



Town of Webster



Town Meeting Guide

May 13, 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 it's 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. 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

Recommended Motion: I move that the Town vote to transfer \$7,427.04 to the Town Administrator Unpaid Bills account for the payment of prior year bills as follows:

\$92.31 FROM THE TREASURER/COLLECTOR OTHER EXPENSES ACCOUNT
\$7.42 FROM THE IT COMPUTER MAINTENANCE ACCOUNT
\$368.98 FROM THE CLERKS OFFICE SUPPLIES ACCOUNT
\$168.55 FROM THE HIGHWAY OFFICE SUPPLIES ACCOUNT
\$1,755 FROM THE POLICE VEHICLE MAINTENANCE ACCOUNT
\$4,949.00 FROM THE CODE ENFORCEMENT CLERK WAGES ACCOUNT
\$85.78 FROM THE BOARD OF HEALTH 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 is a 9/10ths majority vote.

Central Mass Regional Planning Commission	\$4,949.00
WB Mason	\$534.75
CIT Network	\$168.55
Konica Minolta	\$12.32
NorthEast Office Systems	\$7.42
Place Motors	\$35.00
MHQ Vehicles	\$1,720.00

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote to transfer \$48.15 to the Sewer Unpaid Bills account from the Sewer Office Supplies account for the payment of prior year bills.

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 9/10ths majority vote.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: There are no prior year bills to be paid.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote to transfer \$36,000 from DPW Building Improvements (0142058-582500) and appropriate \$100,000 from Free Cash to the Snow & Ice Removal budget as follows: \$16,389.62 to Snow Removal OT (0142351-513005); \$68,574.41 to Snow Removal Contracts (0142352-529002); and 51,035.97 to Snow and Ice Supplies (0142352-553002).

Background: There is a \$147,224.86 deficit from snow and ice removal. The remaining balance will be covered by budget transfer. Over the past three years, the average 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).

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: As seen in the table above, these projects had an amount authorized to borrow from Town Meeting. However, for various reasons these projects did not need the full authorization to complete the project or the project was discontinued. The largest amount to be rescinded is from the authorization for the new public library. The library construction came in under the \$12 million authorization and a portion of the library was funded through grants/donations, thus \$4.2 million can be rescinded.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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	DEFICIT
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

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

Background: The Town has available funds from the sale of property (41 Tower Street) from 2015. These funds will be used to close out the deficits in the table above. The table below contains a brief description of why the account is in a deficit.

FUND	DESCRIPTION	AVAILABLE
8201	CLARINDA WOOD PUB HLTH EXP	Originally had funds available from a lawsuit to be used to improve/protect public health. For years this fund paid for the school nurse at the parochial school and the Town's public health nurse. Funds were completely expended, but these charges were still made to this fund. The school nurse is no longer funded by the Town and the public health nurse is funded through the general fund.
9001	SPORTING LICENSES	Has been in a deficit since 2011, did not research the cause.
3734	MARTEL ROOM DONATIONS	Has been in a deficit since 2012, did not research the cause.
3150	EMPG GRANT	A cost for a grant project was not fully reimbursed.
9015	RESCUE EXTRA	Has been in a deficit since 2012, did not research the

	DETAIL	cause.
5030	STORMWATER MANAGEMENT	Received funding for a storm water management project in the amount of \$575,000. Some project needs exceeded the funds available.
3144	EAT GRANT	Has been in a deficit since 2012, did not research the cause.
3526	BOH TRAINING REVOLVING FUND	Has been in a deficit since 2009, did not research the cause.
9017	SENIOR CENTER CUSTODIAL DETAIL	Salaries from FY 17 were misapplied to this fund.
5020	ATHLETIC FIELD LIGHTS	Has been in a deficit since 2009, did not research the cause.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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	SENIOR CENTER CAPITAL	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

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

Background: The Town is in the process of making renovations to town hall and needs the additional \$33,099.08 to complete the projects—specifically the basement renovations. The available funds are from the inspections and planning offices which will be utilizing the renovated basement when the project is complete. The other funds are capital related and should be used for a similar purpose.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: When the SWCCC first started it was a department within the general fund. It was later reclassified as special revenue fund to keep the funds separate. The end of the year surplus from unspent funds when it was part of the General Fund was certified as Free Cash. These funds rightfully belong to the SWCCC.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote to appropriate from Free Cash \$223,899.88 to fund the capital purchases presented.

Background: The items in the above table have been identified as the capital needs for the Town. This will be funded through an appropriation from Free Cash. Just over \$698,000 was certified in Free Cash.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote to transfer from Fund 3605 Bond RRA \$117,917.12 for the purpose of funding the projects listed in the table below, including all costs incidental and related thereto.

