

## 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, May 6, 2023  
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 Select Board 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.

ARTICLE 2. To see if the Town will vote pursuant to Chapter 40, section 4 of the General Laws to authorize the Select Board 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.

ARTICLE 3. To hear reports of any committees appointed to act on Town affairs or in its behalf.

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 FY2023, 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

ARTICLE 5. To see if the Town will vote to establish one (1) full-time Community Services Director position, or act in relation thereto.

### OPERATING BUDGETS

ARTICLE 6. 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: \$TBD)

DATED April 13, 2023

Worcester, s.s.

PURSUANT TO THE WITHIN WARRANT, I HAVE NOTIFIED AND WARNED THE INHABITANTS OF  
THE TOWN OF WESTMINSTER BY POSTING ATTESTED COPIES OF THE SAME AT:

TOWN HALL, 11 SOUTH STREET  
U.S. POST OFFICE, 6 NICHOLAS STREET

FOURTEEN DAYS BEFORE THE DATE OF THE TOWN MEETING, AS WITHIN DIRECTED.

  
CONSTABLE

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 Sewer Enterprise for Fiscal Year 2024, or act in relation thereto.

(Amount requested: \$1,291,976)

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 Water Enterprise for Fiscal Year 2024, or act in relation thereto.

(Amount requested: \$830,472)

ARTICLE 9. 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 2024, or act in relation thereto.

(Amount requested: \$274,200)

#### CUSTOMARY MONEY ARTICLES

ARTICLE 10. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for the following purposes, or act in relation thereto:

Westminster Cultural Council

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

Agricultural Commission, as provided in Section 8L, Chapter 40 of the General Laws

(Amounts requested: \$4,000 for Cultural Council; \$5,000 for Conservation Fund; \$1,500 for Agricultural Commission)

ARTICLE 11. 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: \$100,000)

ARTICLE 12. To see if the Town will vote to transfer a sum of money from Free Cash to reduce the Fiscal Year 2024 tax rate, or act in relation thereto.

(Amount requested: \$230,000)

#### 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 for a new lowering device for the Cemetery Department, or act in relation thereto.

(Amount requested: \$6,000)

ARTICLE 14. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for a hot/cold power washer for the Cemetery Department, or act in relation thereto.

(Amount requested: \$6,000)



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 Historical Commission for continued work with a historic preservationist, or act in relation thereto.

(Amount requested: \$3,000)

ARTICLE 16. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money for an independent consultant to perform a search for a full time, permanent Police Chief; said sum to be spent under the direction of the Town Administrator, or act in relation thereto.

(Amount requested: \$14,000)

ARTICLE 17. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to upgrade the Town's financial cash book and software, or act in relation thereto.

(Amount requested: \$8,500)

ARTICLE 18. To see if the Town will vote to establish an Opioid Abatement Stabilization Fund, in accordance with Chapter 40, Section 5B of the Massachusetts General Laws, to be used, upon further appropriation, for the purposes of implementing the abatement strategies set forth in the Massachusetts State-Subdivision Agreement for Statewide Opioid Settlements, dated March 4, 2022.

ARTICLE 19. To see if the Town will vote to accept the fourth paragraph of Chapter 40, Section 5B, of the Massachusetts General Laws, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Chapter 40, Section 5B of the Massachusetts General Laws, to be effective for all fiscal years beginning on July 1, 2023.

ARTICLE 20. To see if the Town will vote to dedicate all or a percentage, which may not be less than 25 percent, of the receipts from the Statewide Opioid Settlements, as defined in the State-Subdivision Agreement for Statewide Opioid Settlements, to the Opioid Abatement Stabilization Fund established in accordance with Chapter 40, Section 5B of the Massachusetts General Laws, effective for the fiscal year 2024, beginning on July 1, 2023.

ARTICLE 21. To see if the Town will vote to appropriate and transfer from Free Cash, a sum of money, for the purpose of acquiring, for conservation and passive recreation purposes certain property located at 216 Ashburnham State Road, together with buildings thereon, known as the Therriault Property, consisting of 80 acres, more or less, and identified on Westminster Assessors Map 4 as Parcel 2, and costs incidental or related thereto, and to authorize the Select Board to acquire said property by purchase, gift, and/or eminent domain on such terms as the Select Board deems appropriate, which property shall be held under the care, custody and control of the Conservation Commission for the foregoing purposes under the provisions of G.L. c. 40, §8C, and, further, to authorize the Select Board, the Conservation Commission and/or their designee to apply for, accept and expend funds from the Commonwealth of Massachusetts or other public or private sources to defray all or a portion of the costs of acquisition, including, but not limited to, grants and/or reimbursements from the Commonwealth under G.L. c. 132A, §11 (the so-called LAND Grants), and/or any other federal, state or other grants or reimbursement programs in any way connected with the scope of this article, and to enter into any and all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town of Westminster to effectuate said acquisition.

