

**Town of Westminster
Commonwealth of Massachusetts**

Report and Recommendations of the Advisory Board

Fiscal Year 2021

Annual Town Meeting

Westminster Elementary School

Saturday, June 20, 2020 - 1:00 p.m.



Prepared by the Westminster Advisory Board

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Advisory Board Report

Introduction

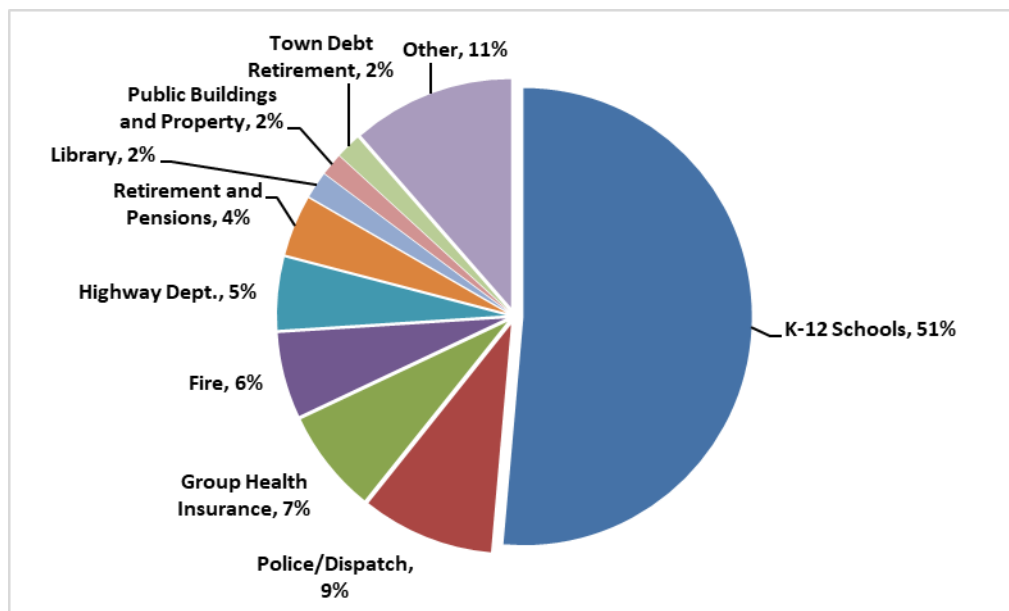
The following is the recommended budget proposal for the Town of Westminster from the Advisory Board for FY2021. The operating budget for the Town is presented in one article on the Annual Town Meeting Warrant (article 5). The remaining FY2021 budget is comprised of additional articles that cover capital expenditures and requests for special services by the Town. Each year Town Meeting reviews the proposed budget and adopts it by voting to appropriate funds for each warrant article.

Budget Recommendations

The current budget recommendation is a responsible balanced budget that is within the 2 ½ plus growth guidelines.

The recommended operating budget (article 5) for FY2021 is \$23,026,369. This is an increase of \$774,473 (3.48%) over the FY2020 operating budget. The increase is due to several factors which include:

- An increase of \$287,497 in “Schools” due mainly to contractual salary increases, insurance and benefits, out of district special education tuition and costs to increase internet bandwidth. This represents a 2.5% increase over last year.
- An increase of \$123,300 in “Group Health Insurance” which is a 10.5% increase over FY20, due to the continued rising cost of health insurance and new enrollees.
- An increase of \$98,707 in “Retirement and Pensions”, a 11.2% increase over last year, due to an increase in the Actuarial Accrued Liability.
- An increase of \$51,279 in “Fire” which is a 4.9% increase over FY20, due to changes in personnel leveling.
- An increase of \$45,062 in “Highway Dept.” which is a 5.5% increase over FY20, due to the increased cost for professional services.



The chart above shows the breakdown of the operating budget by department for FY2021. Below is a summary of the articles to be voted on at Town Meeting (both monetary and non-monetary). The Advisory Board is unanimously in favor of all the below articles unless specifically noted:

Article 5 is for the annual operating budget and includes all operating departments, including the schools. The Operating budget is mainly funded through Raise and Appropriate (taxes); the remainder, \$387,702, is funded through transfers from Ambulance Receipts (\$280,562), \$91,840 from the Roads Stabilization fund, \$15,000 from Septic Loan Program Receipts and \$3,000 from Wetlands fees.

The FY2021 budget is also comprised of enterprise funds (Sewer, Water and Transfer Station – articles 6, 7 and 8) which total \$2,156,193 and are funded primarily by user fees; the remainder, \$127,660, is funded through Raise and Appropriate (taxes), as it relates to the capital costs of the loans associated with the Sewer In Line Storage and the Regional Treatment plant (this treatment was voted on at previous town meetings).

Articles 9, 10 and 12 are customary money articles. These are articles that are on the warrant every year. Article 12 is the customary article to be used to appropriate funds to the OPEB stabilization fund which was established in prior years to fund future other post-employment benefits for town employees.

Article 11 is the customary article used to offset the tax increase. The Advisory Board recommends \$230,000 of free cash be used to balance the budget. This is consistent with the past three years.

Articles 13 through 22 are non-capital money articles that total \$54,000. These articles are requests submitted by various departments/committees but are not part of the Capital Plan. All articles are funded through free cash and as such, do not impact the tax rate in the current year.

Articles 23 through 30 are for the proposed Capital Improvement Plan for FY2021. The funding for the FY2021 Capital Plan is broken down as follows:

- \$1,278,290 will be funded from Stabilization funds
- \$888,000 will be funded from Raise & Appropriate, and
- \$50,000 will be funded from Free Cash

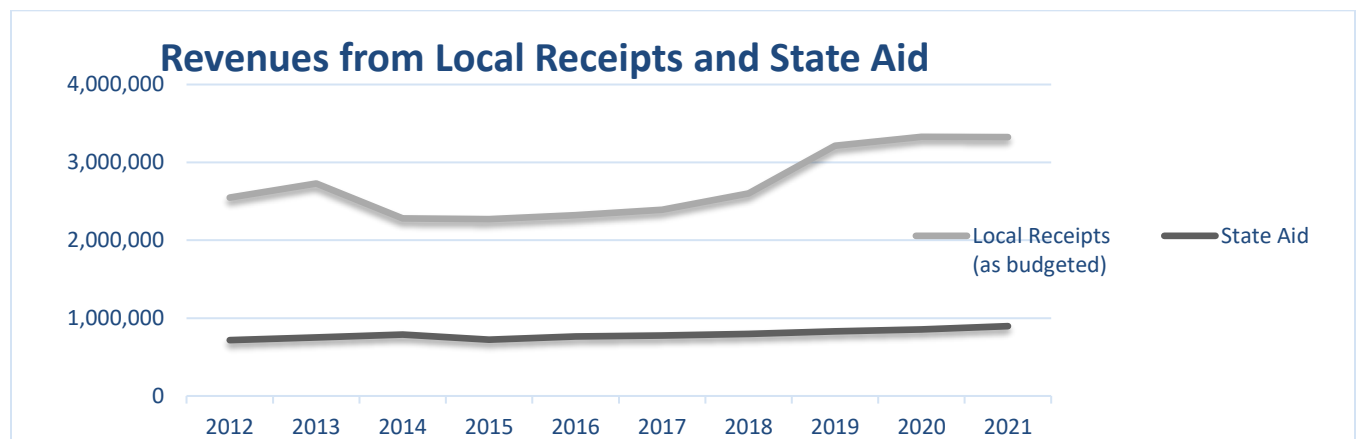
For details please see the “Annual Report of the Capital Planning Committee” further on in this booklet.

Articles 31 through 37 are non-monetary in nature and relate mainly to updates to the Town’s zoning laws, bylaws and the Old Town Hall. Article 31 relates to a legal relocation of a portion of Worcester Road in connection with the alterations currently underway to Rt. 140. Articles 32 through 35 relate to updates to the Town’s bylaws: stormwater management, low impact development, earth removal and zoning on cul-de-sacs. Article 36 relates to the Town’s bylaw and adoption of state law authorizing the Police Department to fingerprint and run criminal histories on applicants for permits for Hawkers, Peddlers and other Door-to-Door Salespeople.

Revenue

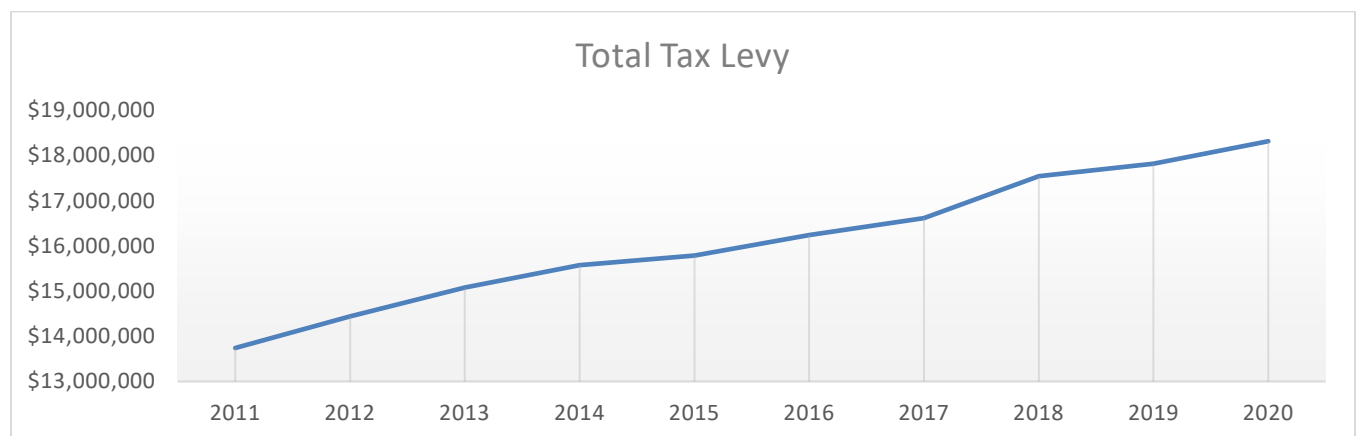
The sources of revenue for the Town of Westminster are State Aid, Property Taxes and Local Receipts. Local Receipts can be further broken down into Landfill Receipts and Other Local Receipts. Examples of Other Local Receipts include Excise Tax, Licenses/Permits, Fees and Fines/Penalties.

The following graph below shows the combined Local Receipts (including the landfill revenue estimate) and State Aid (\$4,221,512); the FY2021 estimate contemplates a small increase over the prior year of 0.9% (\$38,757). The State Aid estimate has increased by \$41,757, or 4.9%, for FY2021 to a total of \$896,512. This is the fourth year that the estimate of State Aid has increased. The estimate for Local Receipts has decreased by \$3,000, mainly due to a forecast decrease in landfill revenues, offset by increases in motor vehicle excise tax and investment income.



Revenue – Property Tax Data

The following graph shows the Total Property Tax Levied for the Town since FY2011.



The current tax rate is **\$17.55** per \$1,000 of valuation. This is based upon the valuation of all property in Town for FY2020 was \$1,049,615,374; this rate is expected to change once the final FY2021 valuations are performed. Any increase of \$100,000 in spending will increase the tax rate by approximately \$0.10 per \$1,000 of assessed value.