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

Background: A portion of the two capital projects above will be funded through surplus bond premiums. When market borrowing interest rates are low, buyers (underwriters) of bonds (debt) may offer cash payments (premiums) in exchange for higher interest rate on bond to make bond more marketable. These can be used for projects with an equal or longer life than the project the bond was originally intended for.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

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

Background: The Town received a \$50,000 grant in FY2018 to design the water main upgrade on Thompson Road. The Town designed the project, but the window of time for reimbursable costs was so short (approximately two months),

not all of the project costs were reimbursable. This article will fund the project costs that were not reimbursable.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: There has been a deficit in the Water Extra Detail account since our financial system was integrated. We are cleaning up this deficit by making an appropriation from the current year water budget.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: This transfers the small surplus balances from completed water projects to the water distribution improvements fund so for our next water main cleaning and relining project.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

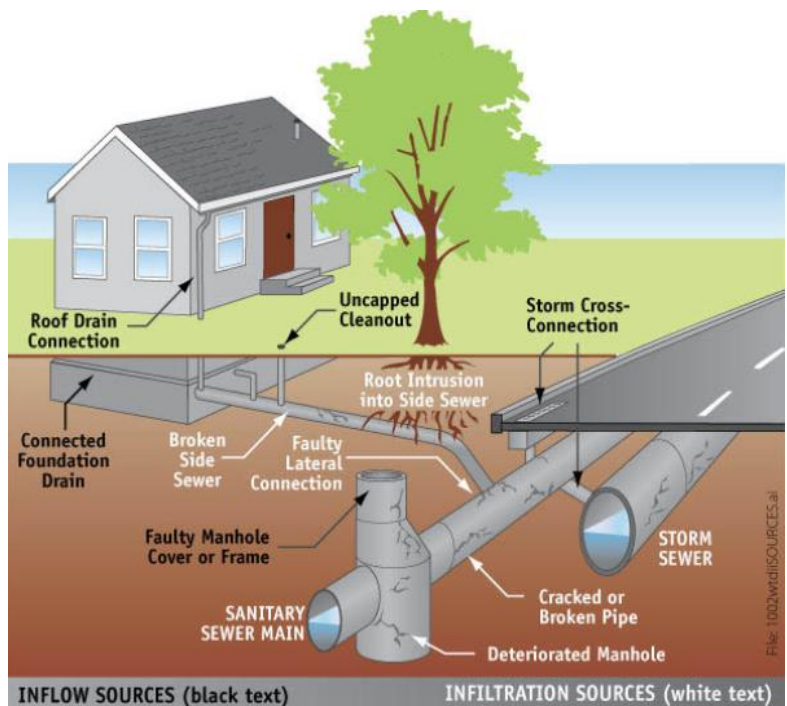
To see if the Town will vote to appropriate from Sewer Retained Earnings \$192,981.00 to fund an infiltration and inflow program as required by the Massachusetts Department of Environmental Protection; including all costs incidental and related thereto, or take any action thereon.

Sponsored by the Town Administrator

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

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 recommends approval.

Finance Committee recommends approval.

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
6138	SCADA PHASE II	10,147.31

Sponsored by the Town Administrator

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

Background: This transfers the small surplus balances from completed sewer projects to the large deficit in the Waste Water Treatment Facility Phase II project (WWTF II). The WWTF II currently has a deficit of \$628,646.03 from a project completed in 2014. The Town at the time did not borrow sufficient funds to pay for the entire project.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: This will fund the remaining deficit from the WWTF II project (see article 15) through a retained earnings appropriation.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote to appropriate from PEG Access Fund (3702), \$106,334 for the purpose of funding the PEG Access capital purchases/projects as listed in the table below, including all costs incidental and related thereto.

Project	Amount
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Update PEG Digital Bulletin Board Hardware & Software	\$11,847
Add a Digital Display & Controls in Town Hall Rotunda	\$14,647
Upgrade Digital Display Capabilities in Selectmen Room	\$79,840

Background: This will fund the above projects from the Cable PEG access account. There is currently a balance of \$234,461.83 in the fund with an approximate additional \$123,000 to be received in FY19.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

