be heard.

**ARTICLE 2:** 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, 2018, and ending June 30, 2019; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to raise and appropriate the sum of \$43,926,153, 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, 2018 and ending June 30, 2019, said sum to be raised as follows:

Transfer from Waterway Improvements Fund .....	\$15,000
Property tax and other revenues .....	\$43,911,153

*Background:* This is the FY19 Annual Operating Budget. Please see the FY19 Budget Document and, specifically, the Budget Message for more details regarding the Budget. Very briefly, this is a \$44 million Budget which is a 2.8% increase over FY18.

**ARTICLE 3:** To see if the Town will vote to raise and appropriate, or transfer from any available funds, a sum sufficient to operate the Sewer Enterprise Fund for the fiscal year beginning July 1, 2018, and ending June 30, 2019; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to raise and appropriate

the sum of \$4,080,290, an amount sufficient to operate the Sewer Enterprise Fund for the fiscal year beginning July 1, 2018, and ending June 30, 2019, said sum to be raised as follows:

User charges and other department receipts.....\$4,080,290

*Background:* The FY19 Sewer Enterprise Fund Operating Budget increased by \$193,725 (5%). The vast majority of this is due to increases in debt payments of \$154,943. It also includes an additional \$30,000 for capital upgrades.

**ARTICLE 4:** To see if the Town will vote to raise and appropriate, or transfer from any available funds, a sum sufficient to operate the Water Enterprise Fund for the fiscal year beginning July 1, 2018 and ending June 30, 2019; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to raise and appropriate the sum of \$2,229,837, an amount sufficient to operate the Water Enterprise Fund for the fiscal year beginning July 1, 2018 and ending June 30, 2019. Said sum to be raised as follows:

User charges and other department receipts.....\$ 2,229,837

*Background:* The FY19 Water Enterprise Fund Operating Budget decreased by \$156,315 (-7%). This decrease is due to a \$221,811 decrease in debt payments in FY19.

**ARTICLE 5:** 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 action thereon.

**Sponsored by the Town Administrator**

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

*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.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, the sum of \$100,000 to the Stabilization Fund; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to approve the Article as read.

*Background:* This will increase the amount in the Stabilization Fund to \$1,362,611. Our recently-adopted Financial Policies state that the Town should strive for 5% of the annual operating budget (approximately \$2.2 million) to be held in a Stabilization Fund. We will continue to appropriately fund Stabilization each year until we reach our stated goal.

**ARTICLE 7:**

**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 amend the General Bylaws by inserting a new bylaw establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expected, and the entity authorized to expend each funds such bylaw to provide as follows:

\_\_\_\_\_ REVOLVING FUNDS

\_\_\_\_\_ There is hereby established in the Town of Webster pursuant to the provisions of G.L. c 44, §53E1/2, the following Revolving Funds:

Revolving Fund	Authority to Spend	Revenue Source	Use of Fund	
Animal Control	Board of Health/ Health Agent	Program Fees	Program expenses	
Auditorium Rentals	Town Administrator	Rental Fees	Facility maintenance	
Leased Properties	Town Administrator	Lease Payments	Facility maintenance	
Graphic Arts	School Committee	Program Fees	Program supplies	
Recycling	Recycling Commission	Program Fees	Program expenses	

Firearms Licensing	Chief of Police	Program Fees	Program expenses	
Board of Health Training	Board of Health/ Health Agent	Program Fees	Program expenses	
Board of Health Inspections	Board of Health/ Health Agent	Inspection Fees	Outside Consultant	
Senior Center	Senior Center Director	Program Fees	Program expenses	
Library	Library Director	Photocopier/Printer Fees	Equipment supplies	
Nuisance Properties	Town Administrator	BOH Violation Fines	Nuisance Property Remediation	
Inspectional Services	Town Administrator	Inspection Fees	Part-Time	
Municipal Hearing Officer	Town Administrator	Fines	Program expenses	
Compost Facility	Town Administrator	Program Fees	Program expenses	

Expenditures from each Revolving Fund set forth herein shall be subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with G.L. c 44 §53E1/2.

