

EXPLANATIONS OF ARTICLES

ARTICLE 1 - AUTHORIZATION TO HEAR THE REPORTS OF OFFICERS AND COMMITTEES OF THE TOWN

To see if the Town will vote to hear the reports of the officers and standing committees of the Town; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This article allows various boards and committees to make brief reports to the town meeting body.*

Likely reports:

- 1. Finance Committee/Capital Investment Board*
- 2. Library Board of Trustees*
- 3. Council on Aging*
- 4. Affordable Housing Trust*
- 5. Open Space Implementation Committee*

ARTICLE 2 - AUTHORIZATION TO BORROW IN ANTICIPATION OF REVENUE AND TO ENTER INTO A COMPENSATING BALANCE AGREEMENT WITH A BANK

To see if the Town will vote to authorize the Town Treasurer/Tax Collector, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the Fiscal Year 2024, the period from July 1, 2023 through June 30, 2024, in conformity with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17, and to authorize the Treasurer/Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2024 pursuant to Massachusetts General Laws, Chapter 44, Section 53F; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This is the standard annual authorization to borrow and authorization to go out to bid for banking services. This article is rarely needed as we have good cash flow to pay bills.*

Article Endorsed by the Finance Committee

**ARTICLE 3 – AUTHORIZATION TO EXPEND FUNDS IN
ANTICIPATION OF REIMBURSEMENT OF STATE HIGHWAY
ASSISTANCE AID**

To see if the Town will vote to accept any and all state highway assistance funds authorized by the state legislature and approved by the Massachusetts Highway Department under the so-called Chapter 90 Highway Assistance Program to be expended for the maintenance, repair and construction of Town roads in anticipation of reimbursement under the direction of the Selectboard and the Town Administrator for work on roads located on the State Aid Primary System as approved by the Massachusetts Highway Department, and further to authorize the Town Treasurer/Tax Collector, with the approval of the Selectboard, to borrow money from time to time during Fiscal Year 2024, for the period from July 1, 2023 through June 30, 2024, in anticipation of reimbursement of said highway assistance in conformity with the provisions of Massachusetts General Laws, Chapter 44, Section 6A; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This is the standard annual authorization to accept Chapter 90 funds and to borrow in anticipation of these funds. The current Fiscal Year 2024 Chapter 90 apportionment is \$288,038.59. We have historically not needed to borrow in anticipation of reimbursement as staff is diligent in seeking timely reimbursements from the State.*

Article Endorsed by the Finance Committee

**ARTICLE 4 - AUTHORIZATION TO AMEND THE PERSONNEL BYLAW
AND TO AMEND THE CLASSIFICATION AND COMPENSATION PLAN
SO AS TO PROVIDE EMPLOYEES A COST-OF-LIVING PAY INCREASE
IN FY2024 (2%)**

To see if the Town will vote to amend Section 5, Part AA, Classification and Compensation Plan of the Personnel Bylaw to reflect a cost-of-living adjustment to all wage rates by 2%; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This is the annual adjustment of wages for non-union personnel, as printed on the pink handout.*

Article Endorsed by the Finance Committee

ARTICLE 5 - AUTHORIZATION TO SET THE SALARY OF ELECTED OFFICIALS

To see if the Town will vote to determine and fix what salaries elective officers of the Town shall receive for Fiscal Year 2024 in conformity with the provisions of Massachusetts General Laws, Chapter 41, Section 108:

Moderator	\$1.00
Selectboard	\$1.00 each (5 members);
Planning Board	\$1.00 each (5 members);
Cemetery Trustees	\$1.00 each (3 members); and
Municipal Light Board	\$300.00 each (3 members);

or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This is the annual authorization to set the salary of elected officials.*

Article Endorsed by the Finance Committee

ARTICLE 6 - AUTHORIZATION TO TRANSFER UNEXPENDED FUNDS FROM FISCAL YEAR 2023 APPROPRIATIONS

To see if the Town will vote to transfer from available funds, or Fiscal Year 2023 appropriations hitherto made, to Fiscal Year 2023 appropriation accounts; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This is the annual authorization to transfer money within FY23 accounts to cover deficiencies in some accounts with the excess balances in others, as printed on the orange handout. Questions about specific accounts can be directed to the Town Administrator or Department Head(s).*

Article Endorsed by the Finance Committee

ARTICLE 7 - AUTHORIZATION TO PAY BILLS FROM A PREVIOUS FISCAL YEAR

To see if the Town will vote to appropriate a sum of money and/or transfer from available funds to pay bills from a previous fiscal year being held by the Town Accountant for which no encumbered funds are available; or take any other action relative thereto.

EXPLANATION OF ARTICLE: For a variety of reasons, bills from a previous Fiscal Year are not paid during that Fiscal Year and are not encumbered. This is an article that is typically included on the warrant in the case there are outstanding invoices. The rationale for the non-payment of these specific bills are as follows-

- *Reliant Medical Group, \$85.00, FY22 WBPA Pre-Employment Physical: This bill was not paid in FY22.*
- *Amazon Business, \$63.00, FY22 Fire Supplies: Amazon bills all Town Departments on a single bill. This bill was not paid in FY22.*
- *Amazon Business, \$171.89, FY 22 Public Safety Building Supplies: Amazon bills all Town Departments on a single bill. This bill was not paid in FY22.*
- *Amazon Business, \$280.51, FY22 Fire Supplies: Amazon bills all Town Departments on a single bill. This bill was not paid in FY22.*
- *Local IQ- Gatehouse, \$453.80, FY22 Fire Dpt Job Listings: These are fees associated with advertising job openings in the Telegram and Gazette. These bills were being billed to the wrong Department and therefore were not paid in the FY22.*
- *Local IQ- Gatehouse, \$1,201.86, FY22 COA Position Advertisements: These are fees associated with advertising job openings in the Telegram and Gazette. These bills were being billed to the wrong Department and therefore were not paid in the FY22.*