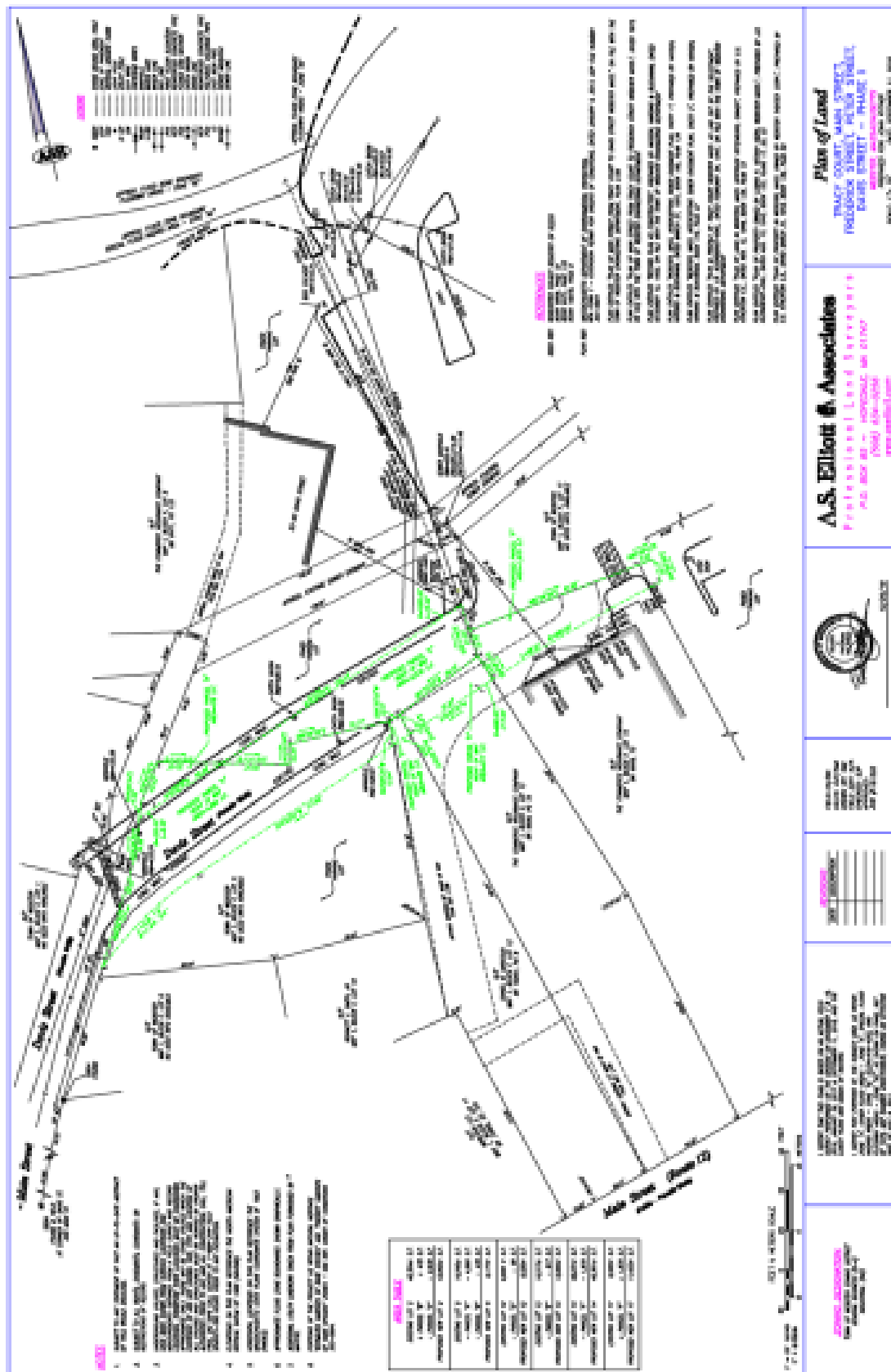
Background: This article will allow the Board of Selectmen to acquire interest in real property for the French River Park and Riverwalk. Specifically, there are four property interests the Town is pursuing. First, are easements for roadway improvements along Davis Street as shown on the attached exhibit 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

