

COMMONWEALTH OF MASSACHUSETTS
TOWN OF WEST BOYLSTON
SEMI-ANNUAL TOWN MEETING WARRANT
MAY 21, 2007

Worcester ss.

To the Constables of the Town of West Boylston.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of West Boylston qualified to vote in elections and Town affairs, to meet in the Auditorium of the Middle/High School in said Town on Monday, May 21, 2007 at 7:00 p.m. in the evening, then and there to act on the following 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.

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 Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the Fiscal Year 2008, the period from July 1, 2007 through June 30, 2008, 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 2008 pursuant to Massachusetts General Laws, Chapter 44, Section 53F, or take any other action relative thereto.

**ARTICLE 3 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND FOR
WBPA-TV**

To see if the Town will vote to establish a Revolving Fund for WBPA-TV in conformity with Massachusetts General Laws, Chapter 44 Section 53E½ for the following purposes and subject to the following conditions:

- a) to be used to purchase equipment to further enhance the cable-casting abilities of the town;
- b) to be used to purchase expendable material as needed, such as videotape, batteries, gaffer's tape, lights, etc.;
- c) to be the depository for those receipts submitted to WBPA-TV for the operation of WBPA-TV that have been authorized by the Board of Directors of WBPA-TV, as well as the franchise license fee paid by Charter Communications to the town;
- d) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$5,000;
- e) to not be used for any wages or salaries, since WBPA-TV is a volunteer organization; and
- f) to have the Board of Directors of WBPA-TV be the only authority empowered to expend monies from this fund;

or take any other action relative thereto.

**ARTICLE 4 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND FOR THE
BOARD OF HEALTH**

To see if the Town will vote to authorize the Board of Health to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½ for the following purposes and subject to the following conditions:

- a) to be the depository for fees derived from permits issued to licensed sewage haulers in the Town of West Boylston, said fees shall cover the cost of dumping at the Upper Blackstone Water Pollution Abatement District (U.B.W.P.A.D.), plus an administrative charge;
- b) to be the depository for fees derived from plan reviews, inspections, administrative charges and other fees for services rendered by the Board of Health;
- c) to pay the U.B.W.P.A.D. for sewage dumped at its facility in Millbury by sewage haulers licensed in the Town of West Boylston;

- d) to pay Board of Health inspectors and/or agents for services provided for food service, sanitary code compliance, public nuisance, noisome trade inspections; and for percolation and soil testing, septic system design review, septic system installation review, final septic inspection and engineering services;
- e) to fund administrative expenses of the Board of Health, including wage and salary expenses of part-time employees of the Board of Health;
- f) to have a limit on the total amount which may be spent from the Fund in Fiscal Year 2008 set at \$50,000; and
- g) to have the Board of Health be the only authority empowered to expend monies from this fund;

or take any other action relative thereto.

ARTICLE 5 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND FOR THE CEMETERY TRUSTEES

To see if the Town will vote to authorize the Cemetery Trustees to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) to pay the ordinary operating costs of the Cemetery Department including, but not limited to, part-time wages and grave opening costs, and excluding any full-time salaries and wages or elected officials stipends;
- b) to be the depository for all fees collected by the Cemetery Department, exclusive of perpetual care and sale of lots receipts;
- c) to set a limit on expenditures from said fund in Fiscal Year 2008 at \$50,000; and
- d) to have the Cemetery Trustees be the only authority empowered to expend monies from said fund.

or take any action in relation thereto.

ARTICLE 6 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND FOR THE COUNCIL ON AGING

To see if the Town will vote to authorize the Council On Aging to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½ for the following purposes and subject to the following conditions:

- a) to pay for activities related to the Council On Aging programs that were not provided for in the Fiscal Year 2008 operating budget;
- b) to fund the administrative expenses of the Council On Aging including, but not limited to, the wages of part-time employees of the Council On Aging;
- c) to be the depository for fees and donations derived from various fund raising activities collected by the Council On Aging;
- d) to be the depository for revenue and reimbursements from the Worcester Regional Transit Authority (WRTA) and user fees and donations for transportation services provided by the Council On Aging;
- e) to have the Council On Aging be the only authority empowered to expend monies from this fund; and
- f) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$60,000;

or take any other action relative thereto.

ARTICLE 7 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND FOR THE PLANNING BOARD

To see if the Town will vote to authorize the Planning Board to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) to pay agents, attorneys, planners, and engineers of the Planning Board for services provided for permit application and plan review, and consultant services;
- b) to fund administrative and wage expenses of the Planning Board, including wage and salary expenses of part-time employees of the Planning Board;
- c) to be the depository for fees derived from plan review filing fees and all other fees charged by the Planning Board;
- d) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$50,000; and
- e) to have the Planning Board be the only authority empowered to expend monies from this fund;

or take any other action relative thereto.

