

# COMMONWEALTH OF MASSACHUSETTS

## WORCESTER, SS

TO ANY CONSTABLE IN THE TOWN OF WESTBOROUGH, IN THE COUNTY OF  
WORCESTER, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Westborough, qualified to vote in elections and town affairs, to meet in various precincts in Westborough on Tuesday, the 3<sup>rd</sup> day of March, 2015 at 8:00 A.M. for the following purposes:

### **ARTICLE 1: Annual Town Election (Board of Selectmen)**

To bring in their votes for:

Two	(2)	Selectmen (3 years)
One	(1)	Selectman (1 year)
One	(1)	Planning Board member (5 years)
One	(1)	School Committee member (3 years)
Three	(3)	Trustees of Public Library (3 years)
One	(1)	Westborough Housing Authority member (5 years)

Polls will be open from 8 A.M. to 8 P.M. in the following places:

Precincts 1 – 5 Westborough High School, 90 West Main Street

And to act on the following articles at the adjourned session of said meeting on March 14, 2015, at 1:00 P.M. in the Westborough High School Auditorium and Gymnasium on West Main Street.

The Town Manager's Statements printed in *italics* are not part of the formal articles of the warrant. They constitute additional information offered for the benefit of the voters, true and correct as of the time of posting of the warrant, but subject to change as called for. They are not to be construed so as to broaden or limit the scope of the formal articles.

### **ARTICLE 2: Town Reports (Advisory Finance Committee)**

To see if the Town will vote to hear the reports of the several town officers and committees, and to dissolve any committees established by Town Meeting that have fulfilled their mission, or take any other action thereon.

### **ARTICLE 3: Prior Years Bills (Town Manager)**

To see if the Town will vote to transfer from available funds Seventy-One Thousand Six Hundred Forty Four and 08/100 Dollars (\$71,644.08) ), or such other amount as the Town Meeting may approve, for the purpose of paying a prior year bill related to NStar charges for the Forbes Municipal Building, or take any other action thereon.

*Town Manager's Statement – This article would pay NStar for actual charges they can document dating back to 1999. In 1984 when the Explorer Post was constructed there was a mistake on NStar's part and they billed the Town for the Forbes Municipal Building (Police, Town Departments and School Department) based on the gas meter at the Explorer's Post building behind the Forbes Municipal Building. NStar could not demonstrate the full amount of gas used dating back to 1985, but was able to provide the amount used since 1999 and has billed the Town accordingly. The Town paid the bills as presented by NStar over the years, so this was not an oversight on the part of the Town. NStar has the ability to bill for gas used in past years (and case law supports this), so this is a liability of the Town that needs to be paid. This article requires a 9/10ths vote.*

#### **ARTICLE 4: Fiscal Year 2015 Budget Transfers (Town Manager)**

To see if the Town will vote to transfer from available funds a sum of money to fund any FY2015 operating budget transfers, or take any other action thereon.

*Town Manager's Statement – This article covers any items that have come up during the current fiscal year that were not anticipated and there are not adequate funds appropriated to pay the expense. This Article requires a simple majority vote.*

#### **ARTICLE 5: Amend Classification Plan (Assistant Town Manager)**

To see if the Town will vote to amend the Classification Plan (Appendix 1 of the Personnel Policies and Employee Handbook) by making the following changes shown in the "New Grade" column:

<b><u>Position</u></b>	<b><u>Department</u></b>	<b><u>Current Grade</u></b>	<b><u>New Grade</u></b>
Assistant DPW Manager	Public Works	S-23	S-18
Town Engineer	Public Works	S-25	S-18
Treasurer/Collector	Treasurer/Collector	S-23	S-15
Library Director	Library	S-22	S-15
Town Accountant	Town Accountant	S-22	S-15
Chief Assessor	Assessing	S-22	S-15
Health Director	Health	S-22	S-15
Building Commissioner	Building	S-22	S-15
MIS/GIS Director	MIS/GIS	S-22	S-15
Town Planner	Planning	S-22	S-15
Town Clerk	Town Clerk	S-22	S-15
Assistant Town Manager	Selectmen/Town Manager	S-21	S-14
Operations Manager	Public Works	S-21	S-14
Assistant Town Engineer	Public Works	S-21	S-14
Youth and Family Services Director	Youth and Family Services	S-20	S-13
Council on Aging Director	Council on Aging	S-19	S-13

<b>Position</b>	<b>Department</b>	<b>Current Grade</b>	<b>New Grade</b>
Recreation Director	Recreation	S-20	S-13
Senior Civil Engineer	Public Works	S-19	S-12
Assistant Civil Engineer/Chief Inspector	Public Works	S-18	S-12
Business Administrator	Public Works	S-18	S-11
Economic Development Coordinator	Selectmen/Town Manager	n/a	S-11
Assistant Town Accountant	Town Accountant	S-16	S-9
Senior Counselor	Youth and Family Services	S-16	S-9
Junior Civil Engineer II	Public Works	S-16	S-8
Building Maintenance Supervisor	Buildings/Grounds	S-13	S-7
Junior Civil Engineer I	Public Works	S-15	S-7
Counselor	Youth and Family Services	S-15	S-6
Animal Control Officer	Animal Control	S-11	S-3
Sunday Library Supervisor	Library	M-8	H-7
MIS/GIS Administrator	MIS/GIS	n/a	H-7
Building Inspector (PT)	Building	n/a	H-7
Librarian I	Library	S-15	H-5
Assistant Health Inspector	Health	H-10	H-5
Confidential Administrative Assistant	Selectmen/Town Manager	H-10	H-5
Administrative Assistant to the Chief	Police	S-14	H-5
Administrative Secretary	Fire	S-12	H-5
Field Lister	Assessing	H-10	H-4
Technical Services Assistant	Library	H-9	H-3
Administrative Assistant	Youth and Family Services	H-10	H-3
Library Assistant	Library	H-8	H-2
Youth Activities Coordinator	Youth and Family Services	H-7	H-2
Mini-Bus Driver	Council on Aging	H-7	H-2
Board Secretaries	Various	H-10	H-2
Administrative Assistant	Historical Commission	S-11	H-2
Page	Library	M-2	H-1

