

COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEBSTER
SPECIAL TOWN MEETING WARRANT
October 30, 2017

Worcester, ss

To either of the Constables in the County aforesaid:

In the name of the Commonwealth of Massachusetts you are hereby required and directed to notify and warn the inhabitants of the Town of Webster aforesaid who are qualified to vote in elections and Town affairs to meet in the Bartlett High School Auditorium, 52 Lake Parkway, in said Webster on **Monday, October 30, 2017 at 7:00 PM**, then and there to act on the following Articles to wit:

ARTICLE 1: To hear and act upon the report and recommendations of the Board of Selectmen and the Finance Committee.

Sponsored by the Board of Selectmen

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

ARTICLE 2: To see if the Town will vote pursuant to the provisions of G.L. c.43B, §10(a) to amend the Town Charter by making ministerial, clerical, minor and moderate revisions thereto, as recommended by the Charter Review Committee in a document entitled, "Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017", on file in the office of the Town Clerk and available on the Town's website at: <http://www.webster-ma.gov> with all changes detailed in the "Changes" column and identified as Grammar/Punctuation, Minor, or Moderate; or take any action thereon.

**Sponsored by the Charter Review Committee – Selectmen recommend approval
Finance Committee Recommends Approval**

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

ARTICLE 3: To see if the Town will vote pursuant to the provisions of G.L. c.43B, §10(a) to the extent that the Town takes positive action under Article 2, to amend the Town Charter to change the manner of selection of the Town Collector, Town Treasurer and Chief Assessor from elected to appointed, as recommended by the Charter Review Committee in a document entitled, "Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017", on file in the office of the Town Clerk and available on the Town's website at: <http://www.webster-ma.gov>, and to do so, by:

- deleting in Section 3-1(a), Elected Offices, the words "a Board of Assessors", "a Town Treasurer", and "a Town Collector";
- deleting in Section 3-1(f), Filling of Vacancies, Town Officer, the words, "town collector or town treasurer";
- inserting in Section 3-2(d), Board of Selectmen, Appointments, in the list of officers appointed by said board, the words "a town treasurer", "a town collector", "a chief

assessor”, “a water and sewer commission”, and “three (3) members of the finance committee;

- deleting the provisions of Sections 3-5, 3-7, and 3-8, and renumbering the remaining sections accordingly;

And in order to implement the changes contemplated hereunder, by inserting a transition section at the conclusion of Chapter 8, providing as follows:

Following the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the elected incumbent town treasurer and town collector shall serve for the remainder of their respective elected terms or sooner resignation or vacating of office; upon the expiration of the elected term or such resignation or sooner vacating of office, the elected office shall be abolished and the board of selectmen may immediately appoint a town treasurer or town collector in accordance with section 3-2(d). Upon the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the elected office of board of assessors shall be abolished and the terms of the remaining members terminated. The board of selectmen may immediately appoint a chief assessor pursuant to section 3-2(d), and service as an elected assessor shall not be a disqualification for appointment.

;or take any action thereon.

**Sponsored by the Charter Review Committee – Selectmen recommend approval
Finance Committee recommends approval**

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

ARTICLE 4: To see if the Town will vote pursuant to G.L. c.43B, §10(a) to the extent that the Town takes positive action under Article 2, to amend the Town Charter to decrease the number of members on the Finance Committee from fifteen (15) to nine (9), as recommended by the Charter Review Committee in a document entitled, “Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017”, on file in the office of the Town Clerk and available on the Town’s website at: <http://www.webster-ma.gov>, and to do so by deleting in the newly re-numbered Section 3-6(a), Finance Committee, Composition, Term of Office, the word “fifteen” and inserting in place thereof the following, “nine (9)”; and replacing the word “five” with the word “three (3)” in each place in which it appears, so that Section 3-6(a) will provide as follows:

There shall be a finance committee which shall consist of nine (9) members, three (3) of these members shall be elected by the voters, three (3) of these members shall be appointed by the board of selectmen, and three (3) of these members shall be appointed by the town moderator. All of the members of the finance committee shall serve for terms of three (3) years each, so arranged that the term of office of an equal number of members shall expire each year.

And, in order to implement the changes contemplated hereunder, by inserting a transition section at the conclusion of Chapter 8, providing as follows:

Following the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the finance committee shall be reduced from fifteen (15) members to nine (9) members as set forth herein, provided, however, that such reduction in membership shall not prematurely terminate the term of any elected or appointed member, but instead shall be accomplished by attrition. Of the members appointed by the board of selectmen, the first two (2) vacancies shall not be filled and such positions shall thereupon be abolished. Of the members appointed by the town moderator, the first two (2) vacancies shall not be filled and such positions shall thereupon be abolished. The first two (2) elected positions expiring more than sixty four (64) days after the effective date of this charter shall not appear on the ballot to be filled, and upon such expiration of terms the elected positions shall be abolished. No person serving as an appointed or elected member of the finance committee whose term expires and whose position is abolished as a result of this section shall serve as a so-called "holdover".

;or take any action thereon.