**ARTICLE 8 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND
FOR THE ZONING BOARD OF APPEALS**

To see if the Town will vote to authorize the Zoning Board of Appeals to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) to pay agents, attorneys, planners, and engineers of the Zoning Board of Appeals for services provided for permit application and plan review, and consultant services;
- b) to fund administrative and wage expenses of the Zoning Board of Appeals, including wage and salary expenses of part-time employees of the Zoning Board of Appeals;
- c) to be the depository for fees derived from variance, special permit, comprehensive permit filing fees and all other fees charged by the Zoning Board of Appeals;
- d) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$25,000; and
- e) to have the Zoning Board of Appeals be the only authority empowered to expend monies from this fund;

or take any other action relative thereto.

**ARTICLE 9 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND
FOR THE CONSERVATION COMMISSION**

To see if the Town will vote to authorize the Conservation Commission to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) to pay agents, attorneys, planners and engineers of the Conservation Commission for services provided for permit application and plan review, and consultant services;
- b) to fund administrative and wage expenses of the Conservation Commission, including, but not limited to, wage and salary expenses of part-time employees of the Conservation Commission;
- c) to be the depository for fees derived from all Wetland Protection Act filing fees and all other fees charged by the Conservation Commission;
- d) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$25,000; and

- e) to have the Conservation Commission be the only authority empowered to expend monies from this fund;

or take any other action relative thereto.

ARTICLE 10 - AUTHORIZATION TO ESTABLISH A JOSEPH E. AMELLO SWIMMING POOL AND SUMMER RECREATION PROGRAM REVOLVING FUND FOR THE PARK COMMISSION

To see if the Town will vote to authorize the Park Commission to establish a Joseph E. Amello Swimming Pool and Summer Program Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) to fund the costs of maintaining and operating the municipal swimming pool, including the purchase of supplies and services necessary to maintain the pool and facilities, and the wage and salary expenses of the part-time employees of the Parks Commission;
- b) to fund the costs of operating the summer recreation programs including the wage and salary expenses of the part-time employees;
- c) to fund administrative and wage expenses associated with the administration and operation of the summer recreation programs of the Park Commission, including wage and salary expenses of the part-time employees of the Parks Commission;
- d) to be the depository for swimming pool and summer recreation program user fees and donations collected by the Park Commission;
- e) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$50,000; and
- f) to have the Park Commission be the only authority empowered to expend monies from this fund;

or take any other action relative thereto.

ARTICLE 11 - AUTHORIZATION TO ESTABLISH A PARKS, PLAYGROUND AND FIELDS REVOLVING FUND FOR THE PARK COMMISSION

To see if the Town will vote to authorize the Park Commission to establish a Parks, Playground and Fields Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) to fund the costs of maintaining and operating the playgrounds, fields and facilities under the jurisdiction of the Park Commission, including the purchase of supplies and services;
- b) to fund the repair and maintenance of playgrounds, fields, parks and park facilities including, but not limited to, the tennis and basketball courts, and playing fields; said activities to be undertaken in coordination with the Department of Public Works and in conformity with all applicable laws and permit requirements;
- c) to fund administrative and wage expenses associated with the administration of the programs of the Park Commission, including wage and salary expenses of the part-time employees of the Parks Commission;
- d) to be the depository for field user fees and donations collected by the Park Commission;
- e) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$25,000; and
- f) to have the Park Commission, or Director of Public Works, or his/her successor, with the approval of the Park Commission, be empowered to expend monies from this fund;

or take any other action relative thereto.

ARTICLE 12 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND FOR THE FIRE DEPARTMENT

To see if the Town will vote to authorize the Fire Department to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) to fund the costs of purchasing and installing equipment, as well as the operation and maintenance associated with the municipal fire alarm system service;
- b) to fund administrative and wage expenses associated with the operation and maintenance of the municipal fire alarm system, including wage and salary expenses of part-time employees of the Fire Department;
- c) to be the depository for fees charged to private property owners for use of the municipal fire alarm system by the Fire Department;
- d) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$15,000; and

- e) to have the Fire Chief, be the only authority empowered to expend monies from this fund;

or take any other action relative thereto.

**ARTICLE 13 – AUTHORIZATION TO ESTABLISH A REVOLVING FUND
FOR THE FIRE DEPARTMENT**

To see if the Town will vote to authorize the Fire Department to establish a Revolving Fund in conformity with Massachusetts General Law, Chapter 44, Section 53E ½, for the following purposes and subject to the following conditions:

- a) to fund the costs of purchasing equipment, supplies and services related to Hazardous Material, and other emergencies;
- b) to fund administrative and wage expenses associated with the operation and response to Hazardous Material and other incidents;
- c) to be the depository for fees and payments for services related to the mitigation of Hazardous Materials and other incidents as paid from traffic companies, insurance companies and the like for billable services;
- d) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$10,000; and
- e) to have the Fire Chief be the only authority empowered to expend monies from this fund;

or take any action relative thereto.

