

COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEBSTER
SPECIAL TOWN MEETING WARRANT
MAY 13, 2019

Worcester, ss

To either of the Constables in the County aforesaid:

In the name of the Commonwealth of Massachusetts you are hereby required and directed to notify and warn the inhabitants of the Town of Webster aforesaid who are qualified to vote in elections and Town affairs to meet in the Bartlett High School Auditorium, 52 Lake Parkway, in said Webster on **Monday, May 13, 2019 at 6:00 PM** then and there to act on the following Articles to wit:

ARTICLE 1. GENERAL FUND PRIOR YEAR BILLS

To see if the Town will vote to 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

ARTICLE 2. SEWER ENTERPRISE FUND PRIOR YEAR BILLS

To see if the Town will vote to 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

ARTICLE 3. WATER ENTERPRISE FUND PRIOR YEAR BILLS

To see if the Town will vote to 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

ARTICLE 4. FUND SNOW AND ICE DEFICIT

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

ARTICLE 5. RESCIND PREVIOUS BORROWING AUTHORIZATIONS

To see if the Town will vote to rescind the authorized, but unissued balances of various borrowing authorizations approved by the Town from time to time, which amounts are no longer needed to pay costs of completing the projects for which they were originally approved, or to take any other action relative thereto.

Article	Date of Authorization	Amount Originally Authorized	Purpose	Amount to Rescind
3	6/16/1997	2,100,000	Water	2,092,000
4	5/10/1999	1,000,000	Water	60,000
21	6/16/2003	349,000	Remodeling	349,000
7	5/12/2008	15,500,000	Wastewater Upgrade	2,670,685
9	5/10/2010	600,000	Feasibility Study	11,272
14	12/8/2014	12,000,000	Chester. C. Corbin Public Library EXEMPT	4,241,427
11	5/11/2015	234,946	Bartlett Jr Sr High School Technology Upgrades	3,417
18	5/11/2015	699,700	Webster Middle School Renovation	303,627
9	5/9/2016	244,508	Technology Devices	150,425

Sponsored by the Town Administrator

ARTICLE 6. APPROPRIATE FROM VARIOUS ACCOUNT BALANCES TO FUND VARIOUS ACCOUNT DEFICITS

To see if the Town will vote to appropriate from the following surplus fund balances in the amount of \$52,303.04

FUND	DESCRIPTION	AVAILABLE
3602	SALE OF LAND RRA	52,303.04

to fund the following deficit balances, or take any action thereon.

FUND	DESCRIPTION	AVAILABLE
8201	CLARINDA WOOD PUB HLTH EXP	(28,139.12)
9001	SPORTING LICENSES	(223.25)
3734	MARTEL ROOM DONATIONS	(33.50)
3150	EMPG GRANT	(500.00)
9015	RESCUE EXTRA DETAIL	(2,160.00)
5030	STORMWATER MANAGEMENT	(10,385.31)
3144	EAT GRANT	(1,166.75)
3526	BOH TRAINING REVOLVING FUND	(4,889.72)
9017	SENIOR CENTER CUSTODIAL DETAIL	(4,696.18)
5020	ATHLETIC FIELD LIGHTS	(109.21)

Sponsored by the Town Administrator

ARTICLE 7. APPROPRIATE FROM VARIOUS ACCOUNT BALANCES TO FUND RENOVATIONS AT TOWN HALL

To see if the Town will vote to appropriate from the following surplus fund balances in the amount of \$33,099.08

FUND	DESCRIPTION	AVAILABLE
3506	INSPECTIONS REVOLVING FUND	15,892.47
3502	PLANNING BOARD REVOLVING	11,517.13
3602	SALE OF LAND RRA	3,686.62
3737	NEW SENIOR CENTER	2,002.86

to fund the renovation of Town Hall from the Town Hall Capital Improvements Fund (Fund 5050), including all costs incidental and related thereto, or take any action thereon.

Sponsored by the Town Administrator

ARTICLE 8. APPROPRIATE FROM INSPECTIONS REVOLVING FUND FOR SWCCC TRUE UP

To see if the Town will vote to appropriate from Inspections Revolving Fund (Fund 3506) \$4,512.17 to the SWCCC for a true up payment; or take any action thereon.

Sponsored by the Town Administrator

ARTICLE 9. APPROPRIATION FOR TOWN CAPITAL PROJECTS

To see if the Town will vote to transfer from any available funds in the treasury, 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 action thereon.