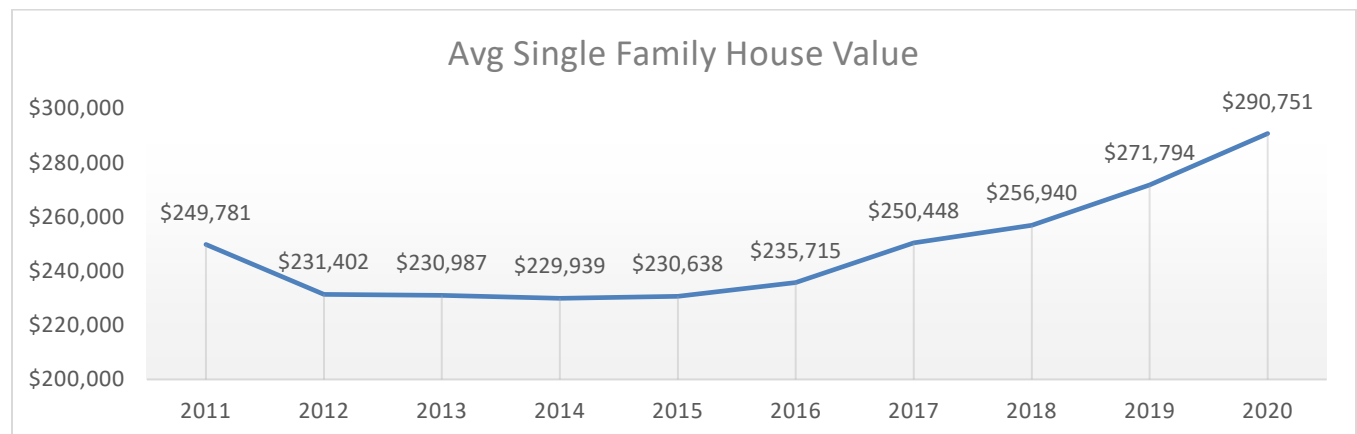
Below are the average “Single-Family Home” tax bills, and the percentage of home value these tax bills represent. This is for FY2020 for some of our neighboring communities, and for some nearby communities of similar population.

Municipality <i>(neighboring towns)</i>	Population <i>(2018)</i>	Average Home Value	Tax Rate	Average Tax bill	% of home value
HUBBARDSTON	4,787	\$278,987	\$14.82	\$4,135	1.48%
PRINCETON	3,478	\$384,442	\$15.85	\$6,093	1.58%
WESTMINSTER	7,884	\$290,751	\$17.55	\$5,103	1.76%
LEOMINSTER	41,823	\$282,884	\$17.98	\$5,086	1.80%
LUNENBURG	11,657	\$332,447	\$18.12	\$6,024	1.81%
FITCHBURG*	40,882	\$212,470	\$19.71	\$4,188	1.97%
GARDNER	20,719	\$205,881	\$19.74	\$4,064	1.97%
ASHBURNHAM	6,346	\$266,516	\$20.10	\$5,357	2.01%

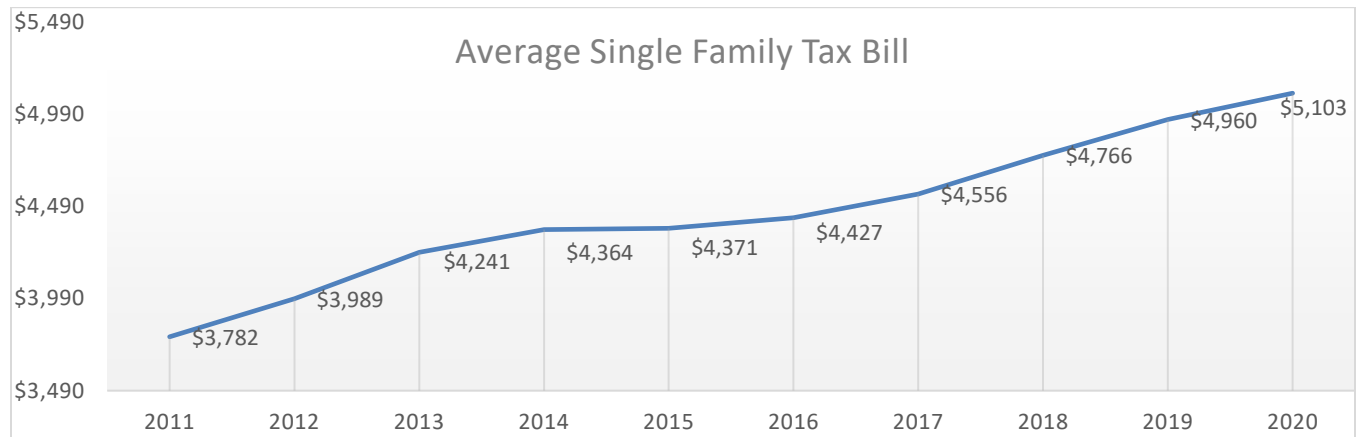
Municipality <i>(similar populations)</i>	Population <i>(2018)</i>	Average Home Value	Tax Rate	Average Tax Bill	% of home value
AYER*	8,164	\$350,208	\$14.10	\$4,938	1.41%
SHIRLEY	7,649	\$318,236	\$16.11	\$5,127	1.61%
STERLING	8,190	\$363,364	\$16.81	\$6,108	1.68%
WESTMINSTER	7,884	\$290,751	\$17.55	\$5,103	1.76%
RUTLAND	8,846	\$298,534	\$17.61	\$5,257	1.76%
WEST BOYLSTON	8,215	\$322,200	\$18.58	\$5,986	1.86%
LANCASTER	8,185	\$360,250	\$19.85	\$7,151	1.99%

* residential tax rate different than industrial, commercial, open space and personal property

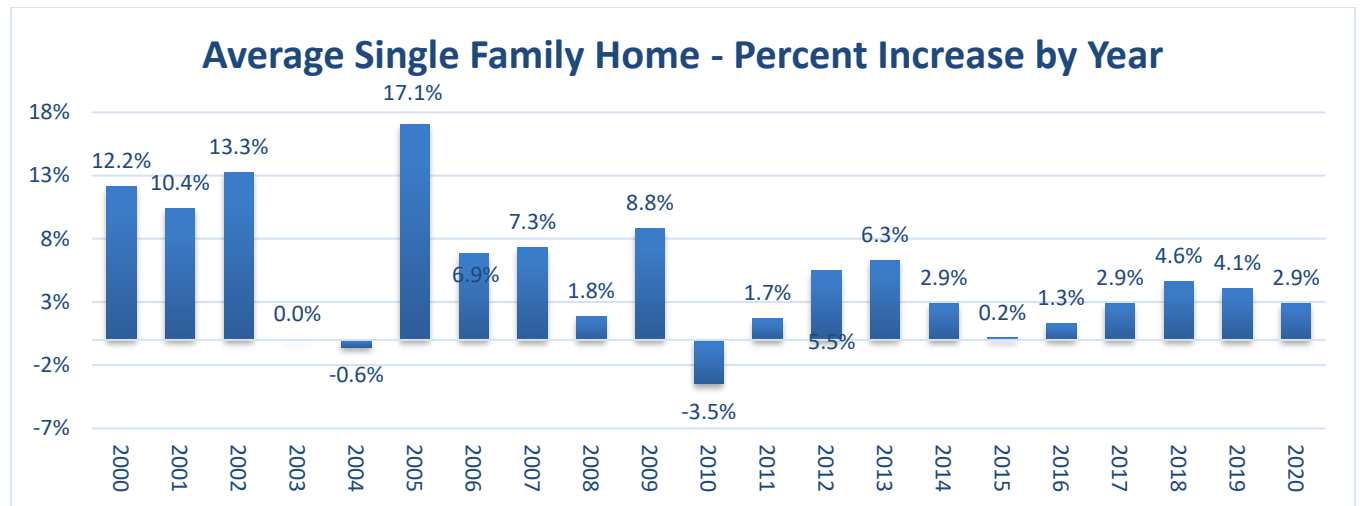
The following chart illustrates the average home value in the Town of Westminster over the past nine years. Home values declined from FY2011 until FY2014. However, there has been a 24% increase in values from FY2016 to FY2020.



The following chart illustrates the average single-family tax bill for the Town of Westminster over the past nine years. The average single-family tax bill is \$1,578 more than it was in FY2011 or approximately 32% higher. This is an average increase of 3.2% per year.



The following chart illustrates the percent increase of the average single-family tax bill by year for the Town of Westminster since 2000.

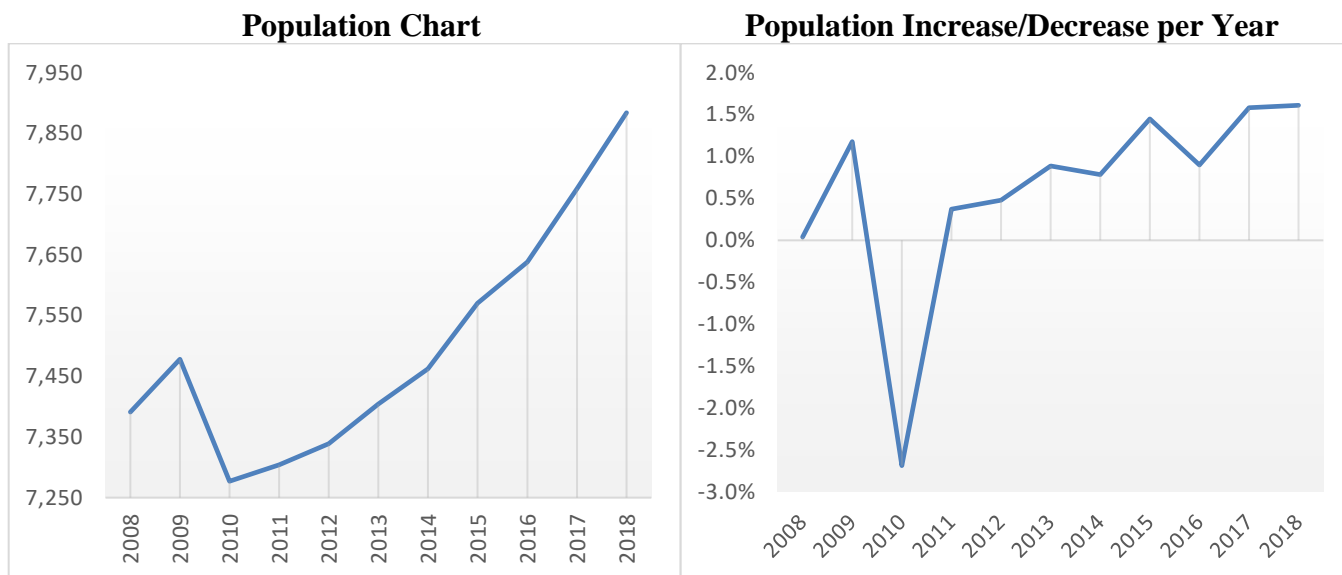


*2000, 2001, 2005 & 2018 Proposition 2.5 overrides were passed

**2012 switch to the State "aggregate wealth model" formula for school funding took place

***2018 There was a special election to approve the School budget

The “Population Chart” below illustrates the population growth from 2008 to 2018 [Population data is only updated every few years]. The population in 2008 was 7,391 compared to 7,884 in 2018 (an increase of 493). The “Population Increase/Decrease per Year” chart shows the population increase/decrease year over year. The largest increase was in 2018, increase of 125, however, on average, the population has increased by 45 each year in the decade shown. On average the population growth since 2008 is 0.6% per year; this is consistent with the average of the eight years from 2000 to 2008.



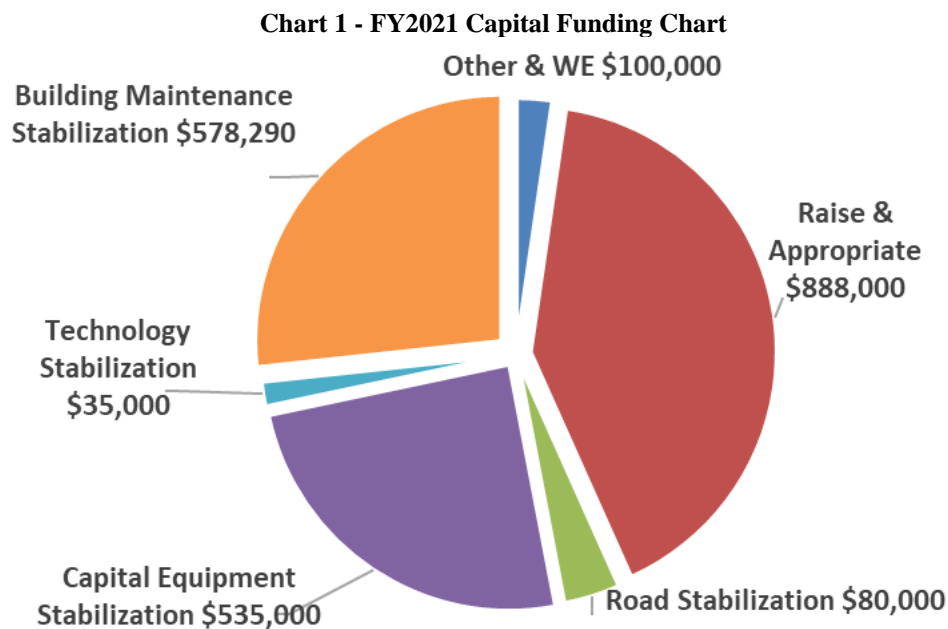
The source for all the Levy, Property Tax and Population Data information is from the <http://www.mass.gov/dor/local-officials/> website.