And, further, to set FY 2019 spending limits for such Revolving Funds as follows:

REVOLVING FUND	FY 2019 SPENDING FUND
Animal Control	\$2,000.00
Auditorium Rentals	\$5,000.00
Leased Properties	\$50,000.00
Graphic Arts	\$5,000.00
Recycling	\$1,000.00
Firearms Licensing	\$10,000.00
Board of Health Training	\$3,000.00
Board of Health Inspections	\$15,000.00
Senior Center	\$10,000.00
Library	\$2,000.00
Nuisance Properties	\$100,000.00
Inspectional Services	\$50,000.00
Municipal Hearing Officer	\$2,500.00
Composting Facility	\$20,000.00

; or take any action thereon.

**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to approve the Article as read.

*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. photocopier fees at the Library). In the future, only the spending limits will require a Town Meeting vote.

**ARTICLE 8:** To see if the Town will vote to transfer from any available funds in the treasury, a sum sufficient for the purpose of funding the FY2019 Annual Capital Budget as listed in the table below, or take any action thereon.

Department	Project	2019
Police	Mobile Surveillance Camera	\$35,000
Fire/Rescue	Replacement Pickup Truck	\$50,000
Highway	Highway Garage/Salt Shed Roof	\$150,000
Clerk	Voting Machines	\$40,000

**Sponsored by the Town Administrator**

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

*Background:* Please refer to the [Town's Capital Plan](#).

**ARTICLE 9:** To see if the Town will vote to transfer, from Water Retained Earnings, sums sufficient for the purpose of funding the FY2019 Water Department Capital Budget as listed in the table below; or take any action thereon.

Project	2019
Water Distribution System Rehabilitation	\$500,000
Corrosion Control Buildings Roofing	\$35,000

**Sponsored by the Town Administrator**

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

*Background:* Please see the presentation on the Town's water system for further information. The roofs on the corrosion control buildings are leaking and will need to be replaced.

**ARTICLE 10:** To see if the Town will vote to transfer \$57,320.31 from the Town Hall Stabilization Fund to a capital account for the purpose of funding improvements to the basement in Town Hall; or take any action thereon.

**Sponsored by the Town Administrator**

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

*Background:* When the Town formalized the lease payments for the solar field on the Town-owned capped landfill, the payments were planned to be used for upgrades to the Town Hall and were deposited into the Town Hall Improvements Stabilization Fund. There is currently a balance of \$57,320.31 in the Fund. Rather than make minor improvements to the basement on a spread-out schedule, we have held off on doing any projects until enough funds are available to complete one comprehensive project.

**ARTICLE 11:** To see if the Town will vote to transfer \$20,000 from Free Cash to the Other Post Employment Benefit (OPEB) Fund; or take any action thereon.

**Sponsored by the Town Administrator**

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

*Background:* OPEB is the liability of funding the retiree health insurance cost of Town employees, similar to a pension plan. Currently, the Town "pays as we go" by budgeting enough money each year to pay the immediate bill for the retirees. Steps have been made to create, and begin funding, for OPEB liabilities. There is currently \$20,000 in the Fund. The current Annual Required Contribution (ARC) is \$1.9 million.

**ARTICLE 12:** To see if the Town will vote to create an Economic Development Fund and to transfer \$135,000 from Free Cash to this Fund with the expenditure of such funds to be in accordance with regulations and standards adopted by the Board of Selectmen; or take any action thereon

**Sponsored by the Town Administrator**

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



*Background:* The Town of Webster recognizes the need to stimulate private sector investment in order to create new jobs, retain existing jobs for local residents, and improve our community. Subsequently, the purpose of this program is to provide funds to businesses or organizations that are looking to improve the economic climate of the Town of Webster. This could include:

- Assistance with relocation costs to businesses that move to Webster;
- Assistance to retain or expand businesses within Webster;
- Providing matching funds for façade improvements; and
- Investing funds in public projects that will have a positive result on the economic climate of Webster.