Department	Project	Amount
Police	Cruiser Dash Cameras	\$ 29,317.00
Fire/Rescue	Rescue Air Bags	\$ 14,740.38
Highway	Highway Garage/Salt Shed Roof	\$ 4,342.50
Highway	Replacement F450 Pickup Truck	\$ 59,000.00
Highway	Replacement F450 Pickup Truck	\$ 59,000.00
Highway	Replacement F350 Pickup Truck	\$ 57,500.00

Sponsored by the Town Administrator

ARTICLE 10. APPROPRIATION FOR TOWN CAPITAL PROJECTS

To see if the Town will vote to transfer from Fund 3605 Bond RRA \$117,917.12 for the purpose of funding Highway replacement vehicles as listed in the table below, including all costs incidental and related thereto, or take any action thereon.

Department	Project	Amount
Highway	Highway Garage/Salt Shed Roof	\$ 75,657.50
Fire/Rescue	Rescue Air Bags	\$ 42,259.62

Sponsored by the Town Administrator

ARTICLE 11. APPROPRIATE FROM WATER FUND BALANCES FOR DEP GRANT DRINKING WATER PROJECT

To see if the Town will vote to appropriate from the following surplus fund balances \$34,790.00 to fund a deficit in the DEP Grant Drinking Water project (Fund 6327); or take any action thereon.

FUND	DESCRIPTION	AVAILABLE
6306	REPLACEMENT VEHICLES	26,312.04
6323	SCADA PHASE II	8,477.96

Sponsored by the Town Administrator

ARTICLE 12. APPROPRIATE FROM WATER EXPENSES FOR WATER DETAIL DEFICIT

To see if the Town will vote to appropriate from Water Other Expenses (6245052-520000) \$1,270.42 to fund a deficit in the Water Extra Detail account (Fund 9011); or take any action thereon.

Sponsored by the Town Administrator

ARTICLE 13. APPROPRIATE FROM WATER FUND BALANCES FOR WATER DISTRIBUTION IMPROVEMENTS

To see if the Town will vote to appropriate from the following surplus fund balances \$13,219.44 to fund Water Distribution Improvements (Fund 6328); including all costs incidental and related thereto or take any action thereon.

FUND	DESCRIPTION	AVAILABLE
3720	SUGARLOAF HILLS	933.44
6310	RICHARD/IRENE WATER	7,585.82
6317	CORROSION CONTROL II	4,313.41
6323	SCADA PHASE II	386.77

Sponsored by the Town Administrator

ARTICLE 14. APPROPRIATE FROM SEWER RETAINED EARNINGS FOR I&I PROGRAM

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; including all costs incidental and related thereto, or take any action thereon.

Sponsored by the Town Administrator

ARTICLE 15. APPROPRIATE FROM SEWER FUND BALANCES FOR WWTF PHASE II IMPROVEMENTS DEFICIT

To see if the Town will vote to appropriate from the following surplus fund balances \$24,818.74 to fund a deficit in the Waste Water Treatment Facility Phase II project (Fund 6128); including all costs incidental and related thereto, or take any action thereon.

FUND	DESCRIPTION	AVAILABLE
6116	AERATION REPAIR SEWER	1,233.85
6130	WWTF ROOFS	10,482.82
6133	WWTF CLARIFIERS	2,954.76

Sponsored by the Town Administrator

ARTICLE 16. APPROPRIATE FROM SEWER RETAINED EARNINGS FOR WWTF PHASE II IMPROVEMENTS DEFICIT

To see if the Town will vote to appropriate from Sewer Retained Earnings \$603,827.29 to fund a deficit in the Waste Water Treatment Facility Phase II project (Fund 6128); including all costs incidental and related thereto, or take any action thereon.

Sponsored by the Town Administrator

ARTICLE 17. APPROPRIATION FOR CABLE CAPITAL PROJECTS

To see if the Town will vote to transfer from PEG Access Fund, sums sufficient for the purpose of funding the PEG Access capital purchases/projects as listed in the table below, including all costs incidental and related thereto, or take any action thereon.

Project
Update PEG Digital Bulletin Board Hardware & Software
Add a Digital Display & Controls in Town Hall Rotunda
Upgrade Digital Display Capabilities in Selectmen Room

Sponsored by the Town Administrator

ARTICLE 18. 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 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 is in the best interests of the Town; or take any action thereon.