Report from the Capital Planning Committee

The primary focus of the Capital Planning Committee is to study, research and make recommendations on capital improvement projects. In addition, the committee may develop processes and policies in order to maintain the capital improvement program. A set of financial policies have been created by the Capital Planning Committee and approved by the Board of Selectmen on October 27, 2014. These policies can be found in the Appendix at the end of this document and are key items to the Capital Planning Process. The Capital Planning Committee has met with the various department heads over the past year and developed the following five year CIP. The committee is pleased to recommend the following report to the Town of Westminster.

FY2021 Capital Plan

The proposed CIP for FY2021 totals \$2,216,290. The FY2021 CIP is funded from a combination of sources: Raise & Appropriate (taxes), Stabilization Accounts, Enterprise Funds and Other funding (e.g. Chapter 90, Ambulance Receipts...etc.). The following chart (Chart 1) illustrates the breakdown of the funding for the FY2021 Capital Plan.



The purpose of the committee is to study capital (tangible assets and projects) spending requests with a dollar value greater than \$15,000. The committee is charged with preparing annual capital spending recommendations to be submitted to the Board of Selectmen and Advisory Board and to be published in the Advisory Board booklet. The committee is also charged with developing a long range capital plan of at least five years.

The following is the FY2021 Recommendation from the Capital Planning Committee.

Table 1
FY2021 Capital Plan

Department	Project	Raise & Appropriate	Capital Equipment Stabilization	Building Maintenance Stabilization	Technology Stabilization	Road Maintenance Stabilization	Water & Sewer Enterprise	Ambulance	Chapter 90	Other
Dept of Public Works	Road Maintenance	\$300,000								
Dept of Public Works	Road Improvement Project	\$500,000								
Dept of Public Works	2005 John Deere Loader		\$275,000							
Dept of Public Works	Storm Water Permit									\$50,000
Dept of Public Works	2007 Ford F250 Pickup		\$45,000							
Dept of Public Works	VE11 Sander Dump Body		\$60,000							
Dept of Public Works	Upper Reservoir Dam					\$80,000				
Dept of Public Works	Water ERP Update						\$50,000			
Police Department	2013 Ford Interceptor Utility	\$49,000								
Police Department	Police/Fire Radio Building			\$75,000						
Police Department	Mobile Radios		\$55,000							
Technology	Computer Replacement	\$39,000								
Replace Virtualized Server	Replace Virtualized Server				\$35,000					
Library	Exterior Chiller			\$85,000						
Cemetery	J. Deere Tractor/Mower		\$100,000							
Schools (MHS & WES)	See Detail sheets			\$258,500						
Schools (Dist/Oak/OL)	See Detail sheets			\$124,790						
Town	Town Common Project			\$35,000						
Totals		\$888,000	\$535,000	\$578,290	\$35,000	\$80,000	\$50,000	\$0	\$0	\$50,000

Stabilization Fund Summary

The goal of the Capital Planning Committee is to develop a fiscally responsible five year CIP and identify funding sources for at least the next three years of the plan. All Capital requests will be reviewed and prioritized by the Capital Planning Committee using a priority table. Furthermore, the five year CIP will be utilized as a planning tool to determine future Stabilization Fund Amounts.

Part of the CIP is funded from Stabilization Funds. Maintaining adequate stabilization fund levels is important to the financial stability of the Town. The Capital Planning Committee has defined minimum levels for each stabilization fund. As the Capital Planning Committee refines the five year CIP and identifies the funding sources the stabilization fund levels will be monitored. Adjustments to the five year CIP and/or funding sources may be required if future Stabilization Fund levels drop too low. Chart 2 illustrates the stabilization fund levels from 2008 through 2019 (amount includes the Capital Equipment, Building Maintenance and Technology Stabilization Funds). Chart 3 lists the stabilization fund amounts after the Fall Town Meeting on 11/27/2019.

The stabilization fund levels have improved over the past few years with the biggest increase in the past two years. The certified free cash for FY2019 was approximately 4.2 million dollars. This is higher than the typical average. The main contributing factor to this higher than average free cash amount was due to local receipts from the landfill. The landfill receipts came in at approximately 2.6 million over the amount estimated. The landfill receipts are expected to continue to exceed the estimated amounts in the future since the long term plan is to eliminate this revenue from the operating budget. Since the landfill will close at some point it is critical that revenue from this source be removed from the operating budget. The recent influx of free cash greatly helped the stabilization fund levels and will help fund the five year CIP.

Chart 2
Combined Amount in 3 Stabilization Funds
(Capital Equipment, Building Maintenance and Technology)

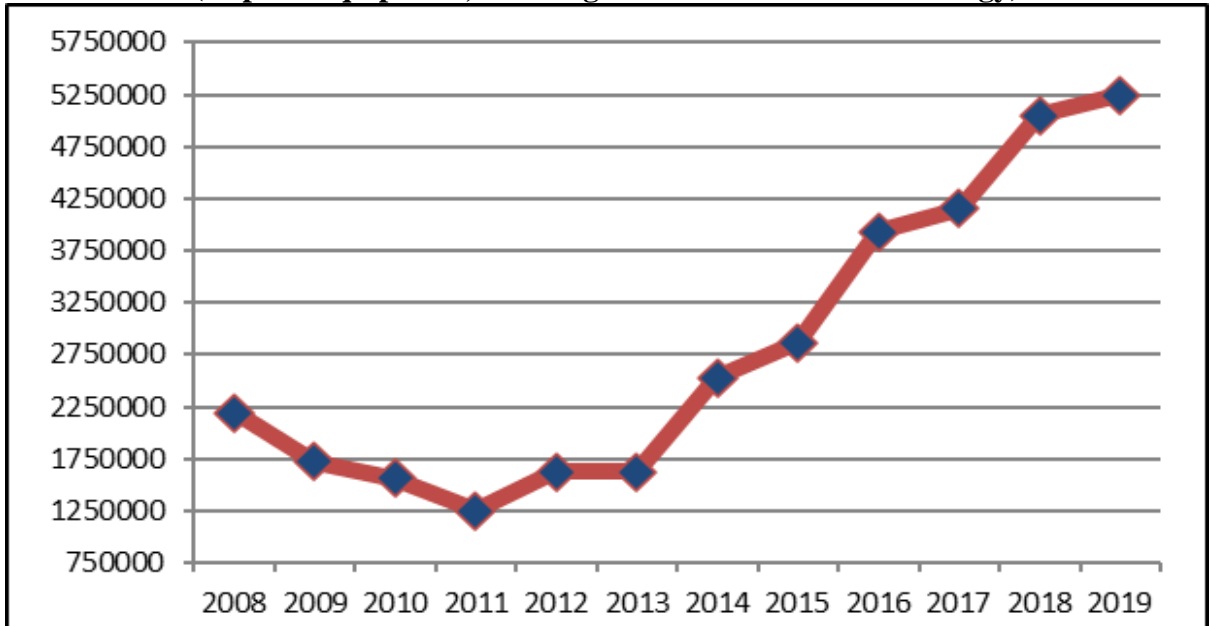
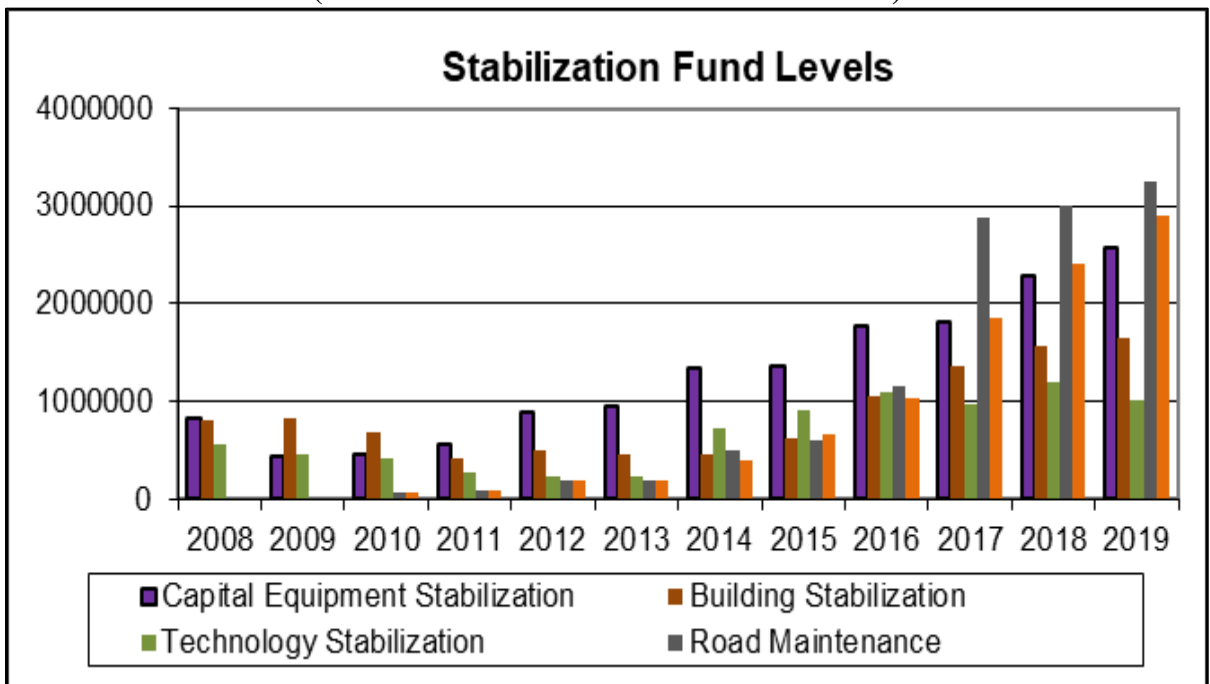


Chart 3
(Stabilization Fund Amount on 11/27/2019)



Stabilization Funds - Encumbered

An important aspect of the Stabilization Funds is not only the current levels but also the levels over the next five years as they are used to fund the CIP. A portion of the amount in the Stabilization Funds are encumbered or reserved for future capital purchases. This encumbering of funds is essential in funding the five year CIP and ensures that not only will capital purchases happen in a timely manner but the impact of these projects have a minimum effect to the overall budget. The following Table reflects the amounts encumbered in each of the Stabilization Funds over the next five years based on the current CIP.