And to further amend the classification plan as follows:

Add:

Economic Development Coordinator – 40 Hours Per Week

Building Inspector – 19 Hours Per Week

Teen Services Librarian – 40 Hours Per Week

Amend:

Librarian I (Reference Librarian only) – Decrease from 20 hours per week to 10 hours per week.  
Or take any other action thereon.

*Town Manager's Statement – Three years ago, the Town undertook a re-write of all position descriptions, many of which had not been updated since the 1980's or 1990's. This was the first step in updating the Town's pay classification plan and needed to be undertaken before updating the grades of the various positions. The Town used a standard weighted system similar to the one previously used for all positions and developed the new grades as stated in the table above. In addition the Town has eliminated the full-time Town Counsel position in favor of contracting this out and added the Economic Development Coordinator as a full-time position (this was previously part-time funded through a revolving fund with revenues from the digital billboards on Route 9, the revolving fund would be eliminated and the revenues from the digital billboards will be deposited in the General Fund. This Article requires a simple majority vote.*

#### **ARTICLE 6: Amend Wage and Salary Schedule (Personnel Board)**

To see if the Town will vote to amend the Salary Administration Plan by replacing the current plan, Section 1-A; 1-B (Wage and Salary Schedule, Non-Union) and Section V (Special Rate Section) with the following new schedules effective July 1, 2014:

##### **Section 1-A**

		1-A SALARY RATE FY2016 NON-UNION						(effective 7/1/15)
Former	New							
Grade	Grade	MIN	2	3	4	5	6	MAX
25	S-18	1502	1578	1656	1738	1828	1919	2017
24	S-17	1431	1502	1578	1656	1738	1828	1919
23	S-16	1365	1431	1502	1578	1656	1738	1828
22	S-15	1298	1365	1431	1502	1578	1656	1738
21	S-14	1234	1298	1365	1431	1502	1578	1656
20	S-13	1179	1234	1298	1365	1431	1502	1578
19	S-12	1121	1179	1234	1298	1365	1431	1502
18	S-11	1068	1121	1179	1234	1298	1365	1431
17	S-10	1018	1068	1121	1179	1234	1298	1365
16	S-9	970	1018	1068	1121	1179	1234	1298
15	S-8	923	970	1018	1068	1121	1179	1234
14	S-7	878	923	970	1018	1068	1121	1179
13	S-6	838	878	923	970	1018	1068	1121
12	S-5	756	793	834	876	918	966	1011
11	S-4	720	756	793	834	876	918	966
10	S-3	685	720	756	793	834	876	918

Section 1-B

	1-B HOURLY RATE FY2016 NON-UNION						(effective 7/1/15)	
	Grade	MIN	2	3	4	5	6	MAX
	H-7	21.96	23.08	24.25	25.45	26.70	28.02	29.48
	H-6	20.96	21.96	23.08	24.25	25.45	26.70	28.02
	H-5	18.90	19.83	20.84	21.91	22.95	24.14	25.29
	H-4	17.99	18.90	19.83	20.84	21.91	22.95	24.14
	H-3	17.13	17.99	18.90	19.83	20.84	21.91	22.95
	H-2	16.30	17.13	17.99	18.90	19.83	20.84	21.91
	H-1	MINIMUM WAGE						

Or take any other action thereon.

*Town Manager's Statement – This article would authorize a 2.0% Cost of Living Adjustment for non-union town staff. For the past three fiscal years, non-union town staff received a 1.5%; 2.0% and 2.0% Cost of Living Adjustment. The average wage increase of the union staff was 2.0%. This Article requires a simple majority vote.*

**ARTICLE 7: Fiscal Year 2016 Operating Budgets (Advisory Finance Committee)**

To see what sums the Town will vote to raise and appropriate for the support of the several offices, departments, boards and commissions of the Town of Westborough for Fiscal Year 2016 beginning July 1, 2015, and ending June 30, 2016, or take any other action thereon.