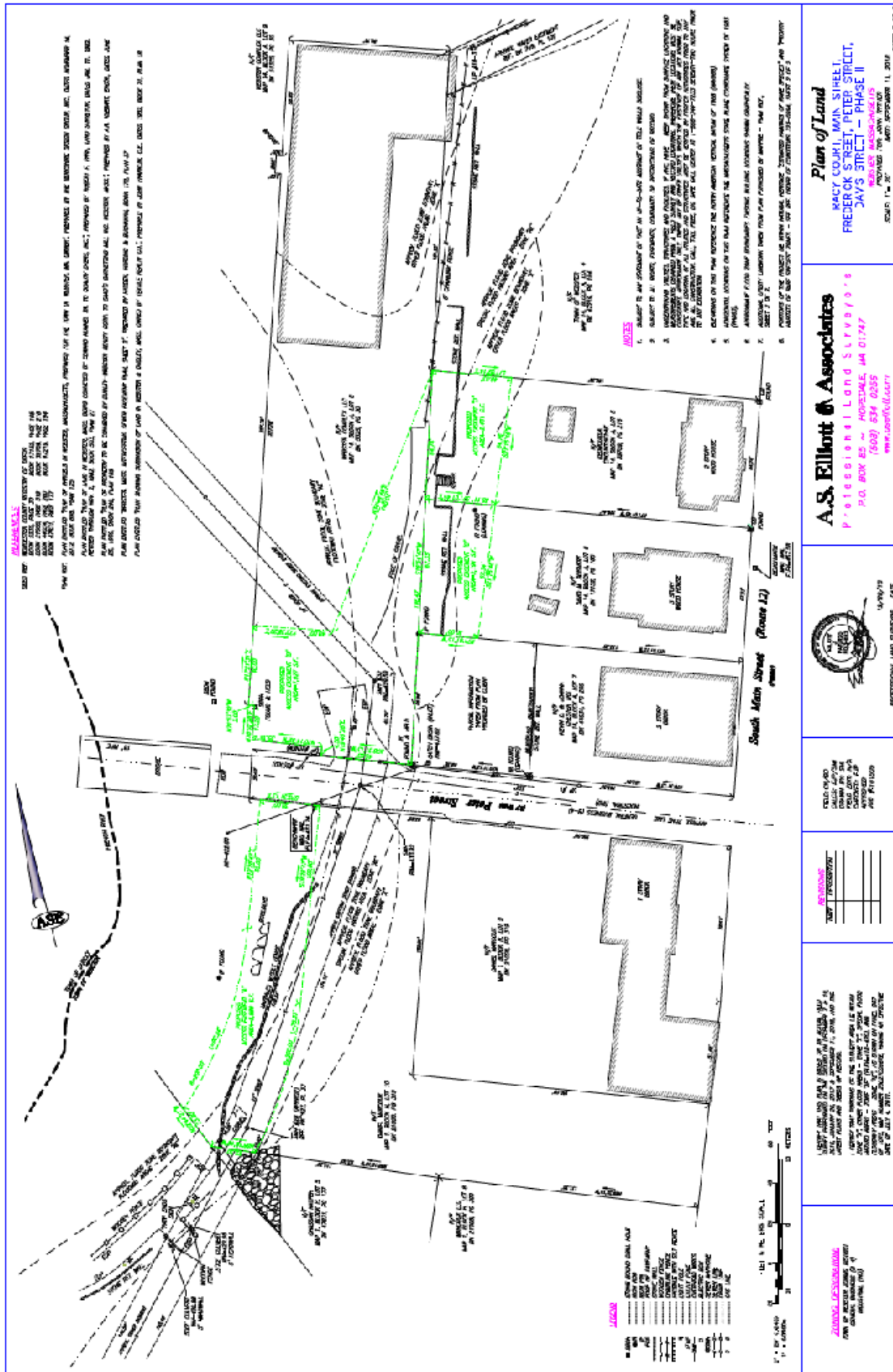
C. Fourth, is to purchase the land where the existing French River Park is as shown on the attached exhibit D.

Board of Selectmen recommends approval.