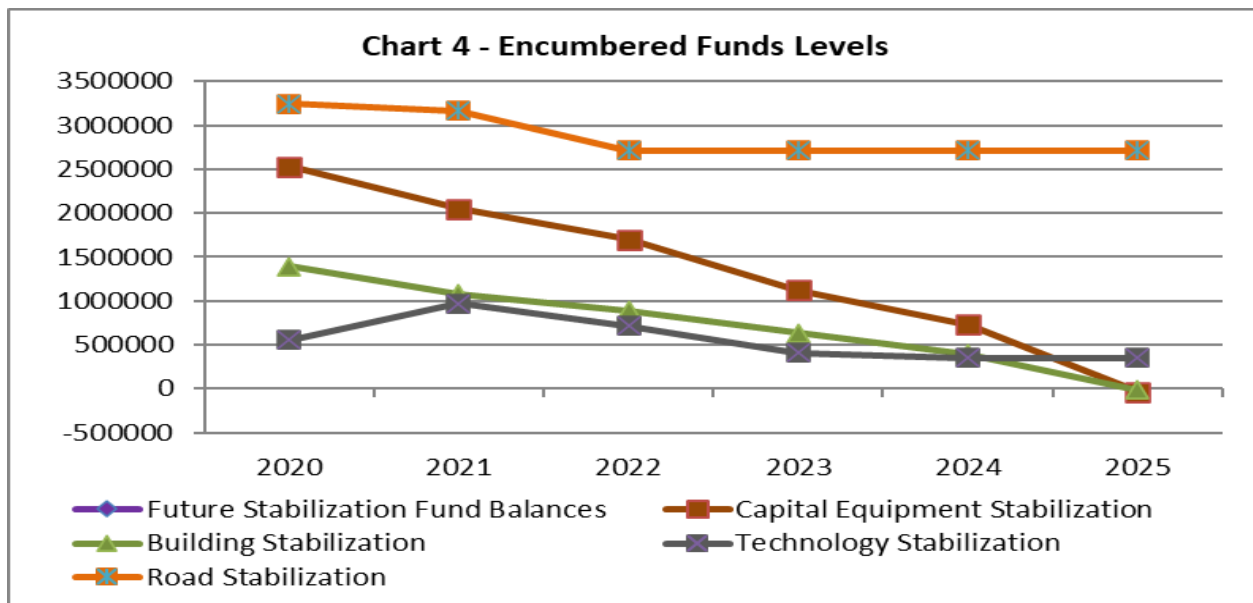
Table 2
Stabilization Fund Amounts Encumbered to fund the CIP

Stabilization Funds	2021	2022	2023	2024	2025	5 Year Total
Capital Equipment Stabilization	\$535,000	\$350,000	\$575,000	\$395,000	\$765,000	\$2,620,000
Building Maintenance Stabilization	\$578,920	\$195,609	\$248,139	\$247,042	\$402,026	\$1,671,736
Technology Stabilization	\$35,000	\$260,000	\$300,000	\$65,000	\$0	\$660,000
Road Maintenance Stabilization	\$80,000	\$450,000				\$530,000
OPEB Stabilization						

Taking into account the future Stabilization Fund encumbrances the chart on the right shows the impact to the fund levels.

The fund levels will decline if no additional money is transferred back into the Stabilization Funds. This is an important factor to understand when considering the Stabilization Fund levels. Each year the Town votes to transfer money back into the Stabilization Funds from the Certified Free Cash.

The amount transferred back into the Stabilization Funds is something that the Capital Planning Committee recommends based on the five year CIP. The amount transferred into the Stabilization Funds is part of a plan based on what is expected to be used in the future.



Some of the amounts in the Stabilization Funds reflected in FY2025 fall below the minimum (some drop below \$0) stabilization fund levels established by the Capital Planning Committee in their Reserve Policy.

Debt Summary

A comprehensive CIP involves a strategy that includes a debt management plan. The debt management plan should be developed to meet the financing needs of the Town in a cost effective manner, taking into account Town priorities, as well as legal, financial, and structural considerations. The Capital Planning Committee has defined a debt policy to ensure that debt is managed within sustainable levels based upon annual revenues.

The following Table below show the current five year debt projections: (updated on 1/13/20). The information is broken out to show the date of vote, debt excluded vs non-debt excluded, amount and mature date of the projects.

Table 3
Debt Summary - 5 year projection

Description	Date of Vote/Issue	Debt Excluded	Amount Voted	Debt Matured	FY2021	FY2022	FY2023	FY2024	FY2025
*Sewer Extension Bond	4/15/2004	Yes	\$3,515,000	FY2019	Matured				
*Sewer Extension Bond - Interest									
***Rte 140 Design	5/2/2015	No	\$410,000	FY2024	\$82,000	\$82,000	\$82,000	\$82,000	
***Rte 140 Design - Interest					\$9,840	TBD	TBD	TBD	
Senior Center Bond	4/1/2015	Yes	\$2,830,100	FY2030	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000
Senior Center Bond - Interest					\$49,600	\$45,800	\$42,000	\$37,250	\$32,500
**Water Storage Tank - Ellis Road - Bond	5/5/2018	No	\$1,700,000	TBD	\$0	TBD	TBD	TBD	TBD
**Water Storage Tank - Ellis Road - Interest					\$2,570				
**Water Main Replacement	2/6/2013	No	\$600,000	FY2018	Matured				
**Water Main Replacement - Interest									
Septic Management Plan	5/4/2013	No	\$300,000	FY2039	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Septic Management Plan - Interest					\$0	\$0	\$0	\$0	\$0
2018 KME Fire Pumper/Tanker	11/27/2018	No	\$600,000	FY2024	\$120,000	\$120,000	\$120,000	\$120,000	
2018 KME Fire Pumper/Tanker - Interest					\$7,930	TBD	TBD	TBD	
2014 KME Fire Engine	7/10/2013	No	\$550,000	FY2019	Matured				
2014 KME Fire Engine - Interest									
Town Hall Bond	5/1/2007	No	\$3,700,000	FY2017	Matured				
Town Hall Bond - Interest									
****Sewer In-line Storage Project	4/11/2016	Yes	\$2,500,000	FY2059	53,554	53,554	53,554	53,554	53,554
****Sewer In-line Storage Project - Interest					53,019	51,546	50,073	48,600	47,128
* 50% paid through betterment ***85% taxation and 15% from sewer enterprise ** Water Receipts Reserve ***Authorized and Unissued Debt									

Enterprise Funds

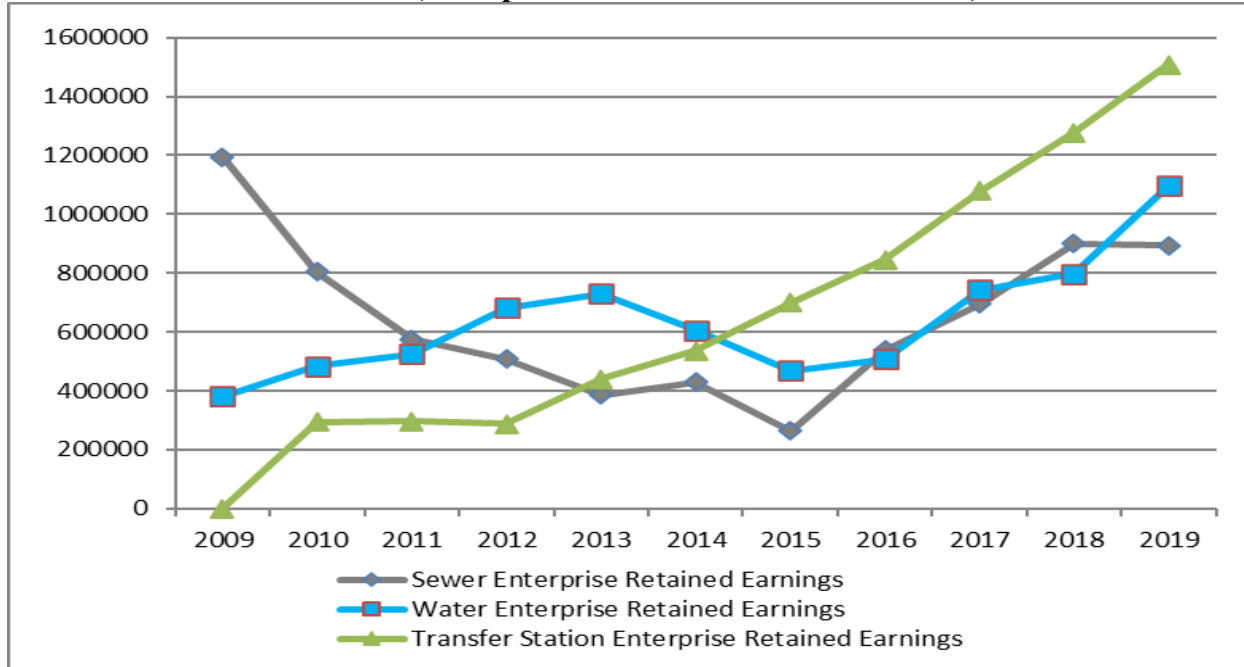
Enterprise funds establish a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods and services. The Town has three enterprise funds (water, sewer and transfer station). Some of the items on the CIP are funded by the enterprise funds. For example, if a pick-up truck used by the water/sewer department is in need of replacement, then the funding for a new truck would come from the water and sewer enterprise funds. In addition, some items on the debt schedule are funded or partially funded by the enterprise funds (this is noted on the debt schedule - see previous page).

Similar to the stabilization funds, the enterprise fund levels must be maintained at adequate levels for financial stability. The chart below show the Sewer, Water and Transfer Station Enterprise levels from 2009 to 2019.

The Water Enterprise Fund level has increased from \$380,726 in 2009 to \$1,095,633 in 2019. The Sewer Enterprise Fund level has declined since 2009. In 2009 the Sewer Enterprise fund was slightly under 1.2 million dollars. In 2015 the fund was at \$263,344. The Sewer Enterprise fund has increased the last three years with the 2018 amount of \$899,592.

Approximately 47% of the Sewer Enterprise expenditures are for collection charges paid to the City of Fitchburg. Another 26% is used to pay the debt for the sewer extension bond.

**Chart 5
(Enterprise Fund Levels as of 11/27/2019)**



Overall, the status of the Town's financial position is positive. The stabilization funds have been restored to adequate levels and the Town now has an adopted policy addressing these funds and their minimum levels. In addition, the five year CIP is successfully leveraging these funds for future capital expenses and thus keeping the amount needed to raise & appropriate from taxes consistent year over year. The Enterprise Fund levels are being monitored and the long range plan is to grow these levels in order to support future capital projects.

The next few pages of the report are intended to expand on a few of the larger Capital Improvement Projects that are either currently on the plan or are expected to be added in the new few years. The goal is to inform and increase the awareness of these projects to the residents of Westminster.

Route 140 Design Project

A project for the engineering design of Route 140, i.e., Hager Park and Worcester Roads was approved at the May 2, 2015 Annual Town Meeting. This project will address a number of road repairs/deficiencies and flooding issues along the roadway. The area on Worcester Road in the vicinity of Mile Hill and Gatehouse Roads in particular has flooding issues and is a safety concern. The project has been split into two, Project 1 Narrows Road to Patricia Road and Project 2 Patricia Road to Princeton town line. Project 1 has an estimated construction start in 2021. Project 2 is at the 75% design phase and has not been assigned a construction date. Both projects have been approved for Transportation Improvement Program (TIP) funding. TIP is a multi-year program of capital improvements that reflect the needs of the regional transportation system.

Water Storage Tank (Ellis Road Standpipe) Project

A project for replacing the water storage tank on Ellis Road was voted at the FY2019 Annual Town Meeting. The cost of this project is estimated to be 1.7 million dollars. Funding this project will be borrowed and paid back from the Water Enterprise Retained Earnings. The existing storage tank is at the end of its useful life (60+ years old). Construction is expected to start in 2020.

Water Main Improvement Program

An ongoing project to replace/upgrade aging/deficient water mains to improve water quality, fire protection and water storage tank tracking over a period of 20-years. Recently completed projects include replacing/upgrading water mains on South, Bacon, Elliott and Pleasant Streets. The Water Department's water main improvement program plan is to replace approximately 30,000 linear feet of water main over the twenty-year period (approximately 14% of the water system).

Whitmanville Road Bridge Design Project

The engineering and construction for this project will be fully funded with state and/or federal monies. The MassDOT performs inspections on municipal owned bridges that have a clear span > 20 feet. The MassDOT has performed inspections on this bridge which have shown a need to replace the bridge. The engineering for this project is almost complete and construction is projected to start in Spring 2021.