(Amount requested: \$330,000)



## 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 for the following capital equipment and/or projects, including related incidental costs, or act in relation thereto. (2/3 vote required)

22	Department	Amount Requested	Funding Source
22-01	DPW - Road maintenance	\$300,000.00	Raise and Appropriate
22-02	DPW - Road Improvement Program	\$500,000.00	Road Maintenance Stabilization
22-03	DPW - Storm Water Permit	\$50,000.00	Free Cash
22-04	DPW - Replace Ford F550	\$115,000.00	Capital Equipment Stabilization
22-05	DPW - Replace 2013 Ford E250 Cargo Van	\$60,000.00	Water & Sewer Enterprise
22-06	DPW - Fuel Pump and Management System	\$30,000.00	Capital Equipment Stabilization
22-07	DPW - Replace Ford F350	\$70,000.00	Capital Equipment Stabilization
22-08	DPW - Replace Water Meters	\$100,000.00	Water & Sewer Enterprise
22-09	Police - Hybrid 2022 Ford Explorer	\$50,000.00	Capital Equipment Stabilization
22-10	Police - Hybrid 2022 Ford Interceptor	\$60,000.00	Capital Equipment Stabilization
22-11	Police - Bullet Proof Vests	\$40,000.00	Capital Equipment Stabilization
22-12	Police - Firearms/Weapons	\$30,000.00	Capital Equipment Stabilization
22-13	Fire - Replace 2016 Chevy Ambulance	\$467,000.00	Ambulance Receipts
22-14	Fire - Replace 2016 Ford Explorer	\$85,000.00	Capital Equipment Stabilization
22-15	Fire - Air Compressor	\$110,000.00	Capital Equipment Stabilization
22-16	Cemetery - Zero Turn Mower	\$15,000.00	Capital Equipment Stabilization
22-17	Cemetery - Mt Pleasant Stone Wall Repair	\$30,000.00	Building Maintenance Stabilization
22-18	Tech - Computer Replacement	\$48,000.00	Technology Stabilization
22-19	Tech - LAN Wireless Apps	\$22,000.00	Technology Stabilization
22-20	Tech - Server upgrade Phase III	\$18,000.00	Technology Stabilization
22-21	Tech - Upgrade Library Phone System	\$30,000.00	Technology Stabilization
22-22	Schools - Districtwide Capital Projects	\$215,168.00	Building Maintenance Stabilization
22-23	Schools - Westminster Capital Projects	\$205,000.00	Building Maintenance Stabilization

## MISCELLANEOUS AND ZONING ARTICLES

**ARTICLE 23.** To see if the Town will vote pursuant to General Laws Chapter 44, §20 to transfer \$100,000 from the amount borrowed pursuant to Article 21 of the 2018 Annual Town Meeting and Article 6 of the November 17, 2020 Special Town Meeting to the amounts previously appropriated for the Shady Avenue Water Tank project, or act in relation thereto.



ARTICLE 24. To see if the Town will vote to amend the Westminster General Bylaws (Chapter 25 of the Code of the Town of Westminster, Massachusetts, §25-4 and §25-6) to change the convening time of the Annual Town Meeting to 10:00AM and the convening time of the Special Town Meeting to not earlier than 6:00PM and to authorize the Town Clerk to make such changes to the Bylaw, or act in relation thereto.

ARTICLE 25. To see if the Town will vote to transfer the care, custody and control of the parcel described below from the board having custody thereof for the purposes for which it is currently held to the Select Board for the purpose of conveyance, and to authorize the Select Board to convey all or a portion of the Town-owned parcel of land located at the intersection of Laurie Lane, consisting of 11,885 square feet, directly adjacent to Assessors Map 138, Parcel 38 on such terms and conditions and for such consideration as the Board deems appropriate, or act in relation thereto. (2/3 vote required)

ARTICLE 26. To see if the Town will vote to amend the Zoning Bylaw, Chapter 205 of the Code of the Town of Westminster, to add Section 205-32.1 under Article XI Special Provisions as follows, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Westminster:

**205-32.1.1. PURPOSE.**

The purposes of this section are to:

1. Provide a process through which certain residential dwelling units and bedrooms within dwelling units may be registered with the Town of Westminster for use as "short-term rentals";
2. Provide health and safety standards for short-term rentals; and
3. Provide for the orderly operation of short-term rentals within the Town.

**205-32.1.2. DEFINITIONS.**

"Short-term rental", an owner-occupied, tenant-occupied or non-owner occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment that is rented for thirty-one (31) days or less.

Short-term renter: Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, as a short-term rental.

Short-term rental operator: The person or persons offering a Dwelling Unit or bedroom within a Dwelling Unit, for short-term rental, with the written permission of the owner, condominium association, and homeowners association where applicable.

Operator-occupied short-term rental: The short-term rental of a Dwelling Unit, or of individual bedrooms within a Dwelling Unit, that is the primary residence of its operator.

Operator-adjacent short-term rental: The short-term rental of a Dwelling Unit that is not the primary residence of the operator, but is located within a dwelling with a total of four or fewer Dwelling Units where one of the Dwelling Units in the building is the primary residence of the operator.