REQUIREMENT OF A 4/5^{THS} VOTE

Article Endorsed by the Finance Committee

**ARTICLE 8 - AUTHORIZATION TO APPROPRIATE MONEY TO THE
SEWER ENTERPRISE ACCOUNT FOR FISCAL YEAR 2024**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Two Million, Two Hundred Eighty-Five Thousand, Seven Hundred and Forty-Two Dollars and No Cents (\$2,285,742.00) to the West Boylston Sewer Enterprise Account to be expended by the Selectboard, acting as the Board of Sewer Commissioners, for sewer development, administration, assessment, operation, and maintenance expenses in Fiscal Year 2024 as follows:

Fiscal Year 2024 West Boylston Sewer Department Budget

Administration	-	\$ 140,136.00
Operations and Maintenance	-	\$1,795,500.00
Reserve Fund	-	\$ 20,000.00
Debt and Interest Payments	-	\$ 326,106.00
Capital Reserve	-	<u>\$ 4,000.00</u>
Total Budget Appropriation	-	\$2,285,742.00

and to meet said appropriation through:

- (1) the appropriation of One Million, Five Hundred and Eleven Thousand, Three Hundred Dollars and No Cents (\$1,511,300.00) from Fiscal Year 2024 Sewer Enterprise Fund User Revenue, and
- (2) the appropriation of Three Hundred and Twenty-Six Thousand, One Hundred and Six Dollars and No Cents (\$326,106.00) from the Fund Balance Reserved For Sewer Betterment Debt Service, and
- (3) the appropriation of Four Hundred and Forty-Eight Thousand, Three Hundred and Thirty-Six Dollars and No Cents (\$448,336.00) from Sewer Enterprise Retained Earnings.

or take any other action relative thereto.

EXPLANATION OF ARTICLE: This is the annual appropriation of expected sewer revenues and available sewer funds to offset the costs of running the sewer system and related costs in FY24. The Sewer Enterprise Fund is separate from the Town's annual operating budget and it must be a self-funding account in which sewer billing revenues and available funds must cover all expenses associated with sewer operations each year.

Article Endorsed by the Finance Committee

ARTICLE 9 - FISCAL YEAR 2024 OMNIBUS BUDGET
APPROPRIATION ARTICLE

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, such sums of money as may be necessary to defray the expenses and charges of the Town of West Boylston in Fiscal Year 2024, the period of July 1, 2023 through June 30, 2024, including the costs of public education, debt and interest payments, and providing municipal services; or take any other action relative thereto.

(The proposed draft of the Fiscal Year 2024 Operating Budget can be found after the text of the Annual Town Meeting Warrant. The budget format contains the budget figures for Fiscal Year 2023, and the Town Administrator's recommendations for Fiscal Year 2024.)

EXPLANATION OF ARTICLE: *This is the annual omnibus budget article. Questions about specific budgets can be directed to the Town Administrator or Department Head(s).*

Article Endorsed by the Select Board

Article Endorsed by the Finance Committee

ARTICLE 10 - VOTE TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENT PURCHASES

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase or lease/purchase and equip capital items, including all costs incidental or related thereto, and, as needed, to authorize lease/purchase agreements for periods of up to or in excess of three years for such purposes, with each appropriation being treated as a separate item; or take any other action relative thereto.

	Project	Total Appropriation	Appropriation Source
A *	Major Edwards Steam Boiler	\$255,000	Capital Investment Fund
B**	DPW- Flail Mower Attachment	\$36,000.00	Free Cash
C**	Fire- SCBA Bottles	\$97,500.00	Free Cash
D**	Fire- Replacement Turnout Gear	\$75,000.00	Free Cash
E*	DPW- F350	\$110,000.00	Capital Investment Fund

EXPLANATION OF ARTICLE: *The Capital Investment Board (CIB) has met several times to discuss capital requests. The CIB voted to endorse Items A-D. The CIB will vote on Item E on the evening of Town Meeting. The current balance in the Capital Investment Fund is \$1,216,347.00. Questions about a specific expenditure can be directed to the appropriate Department Head or Town Administrator.*

*** REQUIREMENT OF A 2/3^{RDS} VOTE**

**** REQUIREMENT OF A SIMPLE MAJORITY VOTE**

***Items A-D Endorsed by the Finance Committee/Capital Investment Board
Items E will be re-voted by the Finance Committee/Capital Investment Board
May 15, 2023***

ARTICLE 11 - VOTE TO ESTABLISH AND AMEND DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, as most recently amended, to amend Article XL of the General Bylaws, Revolving Funds, to expand the program or activity expenses payable from the Recycling/DPW Director Revolving Fund by inserting the bolded, italicized text set forth below, and to insert a new row, shown below in bolded, italicized text, to establish a new revolving fund, Senior Meals Program/Council on Aging:

Revolving Fund/Authorized Entity	Fees, Charges, Or Other Receipts Credited to Fund* NOTE: any donations to the Town as listed below shall be treated in accordance with MGL Ch44 §53A	Program or Activity Expenses Payable from Fund
Recycling/DPW Director	Fees or other receipts from the collection of electronic components or the sale of compost bins, kitchen scrap pails, recycling bins and scrap metal.	Pay expenses associated with recycling: electronic components banned from the waste stream; <i>recycling expenses for waste oil and all items banned from disposal or transfer for disposal in Massachusetts as regulated by MassDEP</i> ; tires, and scrap metal; and for the purchase and distribution of compost bins, kitchen scrap pails, and recycling bins
<i>Senior Meals Program/ Council on Aging</i>	<i>Fees charged to program participants of the Senior Meals Program and any donations to support the Senior Meals Program.</i>	<i>Pay expenses associated with the operation of the Senior Meals Program.</i>

or take any other action relative thereto.