Old Town Farm Road Culvert Replacement

Engineering and construction costs to replace twin 36-inch culverts. The replacement will aid in flooding/overtopping of the road due to insufficient size of the existing pipes. Preliminary estimate for construction is \$350,000. The construction costs may increase due to providing another means of access as the road is a dead-end.

MS4 Storm water Permit

This request is for the newly issued NPDES Massachusetts Small Municipal Separate Storm Sewer System (MS4) General Permit issued by the U.S. EPA. Money needs to be set aside in free cash for annual permit compliance.

Sewer Extension Projects

Multiple projects to extend sewers in environmentally sensitive areas in Town will be discussed once Phase A (Whitman River sewer upgrades & I/I Control Plan) have been completed. Projects include extending sanitary sewer in CWMP Phases 1 and 2 which include the following areas in Town: Phase 1-Leino Park, Lakewood Park, Dawley Road, Phase 2-Lake Drive East and Edro Isle. Preliminary engineering design costs for Phase 1 range from \$700,000 to \$800,000 and for Phase 2 from \$500,000 to \$600,000. Preliminary construction costs for Phase 1 range from \$4,000,000 to \$4,500,000 and for Phase 2 from \$2,700,000 to \$3,000,000. Both Phases are expected to take 3 years each from the start of design to the end of construction.

Multi-Year Road Improvement Project

A multi-year road improvement plan for repairing and improving town roads has been added to the CIP. The plan is funded by a combination of the Annual Road Maintenance appropriation, MassDOT Chapter 90 and Road Maintenance Stabilization funds. A comprehensive plan that spans multiple years with the goal of improving the average pavement condition index (PCI) is updated annually by the DPW. Funding for this plan is dependent on landfill revenue. Once the landfill is closed, transfers to the Road Maintenance Stabilization Fund from landfill revenue will cease.

Public Safety Building

A public safety building committee has been formed and have been meeting to come up with a plan for the Public Safety Building. The current building has limited storage and the committee is looking at options for expansion of the existing building or possibly moving one or both department(s) to a new location. Surveys are being developed and will be sent out in order to gather feedback from the community.

Tower Ladder

A project for replacing the Tower Ladder is not yet on the five year CIP but is currently slated for FY2030. Although FY2030 is a number of years away, it is important to start discussing funding options now in order to have the least amount of impact to the tax payers. A Tower Ladder provides significant advantages over the traditional ladder truck with the main advantage being safety. A fire fighter can safely maneuver the bucket into position to best fight a fire and does not have to climb up and down a ladder that is wet and sometimes frozen. In addition, in a rescue situation rescued persons can be lowered to the ground rather than having to climb down a ladder. Another advantage is reach - a tower can extend out as well as up thus allowing a fire fighter to reach a home from the road. With all light weight construction buildings are made to depend on each component to support its own weight. When fire weakens one or more the building fall down faster endangering the people and firefighters. Another major advantage to a tower is that it can operate in any angle fully extended without fear of collapsing. This vehicle also allows us to operate with fewer people because of the safety factor.

SPECIAL TOWN MEETING WARRANT

WORCESTER, SS.

To either of the Constables of the TOWN OF WESTMINSTER in the County of Worcester, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and in Town affairs, to meet at the

**WESTMINSTER ELEMENTARY SCHOOL
9 ACADEMY HILL ROAD
WESTMINSTER, MASSACHUSETTS
on
SATURDAY, JUNE 20, 2020
AT 1:00 P.M.**

then and there to vote on the following articles:

ARTICLE 1. To see if the Town will vote to transfer a sum of money from available funds to supplement the amount voted under Article 5 of the May 4, 2019 Annual Town Meeting for the Snow & Ice Removal accounts (Department 423), or act in relation thereto.

(Amount requested: \$48,000) *(Advisory Board and BOS Unanimously Approves)*

ARTICLE 2. To see if the Town will vote to transfer a sum of money from available funds to pay any unpaid bills (or portions thereof) from a prior fiscal year, or act in relation thereto. (9/10 vote required)

(Amount requested: \$3,300) *(Advisory Board and BOS Unanimously Approves)*

AND YOU ARE DIRECTED to serve this warrant, by posting attested copies thereof at the Town Hall and the U.S. Post Office in said Town, fourteen days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this 4th day of May in the year of our Lord two thousand and twenty.

Wayne R. Walker

Heather M. Billings

James A. DeLisle

BOARD OF SELECTMEN

ANNUAL TOWN MEETING WARRANT

WORCESTER, SS.

To either of the Constables of the TOWN OF WESTMINSTER in the County of Worcester,
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and in Town affairs, to meet at the

**WESTMINSTER ELEMENTARY SCHOOL
9 ACADEMY HILL ROAD
WESTMINSTER, MASSACHUSETTS
on
SATURDAY, June 20, 2020
AT 1:00 P.M.**

then and there to vote on the following articles:

CUSTOMARY ARTICLES

ARTICLE 1. To see if the Town will vote to authorize the Board of Selectmen to enter into a contract with the Massachusetts Department of Transportation or other appropriate state agency for the construction and maintenance of public highways for the ensuing fiscal year, or act in relation thereto.
(Advisory Board and BOS Unanimously Approves)

ARTICLE 2. To see if the Town will vote pursuant to Chapter 40, section 4 of the General Laws to authorize the Board of Selectmen to enter into any and all contracts on behalf of the Town for the ensuing fiscal year unless otherwise provided by law, on such terms and conditions as it deems to be in the best interests of the Town, or act in relation thereto.
(Advisory Board and BOS Unanimously Approves)

ARTICLE 3. To hear reports of any committees appointed to act on Town affairs or in its behalf.
(Advisory Board and BOS Unanimously Approves)

ARTICLE 4. To see if the Town will vote to set the following spending limits for each Revolving Fund authorized under Chapter 28-9 of the Town Bylaws for FY2021, or act in relation thereto:

- 1 Hazardous Materials Recovery - \$12,000
- 2 Agricultural Commission Programs - \$10,000
- 3 Public Health Clinic and Emergency Response - \$25,000
- 4 Private Road Maintenance - \$10,000

(Advisory Board and BOS Unanimously Approves)

OPERATING BUDGETS

ARTICLE 5. To see if the Town will vote to fix the compensation of appointed and elected officers, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, for the ensuing fiscal year, or act in relation thereto.

(Amount requested: \$23,026,369) *(Advisory Board and BOS Unanimously Approves)*

ACCOUNT NAME AND NUMBER	DESCRIPTION	FY2021				COMMENTS
		FY2020 APPROVED	REQUESTED & RECOMMENDED	INCREASE (DECREASE)	% Change	
Selectmen 122	Temporary Labor	4,000	4,000	0		
	Salaries	0	0	0		
	Expenses	5,250	5,250	0		
	Lease Copiers	12,000	12,000	0		
	Johnny Appleseed	10,000	10,000	0		
		31,250	31,250	0	0.00%	
Town Administration 129	Salaries	145,512	164,472	18,960		new employee and grade change for Asst.
	Expenses	6,675	6,675	0		
		152,187	171,147	18,960	12.46%	
Advisory Board 131	Expenses	650	650	0		
		650	650	0	0.00%	
Reserve Fund 132	Expenses	60,000	60,000	0		
		60,000	60,000	0	0.00%	
Accountant 135	Salaries	95,423	96,319	896		
	Expenses	36,900	36,900	0		
		132,323	133,219	896	0.68%	
Assessors 141	Salaries	64,676	67,363	2,687		
	Expenses	17,480	17,480	0		
		82,156	84,843	2,687	3.27%	
Treasurer/Collector 147	Stipend	1,000	1,000	0		
	Salaries	149,988	154,862	4,874		
	Expenses	9,816	9,816	0		
		160,804	165,678	4,874	3.03%	
Legal 151	Expenses	75,000	75,000	0		
		75,000	75,000	0	0.00%	
Personnel Admin. 152	Salaries	49,977	47,170	-2,807		new employee
	Expenses	13,000	17,130	4,130		This is level funded. A mid-year transfer for Data Processing was approved in FY20 and still required
		62,977	64,300	1,323	2.10%	

Data Processing	Salaries	50,000	62,275	12,275	Transition from 2 1/2 part time to 1 full time
155	Expenses	115,055	115,055	0	
		165,055	177,330	12,275	7.44%
Town Clerk	Stipend	1,175	1,175	0	
161	Salaries	84,048	86,569	2,521	
	Expenses	10,005	10,530	525	\$500 for E-Code, \$25 new subscription,
		95,228	98,274	3,046	3.20%
	Stipend	600	600	0	
Elections	Salaries	7,344	11,880	4,536	
164	Expenses	13,005	17,205	4,200	Additional Elections
		20,949	29,685	8,736	41.70%
Conservation	Salary	38,150	39,295	1,145	
171	Expenses	1,050	1,550	500	\$500 for trail maintenance
		39,200	40,845	1,645	4.20%
Town Planner	Salary	72,531	76,524	3,993	a mid-year increase was approved for FY 20
172	Expenses	4,250	4,300	50	
		76,781	80,824	4,043	5.27%
Planning Board	Salary	2,000	2,000	0	
175	Expenses	1,150	1,150	0	
		3,150	3,150	0	0.00%
Board of Appeals	Salary	1,500	1,500	0	
176	Expenses	300	300	0	
		1,800	1,800	0	0.00%
Agricultural Commission	Expenses	0	500	500	New budget line at the request of Ag Comm
179		0	500	500	0.00%
Economic Development	Expenses	1,300	1,300	0	
182		1,300	1,300	0	0.00%
Public Buildings and	Salaries	108,664	111,444	2,780	
Property	Expenses	248,000	248,000	0	
192		356,664	359,444	2,780	0.78%
Town Report	Expenses	2,250	2,250	0	
195		2,250	2,250	0	0.00%

Crocker Pond	Salaries	20,133	21,033	900	
199	Expenses	7,155	7,655	500	Add yoga classes
		27,288	28,688	1,400	5.13%
Police/Dispatch	Salaries	1,798,679	1,851,694	53,015	Contractual
210	Expenses	298,800	298,800	0	
		2,097,479	2,150,494	53,015	2.53%
Fire	Salaries	917,881	967,509	49,628	
220	Expenses	130,666	132,317	1,651	increase = 900 Radios 750 Other Contract svc
		1,048,547	1,099,826	51,279	4.89%
Ambulance	Salaries	156,125	156,756	631	
231	Expenses	116,112	123,806	7,694	4,510 increase for Contract Svcs, 3,000 for Med Supplies, 100 for training, 84 for subscriptions
		272,237	280,562	8,325	3.06% Transfer from Ambulance Receipts Reserved for Appropriation; any remaining balance to revert back at end of year
Emergency Management	Expenses	11,985	11,985	0	
299		11,985	11,985	0	0.00%
Building Dept.	Salaries	222,110	226,742	4,632	
241	Expenses	20,000	20,000	0	
		242,110	246,742	4,632	1.91%
Animal Control	Expenses	40,000	40,000	0	
292		40,000	40,000	0	0.00%
Tree Warden	Salary	2,000	2,000	0	
294	Expenses	33,200	33,200	0	
		35,200	35,200	0	0.00%
K-12 Schools	Contribution to Fndn. Budget	7,158,918	7,466,737	307,819	4.30%
390	Additional Funds	2,589,419	2,631,815	42,396	
	Transportation	594,260	506,466	-87,794	
	Comm. Serv.	4,399	4,358	-41	
	Subtotal-Operating	10,346,996	10,609,376	262,380	2.54%
	WES Bond	267,353	258,753	-8,600	
	Oakmont Bond	272,984	253,515	-19,469	
	Subtotal-Debt	540,337	512,268	-28,069	-5.19%