The Town has drafted guidelines for the use of these funds which will be adopted by the Board of Selectmen if the funding is appropriated.

**ARTICLE 13:** To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs, and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied; or take any action thereon.

**Sponsored by the Town Administrator**

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

*Background:* Previously, any premium (the amount charged above the bond amount to pay for the costs to issue the bond) was required to be General Fund Revenue. This Article will allow that premium to be used to pay down the cost of the project.

**ARTICLE 14:** To see if the Town will vote to transfer certain real property from the board or commission having the care, custody, and control thereof, said property currently held for School purposes, to the Select Board, for the purpose of conveyance, said parcel identified as 41 East Main Street (Assessor's Parcel 15-G-34-0), and to authorize the Select Board to convey said property and to grant any and all easements required for access thereto; and further to authorize the Select Board, and/or the Town Administrator, to enter into any and all agreements and execute any and all instruments as may be necessary or appropriate in connection herewith; or take any action thereon.

## **Sponsored by the Town Administrator**

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

*Background:* The school administration offices have now been completed in the High School. The Filmer Building located at 41 East Main is now surplus. This will allow the Board of Selectmen to sell the property to the highest bidder with the proceeds to be used to pay down the costs of the construction of the new school administration offices.

**ARTICLE 15:** To see if the Town will vote to overturn the second amendment of Article 10 of the May 12, 2014, Annual Town Meeting that was postponed to June 16, 2014, that required the Town to sell the present School Administration Building at 41 East Main Street and use the proceeds to pay down the debt for the construction of the School Administrative Offices in the High School, and instead appropriate the proceeds from the disposition of the sale of the School Administration Building at 41 East Main Street to the Stabilization Fund less the debt service costs for Fiscal Year 2019; or take any action thereon.

## **Sponsored by the Town Administrator**

Recommended Motion: I move that the Town pass over this Article.

*Background:* MGL Chapter 44, Section 63 does not allow the Town to use the proceeds from the sale of a building to be put the Stabilization Fund.

**ARTICLE 16:** To see if the Town will vote to authorize the Select Board to enter into a contract for operating a marina at the Veteran's Memorial Beach with an initial term of five years, and subject to such extensions as the Select Board may authorize; or take any action thereon.

## **Sponsored by the Town Administrator**

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

*Background:* The Town requested proposals from vendors to operate a marina at the Veteran's Memorial Beach. A vendor has been selected and we are currently working through the permitting process. The return on investment for the dock system is more than three years (the maximum amount of time a contract can be entered into without Town Meeting approval). If we enter into a three-year contract, the Town will need to front some of the costs for the marina dock system. A five-year contract will allow

the Town more flexibility and may negate the need for an initial Town investment.

**ARTICLE 17:** To see if the Town will vote to authorize the Select Board to negotiate and enter into a Tax Agreement for payments-in-lieu-of-taxes ("PILOT") pursuant to M.G. L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, and any other enabling authority, between the Town and Nexamp, Inc., its affiliate or assignee, for a term of up to 20 years, and upon such other terms and conditions as the Board shall deem in the best interest of the Town, for both real property and personal property associated with construction and operation of a solar renewable energy generation facility to be owned and operated by Nexamp, Inc., its affiliate or assignee, on an approximately 23-acre parcel of privately-owned land (Map 23, Block A, Lot 3-0) upon which such facility is to be located; and, further, to authorize the Select Board to take all actions necessary to implement such agreement; or take any action thereon.