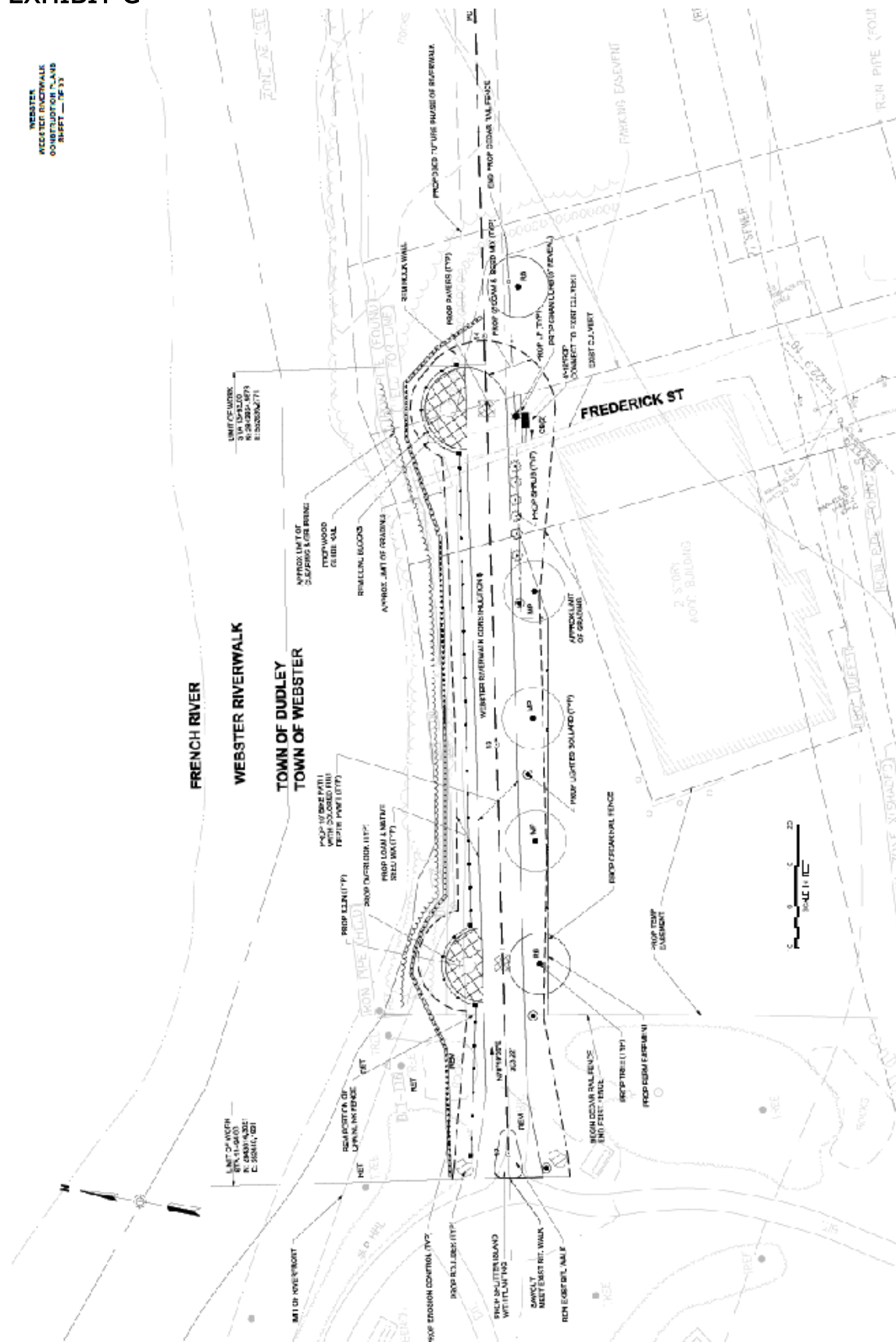
Finance Committee recommends approval.

EXHIBIT A





22 | P a g e



1-4-50



ANNUAL TOWN MEETING

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

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

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

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote to raise and appropriate the sum of \$47,888,895 for the annual omnibus budget for fiscal year beginning July 1, 2019 and ending June 30, 2020, 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. Said sum to be raised as follows:

Transfer from Waterway Improvements Fund	\$15,000
Donation from Fels Foundation for Police Station	\$200,000
Donation from Friends of Library	\$50,000
Proceeds from Sale of Filmer Building	\$45,000
Title V Account.....	\$4,411
SWCCC Dudley Indirect Costs	\$75,086
Water Indirect Costs	\$361,383
Sewer Indirect Costs.....	\$647,018
Property tax and other revenues	\$46,490,997

Background: This is the FY20 annual operating budget. Please see the [FY20 Budget Document](#) and specifically the budget message for more details regarding

the budget. Very briefly, this is a \$47.9 million budget which is a 4.7% increase over FY19.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote to raise and appropriate the sum of \$3,855,228, an amount sufficient to operate the Sewer Enterprise Fund for the annual omnibus budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020. Said sum to be raised as follows:

User charges and other department receipts.....\$ 3,855,228

Background: The FY20 Sewer Enterprise Fund operating budget decreased by \$225,062 (-5.5%). This is due to decreases in electricity costs and utility billing services. Also, the costs for Town IT services and health insurance were removed from the budget and put into the indirect cost calculation.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote to raise and appropriate the sum of \$2,225,732, an amount sufficient to operate the Water Enterprise Fund for the annual omnibus budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020. Said sum to be raised as follows:

User charges and other department receipts.....\$ 2,225,732

Background: The FY20 Water Enterprise Fund operating budget increased by \$4,106 (-.2%). The biggest change was a \$58,840 increase in debt payments in FY20. Also, the costs for Town IT services and health insurance were removed from the budget and put into the indirect cost calculation.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: This article allows the treasurer to borrow funds as needed throughout the fiscal year to meet cash flow needs in anticipation of future revenue. This requires a 2/3rds vote for passage.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

Recommended Motion: I move that the Town vote appropriate the sum of \$350,000 from Free Cash to the Stabilization Fund.

Background: This will increase the amount in the stabilization fund to \$1,733,501.10. This will be over \$1 million added to the stabilization fund since the end of FY17. Our recently-adopted financial policies state that the town should strive for 5% of the annual operating budget (approximately \$2.3 million) to be held in a stabilization fund. We will continue to appropriate fund to stabilization each year until we reach our stated goal. This requires a majority vote.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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
3508	Spay and Neuter	Expire
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

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

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

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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# 1CXBC2523X590; Motor: 2-2007 Evinrude 200 HP 2 stroke.