	SUB-TOTAL K-12	10,887,333	11,121,644	234,311	2.15%	
Monty Tech	Foundation State Minimum	603,152	655,169	52,017	8.62%	
	Additional Funds			0		
	Transportation	32,326	43,615	11,289		
	Capital	14,169	15,812	1,643		
	Bonds	11,763	0	-11,763		
	Sub-Total MTech	661,410	714,596	53,186	8.04%	
Total Schools, 390	Total Schools	11,548,743	11,836,240	287,497	2.49%	
Highway Admin.	Salaries	307,362	307,841	479		
421		307,362	307,841	479	0.16%	
Highway Dept.	Salaries	567,780	607,642	39,862		
422	Expenses	256,150	261,350	5,200		Professional Services increase
		823,930	868,992	45,062	5.47%	
Snow and Ice Control	Salaries	52,000	52,000	0		
423	Expenses	298,100	298,100	0		
		350,100	350,100	0	0.00%	
Street Lighting	Expenses	25,000	25,000	0		
424		25,000	25,000	0	0.00%	
Cemetery Dept.	Salaries	113,401	117,198	3,797		
491	Expenses	13,880	15,680	1,800		300 for gas, 750 for maintenance, 250 for repairs, 500 for materials and supplies (seed, cement, lime, fertilizer, etc.
		127,281	132,878	5,597	4.40%	
Health Dept.	Salaries	121,444	123,785	2,341		
510	Expenses	13,300	16,000	2,700		450 in travel reimb, 200 in dues, 100 in advertising, 50 in H2O testing, 1,900 General Code update for Health Dept (private wells, Tobacco)
		134,744	139,785	5,041	3.74%	
Council on Aging	Salaries	55,422	57,085	1,663		
541	Expenses	12,050	15,700	3,650		2,000 annual cleaning, 1,650 dumpster p/u annually (twice a month)
		67,472	72,785	5,313	7.87%	

Veteran's Services	Salaries	24,720	26,155	1,435		
543	Expenses	1,205	1,635	430		Vetra-spec software license
		25,925	27,790	1,865	7.19%	
Veteran's Assistance	Expenses	70,000	90,000	20,000		More Veteran cases
544		70,000	90,000	20,000	28.57%	
MART	Salaries	82,872	84,680	1,808		
549	Expenses	12,250	12,250	0		
		95,122	96,930	1,808	1.90%	
Library	Salaries	287,426	296,741	9,315		
610	Expenses	130,590	135,990	5,400		Books & periodicals, Building Improvements
		418,016	432,731	14,715	3.52%	
Recreation Dept.	Salaries	18,000	18,540	540		
630	Expenses	14,040	14,040	0		
		32,040	32,580	540	1.69%	
Concerts	Expenses	3,000	3,000	0		
631		3,000	3,000	0	0.00%	
Hager Park Comm.	Expenses	250	250	0		
661		250	250	0	0.00%	
Historical Comm.	Expenses	1,280	1,280	0		
691		1,280	1,280	0	0.00%	
Memorial Day	Expenses	1,300	1,300	0		
692		1,300	1,300	0	0.00%	
Care of Town Clock	Expenses	250	300	50		Maintenance cost increased last year
699		250	300	50	20.00%	
Town Debt Retirement	Fire Truck	120,000	120,000	0		
710	Senior Center Bond	190,000	190,000	0		
	Rte. 140 Re-design	82,000	82,000	0		
	Septic Management Program	15,000	15,000	0		
	Total Expenses	407,000	407,000	0	0.00%	VOTE AS ONE LINE ITEM

Town Debt Interest	Short Term Borrowing	5,000	5,000	0	
750	Senior Center Bond	53,400	49,600	-3,800	
	Fire Truck	15,600	7,930	-7,670	
	Rte. 140 Re-design	14,350	9,840	-4,510	
	Total Expenses	88,350	72,370	-15,980	-18.09% VOTE AS ONE LINE ITEM
Regional Plan. Council.	Expenses	2,550	2,613	63	annual 2.5% increase
840		2,550	2,613	63	2.47%
Other Employee Benefits		40,000	40,000	0	
840		40,000	40,000	0	0.00%
Retirement and Pensions	Expenses	883,111	981,818	98,707	11.18% increase based on Actuarial Accrued Liability, full funding date of 2035
911		883,111	981,818	98,707	11.18%
Group Health Insurance	Expenses	1,175,000	1,298,300	123,300	Annual increase and new enrollees
914		1,175,000	1,298,300	123,300	10.49%
Group Life Insurance	Expenses	4,000	4,000	0	
915		4,000	4,000	0	0.00%
Other Insurance	Expenses	2,500	2,500	0	Unemployment
945		43,500	43,500	0	Workman's Compensation
		215,000	215,000	0	Property and Liability
		62,000	62,000	0	Fire/Police Accident
		2,500	2,500	0	Deductibles
		325,500	325,500	0	0.00% VOTE AS ONE LINE ITEM
TOTAL OPERATING BUDGET		10,703,153	11,190,129	486,976	4.55%
TOTAL SCHOOL BUDGETS		11,548,743	11,836,240	287,497	2.49%
TOTAL BUDGET		22,251,896	23,026,369	774,473	3.48%

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Enterprise for Fiscal Year 2021, or act in relation thereto.

(Amount requested: \$1,270,135) (*Advisory Board and BOS Unanimously Approves*)

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Water Enterprise for Fiscal Year 2021, or act in relation thereto.

(Amount requested: \$612,758) (*Advisory Board and BOS Unanimously Approves*)

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Solid Waste Transfer Facility Enterprise for Fiscal Year 2021, or act in relation thereto.

(Amount requested: \$273,300) (*Advisory Board and BOS Unanimously Approves*)

CUSTOMARY MONEY ARTICLES

ARTICLE 9. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for the following purposes:

Westminster Cultural Council

Conservation Fund, as provided in Section 8C of Chapter 40 of the General Laws

(Amounts requested: \$4,000 for Cultural Council; \$1,000 for Conservation Fund) (*Advisory Board and BOS Unanimously Approves*)

ARTICLE 10. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to fund a portion of the cost of retaining a professional consultant to perform the revaluation of real and personal property in the Town as required under Massachusetts General Laws, or act in relation thereto.

(Amount requested: \$25,000) (*Advisory Board and BOS Unanimously Approves*)

ARTICLE 11. To see if the Town will vote to transfer a sum of money from Free Cash to reduce the Fiscal Year 2021 tax rate, or act in relation thereto.

(Amount requested: \$230,000) (*Advisory Board and BOS Unanimously Approves*)

ARTICLE 12. To see if the Town will vote to raise and appropriate a sum of money for the OPEB Stabilization Account, or act in relation thereto.

(Amount requested: \$300,000) (*Advisory Board and BOS Unanimously Approves*)

NON-CAPITAL MONEY ARTICLES

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to hire a preservationist to assist the Historical Commission in documenting historically architecturally significant homes in Westminster, or act in relation thereto.

(Amount requested: \$3,000) (*Advisory Board and BOS Unanimously Approves*)

ARTICLE 14. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for confined space safety equipment for the Cemetery Department, or act in relation thereto.

(Amount requested: \$4,000) *(Advisory Board and BOS Unanimously Approves)*

ARTICLE 15. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be spent under the direction of the Council on Aging Director for the installation of a concrete pad to hold a trash dumpster at the Senior Center, or act in relation thereto.

(Amount requested: \$1,500) *(Advisory Board and BOS Unanimously Approves)*

ARTICLE 16. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to crack seal and paint the basketball court next to Town Hall, or act in relation thereto.

(Amount requested: \$7,700) *(Advisory Board Unanimously Approves and BOS Unanimously Opposes)*

ARTICLE 17. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to purchase a commercial grade lawn mower for the ball fields under the care of the Recreation Department, or act in relation thereto.

(Amount requested: \$7,000) *(Advisory Board and BOS Unanimously Approves)*

ARTICLE 18. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be spent under the direction of the Crocker Pond Committee for tree trimming and pruning work to be done at Crocker Pond, or act in relation thereto.

(Amount requested: \$8,000) *(Advisory Board Majority Approves and BOS Unanimously Approves)*

ARTICLE 19. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be spent under the direction of the Town Planner for the re-printing of updated economic development brochures for the Town of Westminster, or act in relation thereto.

(Amount requested: \$3,000) *(Advisory Board and BOS Unanimously Approves)*

ARTICLE 20. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be spent under the direction of the Conservation Commission for the purpose of planning and implementing a forestry management project of approximately 150 acres in the area of Old Turnpike Road, or act in relation thereto.

(Amount requested: \$4,000) *(Advisory Board and BOS Unanimously Approves)*

ARTICLE 21. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be spent under the direction of the Town Clerk to purchase one new voting tabulator, to include related equipment and training, or act in relation thereto.

(Amount requested: \$5,900) *(Advisory Board and BOS Unanimously Approves)*

CAPITAL ARTICLES

ARTICLE 22. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Public Works Director for the following capital equipment and/or projects, including related incidental costs, or act in relation thereto.

ITEM/PROJECT	AMOUNT REQUESTED	PROPOSED FUNDING SOURCE
Maintenance of Town roads (including oiling, sealing, re-surfacing, drainage, guardrails, removing trees/brush, and other such activities.	\$300,000	Raise and appropriate
Reconstruction and improvement of Town roads.	\$500,000	Raise and appropriate
MS4 Storm Water Permit Compliance	\$50,000	Free Cash
Loader – Public Works	\$275,000	Capital Stabilization
Pick-up truck – Public Works	\$45,000	Capital Stabilization
Sander Dump Body – Public Works	\$60,000	Capital Stabilization
Upper Reservoir Dam – Public Works	\$80,000	Road Maintenance Stabilization
Water ERP Update -- Water/Sewer Dept.	\$50,000	Water Enterprise Fund

(Advisory Board, Capital Planning and BOS Unanimously Approves)

ARTICLE 23. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Police Chief for the following capital equipment, including related incidental costs, or act in relation thereto.

ITEM/PROJECT	AMOUNT REQUESTED	PROPOSED FUNDING SOURCE
One Police vehicle and related equipment, including trade-ins	\$49,000	Raise and appropriate
Police / Fire Radio Building	\$75,000	Building Stabilization
Police – Mobile Radios	\$55,000	Capital Stabilization

(Advisory Board, Capital Planning and BOS Unanimously Approves)

ARTICLE 24. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Town Administrator for the following capital equipment and/or projects, including related incidental costs, or act in relation thereto.

ITEM/PROJECT	AMOUNT REQUESTED	PROPOSED FUNDING SOURCE
Scheduled computer replacement, systems updates and technology-related items for the various town departments	\$39,000	Raise and Appropriate
Replace virtualized server	\$35,000	Technology Stabilization

(Advisory Board, Capital Planning and BOS Unanimously Approves)

ARTICLE 25. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Library Director for the installation of a new exterior chiller at the Forbush Memorial Library, or act in relation thereto.

(Amount requested: \$85,000) (*Advisory Board, Capital Planning and BOS Unanimously Approves*)

ARTICLE 26. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Public Works Director in order to purchase and plant trees around the Town Common on Academy Hill, or act in relation thereto.

(Amount requested: \$35,000) (*Advisory Board, Capital Planning and BOS Unanimously Approves*)

ARTICLE 27. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Cemetery Commission to purchase a tractor-backhoe-mower-loader for the Cemetery Department, or act in relation thereto.

(Amount requested: \$100,000) (*Advisory Board, Capital Planning and BOS Unanimously Approves*)

ARTICLE 28. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Ashburnham-Westminster Regional School District for the following districtwide capital projects; further, that said appropriation is subject to the Town of Ashburnham also voting to fund its share of the cost of this article, or act in relation thereto:

\$10,984	Exterior board replacement (Oakmont)
\$14,055	Floor replacement (Overlook)
	Truck with plow (District)
\$27,510	
\$32,952	Network cabling upgrade (District)
\$2,746	Exterior door thresholds (Oakmont)
\$33,732	Bleachers in gym (Overlook)
\$2,811	Exterior door thresholds (Overlook)

(Amount requested: \$124,790) (*Advisory Board, Capital Planning and BOS Unanimously Approves*)

ARTICLE 29. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Ashburnham-Westminster Regional School District for the following capital projects, or act in relation thereto.