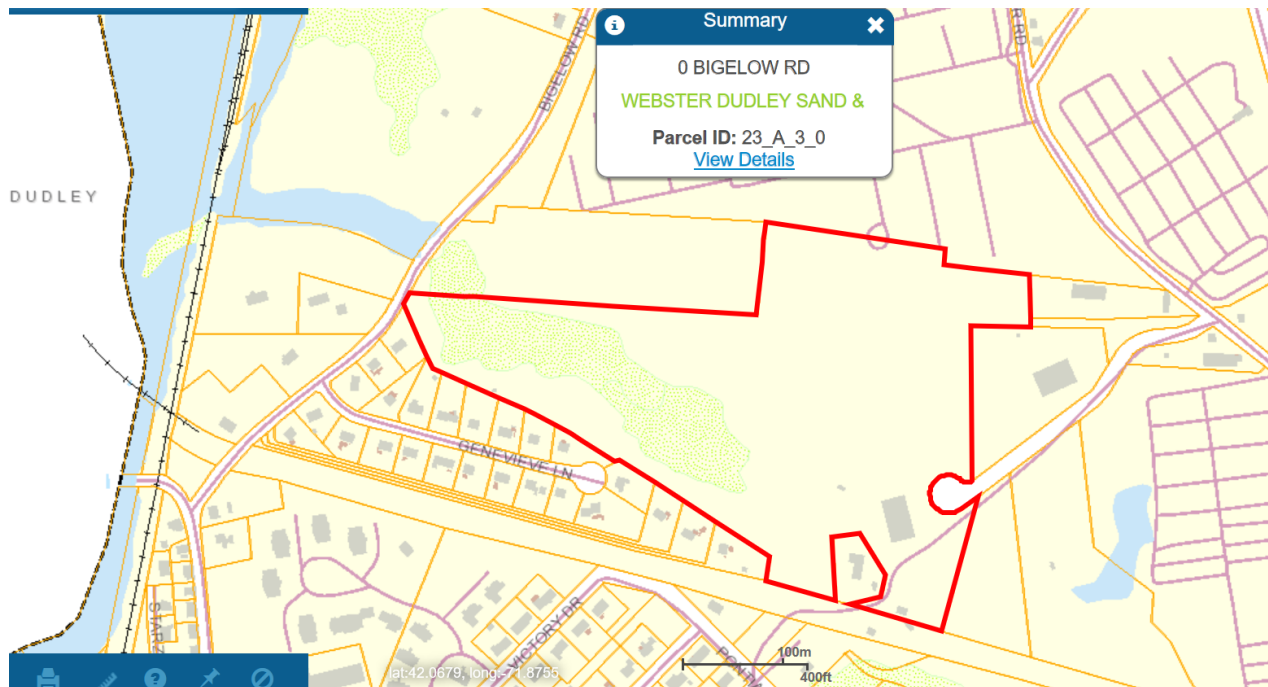
**Sponsored by the Town Administrator**

Recommended Motion: I move that the Town vote to approve the Article as read.

*Background:* Both the Town and developers of photovoltaic generating facilities need an accurate projection of their respective expenses and revenues, with respect to personal property that is, or may become, taxable under the law. The Town will negotiate and execute, where appropriate, Payment in Lieu of Tax ("PILOT") Agreements relative to photovoltaic generating facilities and ancillary equipment.

Solar PILOT Agreements are only applicable to personal property and shall not apply to real estate taxes which shall continue to be assessed and taxed.

The street address for this parcel is 16 Harry's Way (see map below).