EXPLANATION OF ARTICLE: This article amends the “Recycling” revolving fund to allow for the payment of expenses for waste oil and all items banned from disposal or transfer for disposal in Massachusetts as regulated by the MassDEP. This article also creates a new revolving fund; the “Senior Meals Program”. This would allow fees charged for meals, as well as donations, to be deposited into this fund to help pay for costs associated with the operation of the program. This will help the senior meals program to work towards becoming self-sufficient.

In addition, Article 14 of the May 14, 2022 Semi-Annual Town Meeting added the fees and donations derived from the daily luncheon program to the Council on Aging revolving fund. Rescinding this vote will allow the Senior Meals Program to have a dedicated revolving fund and is a housekeeping measure.

Article Endorsed by the Finance Committee

ARTICLE 12 - DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, as most recently amended, and Article XL of the General Bylaws, Revolving Funds, to establish the Fiscal Year 2024 spending limits for the authorized revolving funds listed below, with such limits to be applicable from fiscal year to fiscal year unless changed by Town Meeting prior to July 1 for the ensuing fiscal year:

Authorized Revolving Funds	Spending Limit
ESCO	\$60,000
BOARD OF HEALTH	\$90,000
CEMETERY TRUSTEES	\$60,000
COUNCIL ON AGING	\$60,000
PLANNING BOARD	\$25,000
ZONING BOARD OF APPEALS	\$25,000
CONSERVATION COMMISSION	\$25,000
PARKS, PLAYGROUNDS, & FIELDS	\$50,000
HAZMAT	\$25,000
RECYCLING	\$25,000
CELEBRATIONS	\$20,000
BEAMAN MEMORIAL LIBRARY	\$25,000
ECONOMIC DEVELOPMENT TASK FORCE	\$15,000
RECREATION PROGRAM	\$50,000
LANDFILL LEASE	\$60,000
SENIOR MEALS PROGRAM	\$50,000

or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This article sets the spending limits of each of the Town's revolving funds.*

Article Endorsed by the Finance Committee

**ARTICLE 13 - AUTHORIZATION TO APPROPRIATE FUNDS TO THE
OPEB TRUST FUND**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Other Post Employment Benefits Trust Fund; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *As of June 30, 2022, West Boylston's OPEB liability (including MLP) is \$26,439,847.00 and is 6.1% funded. The current fund balance is \$496,239.00 (as of 3.31.23). In 2018, the Select Board adopted an OPEB Liability Policy. In accordance with this policy, this article will transfer \$25,000 from free cash to work towards fully funding the Town's obligation over time. The planned motion under this Article is to transfer \$25,000 from Certified Free Cash.*

Article Endorsed by the Finance Committee

**ARTICLE 14 - AUTHORIZATION TO APPROPRIATE FUNDS TO THE
MUNICIPAL BUILDING FUND**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Municipal Building Fund; or take any other action relative thereto.

To be moved by: Patrick Crowley

EXPLANATION OF ARTICLE: *The Municipal Building Fund was established in 2009 to create an account for the maintenance, repair, or capital improvement of any municipal building. Unexpended funds appropriated for the maintenance and repair of non-school buildings are transferred to this account at the close of each fiscal year. By two-thirds vote, the Town can also appropriate directly into this account. Expenditures from this account may be made without further appropriation. The current account balance is \$56,535.00 (as of 3.31.23). The planned motion under this Article is to transfer \$20,000 from Certified Free Cash.*

REQUIREMENT OF A 2/3^{RDS} VOTE

Article Endorsed by the Finance Committee

ARTICLE 15 - ACCEPTANCE OF MGL CHAPTER 41, SECTION 110A

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 41, Section 110A, allowing Town offices to remain closed on any or all Saturdays, as if it were a legal holiday, which will, among other things, provide the Town flexibility concerning the last day to register to vote or other filing deadline for local town meetings and elections; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This article proposes that the Town offices may remain closed on any or all Saturdays as may be determined from time to time. Acceptance of this statute will allow the Town Clerk's office to treat Saturdays as a legal holiday when calculating filing deadlines, such as voter registrations or submittal of nomination papers. Further, where the provisions of the Votes Act of 2022 changed the voter registration deadlines to 10 days prior to all elections, instead of 20, such deadlines will fall on Saturdays.*

Acceptance of the provisions of Chapter 41, section 110A would apply to municipal elections only, and not state or federal elections, and would allow the Town Clerk to hold voter registration sessions on Fridays, avoiding the costs that would otherwise be incurred through Saturday office opening.

Article Endorsed by the Finance Committee

ARTICLE 16 – ACCEPTANCE OF MGL CHAPTER 59, SECTION 5, CLAUSE TWENTY-SECOND G

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 59, Section, 5, Clause Twenty-Second G, which provides that real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F if the person were the owner of the real estate; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This is a local option statute that permits real estate that is the domicile of applicants for exemption under Clauses 22, 22A, 22B, 22C, 22D, 22E and 22F to be eligible for such exemptions if the property is owned by a trustee, conservator or other fiduciary for the applicant's benefit.*

This clause allows veterans that have parcels in a trust to receive an exemption, provided they meet all other eligibility requirements, but does not need to possess a legal interest in the property. Presently, to qualify, a veteran would need to be a trustee of the trust or hold a life estate. Clause 22G allows veterans to live in the

property and be eligible for the exemption as long as it is their primary home and the veteran is a beneficiary of the trust, even if they are not a named trustee.

