



# Town of Webster



## Town Meeting Guide

January 28, 2019



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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 to 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.

# SPECIAL TOWN MEETING

## **ARTICLE 1: AMEND THE RECREATIONAL MARIJUANA RETAIL SALES OVERLAY DISTRICT**

To see if the Town will vote to amend the Town of Webster Zoning By-Law, Article XIII – Recreational Marijuana Retail Sales, Section 650-93E.1 Eligible Locations for Marijuana Retailers – Recreational Marijuana Retail Sales Overlay District by deleting (strikethrough) and adding the following language (in bold):

The Recreational Marijuana Retail Sales Overlay District is herein established as an Overlay District as shown on the following plans: Recreational Marijuana Retail Sales Overlay District Zone 70 Worcester Road — 2 Parcels, and Recreational Marijuana Retail Sales Overlay District Zone Goya Drive and Town Forest Road — 6 Parcels, **and Recreational Marijuana Retail Sales Overlay District, 0, 173 and 173R Thompson Road – 3 Parcels.** Included in said overlay district are those parcels identified as Assessors Map 88, Lots B-40-0, B-41-0, and B-42; on Assessors Map 96, Lots A-2-1, A-2-2; Assessors Map 97, Lots C-1-0; Assessors Map 98, Lots D-1, D-2-0, D-4-0, Assessors Map, Lot 99A-1-0, **and Assessors Map 56, Lots A-20-0, A-7-1, A-13-0;** or take any action thereon.