Sponsored by the Town Administrator

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

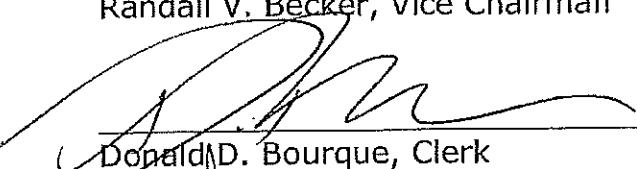
Thereof fail not and make due return of your doings thereon to the Town Clerk at the time and place of holding said meeting. Given under our hands this Eighth Day of April in the year of our Lord Two Thousand and Nineteen.

TOWN OF WEBSTER BOARD OF SELECTMEN:

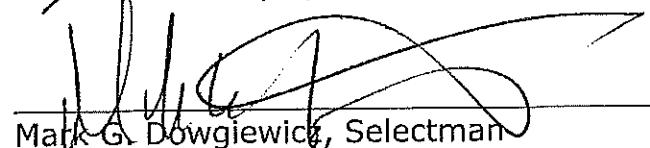


Andrew M. Jolda, Chairman

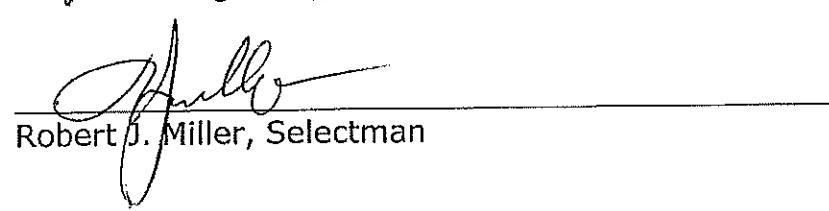
Randall V. Becker, Vice Chairman



Donald D. Bourque, Clerk



Mark G. Dowgiewicz, Selectman



Robert J. Miller, Selectman

COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEBSTER
ANNUAL TOWN MEETING WARRANT
MAY 13, 2019

Worcester, ss

To either of the Constables in the County aforesaid:

In the name of the Commonwealth of Massachusetts you are hereby required and directed to notify and warn the inhabitants of the Town of Webster aforesaid who are qualified to vote in elections and Town affairs to meet in the Bartlett High School Auditorium, 52 Lake Parkway, in said Webster on **Monday, May 13, 2019 at 6:00 PM** then and there to act on the following Articles to wit:

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 action thereon.

Submitted by the Town Administrator

ARTICLE 2: FY2020 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, 2019 and ending June 30, 2020; or take any action thereon.

Submitted by the Town Administrator

ARTICLE 3: FY2020 SEWER ANNUAL BUDGET

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, 2019 and ending June 30, 2020; or take any action thereon.

Submitted by the Town Administrator

ARTICLE 4: FY2020 WATER ANNUAL BUDGET

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, 2019 and ending June 30, 2020; or take any action thereon.

Submitted by the Town Administrator

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 action thereon.

Submitted by the Town Administrator

ARTICLE 6: APPROPRIATE TO THE STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a certain sum to the Stabilization Fund; or take any action thereon.

Submitted by the Town Administrator

ARTICLE 7: DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote, pursuant to the provisions of G.L. c. 44, §53E ½, to set the annual spending limits for the following six (6) revolving accounts established in the General Bylaws for Fiscal Year 2020, or take any other action thereon.

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 2020 spending limits for such Revolving Funds as follows:

FUND	REVOLVING FUND	FY 2020 SPENDING FUND
3707	Animal Control	\$14,000.00
3531	Board of Health Inspections	\$7,000.00
3736	Senior Center	\$8,000.00
3530	Nuisance Properties	\$50,000.00
3534	Inspectional Services	\$35,000.00
3525	Composting Facility	\$10,000.00

; or take any action thereon.

Submitted by the Town Administrator

ARTICLE 8. DECLARE POLICE BOATS SURPLUS

To see if the Town will vote to declare the below listed boats from the Police Department as surplus, or take any action thereon.

- 2007 Thundermist 17' Open hull fiberglass boat, HIN#: EQC17004L607 & single axle galvanized boat trailer; Motor: 70 HP Yamaha 4 stroke;
- 1996 Polarcraft 19' Open hull fiberglass boat, HIN#: MJ107812K596 & single axle galvanized boat trailer; Motor: 90 HP Yamaha 4 stroke;
- 1999 Parker 25' Open hull fiberglass boat, HIN#: PXMLS034E999 & 1999 dual axle Caulkins galvanized boat trailer Ser# 1CXB2523X590; Motor: 2- 2007 Evinrude 200 HP 2 stroke.