*Town Manager's Statement – The Town budgets, including all expenses are estimated to increase/decrease as follows:*

<u>Fund</u>	<u>\$ Increase</u>	<u>% Increase</u>
General	\$ 2,142,935	2.7%
Sewer	\$ 8,967	0.5%
Wastewater	\$ 135,932	3.4%
Water	\$ (117,552)	-3.0%
Country Club	\$ 8,078	2.1%

*This Article requires a simple majority vote.*

**ARTICLE 8: Regularly Recurring Articles (Town Manager)**

To see what action the Town may take on the following items, **A** through **F**, which may be voted as a block, or singly, or in any combination, but however voted, will be treated for accounting purposes as if each item were voted as a separate article:

**A. Revolving Funds (Fire, Youth & Family Services, LEPC, COA, EDC)**

To see if the Town will vote to re-establish the following Revolving Funds as provided for in Massachusetts General Laws, Chapter 44, Section 53E½:

<u>Purpose</u>	<u>Funds to be Deposited From</u>	<u>Authorized to Expend Funds</u>	<u>Maximum Expenditure</u>
For Public CPR and First Aid Training by the Fire Department	Program Fees	Fire Chief	\$2,000
To Provide Youth Activities such as Hot Summer Nights and Babysitter training	Program Fees	Youth Commission	\$15,000
To address hazardous materials spills and provide the Fire Department the means to bill insurance companies and refurbish supplies used in HazMat spills	Insurance and other Proceeds for Services	Local Emergency Planning Committee	\$100,000
To Provide Programs for Seniors	Program Fees	Council on Aging	\$15,000
To Provide Staffing and Program Costs Related to promoting Economic Development	Billboard Advertising Fees	Economic Development Committee	\$25,000

Or take any other action thereon.

*Town Manager's Statement – This article is set up to provide the authorization for all revolving funds for the purposes as stated above. Should the Town approve the full-time Economic Development Coordinator, this article should be amended to delete Line A5 so that these funds would be deposited in the General Fund to partially offset the cost of the position. This article is a simple majority vote.*

**B. Tax Exemptions (Board of Assessors)** To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 59, Section 5C½, granting increased real estate tax exemptions in an amount equal to 100% for certain qualified persons, or take any other action thereon.

*Town Manager's Statement - This article incorporates all of the real estate property tax exemptions to provide a uniform method of exemptions and requires annual adoption and provides that the Town exceeds the minimum exemption provided by statute (i.e. if the statutory exemption is \$500, Westborough provides a \$1,000 exemption). In the past, the Chapter and Section was different and the Town was required to approve this annually. The law has changed so that the Town only has to adopt this new section once and it continues unless the Town rescinds it. This article is a simple majority vote.*

**C. Reserve Funds (Advisory Finance Committee)** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Two Hundred Fifty Thousand Dollars

(\$250,000), or such other amount as the Town Meeting may approve, for the Finance Committee General Reserve Fund, transfer Fifty Thousand Dollars (\$50,000), or such other amount as the Town Meeting may approve, from Water retained earnings for the Water Enterprise Reserve Fund, transfer Fifty Thousand Dollars (\$50,000), or such other amount as the Town Meeting may approve, from Sewer retained earnings for the Sewer Enterprise Reserve Fund, and transfer Twenty Thousand Dollars (\$20,000) from Country Club retained earnings for the Country Club Enterprise Reserve Fund, or such other amounts as the Town Meeting may approve, in accordance with Section 6 of Chapter 40 of the Massachusetts General Laws, or take any other action thereon.

*Town Manager's Statement – These accounts provide funding for unforeseen expenses during the year through various reserve funds. This article is a simple majority vote.*

**D. July 4<sup>th</sup> Celebration (Recreation Department)** To see if the Town will vote to raise and appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500), or such other amount as the Town Meeting may approve, for the annual July 4<sup>th</sup> celebration to be expended by the Westborough July 4<sup>th</sup> Committee under the direction of the Board of Selectmen, or take any other action thereon.

*Town Manager's Statement – This article pays part of the cost for the annual July 4<sup>th</sup> celebration. This article is a simple majority vote.*

**E. Reconstruction and Improvement of Town Roads (Chapter 90) (DPW)** To see if the Town will vote to transfer from available funds the sum of One Million One Hundred Sixty Four Thousand One Hundred Seventy Two Dollars (\$1,164,172) or such other amount as the Town Meeting may approve, to construct, reconstruct, or improve the town roads, and further, to authorize the Board of Selectmen to apply for and accept a grant in this full amount, more or less, which is to be the State's contribution and/or reimbursement under Section 34 (2A) of chapter 90 of the Massachusetts General Laws for work done under this article, or to take any other action thereon.

*Town Manager's Statement – This article allows the Town to borrow from itself thus avoiding interest costs to pay the upfront costs under the Chapter 90 funds (which is a reimbursable program) from Mass DOT for the purpose of repairing town roads. This article is a simple majority vote.*

**F. Healthcare Reimbursement Account (Town Manager)** To see if the Town will vote to raise and appropriate the sum of Eight Thousand Dollars (\$8,000), or such other amount as the Town Meeting may approve, to fund the Healthcare Reimbursement Account as agreed with the Town's Collective Bargaining Units, or take any other action thereon.

*Town Manager's Statement – This article funds the Town's Healthcare Reimbursement Account by setting aside an estimated amount (based on use through January) to allow the Town to meet its obligation to the Collective Bargaining Units in exchange for various health insurance plan design changes. The Town funds the amount that was estimated to be used during the current fiscal year to replenish the fund. This article is a simple majority vote.*

**ARTICLE 9: FY15 Chapter 90 Increase Appropriation (DPW Manager)** To see if the Town will vote to increase the appropriation from Article 8E of the 2014 Annual Town Meeting and Article 8 of the 2014 Fall Town Meeting from \$776,115 to \$1,164,172, or take any other action thereon.