Article Endorsed by the Finance Committee

ARTICLE 17 - AUTHORIZATION TO AMEND THE GENERAL BYLAWS

To see if the Town will vote to amend Article II of the General Bylaws, Town Officers and Duties, by inserting the following section:

SECTION 6

All Boards, Committees, and Commissions are required to keep accurate minutes in accordance with the Open Meeting Law of Massachusetts and to file a signed copy of the same with the Office of the Town Clerk to be stored as a permanent record.

or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This article would require all Boards, Committees, and Commissions to submit a copy of their minutes to the Town Clerk.*

Article Endorsed by the Finance Committee

ARTICLE 18 - AUTHORIZATION TO AMEND THE PERSONNEL BYLAW OF THE GENERAL BYLAWS

To see if the Town will vote to amend Article XXI, Section J of the General Bylaws, Hiring Procedures, by amending the section to read as follows:

“The Town Administrator shall be the hiring authority, subject to the review and disapproval authority of the Select Board members in conformity with the provisions of Chapter 23 of the Acts of 1995, provided that no employee shall be hired without the Town Administrator securing the recommendation and advice of the appropriate department head and appointed board, commission and committee under the jurisdiction of the Town Administrator.

This shall not include employees under the jurisdiction of the Fire Chief, the Board of Library Trustees, the Planning Board, the Municipal Light Board, and the School Committee.”

or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This article would remove the large majority of the section named “Hiring Procedures” from the Personnel Bylaw, with the intent of the Select Board adopting a policy regarding hiring procedures in its place. If*

passed, the Select Board would work to adopt such a policy over the summer prior to approval of the Bylaw change by the Attorney General.

The changes would allow the Town to post positions internally and externally simultaneously, not require advertisement of open positions in a newspaper of general circulation, and other changes to allow more flexibility for the hiring procedure within a policy. The article also removes reference to employees under the jurisdiction of the Cemetery Commission as the DPW employees and Cemetery employees have now merged under one Collective Bargaining Agreement.

The Personnel Board has drafted a policy for consideration by the Select Board should this article be passed at Town Meeting and approved by the Attorney General.

A redline of the current Bylaw has been included in the Town Meeting packet (yellow pages).

ARTICLE 19 - AUTHORIZATION TO AMEND THE PERSONNEL BYLAW OF THE GENERAL BYLAWS

To see if the Town will vote to amend Article XXI, Section BB, of the General Bylaws, Starting Wage or Salary, by deleting the words “Step Three,”; or take any other action relative thereto.

***EXPLANATION OF ARTICLE:** At the June 29, 2020 Semi-Annual Town Meeting, the Town voted to approve an updated wage and classification plan for non-union employees. The previous plan had five steps, with step three being the mid-point. The plan that was adopted has twelve steps. Allowing employees to be hired up to a step six allows employees to be hired closer to the mid-point of the new plan.*

A redline of the current Bylaw has been included in the Town Meeting packet (yellow pages).

ARTICLE 20 - AUTHORIZATION TO AMEND THE GENERAL BYLAWS

To see if the Town will vote to amend the General Bylaws by adding a new Article XLI, “Commission on Disability”, as follows:

ARTICLE XLI- Commission on Disability

The remainder of the language of this article is printed in the warrant.

EXPLANATION OF ARTICLE: *The Disability Commission was created in 2021 by the acceptance of MGL c.40, s.8J. Disability Commissions are required to adopt their own bylaws. This article will establish the bylaws of the Disability Commission.*

Article Endorsed by the Finance Committee

ARTICLE 21 - AUTHORIZATION TO AMEND THE ZONING BYLAW

To see if the Town will vote to amend Section 1.4.A of the Zoning Bylaws, Continuation of Non-Conforming Uses, by replacing the existing Section 1.4.A with the following:

“A. Continuation of Non-Conforming Uses

Any lawful building or use of a building or premises or part thereof at the time of this by-law or any amendment thereto is adopted may be continued, although such building or use does not conform to the provisions thereof, provided such use has not been discontinued for a period of two years or more.”

or take any other action relative thereto.

EXPLANATION OF ARTICLE SUBMITTED BY THE PLANNING BOARD: *The proposed change brings the bylaw into compliance with State law. State law sets the minimum time as two years, and the Town’s forty-year-old bylaw of one year is confusing and not enforceable.*

A redline of the current Bylaw has been included in the Town Meeting packet (yellow pages).

Article Endorsed by the Planning Board

ARTICLE 22 – AUTHORIZATION TO AMEND THE ZONING BYLAW

To see if the Town will vote to amend Section 2.4 of the Zoning Bylaws, Lots in Two Districts, by replacing the existing Section 2.4 with the following:

“Where a district boundary line divided a lot in a single or joint ownership at the time such line is adopted, the regulations for the less restricted portion of such lot shall not extend into the more restricted portion.”

or take any other action relative thereto.

EXPLANATION OF ARTICLE SUBMITTED BY THE PLANNING BOARD :

The proposed change will limit development of uses to occur only within the Zoning District where they are authorized. The existing bylaw allows the less restrictive use to extend thirty feet into the more restrictive district. An example as applied to a lot that contains a portion in a Business District and a Single Residence District where a proposed commercial use is currently able to extend thirty feet into the Single Residence District. The proposed change would allow a commercial building only in the portion of the lot that is zoned Business.

A redline of the current Bylaw has been included in the Town Meeting packet (yellow pages).

Article Endorsed by the Planning Board

ARTICLE 23 – AUTHORIZATION TO AMEND THE ZONING BYLAW

To see if the Town will vote to amend the Zoning Bylaw, by amending Section 3.6 Site Plan Review, paragraph C. Procedure, Section 2. Submittal of Site Plan, sub-Section a by replacing the existing Section 3.6.C.2.a with the following:

“a. An applicant for a Site Plan Review under this section shall file with the Planning Board a digital copy of all the following, and eight (8) hard copies of the site plan (drawn at a scale of 1” = 40’, or other approved scale) accompanied by a completed Site Plan Review Application, all fees, and a list of abutting property owners. The date of filing the application with the Town Clerk shall be the official filing date.”

or take any other action relative thereto.

EXPLANATION OF ARTICLE SUBMITTED BY THE PLANNING BOARD:

The proposed change updates the twenty-five-year-old bylaw to reflect new capabilities to transfer and review electronic documents. This should save paper and reduce storage space needs. The requirement for an electronic copy is added and the number of hard copies needing to be circulated to multiple town boards and committees is proposed to be reduced.