Submitted by the Town Administrator

Recommended Motion: I move that the Town vote to declare the following surplus and appropriate the proceeds for the purchase of two replacement police boats and accessories.

- 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# 1CXBC2523X590; Motor: 2-2007 Evinrude 200 HP 2 stroke.

Background: The Town has three patrol boats for use on the lake. However, due to their age and size they are not the most appropriate for patrolling Webster Lake. Our intent is to sell the three motorboats we have now and with the proceeds purchase two others that will better serve patrolling the lake.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

Recommended Motion: I move that the Town 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 (Class 9310, Book 2352, Page 464)

Background: This preservation restriction allows the town to maintain and repair items that are "of minor nature and not affecting the characteristics which contribute to the architectural, archaeological or historical integrity of the Premises". If there are changes to the building that would affect the historical integrity of the building, those changes would have to be approved by the Massachusetts Historic Commission prior to the work being completed.

Board of Selectmen recommends approval.
Finance Committee held for more information.

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

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

Background: Accepting this provision will institute a 6% lodging excise on traditional hotel/motel stays as well as all short-term room rentals. Each entity will be required to register with the Massachusetts Department of Revenue (DOR). DOR will then remit the local option portion of the tax on at least a quarterly basis. Please see the attached information from KP Law, the Town's general counsel, for additional information.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: In addition to the 6% local option excise in article 10, this article would impose a 3% community impact fee on professionally managed units for a

total of 9% local option. Again, for more information please see the attached update from KP Law, the Town's general counsel.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: In addition to the 6% local option excise in article 10, this article would impose a 3% community impact fee on professionally managed units for a total of 9% local option. Again, for more information please see the attached update from KP Law, the Town's general counsel.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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 53F¾; or take any action thereon.

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

Submitted by the Town Administrator

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

Background: This will adopt a budget from the Cable PEG Access account. The salaries will support two part-time positions. One, position will focus on the up keep of the equipment, software, and recording official meetings. The second position will focus on creating content for PEG channels as well as communicating

town information to residents. The other charges has averaged expenditures of approximately \$30,000 over the last several years. This includes internet services, equipment, and recording services.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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 ~~striketrough~~, 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

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

Background: The Vacant Property By-law was approved in June 2018. As we worked to implement it this past year, we realized that there was no real enforcement mechanism if the owner failed to register the property. This will create a fine for those property owners that do not register their vacant property. If the fine is not paid, it can be liened on the property.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

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

Background: This gives the Town the authority to lien vacant properties that fail to register with the Town in accordance with our vacant property by-law.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

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

Background: Several years the Town informally discontinued the use of the private way Pineridge Road between Lakeside Avenue and Cooper Road. By this vote the Town will formally discontinue the road and it will subsequently be divided amongst the four abutters.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

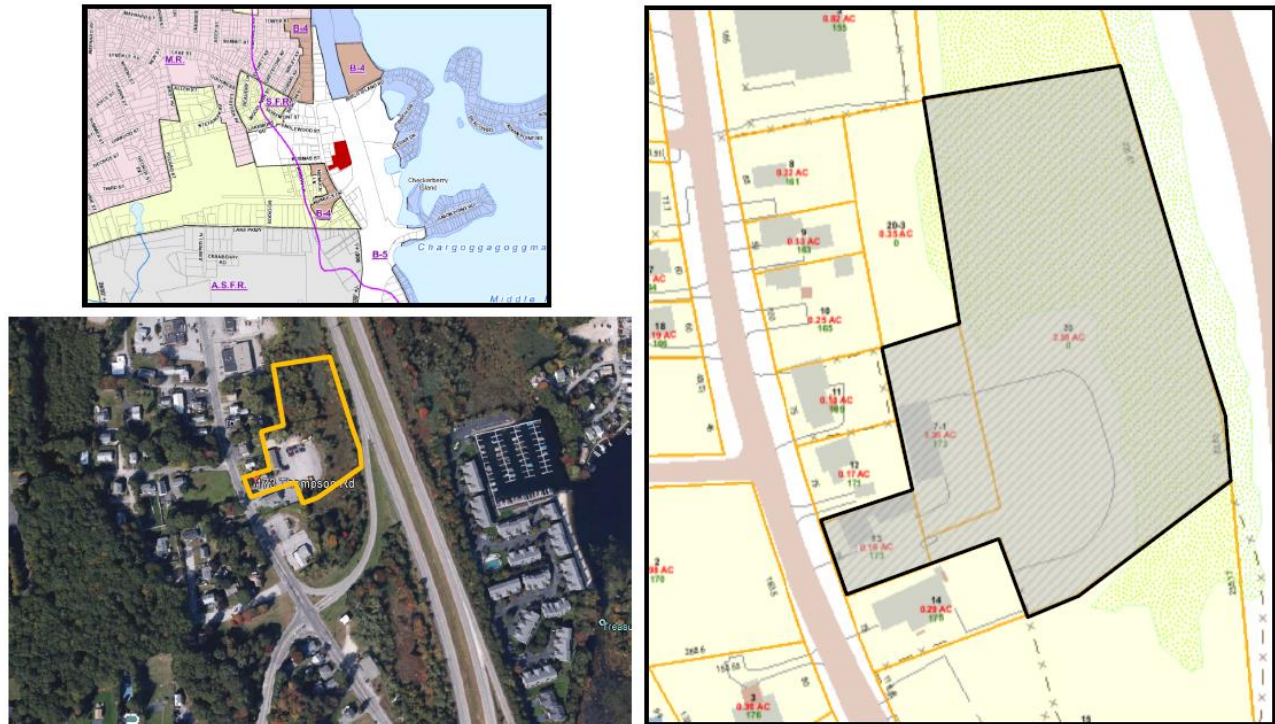
Marijuana Retail Sales Overlay District Zone Goya Drive and Town Forest Road — 6 Parcels, and Recreational Marijuana Retail Sales Overlay District, 0, 173 and 173R Thompson Road – 3 Parcels. Included in said overlay district are those parcels identified as Assessors Map 88, Lots B-40-0, B-41-0, and B-42; 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