*Town Manager's Statement – After several years of cuts in Chapter 90, including the last two years when the Legislature had increased funding and Governor Patrick refused to release funds to cities and towns (and instead cut Chapter 90), Governor Baker has notified the Town that the FY15 Chapter 90 funds will be released in full, as approved by the Legislature, increasing the amount available for the Town to the \$1,164,172 level. This article requires a simple majority vote.*

**ARTICLE 10: Gibbons School Building Renovation (Gibbons School Building Committee)**

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of Gibbons School Building Committee for renovation of the Gibbons Middle School, located at 20 Fisher Street, Westborough, MA with work to include technology upgrades, windows, doors, electrical, plumbing, ADA Compliance bathrooms, science rooms, a new roof, work in the cafeteria and auditorium, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) Forty Six and 51/100th percent (46.51%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

*Town Manager's Statement – This article would fund the renovation of the Sarah Gibbons School, mostly (roof will include older and new section) in the older section to replace infrastructure that has exceeded its useful life span, including replacement of the roof, Heating Ventilation and Air Conditioning (HVAC) Systems, plumbing, electrical, windows, cafeteria, gymnasium and auditorium, technology improvements and improvements to science rooms and other repairs and rehabilitation. The overall construction cost is estimated at \$13,283,397 with the remaining amount in the debt authorization being for design and construction oversight, overhead, profit, bonds, contingency etc. This is the way it is developed for estimating costs, with these items included the construction cost is \$21,595,600 (this is what most people would see as the construction cost for normal work, but in developing a budget for a public project like this, the actual construction trades costs are estimated and then the General Contractor's costs and profit are added to the construction trade costs). Above the \$21.6 million is the architect, Owner's Project Manager and engineering services mentioned above. Of the total project cost, 46.51% is reimbursable through the Massachusetts School Building Authority (MSBA). Assuming all costs are eligible and the project bids come in at the \$26,770,882 and the Town receives the maximum reimbursement from MSBA of \$11,640,868 which would leave a debt issuance of \$15,130,014. With the Town's assessed value this would add approximately \$0.37 to the tax rate and impact the average single family home in Year 1 of the debt service by approximately \$162 per year. This article requires a 2/3<sup>rd</sup> vote.*



### **ARTICLE 11: Mechanical Sweeper Debt Authorization (DPW)**

To see if the Town will vote to appropriate the sum of \$200,000 to pay costs of purchasing a mechanical sweeper, and for the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

*Town Manager's Statement – This article would authorize the Town to borrow to purchase a new street sweeper as recommended by the Capital Planning Committee and borrow over a five-year period to spread the cost out over a period of years given the cost of this piece of equipment. The first year's payment is included in Article 10 below. The repayment would be through free cash. This article requires a 2/3<sup>rd</sup> vote.*

### **ARTICLE 12: Capital Improvement Plan (Town Manager/Capital Expenditure Planning Committee)**

To see what action the Town may take on the following items, A through K, which may be voted as a block, or singly, or in any combination, but however voted, will be treated for accounting purposes as if each item were voted as a separate article:

**A. DPW Dump Truck Replacement (Public Works)** To see if the Town will vote to transfer from free cash and appropriate the sum of Seventy Two Thousand Dollars (\$72,000), or such other amount as the Town Meeting may approve, for the purpose of replacing a 2001 Ford F-450 Dump Truck, or take any other action thereon.

*Town Manager's Statement – This article would fund the replacement of a DPW Dump Truck at \$72,000. The dump truck being replaced is a 2001 Ford F-450 which was scheduled to be replaced in 2006. This vehicle has excessive body rot, has been unreliable, parts are difficult to find and it is difficult to pass state inspections, downtime required for repairs has increased as well. This Article requires a simple majority vote.*

**B. Replacement of Surveillance Cameras (Public Works)** To see if the Town will vote to transfer from free cash and appropriate the sum of Thirty One Thousand Two Hundred and Twenty Dollars (\$31,220), or such other amount as Town Meeting may approve, for the purpose of replacing the surveillance cameras used at the Public Works Facility, or take any other action thereon.

*Town Manager's Statement – This request is to replace and expand the DPW Surveillance cameras. This would expand the system to cover more area of the DPW facilities and the DPW yard. The system needs upgrading to be current with the new operating system and the current surveillance cameras are over 10 years old and has continuous hardware faults and does not function properly. Continuous maintenance is being performed on the system with little results, using excessive funds from the DPW Budgets. This Article requires a simple majority vote.*

**C. Mechanical Sweeper (Public Works)** To see if the Town will vote to transfer from Free Cash the sum of Forty Six Thousand Dollars (\$46,000), or such other amount as Town Meeting may approve, for

the purpose of paying the debt payment for the mechanical sweeper, or take any other action thereon.

*Town Manager's Statement – This article would fund the debt payment on a new sweeper to replace the 1993 Elgin Mechanical Sweeper. This sweeper has become very unreliable and the cost of maintenance has significantly increased and the amount of down time for repairs has increased, which lengthens the time to clean streets. At this time, the DPW is having difficulty finding parts for a 22 year old street sweeper. This Article requires a simple majority vote.*

**D. Utility/Crane for Sewer Department (DPW)** To see if the Town will vote to transfer from Sewer Retained Earnings and appropriate the sum of One Hundred Thousand Dollars (\$100,000), or such other amount as Town Meeting may approve, for the purpose of replacing the 2002 Ford F350 Utility/Crane Truck, or take any other action thereon.