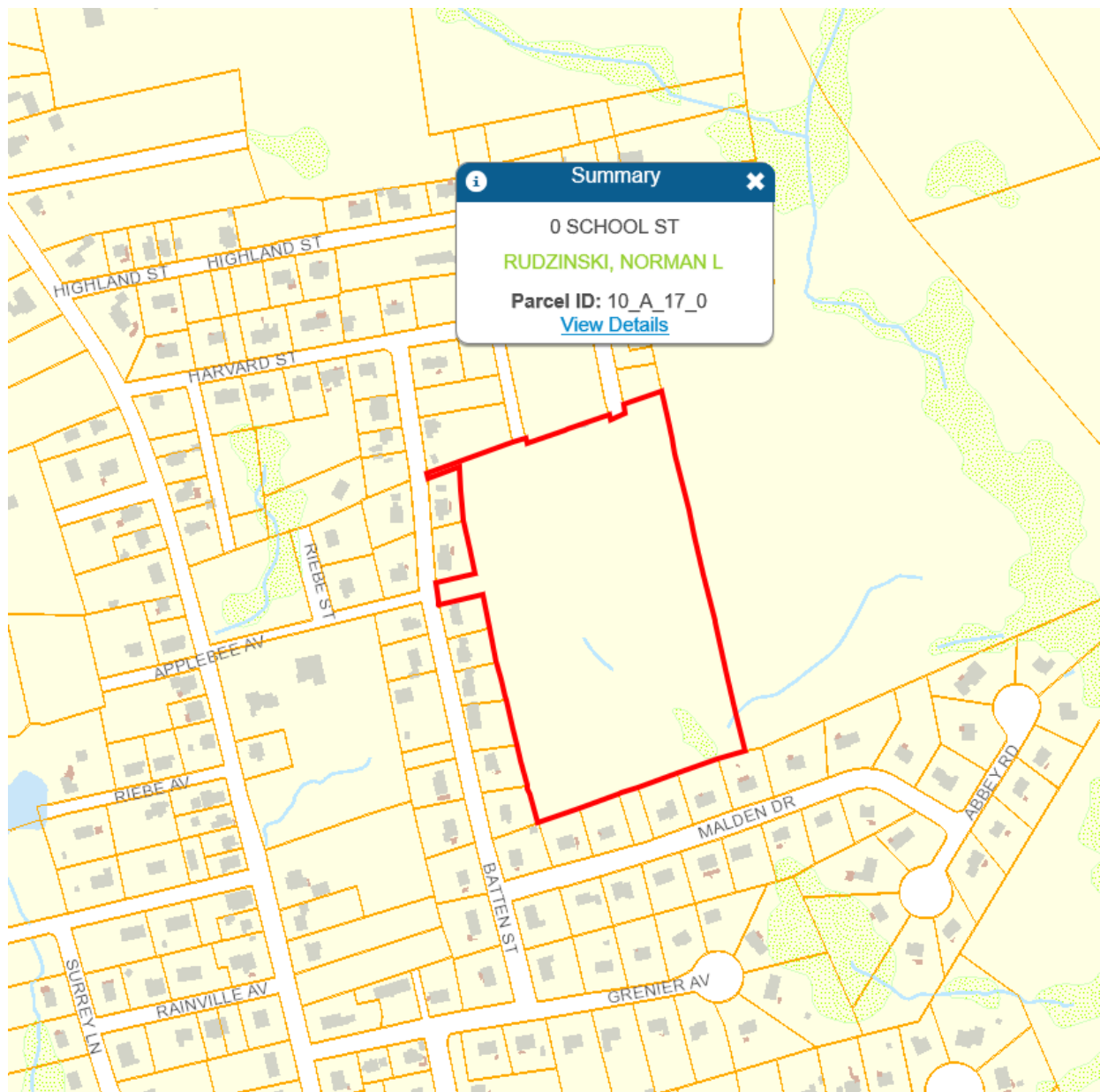


**ARTICLE 18:** To see if the Town will vote to authorize the Select Board to negotiate and enter into a Tax Agreement for payments-in-lieu-of-taxes ("PILOT") pursuant to M.G. L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, and any other enabling authority, between the Town and Nexamp, Inc., its affiliate or assignee, for a term of up to 20 years, and upon such other terms and conditions as the Board shall deem in the best interest of the Town, for both real property and personal property associated with construction and operation of a solar renewable energy generation facility to be owned and operated by Nexamp, Inc., its affiliate or assignee, on an approximately 10.5-acre parcel of privately-owned land (Map 10, Parcel 10-A-17) upon which such facility is to be located; and, further, to authorize the Select Board to take all actions necessary to implement such agreement; or take any action thereon.