A redline of the current Bylaw has been included in the Town Meeting packet (yellow pages).

Article Endorsed by the Planning Board

ARTICLE 24 – AUTHORIZATION TO AMEND THE ZONING BYLAW

To see if the Town will vote to amend the Zoning Bylaw, by amending Section 3.6 Site Plan Review, paragraph E. Site Design Standards, Section 8 by replacing the existing Section 3.6.E.8 with the following:

“Stormwater Management (Grading and Drainage): All site plan applicants must submit drainage calculations to show compliance with DEP (Department of Environmental Protection) Stormwater Management Handbook (except site plan applicants for a single-family house only). Rainfall intensity values shall be based on the most recent NOAA Atlas-14 data.”

or take any other action relative thereto.

EXPLANATION OF ARTICLE: *The proposed change updates the bylaw to match the title of the MassDEP Stormwater Handbook that was changed in 2008. The Town has been using these standards, but the reference simply needs to be corrected. The proposed change to use the National Oceanic and Atmospheric Administration data for rainfall will update the reference from the current data set that is based on rainfall before around 1960. This will better reflect the changes by using rainfall data that has occurred over the last sixty years.*

A redline of the current Bylaw has been included in the Town Meeting packet (yellow pages).

Article Endorsed by the Planning Board

ARTICLE 25 - AUTHORIZATION TO AMEND THE ZONING BYLAW

To see if the Town will vote to amend the Zoning Bylaw, by amending Section 4.3- Modifications to Dimensional Requirements, paragraph G, by replacing the existing Section 4.3.G with the following:

“G. Habitable Buildings Per Lot

Only one habitable building shall be placed on any one lot. A trellis, buried foundation, or similar connection of two buildings shall not constitute a single habitable building.”

or take any other action relative thereto.

EXPLANATION OF ARTICLE SUBMITTED BY THE PLANNING BOARD : *The proposed change is intended to clarify the existing bylaw that restricts the number of habitable dwellings on a lot to one. A breezeway, vestibule, or hallway are all examples of currently acceptable connections between units in a multi-unit*

dwelling.

A redline of the current Bylaw has been included in the Town Meeting packet (yellow pages).

Article Endorsed by the Planning Board

ARTICLE 26 - AUTHORIZATION TO AMEND THE ZONING BYLAW

To see if the Town will vote to amend the Zoning Bylaw, by amending the first paragraph Section 5.1- Accessory Use by replacing the existing Section 5.1 with the following:

“In Single Residence, General Residence and Business Districts, an accessory use is permitted on the same lot with, and customarily incident to, any of the uses permitted in Section 3.2, so long as the accessory use is not detrimental to a residential neighborhood. All accessory uses shall have a footprint less than the primary use structure on the lot and shall comply with the dimensional requirements for the primary use to which they are an accessory, as stated in Section 4.2. Accessory uses that have a footprint larger than the primary use structure on the lot may be allowed by Special Permit from the Zoning Board of Appeals where there are no negative impacts to the surrounding neighborhood, and the Larger Accessory Use complies with the dimensional requirements for the primary use to which they are an accessory, as stated in Section 4.2. Swimming pools and racquet courts are permitted as accessory uses in all districts, are subject to building code and require a building permit. They shall be fenced or otherwise protected against intrusion as required by the State Building Code. A truck box, Conex box, or steel storage unit shall not be deemed a permissible accessory structure or use in any residential district, and will require a building permit from the Building Inspector in all other Districts.”

or take any other action relative thereto.

EXPLANATION OF ARTICLE: *The proposed change will limit the size of accessory structures to be smaller than the main building on the lot. In cases where there is adequate land and a larger accessory building is desired, such as a large barn or enclosed pool, a Special Permit from the Zoning Board of Appeals could be requested. The new prohibition of steel storage containers is needed because they are not referenced in the current bylaw. The proposed language allows temporary use of these containers in situations like when someone is moving in or out of the house.*

A redline of the current Bylaw has been included in the Town Meeting packet (yellow pages).

Article Endorsed by the Planning Board

**ARTICLE 27 - AUTHORIZATION TO APPROPRIATE FUNDS FROM
COMMUNITY PRESERVATION FUND REVENUES**

To see if the Town will vote to appropriate or reserve from the Community Preservation Fiscal Year 2024 estimated annual revenues the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2024, with each item to be considered a separate appropriation:

Appropriations:

Committee Administrative Expenses \$ 7,500

Reserves:

Historic Resources Reserve \$ 33,500

Community Housing Reserve \$ 33,500

Open Space Reserve \$ 33,500

FY 2024 Budgeted Reserve \$227,000

or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This is the statutorily required annual appropriation of estimated Community Preservation Act revenues to the community preservation fund categories. Questions may be directed to the Community Preservation Committee.*

Article Endorsed by the Finance Committee

ARTICLE 28 - COMMUNITY PRESERVATION FUND PROJECT

To see if the Town will vote to appropriate a sum of money from the Community Preservation Fund Undesignated Fund Balance for the purpose of rehabilitating Pride Park Playground and bringing it into compliance with the Americans with Disability Act; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This funding will be utilized to renovate Pride Park- Phase 1 to bring the playground into compliance with the Americans with Disability Act. These funds supplement the \$250,000 in Community Preservation funds voted at the May 17, 2021 Semi-Annual, \$150,000 Legislative Earmark, and \$182,000 in American Rescue Plan Act (ARPA) funds voted at the Select Board meeting of April 6, 2023.*

Article Endorsed by the Select Board

Article Endorsed by the Finance Committee

ARTICLE 29 – ELDER COMMUNITY SERVICES PROGRAM

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 59, Section 5K, establishing a senior tax work-off program effective beginning in Fiscal Year 2024; or take any other action relative thereto.