Submitted by the Town Administrator

ARTICLE 9. GRANT A PRESERVATION RESTRICTION FOR TOWN HALL

To see if the Town will vote to authorize and empower the Board of Selectmen to grant a preservation restriction to the Massachusetts Historical Commission in perpetuity on the structure generally known and referred to as the Webster Town Hall, located at 350 Main Street, Webster, Massachusetts, Assessor Parcel ID 1-L-1-0; or take any action thereon.

Submitted by the Town Administrator

ARTICLE 10. IMPOSE A LOCAL EXCISE ON LODGINGS

To see if the Town will vote to accept the provisions of M.G.L. c. 64G, section 3A, and impose a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house, short term rental, or motel located within the Town at a rate of 6% said excise tax to take effect on the first day of the calendar quarter commencing at least thirty days after such vote of the Town Meeting, or take any action relative thereto.

Submitted by the Town Administrator

ARTICLE 11. IMPOSE A COMMUNITY IMPACT FEE ON PROFESSIONALLY MANAGED LODGINGS

To see if the Town will vote to accept the provisions of M.G.L. c. 64G, section 3D(a) and impose a local option community impact fee of 3% of rent to each transfer of occupancy of a professionally managed unit defined as one of two or more short term rental units in the same town not located within a single - or two - or three-family dwelling that includes the operator's primary residence. The fee applies to transfer of occupancies on or after July 1, 2019 for which a rental contract was entered into on or after January 1, 2019, or take any action relative thereto.

Submitted by the Town Administrator

ARTICLE 12. IMPOSE A LOCAL EXCISE ON SHORT-TERM RENTAL UNITS

To see if the Town will vote to adopt M.G.L. c. 64G, section 3D(b) and impose a local option community impact fee of 3% of the rent to each transfer of occupancy on short-term rental units located within a two - or three family dwelling that includes the operator's primary residence. The fee applies to transfers of occupancies on or after July 1, 2019 for which rental contract was entered into on or after January 1, 2019, or take any action relative thereto.

Submitted by the Town Administrator

ARTICLE 13. CREATE BUDGET FOR CABLE ACCESS

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

Account	Description	Budget
3702-510000	Salaries	\$24,000
3702-570000	Other Charges	\$29,500

Submitted by the Town Administrator

ARTICLE 14. AMEND VACANT AND FORECLOSING PROPERTY BYLAW

To see if the Town will vote to amend Part D of the Vacant and Foreclosing Property Bylaw by deleting the text shown with a ~~strike-through~~, and inserting the text shown in *italics* as follows, or take any action relative thereto:

A failure to pay the registration fee in a timely manner shall *result in a \$300.00 fine per day for each failure to register. Said fines may be imposed by the Health Agent or his/her designee via non-criminal disposition under G.L. c. 40, s. 21D. Additionally, any unpaid registration fee and any associated unpaid fines will be a violation of this By-law and the full fee and fine may be assessed as shall be deemed an assessment resulting from that violation, resulting in a lien on the property, as may be permitted under G.L. c. 40, s. 58,* to be collected in accordance with chapter 59 of the Massachusetts General Laws. In addition, failure to pay said fee could result in the denial, revocation, or suspension of other licenses or permits pursuant to G.L. c. 40, s. 57, and the Town's "By-law Authorizing Denial or Revocation of Local License or Permit for Nonpayment of Local Taxes, Fees, or Other Charges in the Town of Webster" (adopted at the May 20, 2002, Webster Annual Town Meeting).

Submitted by the Town Administrator

ARTICLE 15. ADOPT SEC. 58 of CH. 40 TO LIEN UNPAID FINES AND FEES

To see if the Town will vote accept the provisions of Section 58 of Chapter 40 of the General Laws to impose a "municipal charges lien" on real property for any unpaid registration fees or fines imposed under the Town's Vacant Property Bylaw, in the manner as prescribed under said G.L. c. 40, s.58, which such lien may include any related fees, penalties and interest as well as costs to record any said lien in the appropriate registry of deeds, as may be required, or take any other action related thereto.