**Sponsored by the Town Administrator**

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

**Background:** Please see the explanation for Article 17. The street address for this proposed solar field is 0 School Street (see map below).



**ARTICLE 19:** To see if the Town will amend the General Bylaws to prohibit consumption of marijuana or tetrahydrocannabinol in public ways and places by adding the following Bylaw; or take any action thereon:

Consumption of Marijuana or Tetrahydrocannabinol (THC): No person shall smoke, vaporize, inhale, ingest, or otherwise use or consume marijuana or THC (as defined in G.L. c. 94C, § 1, as may be amended) or marijuana products where smoking of tobacco is prohibited or any street, sidewalk, public way or any way to which the public has a right of access, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat

landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the Town; or any place to which members of the public have access as invitees or licensees; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public. Whoever is found in violation of this bylaw shall, when requested by an official authorized to enforce this bylaw, state their true name and address to such official.

This Bylaw may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by noncriminal disposition pursuant to G.L. c. 40, § 21D and G.L. c.94C, §32N, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this Bylaw shall be three hundred dollars (\$300) for each offense. Any penalty imposed under this Bylaw shall be in addition to any civil penalty imposed under G.L. c. 94C, § 32L.

This Bylaw shall not alter or affect the jurisdiction of the Board of Health under the provisions of G.L. c.111, §31 or any other applicable law, including but not limited to the regulation of combustion and inhalation of tobacco and non-tobacco products in workplaces and public spaces in the Town.

**Sponsored by the Town Administrator**

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

*Background:* The intent of this Bylaw is restrict the public consumption of marijuana and THC in the public, similar to that of laws against publicly consuming alcohol.

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, borrow or transfer from any available funds in the treasury, a sum sufficient for the purpose of funding repairs and repaving of the Webster Administration Area including driveways, sidewalks and entrances, and to provide landscaping or take any action thereon.

**Sponsored by the School Committee**

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

*Background:* Refer to sponsor.

**ARTICLE 21:** To see if the Town will vote to appropriate \$600,000 for the purpose of purchasing, equipping and maintaining a new fire engine, including associated equipment and all related incidental costs, to replace

Engine 5 and Ladder 2, to be expended by the Board of Selectmen, and that the appropriation is expressly contingent upon the Town voting to approve a capital outlay expenditure exclusion referendum question held under Proposition 2 ½, so called, for the Fiscal Year beginning July 1, 2018, at a Town election to be held; or take any action thereon.

**Sponsored by Fire Chief Brian Hickey**

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

*Background:* The Fire Chief is proposing to purchase one new fire apparatus to replace the existing Engine 5, Ladder 2 and the Tanker Truck. Engine 5 and Ladder 2 will be traded in immediately to offset the cost of the new apparatus. The Tanker Truck will continue to operate until the repairs/maintenance costs make it impracticable. The new apparatus will have a water tank large enough to respond to incidents that the current tanker responds to now (increasing the tank from 750 gallons to 1250 gallons). By replacing the three trucks with one truck, the Town will save over \$1 million in replacement costs plus thousands of dollars in ongoing maintenance costs. If approved, Engine 5 and Ladder 2 will be 24 and 25 years old respectively when they are replaced. NFPA guidelines recommend that vehicles be removed from front-line service at 15 years and taken out of service at 20 years. The Town recently approved a new Tower Truck in May, 2015, but with the nine trucks currently in the fleet, it requires the Town to purchase a new truck every two to three years to replace vehicles at 25 years of age. Reducing the number to seven apparatus will extend this replacement schedule. The Fire Chief's proposed replacement schedule will now include a new purchase every three to four years.

The purchase of this truck is to be made through a Proposition 2½ Capital Exclusion which provides funding by a one-year temporary increase in the property tax levy. The cost of a one-year override would be \$73 for the median home value or \$98 for a home valued at \$250,000. The Town is currently looking for alternative financing options including cash available on hand. If other funds are identified, this motion may be amended on Town Meeting floor.