\$5,000	Exterior door thresholds (Westminster Elementary)
\$10,000	Building Management System (Westminster Elementary)
\$15,000	Sidewalk repair/replacement (Westminster Elementary)
\$215,000	New Playground (Westminster Elementary)
\$7,500	Exterior door thresholds (Meetinghouse)
\$6,000	Cafeteria tables (Meetinghouse)

(Amount requested: \$258,500) (*Advisory Board, Capital Planning and BOS Unanimously Approves*)

MISCELLANEOUS AND ZONING ARTICLES

ARTICLE 30. To see if the Town will vote to accept the alteration and relocation of the layout of a portion of the public way Worcester Road (Route 140), as heretofore laid out by the Public Works Commission and shown on plan of land entitled: "Layout Plan of Land, Route 140 (Worcester Road), Westminster, Massachusetts, Prepared for the Town of Westminster, MA", dated January 27, 2020, prepared by Green International Affiliates, Inc., a copy of which has been placed on file with the Town Clerk, and further to authorize the Public Works Commission to acquire, on behalf of the Town, by purchase, gift, eminent domain or otherwise, rights sufficient to use said way for all purposes for which public ways are used in the Town of Westminster, or act in relation thereto. *(Advisory Board and BOS Unanimously Approves)*

ARTICLE 31. To see if the Town will vote to adopt a new General Bylaw (Chapter 137) that will regulate stormwater management, or act in relation thereto. The text of the new bylaw will read as follows:

(Advisory Board and BOS Unanimously Approves)

Chapter 137 - Stormwater Management

137-1. Purpose and Objectives

A. The purpose of this Bylaw is to establish minimum stormwater management requirements and procedures in order to minimize damage to public and private property and infrastructure; safeguard the public health, safety, environment and general welfare; protect aquatic resources and wildlife habitat; protect the quality and health of water resources; conserve groundwater supplies; and, foster climate change resiliency. This Bylaw seeks to meet that purpose through the following objectives:

(1) Establish the Planning Board and/or Conservation Commission of the Town of Westminster, or its designated agent, as the legal authority to ensure compliance with the provisions of this Stormwater Management Bylaw and its accompanying Rules and Regulations through a review process, inspection, monitoring, and enforcement.

(2) Establish administrative procedures for: the submission, review, and approval or disapproval of Stormwater Management Permits; the inspection of approved active projects; and post construction follow up.

(3) Establish decision-making processes surrounding new development and re-development that protects watershed integrity and preserves and/or restores the health of local water resources such as lakes, ponds, streams, rivers, wetlands, and groundwater.

(4) Ensure compliance with requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) and other applicable State and Federal mandates in order to minimize or eliminate erosion and maintain sediment onsite so that it is not transported to a water of the Commonwealth and to reduce the discharge of pollutants found in stormwater through the retention and treatment of stormwater during and after construction.

137-2. Authority

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, pursuant to the Regulations of the federal Clean Water Act found at 40 CFR 122.34, and as authorized by the residents of the Town of Westminster at the Town Meeting.

Nothing in this Bylaw or the regulations adopted hereunder is intended to replace or be in derogation of the requirements of the Town of Westminster Zoning Bylaw, the Westminster Wetlands Protection Bylaw, or the Westminster Subdivision Control Rules and Regulations.

137-3. Definitions

For the purposes of this Bylaw, the following shall mean:

AGRICULTURAL USE: The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40, and its implementing regulations.

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a soil erosion and sediment control permit for proposed land-disturbance activity.

BEST MANAGEMENT PRACTICE (BMP): An activity, procedure, restraint, or structural improvement that helps reduce the quantity or improve the quality of stormwater runoff. Some examples of BMPs are described in a stormwater design manual, Stormwater Management, Volume Two: Stormwater Technical Handbook (March, 1997, MA Department of Environmental Protection and MA Office of Coastal Zone Management, as updated or amended).

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC): A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

CONSERVATION COMMISSION: Town of Westminster Conservation Commission including its employees or authorized agents designated to enforce this Bylaw.

CONSTRUCTION ACTIVITY: The disturbance of the ground by removal of vegetative surface cover or topsoil, grading, excavation, clearing or filling.

DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into waters of the United States of America or the Commonwealth of Massachusetts from any source.

DISTURBANCE: Any activity which changes the volume or peak flow discharge rate of rainfall runoff from the land surface. This may include the clearing, grading, digging, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping of any natural man-made watercourse.

ENFORCEMENT ORDER: A written order issued by the Planning Board and/or Conservation Commission in order to enforce the provisions of this Bylaw as issued in accordance with Section 7.0 of this Bylaw.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir,

and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Westminster, MA.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT: A permit issued by the United States Environmental Protection Agency (EPA) or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

NEW DEVELOPMENT: Any modification of land that disturbs the ground surface or increases the impervious area on previously undeveloped sites. Any construction, land alteration, or addition of impervious surfaces resulting in total earth disturbances equal to or greater than 1 acre or activities that are part of a larger common plan of development disturbing greater than 1 acre that does not meet the definition of Redevelopment.

OWNER: A person with a legal or equitable interest in property.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

PLANNING BOARD: Town of Westminster Planning Board including its employees or authorized agents designated to enforce this Bylaw.

PROFESSIONAL ENGINEER (P.E.): A registered Professional Engineer within the State of Massachusetts in good standing.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition or phase projects that disturb the ground surface or increase the impervious area on previously developed sites. Any construction, land alteration, or improvement of impervious surfaces resulting in total earth disturbances equal to or greater than 1 acre (or activities that are part of a larger common plan of redevelopment disturbing greater than 1 acre) that does not meet the definition of New Development.

STORMWATER: Stormwater runoff, snow melt runoff, and surface water runoff and drainage.

STORMWATER MANAGEMENT PERMIT: The written approval granted by the Planning Board to undertake a construction activity pursuant to a Stormwater Management Permit Application. A valid Stormwater Management Permit must be signed by a majority of the Planning Board participating at a duly noted public hearing, and such permit must be recorded at the Worcester Registry of Deeds, prior to the start of any work.

WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwaters, and vernal pools.

WETLAND RESOURCE AREAS: Areas specified in the Massachusetts Wetlands Protection Regulations, 310 CMR 10.00, et seq., as amended, and in the Town of Westminster Chapter 202 Wetlands Bylaw, as amended.

137-4. Administration

A. The Planning Board shall be the permit granting authority for this Bylaw except when a project subject to review under this Bylaw falls under the jurisdiction of the Conservation

Commission in which case the Conservation Commission shall be the permit granting authority hereunder. Any powers granted to or duties imposed upon the Planning Board may be delegated in writing by the Planning Board to any Town employee, board, commission, committee or agent, hereby known as the "Reviewing Agent."

B. The Planning Board shall not have jurisdiction over stormwater issues within areas where the Conservation Commission has jurisdiction under the Wetlands Protection Act and/or any local regulations.

C. The Planning Board or its Reviewing Agent shall take any of the following actions as a result of an application for a Stormwater Management Permit as specifically defined within the Stormwater Management Rules and Regulations promulgated as a result of this Bylaw: Approval, Approval with Conditions, or Disapproval.

D. A decision of the Planning Board or its Reviewing Agent shall be final. Further relief from a decision by the Planning Board or its Reviewing Agent made under this Bylaw shall be appealable to the Superior Court, in accordance with M.G.L. c. 249, §4.

137-5. Amendments and Regulations

The Planning Board may adopt, and periodically amend, the Stormwater Management Rules and Regulations relating to the terms, conditions, definitions, enforcement, fees (including application, inspection, and/or consultant fees), procedures and administration of this Stormwater Management Bylaw by majority vote of the Planning Board, after conducting an advertised public hearing to receive comments on any proposed revisions. The hearings shall be duly advertised in a paper of general circulation in the Town of Westminster no less than fourteen (14) days prior to the date of the public hearing.

137-6. Applicability and Exemptions

A. No person may undertake a construction activity, including clearing, grading, and excavation that results in a land disturbance to an area equal to or greater than one (1) acre of land or will disturb less than one acres of land but is part of a larger common plan of development or sale that will ultimately disturb an area equal to or greater than one (1) acre of land within the Town of Westminster without first obtaining a Stormwater Management Permit issued by the Planning Board.

B. Exemptions:

(1) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection act regulation 310 CMR 10.04, as amended;

(2) Maintenance of existing landscaping, gardens, or lawn areas associated with a single-family dwelling;

(3) The construction of fencing that will not substantially alter existing terrain or drainage patterns;

(4) Normal maintenance and improvements of the Town of Westminster's publicly owned roadways and associated drainage infrastructure; and

(5) Emergency repairs to any stormwater management system or feature that poses a threat to public health or safety, or other action as deemed necessary by a Town department or

board to abate such a threat to public health or safety.

137-7. Enforcement

A. The Planning Board and/or the Conservation Commission, or an authorized agent of the Planning Board and/or Conservation Commission, shall enforce this Bylaw, and any associated regulations, orders, violations notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

B. The Planning Board and/or Conservation Commission may issue a written order to enforce the provisions of this Bylaw, which may include requirements to:

- (1) Cease and desist from construction or land disturbing activity until there is compliance with this Bylaw and the stormwater management permit;
- (2) Repair, maintain, or replace the stormwater management system or portions thereof in accordance with the operation and maintenance plan;
- (3) Maintain, install, or perform additional erosion and sediment control measures;
- (4) Perform monitoring, analyses, and reporting;
- (5) Remediate adverse impact resulting directly or indirectly from malfunction of the stormwater management system or erosion and sediment control system;
- (6) Cease and desist from unlawful discharges, practices, or operations; and/or,
- (7) Remediate contamination in connection therewith.

C. If the Planning Board and/or Conservation Commission determines that abatement or remediation of adverse impacts is required, the Enforcement Order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Westminster may, at its option, undertake such work, and the property owner shall reimburse the Town's expense.

D. Within thirty (30) days after completing all measures necessary to abate the violation, the violator and the property owner shall be notified of the costs incurred by the Town of Westminster, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Planning Board within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Planning Board affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Ch. 59, § 57, after the thirty-first day at which the costs first become due.

137-8. Entry to perform duties under this Bylaw

To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Planning Board and/or Conservation Commission or its Reviewing Agent, may enter upon privately owned property for the purpose of performing their duties under this Bylaw

and Regulations and may make or cause to be made such examinations, surveys or sampling as the Planning Board and/or Conservation Commission or Reviewing Agent deems reasonably necessary.

137-9. Waivers and Provisions for Relief

A. Planning Board may waive strict compliance with any requirement of this Bylaw promulgated hereunder, where:

- (1) Such action is allowed by federal, state & local statutes and/or regulations,
- (2) Is in the public interest,
- (3) A public safety issue exists, or
- (4) Is not inconsistent with the purpose and intent of this Bylaw.

B. Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of this Bylaw does not further the purposes or objectives of this Bylaw. The Planning Board may require documentation to be submitted and stamped by a qualified P.E. registered in Massachusetts or a Certified Professional in Erosion and Sediment Control (CPESC).

137-10. Civil Relief

If a person violates the provisions of this Bylaw, permit, notices, or order issued thereunder, the Planning Board and/or Conservation Commission may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

137-11. Criminal Penalty

Any person who violates any provision of this Bylaw, order or permit issued thereunder, shall be punished by a fine of not more than \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

137-12. Remedies Not Exclusive

The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local law. In addition to the provisions of enforcement listed above, the Building Commissioner may, in his discretion, enforce the provisions of the Zoning Bylaw by noncriminal disposition pursuant to MGL c. 40, § 21D. Each day on which a violation exists shall be deemed to be a separate offense. Noncriminal citations may be appealed to Gardner District Court or Worcester County Housing Court in accordance with MGL c. 40, § 21D. The penalty for violation of any provision of the Zoning Bylaw pursuant to this section shall be \$50 for the first offense; \$75 for the second offense; \$100 for the third offense; and \$125 for the fourth and each subsequent offense.