Submitted by the Town Administrator

ARTICLE 16. DISCONTINUE PINERIDGE ROAD A PRIVATE WAY

To see if the Town will vote to allow the Board of Selectmen to discontinue a portion of the private way Pineridge Road between Lakeside Avenue and Cooper Road per MGL Ch 82 Sec 21 and release it to the four abutting property owners, or take any other action related thereto.

Submitted by the Town Administrator

ARTICLE 17. 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.

Citizen's Petition

ARTICLE 18. AMEND WATER & SEWER COMMISSION BYLAW

To see if the Town will vote to amend Part I, Appointments by Board of Selectmen or Moderator, Article 14-2 by deleting the text shown with a ~~strikethrough~~, and inserting the text shown in *italics* as follows, or take any action relative thereto:

14.2 Water and Sewer Advisory Board *Commission*

~~The Board of Selectmen shall appoint a committee consisting of six members, known as the Water and Sewer Advisory Board, pursuant to Section 5-5 of the Charter. The Board shall also oversee studies, initiatives and compliance requirements related to stormwater management.~~

1. Composition; appointment.

A Board of Water and Sewer Commissioners consisting of five members shall be appointed by the Board of Selectmen for three-year overlapping terms, as outlined in the Town Charter. See 5-4(a). The Town Administrator, Water Superintendent, and Sewer Superintendent shall be non-voting members. Members shall have relevant technical, legal or business knowledge that they might apply to the operation and conduct of the water and wastewater utilities. The Commission shall implement, on a consistent basis, sound technical, legal and business practices in the Water and Sewer Departments.

2. Vacancies.

Whenever a vacancy shall occur in said Water and Sewer Commission, it shall be filled in the same manner as provided for the regular appointment of members, except that the member so appointed shall be appointed to serve for the unexpired term only.

3. Meetings.

The Water and Sewer Commission shall meet as frequently and at such times and places as it may deem necessary for the proper exercise of its powers and discharge of its duties.

4. Organization.

The Water and Sewer Commission shall elect one of its members to be Chair and one of its members to be Secretary and one member to be Vice Chair, each for a term of one year.

5. Quorum.

A majority of the voting members of the Water and Sewer Commission shall constitute a quorum, and a quorum shall be necessary for the transaction of any acts by the Water and Sewer Commission.

6. Powers and duties.

- a. The Board of Water and Sewer Commissioners shall have all the powers, responsibilities and authority granted by M.G.L. Chapters 40 and 41 and relevant regulations contained in the Code of Massachusetts Regulations to Board of Selectmen acting as Water or Sewer Commissioners, or to elected Board of Water or Sewer Commissioners. The Board of Water and Sewer Commissioners shall have charge and control of all Webster municipal water and sewer systems subject to the lawful bylaws and requirements approved by affirmative vote of the Town Meeting.
- b. The Commissioners shall have the responsibility to study, investigate and implement, as necessary, any major capital improvements to the Town's water and wastewater infrastructure, including, but not limited to, treatment facilities, water distribution systems and wastewater collection systems. It shall oversee and facilitate the construction of such improvements and additions and shall enforce any and all requirements imposed upon the Town's water and wastewater systems by the United States or the Commonwealth of Massachusetts or any agency or instrumentality thereof.
- c. The Commissioners shall propose articles for approval at Town Meeting related to capital improvement projects or expenses that require use of Water or Sewer Retained Earnings. The Commission will coordinate with the Town Administrator and Town Accountant regarding the issuance of bonds.
- d. The Commissioners shall negotiate and execute all agreements and contracts with vendors, users of the water and wastewater facilities and for the sale of the goods and services or products that may be supplied by these departments. Such contracts may include but are not limited to: service agreements, inter-municipal agreements, and sale of water or wastewater products and services to commercial and industrial users outside the Town of Webster.
- e. The Commissioners shall promulgate reasonable policies, rules and regulations for the use of the services of the water and wastewater systems and for the efficient management of the Commission and the water and wastewater systems that may be necessary to protect the Town's water and wastewater infrastructure, including, but not limited to, treatment facilities, water distribution systems and wastewater collection systems. Such rules and regulations shall include any rules

and regulations as may be required by the United States, the Commonwealth of Massachusetts or any agency or instrumentality thereof.

- f. The Commissioners 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.
- g. The Commissioners shall review and recommend an annual budget to the Town and shall review revenue and expenditures of each department on a routine basis.
- h. The Commissioners shall review and make recommendations to the Town regarding staffing and levels of compensation to promote efficient and exceptional operation of the water and sewer departments.
- i. The Commissioners shall have, and may, exercise all of the authority, powers and privileges set forth in or any other applicable chapter or section of the Code or the statutes or regulations of the Commonwealth of Massachusetts applicable to water, water service or sewer or wastewater.