*Town Manager's Statement – This article would fund the replacement of a 2002 Ford F350 Utility/Crane Truck used by the Sewer Department. This vehicle was scheduled to be replaced in 2007. This vehicle has become unreliable, has excessive body rot and parts are difficult to obtain. It has also been difficult to pass the mandatory Mass Safety Inspections. The funding for this purchase would come from the Sewer Department's Retained Earnings. This Article requires a simple majority vote.*

**E. Service Van for Water Department (DPW)** To see if the Town will vote to transfer from Water Retained Earnings and appropriate the sum of Thirty Thousand Dollars (\$30,000), or such other amount as Town Meeting may approve, for the purpose of replacing the 1998 Service Van used by the Water Department, or take any other action thereon.

*Town Manager's Statement – This article would fund the replacement of a 1998 Service Van used by the Water Department. This vehicle was scheduled to be replaced in 2003. This vehicle has become unreliable, has excessive body rot and parts are difficult to obtain. It has also been difficult to pass the mandatory safety inspections. The funding for this purchase would come from the Water Department's Retained Earnings. This Article requires a simple majority vote.*

**F. Radio Replacement (Fire)** To see if the Town will vote to transfer from Free Cash and appropriate the sum of Thirty Five Thousand Dollars (\$35,000), or such other amount as Town Meeting may approve, for the purpose of replacing the radios used by firefighters, or take any other action thereon.

*Town Manager's Statement – This article would fund the replacement of the radios used by the Fire Department that were purchased in 2004. The department's radios have become obsolete and are no longer supported by Motorola. At this time, repairs are very costly if they can be repaired at all. This Article requires a simple majority vote.*

**G. Carpeting the Lower Level of the Library (Library)** To see if the Town will vote to transfer from Free Cash and appropriate the sum of Thirty Three Thousand Seven Hundred Dollars (\$33,700), or such other amount as Town Meeting may approve, for the purpose of replacing the carpeting in the lower level of the library, or take any other action thereon.

*Town Manager's Statement – This article would fund the replacement of the carpeting in the lower level of the library as the Town continues to make improvements at the library in a phased in manner. The carpeting was last replaced in 2002 with very low quality carpeting and has become stained and is ripping at the seams, causing a tripping hazard in the children's library area. This Article requires a simple majority vote.*

**H. GPS System (MIS/GIS and DPW Engineering)** To see if the Town will vote to transfer from Free Cash and appropriate the sum of Twenty Seven Thousand Five Hundred Dollars (\$27,500), or such other amount as Town Meeting may approve, for the purpose of replacing the current Global Positioning System (GPS), or take any other action thereon.

*Town Manager's Statement – This article would fund the purchase of a survey grade portable GPS unit for use by the DPW Engineering Department and MIS/GIS Department. This would provide for accurate field location of infrastructure for mapping manholes, water gates, hydrants, etc. as well as property and roadway monuments. This purchase would replace a 13-year old GPS system that is obsolete and cumbersome to use. Due to technology changes, it would also replace the Engineering Total Station Instrument, thereby eliminating the need to update this instrument in the future. This Article requires a simple majority vote.*

**I. Police Cruisers (Police)** To see if the Town will vote to transfer from free cash and appropriate the sum of One Hundred Thirty Nine Thousand Three Hundred Forty Eight Dollars (\$139,348), or such other amount as Town Meeting may approve, for the purpose of replacing three police cruisers, or take any other action thereon.

*Town Manager's Statement – This article is part of the ongoing replacement schedule for the police department cruisers and seeks to replace three police cruisers. The three cruisers that will be replaced will be determined after the start of FY16 based on overall condition of the police cruisers. This Article requires a simple majority vote.*

**J. High School Hot Water Heater Replacement (School Department)** To see if the Town will vote to transfer from free cash and appropriate the sum of One Hundred Forty Five Thousand Dollars (\$145,000), or such other amount as Town Meeting may approve, for the purpose of replacing the hot water heater at the High School, or take any other action thereon.

*Town Manager's Statement – This article would fund the replacement of the hot water heater at the high school which is located above the gyms and is leaking. These supply hot water to the kitchen and cafeteria as well as the locker room areas. If they fail, the high school would be without hot water. This Article requires a simple majority vote.*

**K. Upgrade Building Controls to Direct Digital Controls (School Department)** To see if the Town will vote to transfer from free cash and appropriate the sum of Fifty Five Thousand Dollars (\$55,000), or such other amount as Town Meeting may approve, for the purpose of upgrading building controls to direct digital controls, or take any other action thereon.

*Town Manager's Statement – This article would fund the upgrade of the building controls for HVAC to a direct digital control system. Several of the controllers are obsolete and parts are not available. Today's web-based digital control systems are more efficient and is anticipated to save at least 10% of utility and labor overtime costs and to better regulate building temperatures. This Article requires a simple majority vote.*

**L. Capital Stabilization Fund** To see if the Town will vote to transfer from free cash and appropriate the sum of One Hundred Twenty Thousand (\$120,000), or such other amount as Town Meeting may approve, to the Capital Stabilization Fund, or take any other action thereon.