EXPLANATION OF ARTICLE: *This article establishes the Elder Community Services Program (a/k/a Senior Tax Write-Off Program) in the Town of West Boylston. Although the Town has run a similar program in the past, the Town has not voted to accept this provision of Massachusetts General Law. Once the statute is accepted the Select Board may establish local rules and procedures (through policy). Based on recent guidance from the Division of Local Services, all program expenses are budgeted in the overlay rather than through appropriations at Town Meeting.*

Article Endorsed by the Finance Committee

**Town of West Boylston
Fund Balances at 3/31/23**

Sewer Enterprise Certified Retained Earnings	\$1,221,027		Municipal Building Fund Balance	\$56,535
ATM 10/22 Article #2 Appropriation - PY Bill	(\$36,644.53)		ATM 5/23 Article #14 Transfer (Free Cash)	\$20,000
ATM 5/23 Article #8 FY24 Budget Appropriation	(\$448,336.00)		Balance After Appropriations if Apprv'd	<u>\$76,535</u>
Balance After Appropriations	<u>\$736,046.47</u>			
Stabilization - Fund Balance & % of FY24 Budget	\$1,880,607	6.48%	Cannabis Tax Levy Stabilization - Fund Balance	<u>\$86,084</u>
Capital Investment Fund -	\$1,216,347		Sale of Lots - Fund Balance	<u>\$19,163</u>
ATM 5/23 Article #10 Appropriation - Boiler	(\$255,000.00)			
Balance if only Boiler Approved	<u>\$961,347.00</u>		Ambulance Receipts Reserved - Fund Balance	\$705,893
ATM 5/23 Article #10 Appropriation - F350	(\$110,000.00)		ATM 5/23 Article #9 FY2024 Budget Funding	(\$625,000)
Balance After Both Appropriations if Apprv'd	<u>\$851,347.00</u>		Balance After Appropriations if Apprv'd	<u>\$80,893</u>
Unemployment Trust Fund -	\$115,322		Affordable Housing Trust Fund - Fund Balance	<u>\$58,904</u>
Appropriation at Town Meeting	\$0			
Balance After Appropriations	<u>\$115,322</u>			
Other Post Employment Benefit Trust Fund (OPEB) -	\$496,239		WBPA Receipts Reserved - Fund Balance	\$262,966
ATM 5/23 Article #13 Transfer (Free Cash)	\$25,000		ATM 5/23 Article #9 FY2024 Budget Funding	(\$60,950)
Balance After Appropriations if Apprv'd	<u>\$521,239</u>		Balance After Appropriations if Apprv'd	<u>\$202,016</u>
Certified Free Cash After 10/22 ATM Appropriations	\$656,896		<u>CPA Fund Balances Available for Approp</u>	
Article Appropriations - If Approved			Undesignated Fund Balance	\$1,278,859
Article #9- FY2024 Budget Funding	(\$290,000)			
Article #10 - Capital Item Appropriations	(\$208,500)		Fund Balance - Open Space	\$151,000
Article #13- OPEB Trust	(\$25,000)		Fund Balance - Housing	\$90,251
Article #14 - Municipal Building Fund	(\$20,000)		Fund Balance - Historic	\$137,046
Sub Total	<u>-\$543,500</u>			
Free Cash After Appropriations if Apprv'd	<u>\$113,396</u>			

**Town of West Boylston
Classification/Compensation Structure**

FY2024 Compensation Plan with 2% COLA

GRADE	A	B	C	D	E	F	G	H
Step 1	\$14.06	\$16.03	\$18.28	\$19.65	\$21.13	\$25.56	\$30.93	\$35.26
Step 2	\$14.41	\$16.44	\$18.74	\$20.14	\$21.66	\$26.20	\$31.71	\$36.14
Step 3	\$14.77	\$16.85	\$19.21	\$20.64	\$22.20	\$26.86	\$32.50	\$37.05
Step 4	\$15.14	\$17.28	\$19.69	\$21.16	\$22.75	\$27.53	\$33.32	\$37.97
Step 5	\$15.53	\$17.71	\$20.17	\$21.69	\$23.33	\$28.22	\$34.16	\$38.91
Step 6	\$15.92	\$18.16	\$20.68	\$22.23	\$23.91	\$28.92	\$35.01	\$39.89
Step 7	\$16.32	\$18.61	\$21.20	\$22.78	\$24.50	\$29.64	\$35.88	\$40.89
Step 8	\$16.72	\$19.08	\$21.73	\$23.36	\$25.15	\$30.38	\$36.78	\$41.91
Step 9	\$17.14	\$19.56	\$22.27	\$23.94	\$25.78	\$31.15	\$37.70	\$42.96
Step 10	\$17.56	\$20.05	\$22.83	\$24.54	\$26.42	\$31.92	\$38.65	\$44.03
Step 11	\$18.00	\$20.54	\$23.40	\$25.15	\$27.08	\$32.72	\$39.61	\$45.13
Step 12	\$18.44	\$21.05	\$23.98	\$25.78	\$27.76	\$33.53	\$40.60	\$46.26

Non-Exempt Emergency Fire and Medical Employees	
Grade 1F	Call Support Employees
Grade 2F	Call, part-time and per diem firefighters Call part-time and per diem EMT's (basic and Intermediate)
Grade 3 F	Part-time and per diem Firefighter/Emergency Medical technician (EMT) Part-time and per diem Firefighter/Emergency Medical Technician (EMT) Clerk
Grade 4F	Call, part-time and per diem Firefighter/Paramedic (PAR) Call, part-time and per diem Firefighter/Paramedic (PAR) Clerk

Non-exempt Emergency Fire and Medical Service Employees

Grade	Step 1	Step 2	Step 3	Step 4	Step 5
1F	\$ 12.09	\$ 13.23	\$ 14.31	\$ 15.44	\$ 16.69
2F	\$ 17.46	\$ 19.08	\$ 20.66	\$ 22.26	\$ 24.03
3F	\$ 19.13	\$ 20.31	\$ 22.31	\$ 24.09	\$ 26.02
4F	\$ 23.91	\$ 25.90	\$ 27.93	\$ 30.09	\$ 32.49