ARTICLE 19. AMEND TOWN BYLAW CH. 313 ANIMALS

To see if the Town will vote to amend Town Bylaw Ch. 313 by amending Sec 313-7 and adding Sections 313-1 and 313-9 through 313-13 and renumber sections by deleting the text shown with a ~~strikethrough~~, and inserting the text shown in *italics* as follows, or take any action relative thereto:

313-1: LICENSING

All dogs shall be duly licensed as required by law on or before April 30th of every calendar year.

313-7 (amended to 313-8) Impoundment costs/Release.

~~A. The owner or custodian of any animal(s) impounded in a Town owned or designated animal impound facility shall be liable to pay for the cost of impoundment at a minimum rate of five dollars (\$5) per day, plus the cost of food and care. These charges may be increased by the Board of Selectmen but in no event shall the total facility charges be greater than 10 calendar days, per incident, of charges for Webster residents.~~

~~B. A special rate may be set up by the Board of Selectmen for animals impounded whose owners or custodians are not residents of the Town of Webster.~~

~~C. Additional rates or charges for animal control services may be imposed by the Board of Selectmen and/or Town Administrator.~~

A. Any animal picked up by animal control is subject to a \$20.00 pick up fee. Pound fees will be incurred at a rate of \$10.00 per day. Owner may reclaim dog or cat by reimbursing the animal control officer for expenses, fines, fees, and charges per Massachusetts General Law Chapter 140 Section 151A (a)

by money order or bank check in the full amount of expenses, fines, fees and charges incurred by animal control made payable to Town of Webster Animal Control. Proper documentation of current rabies vaccination and proof of current licensing are required prior to release of impounded animal. Any animal not vaccinated for rabies as required by Massachusetts General Laws Chapter 140/Section 140, 137, and 145B shall be vaccinated for rabies at the owner's expense by a licensed vet arranged for by the animal control officer/animal inspector and if not licensed, shall be licensed prior to release.

- B. Any animal requested to be picked up by animal control by police department or other first responder for the animal's temporary safety and well being, will be held for seven days at the animal shelter. The owner/keeper shall be responsible for making arrangements to reclaim the animal within seven days of the animal's arrival at the shelter unless other arrangements are made with animal control.*
- C. Any animal not reclaimed by an owner/keeper within seven (7) days of being taken into possession by animal control shall be deemed to be abandoned and subject to be vetted, spayed or neutered, and placed up for adoption. If the animal is deemed to be unadoptable due to behavioral issues, animal control reserves the right to euthanize the animal. The animal may be transferred to another shelter or rescue for adoption.*

Section 313-9 Rabies

- A. All dogs and cats owned by a resident of the Town of Webster shall be properly vaccinated in accordance with Massachusetts General Laws Chapter 145B. Unvaccinated dogs and cats acquired or moved into the Town of Webster shall be vaccinated within 30 days or upon reaching the age of six (6) months, whichever comes first.*
- B. Those dog owners found in violation of the rabies requirement of Massachusetts General Laws, Chapter 140, Section 145 (B), shall, at the owner's expense, have their dogs properly vaccinated by a licensed veterinarian within ten (10) days of said violations and will receive a fine of \$25.00 for first offense.*
- C. Any animal that is quarantined and requires vaccination shall be vaccinated at the owner's expense. Notification of such vaccination shall be sent to the Animal Inspector within ten (10) days of said vaccination.*
- D. Any dog or cat that is under quarantine for biting or scratching a person or another animal, shall be quarantined for the required period of time set forth by the Animal Inspector and/or Massachusetts Department of Agriculture at the owner's home unless the animal is deemed to be unvaccinated at which time the dog or cat would be required to be humanely euthanized and tested for rabies, or confined in an approved, adequate boarding facility for a period of not less than ten (10) days. An animal is deemed to be unvaccinated if the animal never received a vaccination for rabies.*

- E. Any veterinarian bills incurred for vaccinating or preparing any animal for rabies testing shall be at the owner's expense.
- F. Any owner or keeper moving an animal subject to quarantine shall notify the Animal Inspector and Board of Health Director in writing prior to the animal being moved, subject to approval. The names, address, and phone number(s) as to where the animal is being moved to must be identified in the written notification.
- G. Any owner or keeper of any animal in The Town of Webster who has received a written notice of quarantine and does not comply with said order, or if the quarantined animal is found outside the approved enclosure of its owner or keeper and not under his/her immediate control and/or care, shall be subject to an immediate order to be euthanized or ordered to be housed at an approved boarding facility at the owner or keeper's expense.