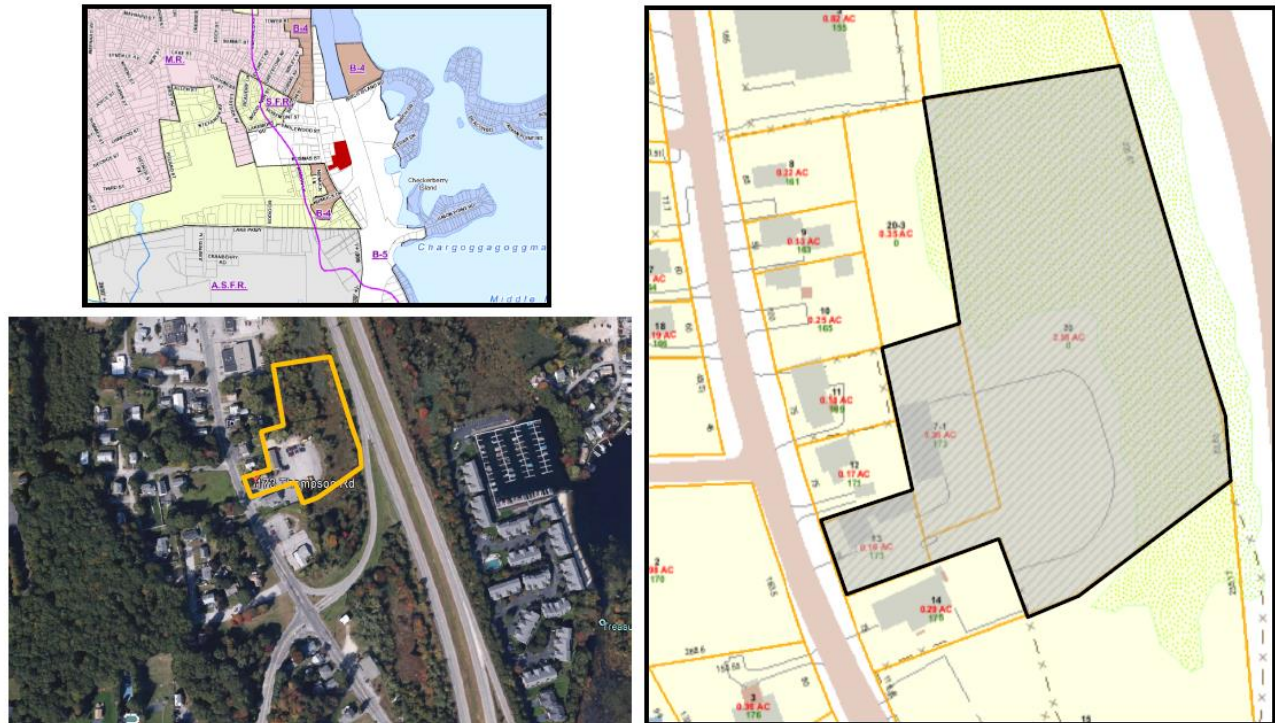
**Sponsored by the Town Administrator**

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

*Background:* In October, Town Meeting voted to allow adult-use marijuana retail sales in Webster. Following that meeting, Town Meeting approved two separate adult use marijuana retail overlay districts in December. One of these districts is the industrial park area on Town Forest Road near exit 3 on 395. The other district is the shopping plaza located at 70 Worcester Street (Kmart is the anchor tenant). However, there has been no interest by either the property owners or marijuana retailers to open an adult-use marijuana retail establishment in the industrial park. Originally, it seemed that the shopping plaza would not be a viable option either. Recently the real estate broker managing the plaza has indicated that an adult-use retail establishment may be an option for a well-vetted operator. Knowing it was the desire of the Town to allow these establishments in order to provide an additional revenue stream to the Town, alternative locations were examined for expanding the Recreational Marijuana Retail Sales Overlay District. The most promising location that 1) is the least offensive to the community and 2) remains a suitable location for a retailer is 170 Thompson Road. Likely, the greatest concern with a marijuana retail establishment is traffic. The location at 170 Thompson Road is near exit 1 on route 395 making it an easily accessible location for those travelling to the establishment from out of town. Thus there will be minimal traffic impacts except in the immediate vicinity. Additionally, we do not expect to see the traffic problems that were in Leicester.



There are now seven recreational retail establishments open in Massachusetts and many more much further along in the approval process. By the time a store opens in Webster, the demand will be diluted. Also, the Town will require a store to be “by appointment only” until any initial rush has diminished.



Town of Webster, Massachusetts—Special Town Meeting—January 28, 2019

Not to scale.

Recreational Marijuana Retail Sales Overlay District  
 0, 173 and 173 R Thompson Road —Three Parcels  
 Assessor Parcels: 56-A-20-0, 56-A-7-1, 56-A-13-0  
 Underlying Zoning—Business without Sewer (B5)



Board of Selectmen recommend approval.  
 Finance Committee recommends approval.  
 Planning Board does not recommend approval.

## **ARTICLE 2: ACQUIRE PROPERTY INTERESTS FOR THE WEBSTER RIVERWALK AND FRENCH RIVER PARK**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise, and/or ratify the acquisition by donation, for recreational purposes, including, but not limited to, a riverwalk, the following property interests: (1) easements as shown on a plan entitled “Plan of Land Tracy Court, Main Street, Frederick Street, Peter Street, Davis Street – Phase II Webster, Massachusetts,” dated September 11, 2018, prepared by A.S. Elliott Associates (Sheets 7 and 8), said plans on record with the Town Clerk; (2) a ground lease for a portion of that property described in a deed recorded with the Worcester South Registry of Deeds in Book 36895, Page 349, said portion shown



on a plan entitled "Webster Riverwalk Construction Plans," dated February 26, 2015, said plan on record with the Town Clerk; and (3) a fee interest in a parcel of land shown as "Parcel 'D'," containing 58,500 square feet, more or less, on a plan entitled "Plan of Land Transfers for the Town of Webster Main Street Webster, Massachusetts," dated December 27, 2004, recorded with the Registry of Deeds in Plan Book 826, Plan 80, said plan on record with the Town Clerk, upon such terms and conditions as the Board of Selectmen shall determine appropriate; or take any action thereon.

**Sponsored by the Town Administrator**

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

*Background:* This article will allow the Board of Selectmen to acquire interest in real property for the French River Park and Riverwalk. Specifically, there are four property interests the Town is pursuing. First, are easements for roadway improvements along Davis Street as shown on the attached exhibit A. Second, are easements for the extension of the Riverwalk from its current termination point to Peter Street and then further up the hill to Town-owned property at 547 S. Main as shown on the attached exhibit B. Third, is to formalize the easement for the existing Riverwalk at the end of Frederick Street as shown on the attached exhibit C. Fourth, is to purchase the land where the existing French River Park is as shown on the attached exhibit D.

Board of Selectmen recommend approval.

Finance Committee recommends approval.