**ARTICLE 14- AUTHORIZATION TO ESTABLISH A REVOLVING FUND
FOR THE MEMORIAL DAY OBSERVANCE**

To see if the Town will vote to authorize the Cemetery Trustees to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) pay for the expenses and costs necessary for the annual Memorial Day Observance including, but not limited to, the purchase of supplies and services, excluding full and part time employee salary or wage costs;
- b) to be the depository for all gifts, donations and fees collected by the Town for the sole purpose of financing the costs of the Memorial Day Observance;

- c) to set a limit on expenditures from said fund in Fiscal Year 2008 at \$5,000; and
- d) to have the Board of Selectmen be the only authority empowered to expend monies from said fund.

or take any action in relation thereto.

ARTICLE 15 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND FOR VOCATIONAL TRANSPORTATION

To see if the Town will vote to authorize the School Committee to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E½, for the following purposes and subject to the following conditions:

- a) to pay for expenses associated with the transportation of vocational education students;
- b) to be the depository for any revenues derived from vocational student transportation reimbursements;
- c) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2007 and Fiscal Year 2008 set at \$25,000; and
- d) to have the School Committee be the only authority empowered to expend monies from this fund;

or take any other action relative thereto.

ARTICLE 16 - AUTHORIZATION TO ESTABLISH A REVOLVING FUND FOR RECYCLING

To see if the Town will vote to authorize the Department of Public Works to establish a Revolving Fund in conformity with Massachusetts General Laws, Chapter 44, Section 53E1/2, for the following purposes and subject to the following conditions:

- a) to pay for expenses associated with the responsible recycling of electronic components that are banned from the waste stream, the environmentally responsible recycling of yard waste by the distribution of compost bins, the environmentally responsible recycling of kitchen waste by the distribution of kitchen scrap pails, and the environmentally responsible recycling of newsprint and commingled plastics by the distribution of recycling bins;
- b) to be the depository for any revenues derived from the collection of funds for the receipt of electronic components or the sale of compost bins, kitchen scrap pails, and recycling bins;

- c) to have a limit on the total amount which may be spent from the fund in Fiscal Year 2008 set at \$10,000.00; and
- d) to have the Department of Public Works be the only authority empowered to expend monies from this fund;

or take any action relative thereto.

ARTICLE 17 – 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 Board of Selectmen 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 Board of Selectmen, to borrow money from time to time during Fiscal Year 2008, for the period from July 1, 2007 through June 30, 2008, 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.

ARTICLE 18 – AUTHORIZATION TO AMEND THE PERSONNEL BYLAW AND TO REVIEW THE CLASSIFICATION AND COMPENSATION PLAN SO AS TO PROVIDE EMPLOYEES A COST –OF-LIVING PAY INCREASE (2.5%)

To see if the Town will vote to amend Section 5, Part AA. **Classification and Compensation Plan** of the Personnel Bylaw as follows:

Delete Part AA as follows:

CLASSIFICATION AND COMPENSATION PLAN

Non-Exempt Employees – Wage Earning Employees

<u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
1	\$10.01	\$11.01	\$12.00	\$13.03	\$14.02
2	\$10.99	\$12.10	\$13.18	\$14.27	\$14.68
3	\$11.97	\$13.14	\$14.36	\$15.56	\$16.78
4	\$12.94	\$14.25	\$15.54	\$16.84	\$18.15
5	\$13.94	\$15.35	\$16.77	\$18.71	\$19.52

Exempt Employees – Salaried Supervisors

Grade	Step 1	Step 2	Step 3	Step 4	Step 5
6					
Cemetery Superintendent	\$23,644	\$26,015	\$28,369	\$31,721	\$33,117
COA Director	\$29,096	\$32,019	\$34,915	\$39,042	\$40,759
7					
Children's Librarian	\$26,973	\$29,626	\$32,361	\$35,051	\$37,746
Town Clerk	\$26,973	\$29,626	\$33,361	\$35,051	\$37,746
Assistant Library Director	\$29,096	\$31,904	\$34,847	\$37,749	\$40,649
8					
Building Inspector	\$22,021	\$24,231	\$26,424	\$28,638	\$30,828
9					
Principal Assessor	\$35,410	\$38,956	\$42,500	\$45,768	\$49,569
Town Accountant	\$35,410	\$38,956	\$42,500	\$45,768	\$49,569
10					
Library Director	\$36,969	\$41,811	\$44,719	\$49,338	\$53,215
Treasurer/Tax Collector	\$41,263	\$45,394	\$49,520	\$53,650	\$57,780
11					
Director of Public Works	\$55,295	\$59,837	\$64,380	\$68,921	\$72,985