*Town Manager's Statement – The Town knows there are two fire truck purchases in the next several years and is seeking to set aside funds on an annual basis to reduce the amount that will need to be appropriated the fiscal year the truck is purchased. At this time, the Town is planning on replacing a 1997 fire truck that was scheduled for replacement in 2012. This truck is estimated to cost \$550,000 and plans are to add additional funds in FY16 and beyond to maintain a fund to replace these more expensive vehicles. Town Meeting also appropriated funds to purchase land on Nourse Street as well as for the design and some preliminary land clearing for a new cemetery as the Town is nearing capacity at the existing cemetery. This article would also set aside funds to be used by the DPW to begin development of the cemetery and will also continue for the next several years. This article's goal is to reduce the amount the Town would need to borrow at some point in the future, keeping interest costs down as much as possible. This Article requires a 2/3<sup>rd</sup> majority vote.*

#### **ARTICLE 13: Triennial Revaluation (Assessors)**

To see if the Town will vote to transfer from free cash and appropriate the sum of Twenty Five Thousand Dollars (\$25,000), or such other amount as Town Meeting may approve, for the purpose of funding the required triennial revaluation of the Town and subsequent interim valuation adjustments, or take any other action thereon.

*Town Manager's Statement – This appropriation would fund the triennial revaluation and interim valuation adjustments required by the Department of Revenue that the Board of Assessors needs to undertake every three years. This article is a simple majority vote.*

#### **ARTICLE 14: Improvements to the Country Club Golf Course (Country Club Operating Committee)**

To see if the Town will vote to transfer and appropriate from the Country Club retained earnings the sum of Fifty One Thousand Dollars (\$51,000), or such other amount as Town Meeting may approve, for the purpose of improvements at the Country Club including, but not limited to, cart paths and drainage on holes #1 and #9 and that any unexpended balance be returned to said account, or take any other action thereon.

*Town Manager's Statement – This appropriation would come from Country Club operating funds and not from the General Fund and therefore is not supported by tax dollars. The proposed use of these funds is to spend \$51,000 on cart path and drainage improvements at the town's golf course. This article is a simple majority vote.*

**ARTICLE 15: Toll Brothers Mitigation Receipts Reserved Account (Town Manager)**

To see if the Town will vote to transfer from the Toll Brothers Receipts Reserved Account and appropriate the sum of Two Hundred Two Thousand Seven Hundred and Eighty Dollars (\$202,780) for the purpose of undertaking streetscape improvements on public ways or improvements at the Veterans Freedom Park, or take any other action thereon.

*Town Manager's Statement – As part of the Westborough Village Development, the developer was required to set aside additional open space, which has developed into the Veterans Freedom Park. There was also a requirement that the developer build a new road into the park, however, this was undertaken by the Town's DPW and the developer and Town negotiated a dollar value of this work that could then be used elsewhere as a similar public benefit project. At this time, the Town only has plans to update the street lighting in the downtown area to period style lighting and then will continue to work on projects that will improve streetscapes and the park. This Article requires a simple majority vote.*

**ARTICLE 16: CSX Mitigation Receipts Reserve Account Amendment (Town Manager)**

To see if the Town will vote to amend the action taken under Article 13 of the March 16, 2013 Annual Town Meeting to amend the appropriations for the CSX Mitigation Receipts Reserve Account as follows:

<u>Department</u>	<u>Issue</u>	<u>Revised Appropriation</u>
Fire	HazMat Training	\$ 215,209.61
Fire	Foam Trailer Unit	\$ 2,962.95
Fire	10T GVW Truck	\$ 192.30
Conservation	Beaver Removal	\$ 37,300.00
Public Works	E. Main Street Traffic Signal and/or Railroad Bridge Painting	\$ 744,335.14
	Total:	\$ 1,000,000.00

Or take any other action thereon.

*Town Manager's Statement – The original appropriation included funds for a heated storage unit for the foam trailer, which is no longer needed with the new fire station, a traffic signal (blinking yellow light) at Walkup and Flanders, which is not needed, funding for paving Walkup or painting the E. Main Street Bridge. The original appropriation also had \$150,000 for the overheight bridge sensor for the railroad bridge and the cost was under \$38,000. This article would rearrange the funding, leaving in place several of the items requested by the original departments, but also would consolidate the funding for painting the E. Main Street Railroad Bridge and then setting aside additional funds toward the future traffic signal at E. Main Street and Flanders Road. This article requires a simple majority vote.*

**ARTICLE 17: Westborough State Re-Use Hospital Committee Clerical (Westborough State Hospital Committee)**

To see if the Town will vote to amend its action under Article 7 of the October 21, 2013 Town Meeting to allow the funds appropriated for maintenance of the property, to include clerical support in the appropriation, or take any other action thereon.

*Town Manager's Statement – The original article appropriated \$50,000 for maintenance at the State Hospital property until such time that the Town sold the property or additional funds needed to be appropriated to continuing maintaining the property. The Westborough State Hospital Re-Use Committee has been working on developing plans for the hospital with the goal of having a recommendation ready for the Fall 2015 Town Meeting. At this time, since no funds were appropriated to specifically allow for clerical support, one member of the Committee is required to provide clerical support. This article would allow some of the \$50,000 to be used for clerical support. This article requires a simple majority vote.*

**ARTICLE 18: Town Water System (DPW Manager)**

To see if the Town will vote to transfer from Water Retained Earnings and appropriate the sum of Two Hundred and Eighty Thousand Dollars (\$280,000), or such other amount as Town Meeting may approve, for design and repairs, replacement, upgrade or installation of various facilities within the water system including but not limited to replacement of the electric systems in the Andrews #1 Well; design for converting the water mains on Flanders and Hundreds Roads, replacing water mains on Brady Road and the replacement of the gate valve at the Route 9 and Otis Street intersection, or take any other action thereon.