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

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 little 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.

This requires a 2/3rds vote for passage.



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

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. They 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.

Submitted by the Town Administrator

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

Background: The existing Water and Sewer Commission by-law does not specify the powers, authorities or duties of the Commission. This by-law does that and makes it consistent with the intent of the Town Charter that was approved in May 2018.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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,*

finest, 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.

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

Submitted by the Town Administrator

Recommended Motion: I move that the Town vote to approve the article as presented with one modification—that the date set forth in Section 313-1 be changed from April 30th to August 1st.

Background: This updates the animal control regulations which haven't been updated in over 10 years. A few notable changes: 1. it addresses residence kennels restricting them to no more than three dogs; 2. requires rabies vaccination; 3. brings fines and fees more in line with today's typical fees.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: In May 2018 Town Meeting approved a by-law that prohibited the launching of personal watercraft from Memorial Beach (i.e. jet skis). The intent was to decrease the amount of personal watercraft at the beach as many of the operators of these watercraft have the tendency to drive recklessly. However, this didn't seem to have its intended effect. It anecdotally appears to have relocated personal watercraft from North Pond to South Pond. Overall, the problem seems to have gotten worse with more citations written by the harbormaster than in previous years. Additionally, a significant amount of revenue was lost from turning these watercraft away from Memorial Beach.

Board of Selectmen recommends approval.
Finance Committee recommends approval.

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

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

Background: Many times Town Meeting attendees will leave the meeting after the vote on an article they felt strongly about. Under current regulations, it is possible for someone to ask for a reconsideration of a vote after a block of voters may have left the meeting. This by-law change will make the reconsideration process more equitable.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

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

Background: The committee has been effective with only three active members. There does not seem to be enough interest to field a committee of seven.

Board of Selectmen recommends approval.

Finance Committee recommends approval.

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

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

Background: The Bylaw Committee has been reviewing the General Bylaws as part of the 5-year review as required by Section 14-1 of the General Bylaws and also as required due to the recent revision of the Town of Webster charter. The charter revisions in particular created a need to make significant amendments to the Administrative Bylaws.

In addition to alignment with the charter, several bylaws were no longer necessary or referenced committees and/or town positions that no longer existed. We also found many grammatical, punctuation, spelling, typographical, and formatting issues with the published bylaws. We also made significant style changes to the bylaws.

The proposals in this article deal only with the Administrative Bylaws (the bylaws that deal with Town government). In June, the Bylaw Committee will begin a review of the Regulatory Bylaws. These are the bylaws that govern issues such as animal control, noise, and even dancing, profanity, and fortune tellers. Below is a summary of the changes that the Bylaw Committee has proposed. For a full listing of changes, see the details that accompany the warrant.

Sincerely,
Ken Mandile
Chairman, Webster Bylaw Committee

Changes due to revisions in the charter:

Section 7-3 The Board of Assessors has had one appointment to the Town Administrator Screening Committee. Because the Board of Assessors has been abolished, their appointment has to be reallocated in order to keep the committee size at nine. We are proposing to increase the appointments by the Board of Selectmen and School Committee from one each to two each. The Town Moderator appointments will decrease from four to three.