Non-Exempt Emergency Fire and Medical Services Employees

Grade	Step 1	Step 2	Step 3	Step 4	Step 5
1F	\$ 8.02	\$ 8.80	\$ 9.63	\$10.42	\$11.25
2F	\$11.58	\$12.72	\$13.89	\$15.05	\$16.21
3F	\$12.76	\$13.93	\$15.09	\$16.26	\$17.54
4F	\$15.94	\$17.41	\$18.87	\$20.34	\$21.92

and insert:

CLASSIFICATION AND COMPENSATION PLAN

Non-Exempt Employees – Wage Earning Employees

Grade	Step 1	Step 2	Step 3	Step 4	Step 5
1	\$10.26	\$11.29	\$12.30	\$13.36	\$14.36
2	\$11.26	\$12.40	\$13.51	\$14.63	\$15.05
3	\$12.26	\$13.47	\$14.72	\$15.95	\$17.20
4	\$13.26	\$14.61	\$15.92	\$17.26	\$18.60
5	\$14.29	\$15.73	\$17.16	\$19.18	\$20.01

Exempt Employees - Salaried Supervisors

Grade	Step 1	Step 2	Step 3	Step 4	Step 5
6					
Cemetery Superintendent	\$24,235.10	\$26,665.38	\$29,078.23	\$32,514.03	\$33,944.93
COA Director	\$29,823.40	\$32,819.48	\$35,787.88	\$40,018.05	\$41,777.98
7					
Children's Librarian	\$27,647.33	\$30,366.65	\$33,170.03	\$35,927.28	\$38,689.65
Town Clerk	\$27,647.33	\$30,366.65	\$33,170.03	\$35,927.28	\$38,689.65
Assistant Library Director	\$29,823.40	\$32,701.60	\$35,718.18	\$38,692.73	\$41,665.23
8					
Building Inspector	\$22,571.53	\$24,836.78	\$27,084.60	\$29,353.95	\$31,598.70
9					
Principal Assessor	\$36,295.25	\$39,929.90	\$43,562.50	\$46,912.20	\$50,808.23
Town Accountant	\$36,295.25	\$39,929.90	\$43,562.50	\$46,912.20	\$50,808.23
10					
Library Director	\$37,893.23	\$42,856.28	\$45,836.98	\$50,571.45	\$54,545.38
Treasurer/Tax Collector	\$42,294.58	\$46,528.85	\$50,758.00	\$54,991.25	\$59,224.50
11					
Director of Public Works	\$56,677.38	\$61,332.93	\$65,989.50	\$70,644.03	\$74,809.63

Non- Exempt Emergency Fire and Medical Services Employees

Grade					
1F	\$8.22	\$9.02	\$9.87	\$10.68	\$11.53
2F	\$11.87	\$13.04	\$14.24	\$15.43	\$16.62
3F	\$13.08	\$14.28	\$15.47	\$16.67	\$17.98
4F	\$16.34	\$17.85	\$19.34	\$20.85	\$22.47

or take any other action relative thereto.

ARTICLE 19 - 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 2008 in conformity with the provisions of Massachusetts General Laws, Chapter 41 Section 108:

Moderator	\$ 50.00;
Selectmen	\$ 100.00 each (5 members);
Town Clerk	\$38,689.65 in conformity with Section 5 Part AA of the Classification and Compensation Plan of the Personnel Bylaw
Planning Board	\$ 100.00 each (5 members);
Cemetery Trustees	\$ 100.00 each (3 members); and
Municipal Light Board	\$ 300.00 each (3 members);

or take any other action relative thereto.

ARTICLE 20 – AUTHORIZATION TO APPROPRIATE MONEY TO THE SEWER ENTERPRISE ACCOUNT FOR FISCAL YEAR 2008

To see if the town will vote to raise and appropriate or transfer from available funds the sum of One Million Two Hundred Fifty Thousand Seven Hundred and Fifteen Dollars and No Cents (\$1,250,715.00) to the West Boylston Sewer Enterprise Account to be expended by the Board of Selectmen, acting as the Board of Sewer Commissioners, for sewer development, administration, assessment, operation, and maintenance expenses in Fiscal Year 2008 as follows:

Fiscal Year 2008 West Boylston Sewer Department Budget

Administration	-	\$122,710.
Operations and Maintenance	-	\$659,505
Reserve Fund	-	\$100,000
Debt and Interest Payments	-	<u>\$368,500</u>
Total Budget Appropriation	-	\$ 1,250,715

and to meet said appropriation through:

- (1) the appropriation of Five Hundred Ninety-Five Thousand Seven Hundred and Fifteen Dollars and No Cents (\$595,715.00) from Fiscal Year 2008 Sewer Enterprise Fund User Revenue, and
- (2) the appropriation of Three Hundred Fifty-Five Thousand Dollars and No Cents (\$355,000.00) from Sewer Betterment Collections, and

(3) the appropriation of Three Hundred Thousand Dollars and No Cents (\$300,000.00) from Sewer Enterprise Retained Earnings

or take any other action relative thereto.