### **ARTICLE 3: APPROPRIATE FROM SEWER RETAINED EARNINGS**

To see if the Town will vote to appropriate from Sewer Retained Earnings \$192,981.00 to fund an infiltration and inflow program as required by the Massachusetts Department of Environmental Protection; or take any action thereon.

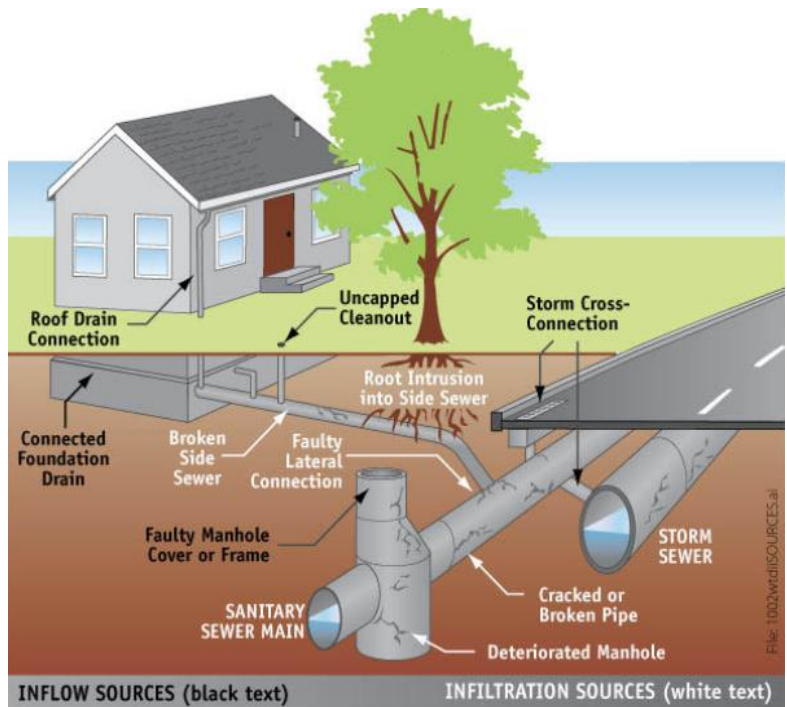
**Sponsored by the Town Administrator**

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

*Background:* Per 314 CMR 12.04 (2), Webster was required by MassDEP to submit an Infiltration and Inflow (I/I) Analysis. The I/I Analysis was completed and submitted on August 31, 2018. On November 6, 2018 MassDEP approved the Analysis and is now requiring a more specific I/I study to be completed by December 2020. The first phase of this study includes 1) an inspection of manhole covers; 2) flow isolation gauging; 3) smoke testing; and 4) dye testing. A future

phase of this study will require CCTV inspection of sewer lines. This will be an additional cost of approximately \$445,000.

- Infiltration is the extraneous water entering a sewer system from the ground through defective pipes, pipe joints, connections, manhole walls, etc. Infiltration is, in most cases, directly related to the elevation of the groundwater table in relation to the pipe invert.
- Inflow is the extraneous water discharged to a sewer system from direct connections, such as roof leaders, yard drains, catch basins, sump pumps, defective manhole covers and frame seals, or indirect connections with storm drains. Inflow is, in most cases, directly related to the quantity and intensity of rainfall.



The analysis found that as much as 65% of flow in the system during average spring dry weather condition is infiltration. The amount of inflow in the Town's sewer system depends on the intensity and duration of rain storms. I/I is a concern because it reduces the capacity of the sewer system to convey sanitary flow and increases cost of conveyance and treatment. I/I can also cause sanitary overflows into local homes and region waterways.