Town of West Boylston
Town Meeting
May 15, 2023

ARTICLE 6

FY 2023 Budget Transfers

Transfer From		
Account #	Description	Amount Required
01-913-5200-5200	Unemployment Purchased Services	\$2,800.00
01-193-5200-5200	Facilities Mgt Purchased Services	\$3,000.00
01-914-5200-5172	Group Health Insurance Premiums	\$76,000.00
01-420-5100-5100	DPW Salaries & Wages	\$5,150.00
01-543-5250-5770	Veteran's Benefits	\$8,303.00
01-543-5250-5770	Veteran's Benefits	\$21,500.00
01-543-5250-5770	Veteran's Benefits	\$3,800.00
01-423-5100-5100	Snow & Ice - Salary & Wages	\$12,615.00
01-914-5200-5172	Group Health Insurance Premiums	\$174,069.00
01-543-5250-5770	Veteran's Benefits	\$10,000.00
01-610-5100-5100	Library Salary & Wages	\$3,500.00
	Total Reductions	\$320,737.00

Transfer To		
Account #	Description	Amount Required
01-916-5200-5174	Medicare - Town's Share	\$2,800.00
01-141-5200-5200	Assessor Purchased Services	\$3,000.00
01-210-5100-5100	Police Salary & Wage	\$76,000.00
01-420-5200-5200	DPW Purchased Services	\$5,150.00
01-192-5200-5200	Public Safety Headquarters Purchased Services	\$8,303.00
01-220-5250-5200	Ambulance Purchased Services	\$10,750.00
01-220-5250-5400	Ambulance Supplies	\$10,750.00
01-541-5100-5100	Council on Aging Salaries & Wages	\$3,800.00
01-423-5200-5400	Snow & Ice Supplies	\$12,615.00
01-423-5200-5400	Snow & Ice Supplies	\$153,768.00
01-423-5200-5200	Snow & Ice Purchased Services	\$20,301.00
01-241-5100-5100	Inspection Salary & Wages	\$10,000.00
01-610-5200-5200	Library Purchased Services	\$3,500.00
	Total Appropriations	\$320,737.00

See Explanations of Budget Transfers on Reverse Side

**Town of West Boylston
Article 6 Budget Transfer Explanations
May 15, 2023**

<u>Department Budget Line</u>	<u>Amount</u>	<u>Reason</u>
Medicare Town Share	\$2,800	This transfer is to ensure the budget line contains a sufficient balance to cover Medicare taxes owed on benefit time payments due to retirements
Assessor Purchased Services	\$3,000	Due to the resignation of the Department Admin Assistant, consulting costs were incurred to process time sensitive work
Police Salary & Wages	\$76,000	This transfer request is necessary as a result of increased coverage costs due to illness and position vacancies
DPW Purchased Services	\$5,150	Reappropriates available Wages due to position vacancy to allow for essential training
Public Safety Hdqtrrs Purch Serv	\$8,303	The budget shortfall is due to increases in all utilities because of unanticipated events
Ambulance Purchased Services	\$10,750	The budget shortfall is due to Ambulance Repairs
Ambulance Supplies	\$10,750	The budget shortfall is due to increased cost of medical supplies and higher call volume
Council on Aging Salaries	\$3,800	To provide coverage when the Director is away and allow for the buyback of unused vacation time as provided in the Personnel Bylaws
Snow & Ice Supplies	\$166,383	To provide for the allowed deficit spending on materials and repair parts for snow removal equipment
Snow & Ice Purchased Services	\$20,301	To provide for the allowed deficit spending on the repair services for snow removal equipment
Inspection Salaries & Wages	\$10,000	To provide for the costs of hiring and training the replacement employee for the retiring Department Assistant
Library Purchased Services	\$3,500	This transfer is due to the vacant custodian position necessitating the hiring of outside services

GENERAL, PERSONNEL, AND ZONING BYLAW REVISIONS “REDLINE”

MAY 15, 2023 SEMI-ANNUAL TOWN MEETING

ARTICLES 18, 19, 21, 22, 23, 24, 25, 26

ARTICLE 18

J- HIRING PROCEDURES

The Town Administrator shall be the hiring authority, subject to the review and disapproval authority of the Select Board members in conformity with the provisions of Chapter 23 of the Acts of 1995, provided that no employee shall be hired without the Town Administrator securing the recommendation and advice of the appropriate department head and appointed board, commission and committee under the jurisdiction of the Town Administrator.

This shall not include employees under the jurisdiction of ~~the Cemetery Commission~~, the Fire Chief, the Board of Library Trustees, the Planning Board, the Municipal Light Board, and the School Committee.

~~The following procedures shall be used in the hiring process by all hiring authorities of the Town including the Town Administrator, the Cemetery Commission, the Fire Chief, the Board of Library Trustees, the Planning Board, the Municipal Light Board and the School Committee:~~

~~1) The Town of West Boylston maintains a policy of promoting from within and will, at least initially, advertise all available positions internally. Internal postings are open to all current employees. Internal notices of vacancies will be posted for a minimum of five (5) working days before any public advertisement process to allow employees an opportunity to submit an application. Notice of vacancies will be posted on the bulletin board in the Town Hall. In addition, copies of postings will be sent to each department. Postings will include the position description, minimum qualifications, salary/wage grade and due date for receipt of applications.~~

~~When an application is submitted for a transfer, an employee must meet the following conditions:~~

- ~~a) be a regular full time or part time employee,~~
- ~~b) have worked for the Town in current position for at least six (6) months,~~
- ~~c) have satisfactory performance evaluations in current position,~~
- ~~d) possess stated minimum qualifications for the position,~~
- ~~e) provide an updated employment application, and~~

f) notify current supervisor of intent to apply

~~The employee who is transferred must serve a designated probationary period in the new position, not to exceed six months.~~