*Town Manager's Statement – This article provides funding which will allow the DPW to maintain its water distribution system and pumping system by replacing valves and installing a four way cross in Route 9 at Otis Street, updating electrical service panels and switches at its Andrews I water pump station and replacing asbestos concrete water main in Brady Road. All the work proposed in this article is intended to replace and restore the functionality of equipment/pipe that has been in service for years. The valve work in Route 9 must occur prior to MassDOT re-surfacing route 9 which will occur in the next 2-3 years. The pipe replacement on Brady Road is necessary because of repeated breaks within the old brittle pipe material. This article includes in-house design work to covert the asbestos concrete water mains on Flanders and Hundreds Road to ductile iron water mains. Although the design work will be undertaken in-house, there is some work such as test borings that need to be contracted out. It's estimated the Town will save \$90,000 by undertaking the design in-house. The Water Retained Earnings Account has a balance of \$680,460. This Article requires a simple majority vote.*

**ARTICLE 19: Town Water Main and Water Source Debt Issuance (DPW Manager)**

To see if the Town will vote to appropriate the sum of \$2,100,000 to pay costs of (i) developing the second wellhead at the Otis Street well site, and (ii) installing a new raw water main from the Indian Meadow Well to the Fisher Street Water Treatment Plant, including the acquisition of any easements necessary in connection therewith; and for the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; or to take any other action relative thereto.

*Town Managers Statement – The Indian Meadows well is an existing substantial water source which is currently underutilized because of difficulty with water quality. The Fisher Street Water Purification Plant has the capacity, equipment, and chemical process to handle its water. Therefore we are proposing a raw water transmission main to bring the water from the Indian Meadows well to the Fisher Street Plant. The route would be in and across public ways, within existing easements, and likely across private property within new easements. This raw transmission main would also create an additional benefit by allowing the Indian Meadow water to replace water supplied by the Westborough Reservoir (Sandra Pond) which would help avoid the level dropping at the reservoir as it did this past summer and in 2010. The work at the Otis Street water pump station involves installing controls, piping, backup power, and all the facilities necessary to utilize a second well head which was installed ten years ago but not utilized. The second well head will allow this source to achieve its permitted capacity and provide more options to meet demand. This article requires a 2/3rd vote.*

**ARTICLE 20: Town Sewer System (DPW Manager)**

To see if the Town will vote to transfer from Sewer Retained Earnings and appropriate the sum of One Million Four Hundred Thousand Dollars (\$1,400,000), or such other amount as Town Meeting may approve, for the design for repair, replacement and upgrade of the Otis Street Sewer Pump Station, or take any other action thereon.

*Town Manager's Statement – This article would provide funding from the Sewer Retained Earnings Account for the design and bidding of a rehabilitation of the Otis Street Pump Station. The Town operates approximately 40 pump stations with life spans of 20 years before rehabilitation is recommended. At this time, the Town has \$3.7 million in the Sewer Retained Earnings Account and can accommodate this rehabilitation without borrowing, however future pump station improvements will likely require the Town to borrow funds to undertake the rehabilitation. This Article requires a simple majority vote.*

**ARTICLE 21: Kennel Licensing (Board of Selectmen)**

To see if the Town will vote to amend the General Bylaws, Chapter 19 – Animal Control by adding a new section which would read:

**Section 12      Kennels**

- (A) Any resident or business that maintains more than 3 dogs that are 3 months old or older may obtain an annual kennel license from the Town.
- (B) All applicants for an all kennel license shall first obtain a business certificate from the Town and provide the business certificate number shall be included on the kennel license application.
- (C) Prior to the issuance of a kennel license, the kennel shall be inspected and approved by the Animal Control Officer and Board of Health. The Animal Control Officer and Board of Health are authorized to conduct interim inspections.
- (D) During the annual inspection and any interim inspections, the kennel licensee shall maintain a log of all animals kept at said kennel that do not belong to the person maintaining the kennel and shall provide access to the log to the Animal Control Officer or Board of Health during any

inspections.

- (E) Any person maintaining a kennel shall include in their records, rabies vaccinations for all dogs 3 months old and older.

Or take any other action thereon.

*Town Manager's Statement – This bylaw amendment would provide some additional controls in addition to MGL Ch. 140, §137A to ensure kennels are operating as businesses and not a method of avoiding licensing dogs and that the kennels are maintained in a sanitary condition. This article requires a simple majority vote.*

## **ARTICLE 22: Municipal Electric Load Aggregation (Board of Selectmen/Assistant Town Manager)**

To see if the Town will vote to initiate the process to aggregate electrical load pursuant to MGL Chapter 164, § 134 and, further, to adopt the following resolution:

WHEREAS, the Commonwealth of Massachusetts has engaged in a process to establish a competitive market place through the restructuring of the electricity market; and

WHEREAS, citizens of Westborough have a substantial economic and social interest in terms of greater customer choice and opportunities for savings in this restructured market; and

WHEREAS, the Town of Westborough hereby finds that it may be in the interest of its citizens who are electric ratepayers, both residential and commercial/industrial, to develop and secure such approvals and enter into appropriate agreements with consultants, experts and attorneys in connection with the establishment and operation of an electricity aggregation plan.

BE IT THEREFORE RESOLVED that the Town of Westborough hereby:

Publicly declares its intent to become an aggregator of electric power on behalf of its residential and business electric customers and to reestablish such plan if its operation is suspended; and

To negotiate and enter into such contracts for power supply pursuant to the plan or services for such plan, with the understanding that if a power supply contract is executed, individual consumers would retain the option not to participate in the aggregation plan and, instead, to choose any electricity alternatives they desire and, further, or take any other action thereon.