ARTICLE 21 – AUTHORIZATION TO TRANSFER FREE CASH OR AVAILABLE FUNDS TO REDUCE THE FISCAL YEAR 2008 TAX RATE

To see if the Town will vote to transfer a sum of money from certified free cash to reduce or stabilize the Fiscal Year 2008 Tax Rate, or take any other action relative thereto.

ARTICLE 22 - FISCAL YEAR 2008 OMNIBUS BUDGET APPROPRIATION ARTICLE

To see if the Town will vote to raise and appropriate, 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 2008, the period of July 1, 2007 through June 30, 2008, 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 2008 Operating Budgets can be found after the text of the Annual Town Meeting Warrant.)

ARTICLE 23 - FISCAL YEAR 2008 OMNIBUS BUDGET APPROPRIATION ARTICLE WITH A \$3,100,000 OPERATIONAL OVERRIDE

To see if the Town will vote to raise and appropriate, 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 2008, the period of July 1, 2007 through June 30, 2008, including the costs of public education, debt and interest payments, and providing municipal services, provided that this appropriation in its entirety shall be contingent on the passage of a Proposition 2-1/2 operational override in the amount of \$3,100,000 by the voters of the Town in accordance with General Laws c. 59, sec. 21C(m); or take any other action relative thereto.

(The proposed draft of the Fiscal Year 2008 Operating Budgets can be found after the text of the Annual Town Meeting Warrant.)

ARTICLE 24– AUTHORIZATION TO TRANSFER UNEXPENDED FUNDS FROM FISCAL YEAR 2007 APPROPRIATIONS AND OTHER NECESSARY TRANSFERS TO THE FISCAL YEAR 2007 APPROPRIATIONS

To see if the Town will vote to transfer from available funds or from any unexpended balances of Fiscal Year 2007 appropriations, hitherto made, to Fiscal Year 2007 appropriation accounts; or take any other action relative thereto.

**ARTICLE 25- APPROPRIATION TO FUND AN ELDERLY
COMMUNITY SERVICES PROGRAM**

To see if the Town will vote to raise and appropriate, subject to a Proposition 2-1/2 Override, the sum of Eighteen Thousand Dollars and No Cents (\$18,000.00) to fund an Elderly Community Services Program for the purpose of providing a payment voucher for services rendered for the departments, boards, and committees of the municipality to resident property owners who have attained the age of sixty (60) years, to be used to reduce the real estate property taxes for the property in which the elderly owner resides. Said program shall be subject to the following conditions in addition to any and all eligibility requirements promulgated by the Board of Selectmen:

1. participation in the program shall be limited to elderly residents of the town who own property and are willing and able to provide services to the town;
2. program participants shall receive compensation at the basic minimum wage rate for the Commonwealth of Massachusetts as promulgated by the Department of Labor and Workforce Development, Division of Occupational Safety for each hour of service rendered for a total not to exceed One Thousand Three Hundred Dollars and No Cents (\$1,300) in any calendar year;
3. the Treasurer/Tax Collector shall comply with the wage, tax, and payroll deduction requirements of the state Department of Revenue and the federal Internal Revenue Service, prior to compensating program participants; and
4. program participants who meet the eligibility guidelines established by the Board of Selectmen shall be selected for participation on a first-come-first-served basis;

or take any other action relative thereto.

**ARTICLE 26 - AUTHORIZATION TO APPROPRIATE FUNDS FOR
POST-CLOSURE LANDFILL MONITORING**

To see if the Town will vote to raise and appropriate the sum of One Thousand Dollars and No Cents (\$1,000.00) to ATM #5/06#29 (Account Number 012-01-22-06200.207) for post-closure landfill monitoring required by the Department of Environmental Protection for calendar year 2007, or take any other action relative thereto.

**ARTICLE 27 - AUTHORIZATION TO EXPEND FUNDS FROM THE CAPITAL
INVESTMENT FUND FOR THE PURCHASE OF FIRE CAR I**

To see if the Town will vote to expend the sum of Thirty-three Thousand Dollars and No Cents (\$33,000.00) from the Capital Investment Fund for the replacement of Fire Car I, or take any other action relative thereto.

**ARTICLE 28 – AUTHORIZATION TO APPROPRIATE FUNDS FOR PARKS RELATED
SAFETY AND REPAIR ITEMS**

To see if the Town will vote to raise and appropriate or transfer from available funds, subject to a Proposition 2-1/2 Override, the sum of Fifty Thousand Dollars and No Cents (\$50,000.00) for Parks related safety and repair items to be expended by the Parks Commission, or take any action relative thereto.