137-13. Surety

The Planning Board and/or Conservation Commission may require the permittee to post before the start of land disturbance or construction activity, a surety bond, irrevocable letter of credit,

cash, or other acceptable security. The form of the bond shall be approved by Town counsel, and be in an amount deemed sufficient by the Planning Board and/or Conservation Commission to ensure that the work will be completed in accordance with the permit. If the project is phased, the Planning Board and/or Conservation Commission may release part of the bond as each phase is completed in compliance with the Stormwater Management Permit but the bond may not be fully released until the Planning Board and/or Conservation Commission has received the final inspection report as required by the Stormwater Management Rules and Regulations and issued a Certificate of Completion.

137-14. Severability

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

ARTICLE 32. To see if the Town will vote to amend Chapter 136 of the Westminster General Bylaws (Low Impact Development) by amending Item A under Section 136-4 (Scope and Applicability) as follows (new language appears in *italics*), or act in relation thereto:
(Advisory Board and BOS Unanimously Approves)

LOW IMPACT DEVELOPMENT (LID) BYLAW FOR THE TOWN OF WESTMINSTER

136-4. SCOPE AND APPLICABILITY

A.) This Bylaw shall be applicable to all new development and redevelopment, *including but not limited to approval-not-required (ANR) plans, site plans, definitive subdivision, reduced road subdivision, earth removal/placement of fill permit, special permit applications and any project within jurisdiction of the Westminster Conservation Commission. Any project with land disturbance equal to or greater than ten-thousand (10,000) square feet shall meet the provisions of this bylaw.* The bylaw shall apply to any activities that will result in an increased amount of stormwater runoff or pollutants from a parcel of land, or that will alter the drainage characteristics of a parcel of land, unless exempt under Section 3B of this Bylaw. All new development and redevelopment, under the jurisdiction of this Bylaw, shall be required to obtain a LID Permit. The LID permit process shall be coordinated with existing permitting, where applicable.

ARTICLE 33. To see if the Town will vote to amend Chapter 97 of the Westminster General Bylaws (Earth Removal & Placement of Fill) by amending Items B and C under Section 97.7 (Applicability) and Section 97.8 (Exemptions From Permitting Requirements) as follows (deleted text appears as strikethrough and new language appears in *italics*), or act in relation thereto:

Chapter 97, Article III: EARTH REMOVAL AND PLACEMENT OF FILL

§ 97-7. Applicability

- A. All earth removal and earth filling operations in the Town shall provide the following information, in writing, to the Building Inspector within six months of the effective date of this Bylaw:
1. The map and parcel number of the subject property;
 2. An estimate of the amount of material left to be removed (if earth removal);
 3. An estimate of the amount of fill material remaining to be placed (if fill);
 4. An estimate of the anticipated annual volume of activity;
 5. A description of completed and planned reclamation of the property;
 6. The date the operation began; and

7. The anticipated date of completion or cessation of the operations.

B. Except as provided in Sections 97-8 or 97-14, a Permit shall be required for any of the following activities:

1. Earth removal that involves 2,000 *1,000* cubic yards or more of material per calendar year (January through December).
2. The filling of land that involves 2,000 *1,000* cubic yards or more of material per calendar year (January through December), provided that it involves either:
 - i. The disturbance of two *one* or more acres of land, or
 - ii. The filling of land in excess of eighteen inches in depth above the existing grade.

C. An earth removal or filling operation that does not exceed any of the above thresholds shall not require a Permit, but is subject to the following requirements (unless otherwise agreed to, in writing, by the abutting property owner):

1. The operation shall not encroach closer than ten *fifty (50)* feet to a property line,
2. *An undisturbed fifty (50) foot buffer strip shall be maintained along all property boundaries.*
3. No greater than a 1:1 slope shall exist between the operation and the ten-foot buffer.

§ 97-8. Exemptions from Permit Requirements

The following earth removal or fill operations are exempted from the requirement to obtain a Permit under this Bylaw, provided that (i) the earth removal and/or fill operation is limited to no more than three contiguous lots and does not exceed a total area of six *five* acres, and (ii) the operation is not conducted, maintained, and/or left in a condition so as to alter the natural drainage flow beyond the property; or to cause dust, silt, soil, or other materials to be deposited on adjacent properties; or to otherwise cause nuisances, hazards, or other objectionable conditions detrimental to health, safety, or property values in adjacent areas. The PGA shall, upon petition by an abutter or by any Town Official or Town Board, review an operation that would be exempt from the Permit requirement pursuant to this Section 97-8, and may determine that, because of the nature and scope of the earth removal or fill operation, a Permit is nonetheless required. (Deleted text moved to the end of this section)

A: Earth removal or the placement of fill associated with the installation of septic systems, which shall be governed by the Commonwealth of Massachusetts Environmental Code (Title 5, 310 CMR 15.00).

B Earth removal or the placement of fill associated with the installation of foundations for new buildings and/or building additions, which shall be governed by MGL Chapter 143 and the Commonwealth of Massachusetts Building Code (780 CMR).

C: Earth removal or the placement of fill proposed for land falling within the Town's Floodplain Protection District, which shall be governed by Sections 205-9 and 205-46 of the Westminster Zoning Bylaw and require a Special Permit from the Zoning Board of Appeals

D: Earth removal or the placement of fill proposed for land falling within the Town's Wetland Protection District and associated buffer zones, which shall be governed by the Wetland chapter within the Town's General Bylaws (Chapter 202) which is administered by the Conservation Commission, and the Massachusetts Wetlands Protection Act.

E: Earth removal or the placement of fill that involves less than 2,000 1,000 cubic yards on a single lot.

F: Earth removal or the placement of fill, where the operation occurs entirely within an individual parcel and where a town-accepted public way is not used for the transportation of the material.

G: Earth removal or the placement of fill within the right-of-way for a new subdivision road that has been approved by the Planning Board or Zoning Board where there is already a bond in place with the Town to ensure performance. *For earth removal outside of a new subdivision road right-of-way, a permit will be required if the amount of earth removed exceeds the thresholds specified in Section 97.7.*

H. The PGA shall, upon petition by an abutter or by any Town Official or Town Board, review an operation that would be exempt from the Permit requirement pursuant to this Section 97-8, and may determine that, because of the nature and scope of the earth removal or fill operation, a Permit is nonetheless required.

ARTICLE 34. To see if the Town will vote to amend the Westminster Zoning Bylaw (Chapter 205 of the Code of the Town of Westminster, Massachusetts) by amending Article II (Definitions) Section 205.13 (Minimum Building Requirements) to add a new Item 4 under Subsection B that would prohibit flag lots from using cul-de-sacs for their required frontage (new language appears in *italics*).

§ 205-13 Minimum building requirements.

A. No building shall be erected, except on a lot fronting on a street, and there shall be not more than one principal building on any lot, except as allowed under this chapter, or act in relation thereto.

B. Flag lots. In addition, any parcel larger than five acres may be further divided without process through the Subdivision Control Law,¹¹ provided that each created lot either conforms with the appropriate land space requirements for that zoning district or the following:

(1) Each parcel shall have a minimum of 54 feet of frontage for an access to a Town road, this width to be maintained to the circumference of the radius described in Subsection C(1) below;

(2) Each parcel shall contain a minimum of two and one-half (2 1/2) times the land area it would normally require in each zoning district; and

(3) There shall be no more than two such accesses adjacent to each other.

(4) *Flag lots cannot use cul-de-sac turnarounds for their required road frontage.*

ARTICLE 35 To see if the Town will vote to amend the Westminster General Bylaws at Chapter 141, "Peddling and Soliciting," by adding as follows, or act in relation thereto.

(Advisory Board and BOS Unanimously Approves)

CIVIL FINGERPRINTING BY-LAW

SECTION ONE: Purpose and Scope

This By-law authorizes the Police Department to conduct state and national fingerprint based criminal history checks for individuals applying for specific licenses in Town to enhance public safety, as authorized by Massachusetts General Laws Chapter 6, Section 172B½. To carry out the criminal history checks authorized by this by-law, the Police Department shall be authorized to use state and Federal Bureau of Investigation ("FBI") records, provided, however, that such records shall not be disseminated to unauthorized entities and shall be maintained and disclosed in accordance with all applicable law.

The By-law further authorizes the Board of Selectmen, in consultation with the Chief of Police, to promulgate regulations to implement this by-law, which may include, but shall not be limited to, establishment of submission deadlines, procedures for making recommendations to the licensing authority or making a licensing as a result of the criminal history check, procedures for assessing, correcting or amending any such record, criteria for fitness determinations, security of information obtained and penalties for failure to comply with this by-law.

SECTION TWO: Criminal History Check Authorization

The Police Department shall, as authorized by Massachusetts General Laws Chapter 6, Section 172B½, conduct State and Federal Fingerprint Based Criminal History checks for individuals and entities for the following licenses:

- Hawking and Peddling or other Door-to-Door Salespeople

At the time of fingerprinting, the Police Department shall notify the individual being fingerprinted that the fingerprints will be used to check the individual's criminal history records and obtain the individual's consent. After the applicant completes a consent form, provides his/her fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services ("DCJIS"), and/or the FBI or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks for the license applicants specified in this by-law.

The Town authorizes the Massachusetts State Police, the DCIS and the FBI and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize State and FBI records in connection with such background checks, consistent with this by-law and its implementing regulations. In accordance with its implementing regulations, the Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority within the Town.

SECTION THREE: Use of Criminal Record by Licensing Authorities

Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in this by-law. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed licensed activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination.

Licensing authorities of the Town are hereby authorized to deny an application for any license specified herein and in the implementing regulations, including renewals and transfers of said licenses, from any person who is determined unfit for the license due to information obtained pursuant to this by-law. Factors that shall be considered in making a determination of fitness shall include, but not be limited to, whether the record subject has been convicted of, or is under pending indictment for a crime, that bears upon the subject's ability or fitness to serve in that capacity, including any felony or a misdemeanor that involved force or threat of force, possession of a controlled substance, or sex-related offense.

SECTION FOUR: Fees

The fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be one hundred dollars (\$100) for each fingerprinting and criminal history check. A portion of the fee, as specified in Massachusetts General Laws Chapter 6, Section 172B½, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

SECTION FIVE: Effective Date

This by-law shall take effect after compliance with Massachusetts General Laws Chapter 40, Section 32 have been met.

ARTICLE 36. To see if the Town will vote to amend the vote taken under Article 4 of the November 29, 2016 Town Meeting, which transferred the custody of the property located at 3 Bacon Street (former Town Hall) to the Board of Selectmen for the purpose of conveyance subject to a historic preservation restriction, to transfer the custody of said property to the Selectmen for general municipal purposes, including, without limitation, for the purpose of demolishing the building thereon, and/or for the purpose of conveyance, and to authorize the Board of Selectmen to convey said property upon such terms and conditions as the Selectmen may determine, and further to authorize the Board of Selectmen to execute any and all documents and take any and all action as may be necessary or convenient to effectuate the foregoing purposes, or act in relation thereto.

(Advisory Board and BOS Unanimously Approves)

ARTICLE 37. To see if the Town will vote to authorize the Board of Selectmen to enter into a Tax Agreement pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, and/or any other enabling authority and related regulations, for personal property taxes associated with the following proposed solar facility project, to be located on privately owned land, upon such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town, and to take all actions necessary to implement and administer such agreement, or act in relation thereto:

Entity	Location	Size	Term	Rate
TES Rowtier Solar 23, LLC	Fitchburg Road	4.00 MW	20 yrs.	\$7,000/MW with 2% escalator
TES Overlook Road LLC	Overlook Road	5.9 MW	20 yrs.	\$7,000/MS with 2% escalator

AND YOU ARE DIRECTED to serve this warrant by posting attested copies thereof at the Town Hall and the U.S. Post Office in said Town, seven days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this 4th day of May in the year of our Lord two thousand and twenty.

Wayne R. Walker

Heather M. Billings

James A. DeLisle

BOARD OF SELECTMEN