**ARTICLE 22:** To see if the Town will vote to amend the Town of Webster Zoning Map referenced in Section 650-13 of the Code of the Town of Webster to re-zone an 87,472 square foot (2.008 acres) parcel of land from the current zoning of Business without Sewer (B-5) to a zone of Industrial and a 240,145 square foot (5.513 acres) parcel of land from the current zoning of Single Family Residential (SFR) District to a zone of Industrial District, both parcels identified as said Real Estate in the Town of Webster

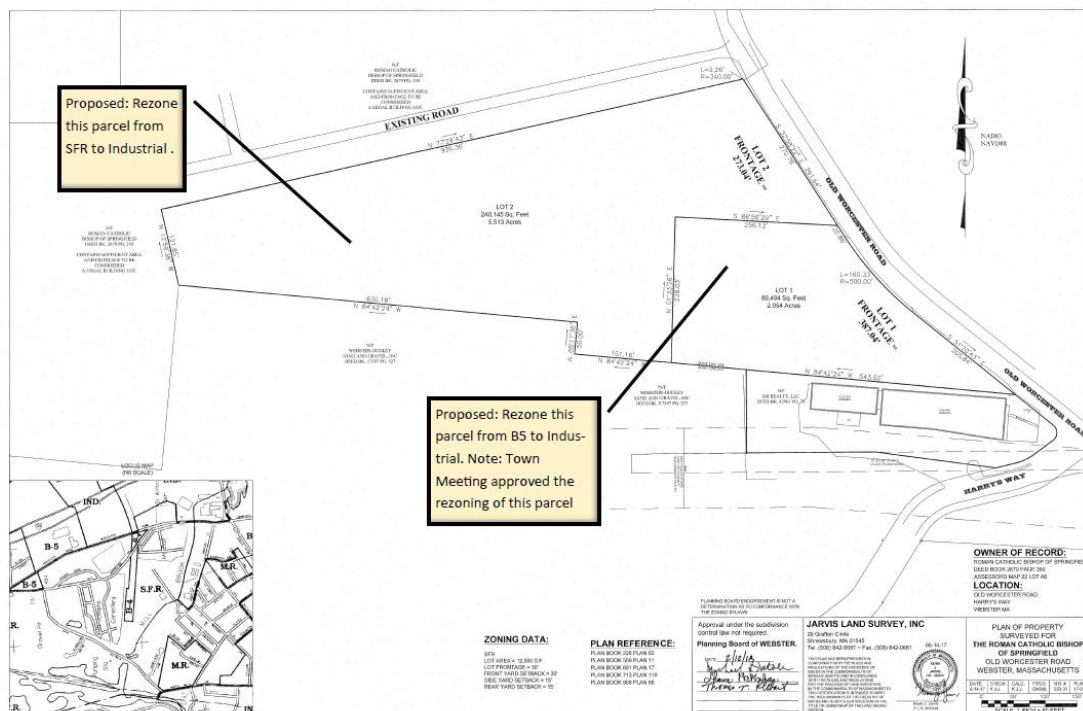
located on Old Worcester Road in the county of Worcester in the Commonwealth of Massachusetts as shown on the map entitled "Proposed Old Worcester Road Zoning Map Amendment – Webster, Massachusetts" dated July 6, 2017 and as shown on the Plan entitled "Plan of Property Surveyed for the Roman Catholic Bishop of Springfield, Old Worcester Road, Webster, Massachusetts" dated June 14, 2017 prepared by Jarvis Land Survey, Inc, 29 Grafton Circle, Shrewsbury, MA 01545 and on the file with the Town Clerk's Office.

## Citizen's Petition

**Background:** This would re-zone a portion of St. Joseph's Cemetery as shown on the maps below.

Proposed Rezoning of two parcels on Old Worcester Road

May 14, 2018 Town Meeting





Proposed Rezoning of two parcels on Old Worcester Road—May 14, 2018 Town Meeting  
Surrounding Zoning—Not to Scale