~~Upon movement of the employee, all accumulated benefits and service continuity will be transferred if there is no actual break in service.~~

~~2) Existing positions that have been vacated will be publicly advertised only after all potential promotional candidates are reviewed. The appropriate hiring authority shall publicly advertise a notice of employment opportunity in a newspaper of regional circulation at least once prior to the deadline for the filing of applications for the position to be filled. The advertisement shall state, at a minimum, the position title, normal hours of work, wage and salary information, minimum qualifications and special skills or licenses required for the position, desired qualifications, the office or address where applications or letters of interest shall be submitted, the deadline for the submission of applications or letters of interest, and the office or department that can provide additional information on the position to be filled.~~

~~3) The applicant shall complete an employment application or shall submit a letter of interest and resume prior to the deadline for filing applications or letters of interest.~~

~~4) The hiring authority shall maintain a record of the hiring process.~~

~~5) The hiring authority, in conjunction with the appropriate department head or appointed board, commission or committee, shall conduct interviews, review the employment applications, perform reference checks, administer any skill or competency testing, as necessary, and perform background checks as required with the consent of the applicant.~~

~~6) The hiring authority shall require that a prospective employee take a physical examination, including toxic/drug screening tests for safety sensitive and public safety positions, by a physician designated by the town at the town's expense to ensure that the prospective employee is able to perform the essential duties of the position. The physical examination shall take place prior to the effective date of employment.~~

~~7) An employee shall receive a Promotion when the employee changes from a position of lower classification and compensation grade to a position with greater responsibilities in a higher classification and compensation grade. The employee shall receive the rate of pay in the new compensation grade that results in at least a five percent increase. The employee may receive an additional one step rate increase at the time of the Promotion if the Department Head feels that the employee's qualifications and performance warrant it and if the Town Administrator approves. The employee receiving the Promotion shall still be eligible for their next step increase on the anniversary of their original date of hire as an employee of the Town of West Boylston. A34 May 21, 2001, A14 May 19, 2003, A17 Oct 27, 2003~~

ARTICLE 19

BB- STARTING WAGE OR SALARY

All employees covered under this bylaw shall be hired at Step One of the appropriate Pay Grade for the position to be filled, provided, however that the appropriate hiring authority, Town Administrator or appropriate elected board, commission or committee may place a qualified candidate for employment at a higher step of the appropriate Pay Grade, subject to the following conditions:

- a) there are sufficient funds appropriated for the wage or salary;
- b) that the starting wage or salary is no higher than Step ~~Three~~ Six, the midpoint of the appropriate pay grade

ARTICLE 21

1.4- Non-Conformity

A. Continuation of Non-Conforming Uses

Any lawful building or use of a building or premises or part thereof at the time of this by-law or any amendment thereto is adopted may be continued, although such building or use does not conform to the provisions thereof, provided such use has not been discontinued for a period of ~~one year~~ two years or more.

ARTICLE 22

2.4- Lots in Two Districts

Where a district boundary line divided a lot in a single or joint ownership at the time such line is adopted, the regulations for the less restricted portion of such lot shall *not extend into the more restricted portion.* ~~extend not more than thirty feet into the more restricted portion, provided the lot has a frontage on a street in the less restricted district.~~

ARTICLE 23

C. Procedure:

1.) Preliminary Site Plan:

Preliminary Plan may be submitted to the Planning Board and any waivers concerning the required content may be requested at this time. The Planning Board shall act on any waiver requests submitted with the Preliminary Plan within thirty (30) days.

2.) Submittal of Site Plan:

a. An applicant for a Site Plan Review under this section shall file with the Planning Board a digital copy of all of the following, and eight (8) hard ~~twelve (12)~~ copies of the site plan (drawn at a scale of 1" = 40'20', or other approved scale) accompanied by a completed Site Plan Review Application, all fees, and a list of abutting property owners. The date of filing with the Town Clerk shall be the official filing date.

ARTICLE 24

8.) Stormwater Management* (Grading and Drainage): All site plan applicants must submit drainage calculations to show compliance with DEP (Department of Environmental Protection) Stormwater Guidelines Management Handbook (except site plan applicants for a single-family house only). Rainfall intensity values shall be based on the most recent NOAA Atlas-14 data.

* The Planning Board will make this additional amendment within the motion.

ARTICLE 25

G. Habitable Buildings Per Lot

Only one habitable building shall be placed on any one lot. A trellis, buried foundation, or similar connection of two buildings shall not constitute a single habitable building.

ARTICLE 26

5.1- Accessory Use

In Single Residence, General Residence and Business Districts, an accessory use is permitted on the same lot with, and customarily incident to, any of the uses permitted in Section 3.2, so long as the accessory use is and not detrimental to a residential neighborhood. All accessory uses shall have a footprint less than the primary use structure on the lot and shall comply with the dimensional requirements for the primary use to which they are an accessory, as stated in Section 4.2. Accessory uses that have a footprint larger than the primary use structure on the lot may be allowed by Special Permit from the Zoning Board Appeals where there are no negative impacts to the surrounding neighborhood, and the Larger Accessory Use complies with the dimensional requirements for the primary use to which they are an accessory, as stated in Section 4.2. Swimming pools and racquet courts are permitted as accessory structures in all districts, are subject to building code and require a building permit. They shall be fenced or otherwise protected against intrusion as required by the State Building Code. A truck box, Conex box, or steel storage unit shall not be deemed a permissible accessory structure or use in any residential district;* and will require a building permit from the Building Inspector in all other Districts. Racquet court fencing shall be at least eight feet (8') high. Swimming pools shall comply with the Town's General Bylaws, Article XV, Section 6. Notwithstanding the above, the temporary use of such units for less than sixty (60) days in a three (3) year period is permissible under this bylaw in all Districts.*

* The Planning Board will make these additional amendments within the motion.