After the study is complete, it will identify infrastructure improvements that will need to be made. During the CCTV program, approximately 69,200 lf of sewer will be inspected. After the CCTV inspections, engineers will review the condition of the pipes, develop lining and spot repair rehabilitation costs, and determine the cost effectiveness of each project area by comparing the total cost to the cost of continuing to treat and transport the infiltration measured through flow isolation. Project areas will be compared based on their cost effectiveness, and we anticipate lining 50% of the inspected sewers, for a total lining length of approximately 35,000 lf. If these assumptions are true, it is likely that we will complete these projects over 5 years. Using a lining cost estimate of \$39/ft for 10-inch diameter pipes, and including engineering costs and contingencies, the Town should be prepared to spend anywhere from \$250,000 - \$400,000 per year for 5 years (\$1,250,000 - \$2,000,000 total) to rehabilitate high infiltration sewer

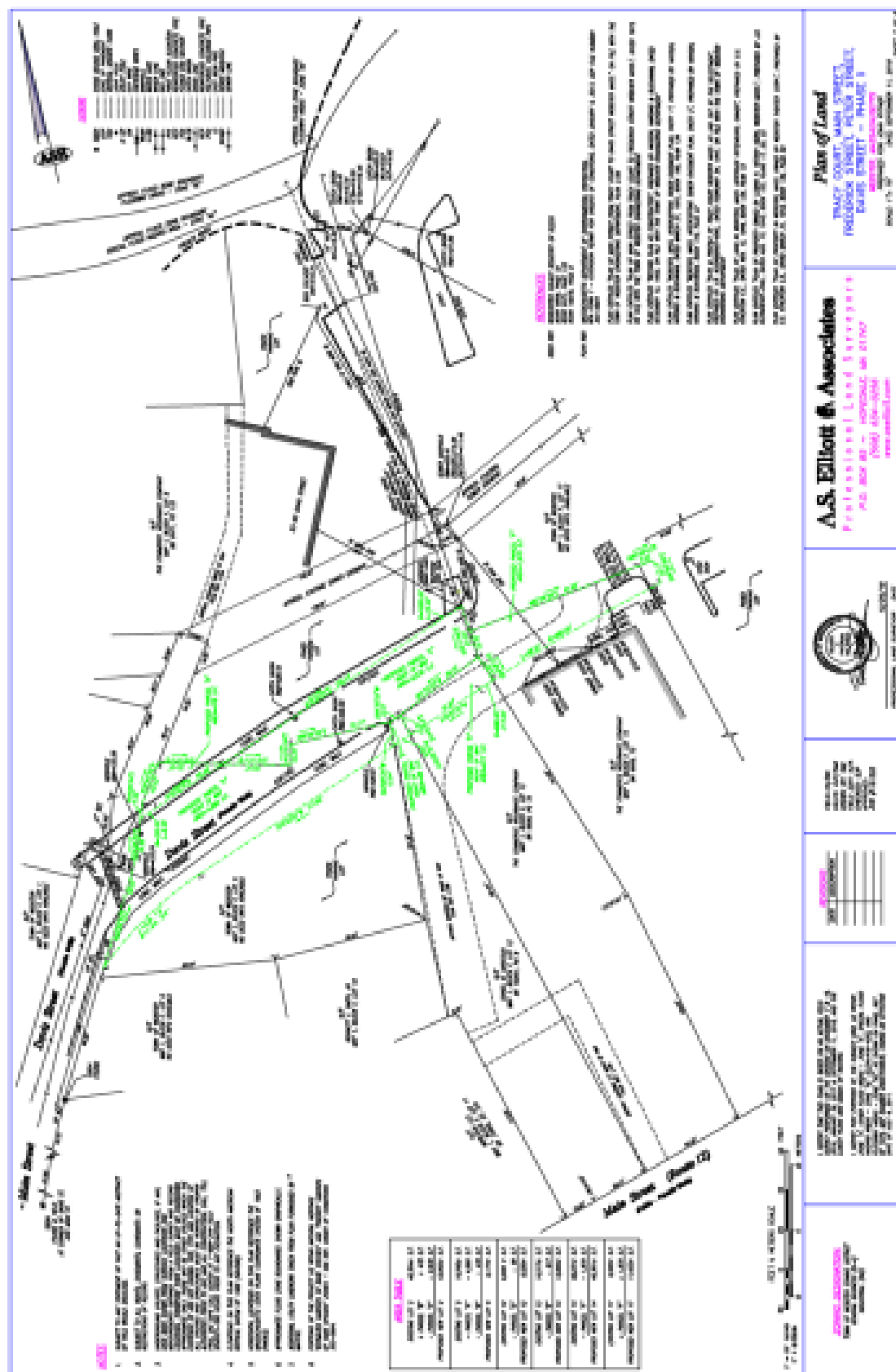
areas. Please note that these costs vary greatly because of the uncertainty at this point.