Section 313-10 Animals Picked Up/Confiscated By Animal Control/Animal Inspector

- A. Dogs found to be roaming at large will be subjected to be picked up and transported to the animal control shelter for safe keeping till owner can be contacted or owner presents, if unknown.
- B. Any animal found injured with no immediate known owner will be brought for medical care as deemed necessary. If an owner becomes identified, any and all necessary vet care expenses will be reimbursed to the Town of Webster prior to release back to the owner along with any and all other fines, fees, and charges.
- C. Any animal showing evidence of being abused, neglected, or abandoned or an animal requiring vet care that is being denied by the owner/keeper of said animal will be brought for medical care as deemed necessary. If an owner becomes identified, any and all necessary vet care expenses will be reimbursed to the Town of Webster prior to release back to the owner along with any and all other fines, fees, and charges.
- D. Any dog found to be unvaccinated for rabies and/or unlicensed will be vaccinated and/or licensed. If an owner becomes identified, any and all expenses will be reimbursed to the Town of Webster prior to release back to the owner along with any and all other fines, fees, and charges.
- E. The Animal Control Officer will respond to any animal requested to be picked up by the police department or other first responders to ensure the temporary safety and well being of the animal due to circumstance and situation that poses a threat to the animal's safety and well being.

Section 313-11 Prohibitions

- A. Any dog found in a posted area restricting dogs from trespassing, will be subject to a fine. This includes, but is not limited to, Memorial Beach and surrounding area and town owned public parks and property.
- B. No person owning or keeping a dog shall chain or tether a dog to a stationary object, including but not limited to, a structure, dog house, pole, or tree for longer than twenty-four (24) consecutive hours. Owner/keeper must abide

by all other requirements and prohibitions as to restraint, access to clean water, and appropriate shelter and other matters addressed in Massachusetts General Laws Chapter 140 Section 174 (E). As specified in Section 174 (E), any person who violates same shall, for first offense, be issued a written warning or punished by a fine of not more than fifty dollars (\$50.00). For a second offense, be punished by a fine of not more than one hundred dollars (\$100.00) and for a third or subsequent offense, to be punished by a fine of not more than three hundred dollars (\$300.00) and be subject to impoundment of the dog in a local shelter at the owner's or keeper's expense pending compliance with this section, or loss of ownership of the dog.

Section 313-12 Kennel Licensing

- A. Any owner or keeper of more than three dogs must acquire a residential kennel license and is subject to a yearly licensing fee of \$50.00.*
- B. Commercial kennels must be fully licensed pursuant to the provisions of Massachusetts General Laws Chapter 140 and subject to Webster Zoning By-Laws at a yearly licensing fee of \$75.00*
- C. Each residential kennel and commercial kennel shall be available by inspection by the Animal Control officer, Animal Inspector, Police Officer, Board of Health Director or Massachusetts Department of Agriculture*

Section 313-13 Violations and Penalties

Any owner or keeper found in violation of these bylaws shall be subject to a fine according to the following schedule, unless the fine for a violation is otherwise established by state law.

<i>• First offense</i>	<i>\$ 25.00</i>
<i>• Second offense</i>	<i>\$ 35.00</i>
<i>• Third offense</i>	<i>\$ 50.00</i>
<i>• Fourth offense:</i>	<i>\$ 75.00</i>
<i>• Fifth and each subsequent offense (within a calendar year)</i>	<i>\$100.00</i>
<i>• Failure to vaccinate for rabies:</i>	<i>\$50.00</i>
<i>• Failure to obtain dog license:</i>	<i>\$50.00</i>

Submitted by the Town Administrator

ARTICLE 20: RESCIND PERSONAL WATERCRAFT AT MEMORIAL BEACH LAUNCHING PROHIBITION

To see if the Town will vote to amend the Town of Webster Waterways and Boating: Lake Rules and Regulations By -Laws, Chapter 635 by rescinding section 635- 33. 5 as follows, or take any action thereon.