*Town Manager's Statement – Under the State Law, a Town can go out to bid on electric supply for all town residents and businesses and use the large Kwh usage to obtain a more competitive price than individual residents or businesses. The Town would not become the “electric supplier” and the Town is not establishing an electric utility, we would simply be the “aggregator” of the demand load throughout Town. Residents would still get their bills from National Grid, except that under the “electric supply” line, it would be whichever electric supplier provided the lowest responsible bid. Residents and businesses would have the opportunity to “opt out” of the aggregation. One of the benefits would be*



*that the Town could seek a multi-year bid to stabilize electric rates for residents. This would be the first step in aggregating electricity and allow the Town to move this forward. This article is a simple majority vote.*

**ARTICLE 23: Acceptance of MGL Ch. 59, Section 5K – Senior Tax Work Off Amendment (Board of Selectmen)**

To see if the Town will vote to amend its acceptance of Massachusetts General Law, Chapter 59, Section 5K by adopting the 125 hour maximum limit, or take any other action thereon.

*Town Manager's Statement – This statute allows Towns to provide a Senior Tax Work Off program that can either be based on a maximum benefit of \$1,000 or 125 hours per year. The Town had previously used the \$1,000 maximum and the law also requires minimum wage to be used which was \$8.00 which allowed 125 hours per year. With minimum wage increasing, the Town has a choice to leave the maximum work off amount at \$1,000 per senior (which would reduce the number of hours seniors would work from 125 to 111.11 and eventually to 100) or to increase it to 125 hours multiplied by the minimum wage which has increased to \$9.00 and will eventually increase to \$10.00 over the next few years (which would make the maximum a senior could earn \$1,250). The Town pays for this program out of the overlay account. This article requires a simple majority.*

**ARTICLE 24: Acceptance of MGL Ch. 59, Section 5N – Veterans Tax Work Off Amendment (Board of Selectmen)**

To see if the Town will vote to amend its acceptance of Massachusetts General Law, Chapter 59, Section 5N by adopting the 125 hour maximum limit, or take any other action thereon.

*Town Manager's Statement – This statute allows Towns to provide a Veterans Tax Work Off program that can either be based on a maximum benefit of \$1,000 or 125 hours per year. This is similar to the article above, but instead of applying to seniors, it applies to veterans. This article requires a simple majority.*

**ARTICLE 25: Acceptance of MGL Ch. 60, §15B Establishment of a Tax Title Revolving Fund (Treasurer/Collector)**

To see if the Town will vote to accept Massachusetts General Law, Chapter 60, §15B (Chapter 390 of the Acts of 2014) for the purpose of establishing a Tax Title Revolving Fund, or take any other action thereon.

*Town Manager's Statement – At this time, the Treasurer uses the department budget for the legal expense of tax takings. In some years, this puts a strain on the budget causing the need for reserve fund transfers or cutting in other areas of the budget. The revenues for the revolving fund would come from fees charged for properties in tax title with the idea that eventually, the Treasurer's budget could be reduced and the cost associated with tax title would be self-supporting. This article requires a simple majority vote.*

**ARTICLE 26: Acceptance of MGL Ch. 41, Section 100B – Firefighter or Police Officer's Disability Medical Bills (Fire Chief)**

To see if the Town will vote to accept Massachusetts General Law, Chapter 41, Section 100B (Indemnification of retired Police Officers and Firefighters), or take any action relative thereon.

*Town Manager's Statement – The adoption of this statute would make the Town responsible for paying all medical expenses for firefighters or police officers that retire with a disability retirement. The Town would be paying prior to the retired firefighter or police officer's insurance paying (the Town pays 75% of the retirees health insurance cost). Therefore, this would add to the Town's overall budget. This statute requires the establishment of a Medical Review Board, including a physician to determine the reasonableness of the expenses. This article requires a simple majority vote.*

**ARTICLE 27: Retroactive Payment on MGL Ch. 41, Section 100B – Firefighter or Police Officer's Disability Medical Bills (Fire Chief)**

To see if the Town will vote to approve any Firefighter or Police Officer's disability medical bills under MGL Ch. 41, Section 100B retroactive to June 15, 2011, or take any action thereon.

*Town Manager's Statement – This would make the Town responsible for paying medical bills of firefighter or police officers that retired with a medical disability retroactively for individuals that retired prior to the acceptance of the statute (if the Town accepts). This would set up a challenge to the statute which specifically requires the Medical Review Panel determine that the expenses be incurred after the acceptance of the statute. This article requires a simple majority vote.*

Given under our hands the 24th day of February in the year of our Lord Two Thousand and Fifteen.

\_\_\_\_\_  
George Barrette, Chairman

\_\_\_\_\_  
Timothy Dodd, Vice Chairman

\_\_\_\_\_  
Ian Johnson

\_\_\_\_\_  
Denzil Drewry

**SELECTMEN OF WESTBOROUGH**

Worcester, ss

I have this day served the within Warrant by posting up attested copies thereof at the Town Library Bulletin Board and Town Hall Bulletin Board in said Westborough and by mailing a copy thereof to the residence of the Town Moderator all on February \_\_\_, 2015.

\_\_\_\_\_  
Constable of Westborough