**ARTICLE 29 – AUTHORIZATION TO APPROPRIATE FUNDS FOR THE
BICENTENNIAL CELEBRATION COMMITTEE**

To see if the Town will vote to raise and appropriate or transfer from available funds, subject to a Proposition 2-1/2 Override the sum of Five Thousand Dollars and No Cents (\$5,000.00) for the expenses of the Bicentennial Celebration Committee; or take any other action relative thereto.

**ARTICLE 30 - AUTHORIZATION TO PAY BILLS FROM PREVIOUS
FISCAL YEAR**

To see if the town will vote to raise and appropriate or transfer from available funds the sum of Fifty-Two Thousand Five Hundred Eighty-Three Dollars and Sixty Cents (\$52,583.60) to pay the following Fiscal Year 2006 bills; from The City of Worcester Department of Public Works for services rendered during the first quarter of calendar year 2006, the amount of Forty-Seven Thousand Four Hundred Ninety-Eight Dollars and Eighty-One Cents (\$47,498.81) and from Thornton Tomasetti for services rendered in March of 2006 for the West Boylston Town Hall Roof Framing Project, the amount of Five Thousand Eighty-Four Dollars and Seventy-Nine Cents (\$5,084.79) being held by the Finance Director in his capacity as Town Accountant from a prior fiscal year for which no encumbered funds are available, or take any other action relative thereto.

**ARTICLE 31 – AUTHORIZATION TO APPROPRIATE FUNDS FOR ODOR CONTROL
MEASURES FOR WOODLAND STREET PUMP STATION**

To see if the Town will appropriate One Hundred Eighty Thousand Dollars and No Cents (\$180,000.00) to pay costs of constructing an odor control facility at the Woodland Street Pump Station, including the payment of all other costs incidental and related thereto, to determine whether this amount should be raised by taxation, by transfer from available funds, by borrowing or otherwise, or to take any other action relative thereto.

**ARTICLE 32 – AUTHORIZATION TO APPROPRIATE AMBULANCE RECEIPTS
RESERVED FOR APPROPRIATION FOR AMBULANCE BILLING EXPENSES**

To see if the Town will vote to appropriate the sum of Thirty Thousand Dollars and No Cents (\$30,000.00) from the ambulance receipts reserved for appropriation to be expended by the Fire Chief

to pay the costs associated with the Fire Department ambulance billing service, or take any other action relative thereto.

**ARTICLE 33 – AUTHORIZATION TO AMEND THE GENERAL BYLAWS OF TOWN OF
WEST BOYLSTON BY ADDING SECTION XXXI COMMUNITY PRESERVATION
COMMITTEE BYLAW**

To see if the Town will vote to amend the General Bylaws of the Town by adding a new section, Section XXXI Community Preservation Committee Bylaw as follows:

Chapter 1: Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

- a. One member of the Planning Board as designated by the Board for a term of three years.
- b. One member of the Conservation Commission as designated by the Commission for an initial term of one year and thereafter for a term of three years.
- c. One member of the Historical Commission as designated by the Commission for an initial term of one year and thereafter for a term of three years.
- d. One member of the Parks Commission as designated by the Commission for an initial term of one year and thereafter for a term of three years.
- e. One member of the West Boylston Housing Authority Board as designated by its Board of Directors for an initial term of two years and thereafter for a term of three years.
- f. Two members to be appointed by the Town Administrator for an initial term of two years and thereafter for a term of three years.
- g. Two members to be appointed by the Town Administrator, for a term of three years.

Should any of the Commissions, Boards, Councils or Committees who have appointment authority under this Chapter be no longer in existence for what ever reason, the appointment authority for that Commission, Board, Council, or Committee shall become the responsibility of the Town Administrator.

Chapter 2: Duties

1. The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing municipal boards, including the Board of Selectmen, the Conservation Commission, the Historical Commission, the Planning Board, the Parks Commission and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a

newspaper of general circulation in the town as well as the Town's website. The Committee may, after proper appropriation, incur expenses as permitted by state law using funds from the community preservation fund to pay such expenses.

2. The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.
3. The community preservation committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or recommended action to set aside for later spending funds for general purposes that are consistent with community preservation.

Chapter 3: Requirement for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings, a copy of which should be filed with the Town Administrator and Town Clerk upon its acceptance. A majority of the members of the community preservation committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote. Meetings will be held in accordance with the Massachusetts Open Meeting Law. Recommendations to the Town Meeting shall include their anticipated costs.

Chapter 4: Amendments

This Bylaw may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL, Chapter 44B.

Chapter 5: Severability

In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Chapter 6: Effective Date

Each appointing authority shall have twenty days after approval to make their initial appointments.

The term for the first-appointed Community Preservation Committee shall begin upon appointment in accordance with the preceding paragraph. The one-year appointments shall end on June 30, 2008, the

two-year appointments shall end on June 30, 2009, and the three-year appointments shall end on June 30, 2010. Subsequent terms will begin on July 1 of each year and will be for a period of three years. Any vacancy on the Community Preservation Committee shall be filled by the commission, authority or board that designated the member who creates the vacancy by designating another member in accordance with Section (1) above for the unexpired term.