Submitted by Town Administrator

ARTICLE 21: TOWN MEETING VOTE RECONSIDERATION

Delete bylaw 253-13 in its entirety and replace with:

A Final Vote of the Town Meeting may be reconsidered under the following circumstances.

Any Town Meeting Member desiring reconsideration of a vote taken under an Article, at a Town Meeting session that has not adjourned must make a motion within 15 minutes of the final vote which is the subject of reconsideration. The motion must be accompanied by a statement outlining the reasons for requesting reconsideration, which shall be limited to the following:

- New information not available to the Town Meeting at the time the Article was considered; or
- Substantial evidence that Town Meeting Members were confused as to the basis or nature of the action that they took.

Said motion for Reconsideration shall require a 2/3 majority vote to suspend the rules. Or take any action thereon.

Submitted by the Town Moderator

ARTICLE 22: AMEND BYLAW 14-1 REDUCE BYLAW COMMITTEE TO FIVE MEMBERS

Reduce the number of Bylaw Committee members from 7 to 5 deleting the word "seven" in the first sentence and replacing it with the word "five;" or take any action thereon.

Submitted by the Town Moderator

ARTICLE 23: TOWN BYLAW AMENDMENTS AS RECOMMENDED BY THE BYLAW REVIEW COMMITTEE

To see if the Town will vote to amend the Town Bylaws by deleting the text shown with a ~~strikethrough~~, and inserting the text shown in *italics* in the 2019 Revised Town Bylaws as available on the Town's Website and handout at the Town Meeting held on May 13, 2019, or take any action relative thereto.

Submitted by the Bylaw Review Committee

ARTICLE 24: SPECIAL LEGISLATION FOR TOWN CHARTER

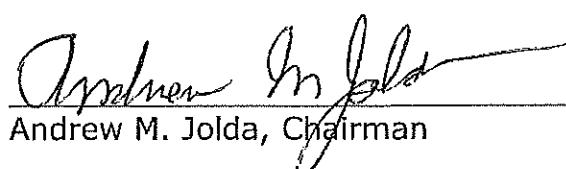
To see if the Town will vote to authorize the Board of Selectmen to seek special legislation to formalize and integrate amendments to the Town Charter approved under Articles 4 through 6 of the October 30, 2017 Special Town Meeting and by the voters at the 2018 Annual Town Election, and those amendments approved under Article 14 of the June 25, Special Town Meeting, provided, however, that the General Court may make clerical and editorial changes of form only to the bill unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve such amendments which shall be within the scope of the general public objectives of the petition, or take any other action relative thereto.

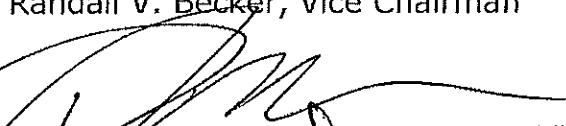
Submitted by the Town Administrator

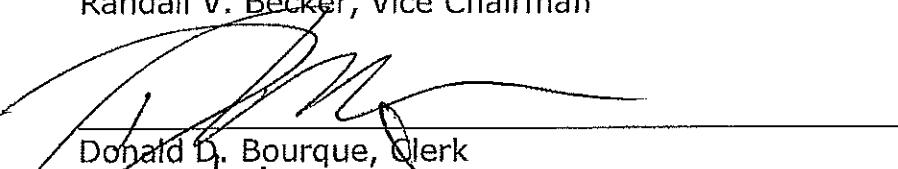
And you are directed to serve this warrant by publishing attested copies thereof in a newspaper published within the Town of Webster at least seven (7) days preceding the meeting and by posting attested copies thereof with the Town Clerk and filing in the Public Library.

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

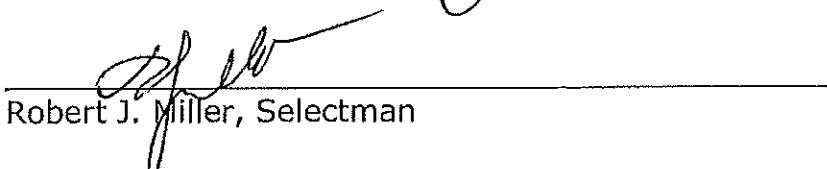
TOWN OF WEBSTER BOARD OF SELECTMEN:


Andrew M. Jolda, Chairman


Randall V. Becker, Vice Chairman


Donald D. Bourque, Clerk


Mark G. Bowgiewicz, Selectman


Robert J. Miller, Selectman