Section 14-2 The Water and Sewer Advisory Board has been replaced with a Water and Sewer Commission. The commission has broader powers than the prior board, so we are deleting the text of Section 14-2 to make room for a new Water & Sewer bylaw. The title of 14-2 will be changed to Water and Sewer Commission. The text of the new bylaw is not included in our changes and will appear as a separate article on the Town Meeting warrant.

Section 14-5 The Board of Health was previously the Board of Selectmen according to the current bylaw. The new bylaw names the Board of Health as a separate committee with a composition and term of office as given in charter Section 3-10.

Section 14-24 The Director of Public Works position has been eliminated and replaced with a Department of Public Works headed by the Water, Sewer, and Highway Superintendents.

Section 14-26 The Board of Fire Engineers has been replaced with a Fire Chief.

Section 19-2 The Tax Collector has been replaced with a Treasurer/Collector.

Section 110-1 The number of members of the Finance Committee has been reduced from 15 to 9, per charter Section 3-6.

The following bylaws and positions have been deleted because they were unnecessary, were for committees or positions that no longer exist or were sufficiently covered in the charter.

14-10 Industrial Development

14-12 Recycling Commission

14-15 Youth and Recreation Commission

14-17 Substance Abuse Commission

14-24 Director of Public Works

14-31 Town Historian

Superintendent of Fire Alarms

Civil Defense Director

Burial Agent for Veterans

Building Inspector

(Treasurer/Collector and Information Technology Director have been added to the "Other Appointments list.)

55-1 Town Clerk

64.4 Special Town Counsel for Citizens for A Clean Environment (C-FACE).

69 Municipal Data Processing Center

222-5 Water Department

222-6 Sewer Department

Other Recommended Changes:

1-4 Adjusted time limit for submitting bylaws for review. Remove Board of Selectmen exclusion from warrant and added Town Moderator power to rule a bylaw article out of order if not submitted and reviewed prior to the Town Meeting.

14-6 Added text to reflect composition and appointing authority of the Public Safety Committee. This was not previously defined.

64 Various revisions to use gender neutral language.

69 We are suggesting that the dollar limit for the Board of Selectmen to disposed of town property be increased from \$5,000 to \$25,000. The

current limit was originally determined in 1988. Property over \$25,000 would require Town Meeting approval prior to disposal.

85 We are recommending that Chapter 85 be renumbered as Chapter 260. This will remove it from the Administrative Bylaws and place it in the Regulatory Bylaws.

229-3 The requirement to publish a list of property values every five years should be deleted. This information can be printed on demand.

253 Several changes are being recommended under the Town Meeting bylaws. Most of these are for better clarity. We also added a provision for electronic voting (the current practice) in 253-10. We are deleting 253-4 because it violates charter Section 2-1(d)(1) and is also unnecessary. 253-12 is being deleted because it is covered in charter Section 2-2.

253-7 This bylaw is about the date of the Town election and does not belong in the Town Meeting bylaw. It is being renumbered as 255-1.

Finally, there are many punctuation, spelling, grammatical, and typographical corrections. Many sections have been renumbered because of deletions. We have moved all references to amendments and bylaw history to endnotes.

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

Recommended Motion: I move that the Town authorize the Board of Selectmen to seek special legislation to formalize and integrate in a single document recent amendments to the Town Charter, in the form on file with the Town Clerk, entitled, "Charter of the Town of Webster, Prepared for 2019 ATM"; 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:

AN ACT ESTABLISHING THE CHARTER FOR THE TOWN OF WEBSTER.

SECTION 1. Section 2 of chapter 455 of the acts of 2008 is hereby repealed.

SECTION 2. Notwithstanding the provisions of section 10(c) of chapter 43B or of any general or special law to the contrary, the charter of the town of Webster which currently is on file in the office of the town clerk under the title, "Charter of the Town of Webster, Prepared for 2019 ATM", and pursuant to which the town has been operating since the May 7, 2018, annual town election, including amendments to the town charter approved at the June 5, 2018 special town meeting, and ministerial revisions to bring the text of such charter into accord with the form voted at the October 30, 2017 special town meeting, is hereby ratified, validated and confirmed as the charter of the town of Webster. Following the effective date of this act, the town clerk shall file copies of such charter with the offices of the attorney general, secretary of the commonwealth and the department of housing and community development in accord with section 12 of chapter 43B of the general laws. The charter may be amended or revised from time to time as provided in the constitution or the General Laws.

SECTION 3. This act shall take effect upon its passage.

Background: There were a few typographical errors in the Charter that was approved in the May 2018 election. Additionally, there was a Charter change that was approved at the June 2018 Annual Town Meeting. This article will allow us to update the Charter via vote of the State Legislature rather than a formal election. The final Charter is available as a handout at the meeting.

Board of Selectmen recommends approval.
Finance Committee recommends approval.