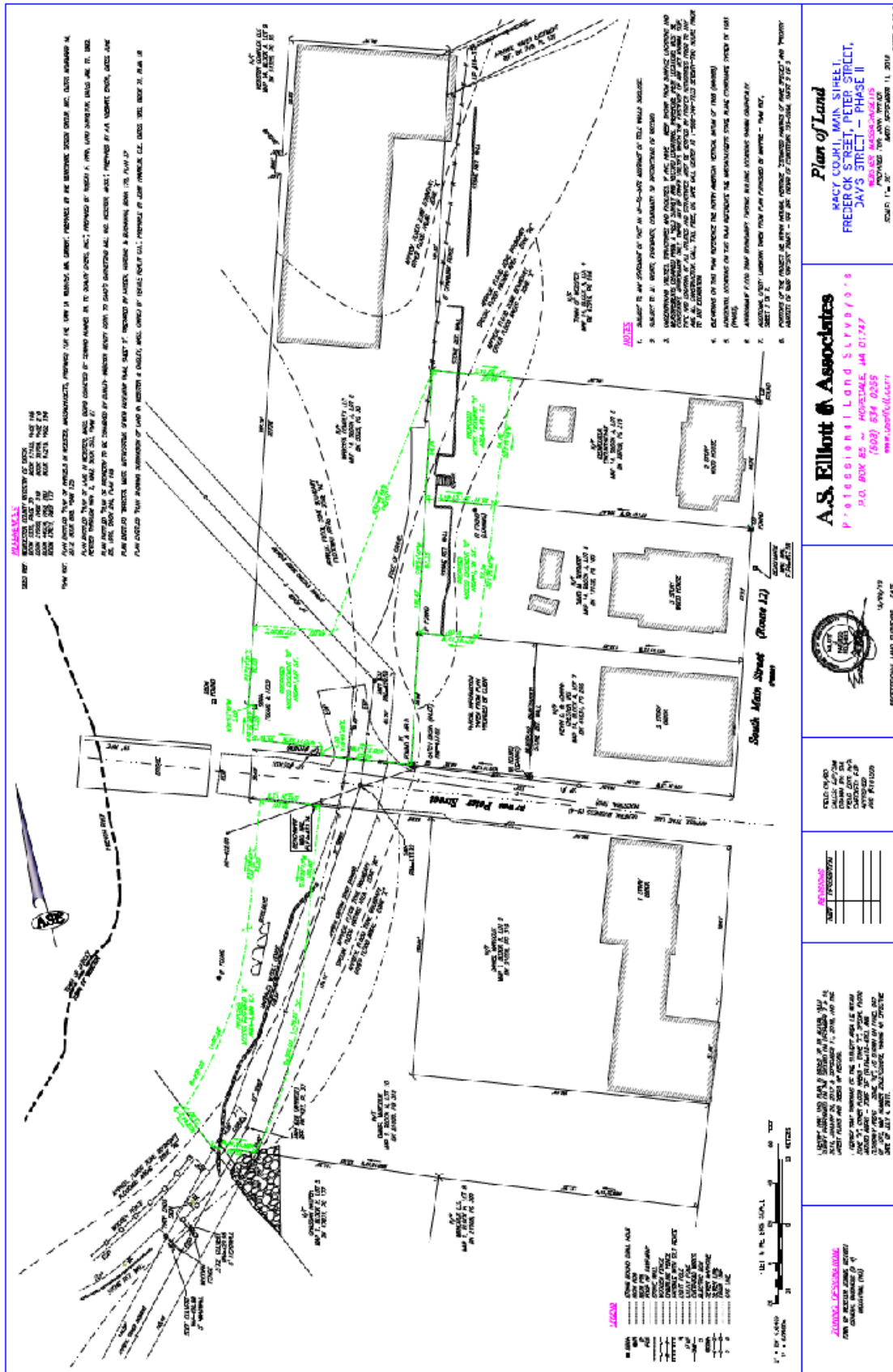
There is \$1,143,748 available in Sewer Retained Earnings.

Board of Selectmen recommend approval.

Finance Committee recommends approval.

**EXHIBIT A**







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**14 |** P a g e

[illegible]

1-4-58