Or take any other action relative thereto.

ARTICLE 34 – AUTHORIZATION TO GRANT AN EASEMENT TO VERIZON

To see if the Town will vote to transfer from the Board of Selectmen for the purpose of solid waste disposal to the Board of Selectmen for the same purpose and also for the purpose of granting a perpetual easement to Verizon New England, Inc., the area approximately shown as “Verizon Easement Area” off Pierce Street on the plan on file with the Town Clerk, and will authorize the Board of Selectmen to grant such a perpetual easement to said Verizon for the transmission and/or distribution of intelligence and telecommunications, upon such conditions and for such consideration as the Selectmen may determine, or take any other action relative thereto.

ARTICLE 35 - AUTHORIZATION TO ENTER INTO A LONG-TERM TRANSFER STATION LEASE

To see if the Town will vote, pursuant to G.L. c. 44, § 28C and G.L. c. 40, § 3, to authorize the Board of Selectmen to lease to Bay Colony Recovery, LLC (BCR), approximately 10-12 acres of the premises conveyed to the Town by the Commonwealth of Massachusetts by deed recorded with the Worcester South District Registry of Deeds in Book 32654, Page 314, which 10-12 acre portion lies on the northerly part of the premises and is the industrially-zoned land around the building shown as “Proposed 45,000 Sq./Ft. Building” on a sketch plan entitled “Conceptual Site Plan” dated January 10, 2007, prepared by SITEC Environmental, and on file with the Town Clerk, for a term of forty (40) years from the date on which the facility commences regular operations and on such terms and conditions as approved by the Board of Selectmen, and to authorize the Board of Selectmen to enter into a lease and operating agreement and to execute such other documents as may be necessary or convenient for the foregoing purposes, and further to authorize the Selectmen to petition the Massachusetts legislature for approval of such lease under Article 97 of the Articles of Amendments to the Massachusetts Constitution, if such approval is determined to be necessary; or to take any action relative thereto.

ARTICLE 36 – AUTHORIZATION TO ENTER INTO A LEASE OF THE DPW SITE ON TIVNAN DRIVE

To see if the Town will vote, pursuant to G.L. c. 40, § 3, to authorize the Board of Selectmen to lease to Bay Colony Recovery, LLC (BCR), approximately 6 acres of the premises conveyed to the Town by the Commonwealth of Massachusetts by deed recorded with the Worcester South District Registry of

Deeds in Book 32654, Page 314, which 6 acre portion lies on the southeasterly part of the premises and is the land shown as ± 6 Acres around the building shown as “Proposed 20,000 Sq./Ft. DPW Building” on a sketch plan entitled “Conceptual Site Plan” dated January 10, 2007, prepared by SITEC Environmental, and on file with the Town Clerk, for the purpose of constructing thereon, at BCR’s sole cost and expense, a facility to be used by the Department of Public Works, which lease shall terminate upon the completion of said construction or sooner, and on such other terms and conditions as approved by the Board of Selectmen, and to authorize the Board of Selectmen to enter into a lease and to execute such other documents as may be necessary or convenient for the foregoing purposes, and further to authorize the Selectmen to petition the Massachusetts legislature for approval of such lease under Article 97 of the Articles of Amendments to the Massachusetts Constitution, if such approval is determined to be necessary; or to take any action relative thereto; or to take any action relative thereto.

**ARTICLE 37 – ACCEPTANCE OF THE LAY OUT OF RECREATIONAL
LAND ON TIVNAN DRIVE**

To see if the Town will vote to dedicate to park and recreational use, under the care, custody, management and control of the Board of Selectmen, approximately 8 acres of the premises conveyed to the Town by the Commonwealth of Massachusetts by deed recorded with Worcester South District Registry of Deeds in Book 32654, Page 314, on file with the Town Clerk; or take any action in relation thereto.

ARTICLE 38 – ACCEPTANCE OF THE LAY OUT OF A ROAD

To see if the Town will vote to accept the layout as a public way the parcel of land shown as “100’ Wide Right of Way” on the plan entitled “Proposed Conditions Plan,” dated June 28, 2006, prepared by Green Seal Environmental, Inc., on file with the Town Clerk, and will dedicate the town-owned land within said layout for all purposes for which public ways are used in the Town, or take any action relative thereto.