**205-32.1.3 REQUIREMENTS.** Operator-occupied, and operator-adjacent short-term rentals are permitted as an accessory use to a permitted principal residential use, subject to the following requirements:

1. No Dwelling Unit, or bedroom within a Dwelling Unit, may be used as a short-term rental except in compliance with this bylaw.
2. The following Dwelling Units may not be used as short-term rentals:
  - i. Dwelling Units designated as affordable or otherwise income-restricted, which are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law;
  - ii. Accessory Apartments as defined in Section 205-34; and
  - iii. Any Dwelling Unit in violation of the State Sanitary Code, 105 CMR 410.
3. All short-term rental operators shall register with the Health Department prior to short-term rental use and occupancy in conformance with Section 205-46.5 below.
4. A short-term rental operator may make available no more than one (1) Dwelling Unit for operator-occupied short-term rentals, which may include the separate short-term rental of each of no more than three (3) individual bedrooms, and one (1) Dwelling Unit for operator adjacent short-term rentals, which may be rented only as a whole unit to one (1) party of short-term renters at any one (1) time and may not be rented as separate bedrooms to separate parties.
5. A short-term rental shall be limited to parking of one (1) vehicle per lawful bedroom in the short-term rental.
6. The short-term rental operator or their agent shall maintain an up-to-date log of all occupants that occupy the short-term rental, which shall contain the occupants' names, ages, principal residence address, and dates of commencement and expiration of each short-term rental period. The log shall be available for inspection by Town officials with authority to regulate use of the Dwelling Unit, including the Town's Health Department. The purpose of this requirement is to ensure that the Town shall have basic identifying information of all occupants of the short-term rental at all times.
7. The short-term rental operator must be current with all town taxes, water, and sewage charges on the property being rented.
8. Each short term rental shall comply with 105 CMR 460.100 (D).
9. All short-term rental operators shall maintain liability insurance appropriate to cover the short-term rental use.
10. During any period of seven (7) or more consecutive days when the short-term rental operator is away from the Dwelling Unit, an operator-occupied short-term rental may be rented only as a whole unit and not rented as separate bedrooms to separate parties.



11. The number of bedrooms made available for operator-occupied short-term rentals within a dwelling unit shall not be greater than the number of lawful bedrooms in the dwelling unit.
12. Renting for an hourly rate, or for rental durations of less than ten (10) consecutive hours, shall not be permitted.

#### 205-32.1.4 REGULATIONS.

The Board of Health shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section 205-32.1 "Short-Term Rentals."

#### 205-32.1.5 REGISTRATION, INSPECTION AND FEES.

1. All Dwelling Units, or bedrooms within a Dwelling Unit, offered for short-term rentals shall register with the Health Department and secure a Certificate of Registration according to standards set forth by the Board of Health, and pay all associated fees. The Certificate of Registration shall require the short-term rental operator to agree to abide by the requirements of this bylaw.
2. It is the responsibility of the short-term rental operator to renew its Certificate of Registration on an annual basis or upon change of operator or owner.
3. Prior to issuing or renewing a certificate of registration, the Health Department and Fire Department shall conduct an inspection to verify that each Dwelling Unit, or bedroom within a Dwelling Unit, to be rented to short-term renters meets the requirements of this bylaw.
4. Units shall be annually recorded in the Short-Term Rental Registry for a fee set by the Board of Health.

**ARTICLE 27.** To see if the Town will vote to amend the Zoning Bylaw, Chapter 205 of the Code of the Town of Westminster, Attachment 1, Table of Use Regulations, to add a new category (18) under Section I. Accessory uses and off-street parking, as follows:

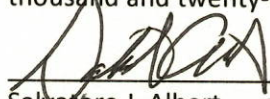
Use	Residential			Commercial			Industrial	
	R-I	R-II	R-III	C-I	C-II	VC	I-I	I-II
(18) Short term rental (See § 205-32.1)	Y	Y	Y	Y	Y	Y	Y	Y

**ARTICLE 28.** To see if the Town will vote to accept as gifts three acrylic on canvas paintings done by Amy Kukta in 2002 of scenes intended for murals in the library stairway given by LeeAnn Lamsa and accepted by the Library Board of Trustees on January 10, 2023, or act in relation thereto.

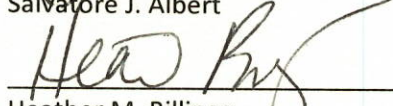


AND YOU ARE DIRECTED to serve this warrant by posting attested copies thereof at the Town Hall and the U.S. Post Office in said Town, seven days at least before the time of holding said meeting.

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 10th day of April in the year of our Lord two thousand and twenty-three.

  
\_\_\_\_\_  
Salvatore J. Albert

4-10-23  
Date

  
\_\_\_\_\_  
Heather M. Billings

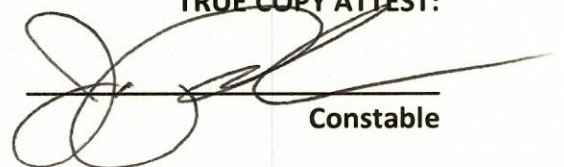
4-10-2023  
Date

  
\_\_\_\_\_  
Melissa A. Banks

4/10/23  
Date

SELECT BOARD

TRUE COPY ATTEST:

  
\_\_\_\_\_  
Constable