**Sponsored by the Charter Review Committee – Selectmen recommend approval
Finance Committee Recommends Approval**

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

ARTICLE 5: To see if the Town will vote pursuant to G.L. c.43B, §10(a), to the extent that the Town takes positive action under Article 2, to amend the Town Charter to increase the size of the Board of Health from three (3) to five (5) members, with the two (2) new members to be appointed, as recommended by the Charter Review Committee in a document entitled, "Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017", on file in the office of the Town Clerk and available on the Town's website at: <http://www.webster-ma.gov>, and to do so by:

- inserting in Section 3-1(a), Elected Offices, the words "three (3) members of" prior to the words, "a board of health,"
- deleting the text of Section 3-10(a), Board of Health, Composition, Term of Office, and inserting in place thereof the following:

There shall be a board of health which shall consist of five (5) members—three (3) of these members shall be elected by the voters and two (2) of these members shall be appointed by the town administrator in accordance with the provisions of section 4-2(b) of this charter. All of the members of the board of health shall serve for terms of three (3) years each, so arranged that the terms of office of an equal number of members shall expire each year.

And further, in order to implement the changes contemplated hereunder, by inserting a transition section at the conclusion of Chapter 8, providing as follows:

Following the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the town administrator shall, in accordance with the provisions of section 4-2(b) of this charter, appoint two (2) members to

the board of health – one (1) for a two (2) year term and one (1) for a three (3) year term.

;or take any action thereon.

**Sponsored by the Charter Review Committee – Selectmen recommend approval
Finance Committee recommends approval**

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

ARTICLE 6: To see if the Town will vote pursuant to G.L. c.43B, §10(a) to the extent that the Town takes positive action under Article 2, to amend the Town Charter to replace the Water and Sewer Advisory Board with a newly created Water and Sewer Commission by deleting Section 5-5, "Water and Sewer Advisory Board" in its entirety, and inserting a new section, 5-4: "Water and Sewer Commission", as recommended by the Charter Review Committee in a document entitled, "Town of Webster Home Rule Charter As recommended by the Charter Review Committee 2017", on file in the office of the Town Clerk and available on the Town's website at: <http://www.webster-ma.gov>, as follows:

Section 5-4 Water and Sewer Commission

- (a) Composition, term of office - There shall be a water and sewer commission consisting of five (5) members appointed by the board of selectmen for terms of three (3) years each so arranged that the term of office of as nearly an equal number of members as is possible shall expire each year. In addition, the director of public works and superintendents of the water and sewer departments shall serve by virtue of their offices, shall each have a voice but no vote, and shall not count towards the quorum required hereunder. The town administrator may attend all meetings of the water and sewer commission, and shall have a voice but not vote.
- (b) Powers and duties - The water and sewer commission shall be responsible for advising the town on the adequacy of the public sewer system and the quantity and quality of the public water supply. The commission may recommend that the town take by eminent domain or acquire by purchase or otherwise, and hold the waters of any portion thereof, of any pond, brook, spring, stream or groundwater sources within the town limits, not already appropriated for purposes of public water supply, and any water or flowage rights connected therewith; and also for said purpose they may recommend that the town may take by eminent domain, or acquire by purchase or otherwise, and hold all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof, as well as any other matters falling within its jurisdiction as set forth herein. The commission shall grant abatements on a quarterly basis as well as set annual water and sewer rates after a public hearing for which at least two weeks' notice is provided by posting on the town website.

And further, in order to implement the changes contemplated hereunder, by inserting a transition section at the conclusion of Chapter 8, providing as follows:

Upon the effective date of the amendments to the charter approved at the October 30, 2017 special town meeting, the water and sewer advisory board shall be abolished and the terms of any incumbent members thereof terminated. The board of selectmen shall forthwith make appointments to the water and sewer commission. Initial appointments shall be made as follows: two (2) for three (3) year terms, two (2) for two (2) year terms; and one (1) for a one (1) year term. Thereafter, appointments shall be made for three (3) year terms in accordance with section 5-4(a). Notwithstanding any other provision of section 5-4(b) to the contrary, the board of selectmen shall continue to be responsible for setting water and sewer rates until one (1) year following the effective date of this charter amendment. Thereafter the water and sewer rates shall be set by the water and sewer commission in accordance with section 5-4(b).

;or take any action thereon.

**Sponsored by the Charter Review Committee – Selectmen recommend approval
Finance Committee recommends approval**

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

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from any available funds in the Treasury, or borrow a sum sufficient for the purpose of constructing a water treatment plant, including but not limited to costs for planning, design, site preparation, construction, furnishing and equipping, as well as all other costs incidental or related thereto and, if necessary, to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority and issue bonds and notes therefor; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any action thereon.

;or take any action thereon.

**Sponsored by the Town Administrator – Selectmen recommend approval
Finance Committee recommends passing over for more information**

MOTION: I move that the Town vote to appropriate \$350,000 of retained earnings for the purpose of constructing a water treatment plant, including but not limited to costs for planning, design, site preparation, construction, furnishing and equipping, as well as other costs incidental or related thereto.

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

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

TOWN OF WEBSTER BOARD OF SELECTMEN:

Andrew M. Jolda, Chairman

Randall V. Becker, Vice Chairman

Mark G. Dowgiewicz, Secretary

Robert J. Miller, Selectman

Donald D. Bourque, Selectman