**ARTICLE 39 - AUTHORIZATION TO AMEND THE ZONING BYLAWS TO REQUIRE A
SPECIAL PERMIT OF CERTAIN BUSINESSES WHICH DESIRE TO OPERATE BETWEEN
THE HOURS OF 11PM AND 6AM IN THE BUSINESS AND INDUSTRIAL DISTRICTS**

To see if the town will amend the Zoning Bylaws by modifying Section 3.2.F Line 20 (Schedule of Use Regulations as follows:

By deleting Line 20 of the Schedule of Use Regulations Table as follows:

Business Uses	SR	GR	B	I	C
20 Any business allowed under this section operating Between the hours of 2:00 a.m. and 6:00 a.m.	N	N	SP	SP	N

And replacing it with this Line 20 of the Schedule of User Regulations Table:

Business Uses	SR	GR	B	I	C
20 Any business allowed under this section operating between the hours of 11:00 p.m. and 6:00 a.m. excluding those businesses with a valid Common Victualler license that establishes operating hours.	N	N	SP	SP	N

ARTICLE 40 - AUTHORIZATION TO AMEND THE ZONING BYLAWS TO ALLOW THE OPERATION OF CONVALESCENT OR NURSING HOMES IN THE INDUSTRIAL DISTRICT WITH A SPECIAL PERMIT

To see if the town will amend the Zoning Bylaws by modifying Section 3.2.F Line 17 (Schedule of Use Regulations) as follows:

By deleting Line 17 of the Schedule of Use Regulations Table as follows:

Business Uses	SR	GR	B	I	C
17 Convalescent or nursing homes	N	SP	SP	N	N

And replacing it with this Line 20 of the Schedule of User Regulations Table:

Business Uses	SR	GR	B	I	C
17 Convalescent or nursing homes	N	SP	SP	SP	N

ARTICLE 41 - AUTHORIZATION TO TRANSFER A PARCEL OF LAND

To see if the Town will vote to transfer the care, custody, management and control of all or a portion of the parcel of land described below, the extent of said portion to be determined by the board or officer presently having custody of such land, from the Board of Selectmen for town common purposes, to the Board of Selectmen for the purpose of conveyance, and to further authorize the Board of Selectmen, on such terms and conditions as they may determine, to convey said portion in fee simple to Fay Brothers Funeral Home, said parcel being described as follows:

That parcel of land bounded on the south by Lot 76 on Assessor's Map 148, on the west by Lot 77 on Assessor's Map 148, and on the north and east by Church Street, a public way;

and further to authorize the Board of Selectmen to seek legislative approval for such conveyance under Article 97 of the Amendments to the Massachusetts Constitution, if necessary, provided that the General Court may vary the form and substance of the requested legislation within the scope of the general public objectives of such a petition, and further to authorize the Board of Selectmen to seek

such approval for such conveyance from the courts of the Commonwealth of Massachusetts, as may be necessary, should the parcel be determined to be held in trust for its present purpose, or to take any other action relative thereto.

**ARTICLE 42 – AUTHORIZATION FOR THE BOARD OF SELECTMEN TO FILE
SPECIAL LEGISLATION RELATIVE TO ADMINISTRATIVE OVERSIGHT OF THE
HIRING PROCESS IN THE TOWN OF WEST BOYLSTON**

To see if the Town will authorize the Board of Selectmen to petition the General Court for a special act as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition; or take any other action relative thereto.

**An Act Relative to Administrative Oversight of the Hiring Process in the
Town of West Boylston**

Section One: Section 4 of Chapter 23 of the Acts of 1995, “An Act Establishing a Board of Selectmen-Town Administrator Form of Government in the Town of West Boylston”, is hereby amended by inserting, after the conclusion of that section, a new paragraph as follows: - The appointment of all employees by the finance committee, board of appeals and personnel board, and any other multi-member body under the jurisdiction of the board of selectmen, must be approved by the board of selectmen. In order to receive the board of selectmen’s approval, each multi-member body shall inform the board of selectmen, in writing, of its intent to post openings for such positions. If the board of selectmen concurs that such position may be filled, the multi-member body may proceed to fill the positions in accordance with the town by-laws, personnel policy, state statutes and provisions of this act. The multi-member body shall inform the selectmen, in writing, of all such appointments and such appointments shall be effective fifteen calendar days after receipt of such written notification unless said board of selectmen vote by at least a two-thirds majority vote of its membership to disapprove specifically designated appointments. The board of selectmen may consolidate and/or abolish employee positions as those positions are defined in this section, subject to the limitations of the general laws.

Section Two: Section 6 of Chapter 23 of the Acts of 1995, “An Act Establishing a Board of Selectmen-Town Administrator Form of Government in the Town of West Boylston”, is hereby amended by inserting, at the conclusion of that section, a new paragraph, as follows: - The appointment of all employees by any of the multi-member bodies listed in this section must be approved by the town administrator. In order to receive the town administrator’s approval, each multi-member body shall inform the town administrator, in writing, of its intent to post openings for such positions. If the town administrator concurs that such position may be filled, the multi-member body may proceed to fill the position in accordance with the town by-laws, personnel policy, state statutes and provisions of this act. The multi-member body shall inform the town administrator, in writing, of all such appointments and such appointments shall be effective fifteen calendar days after receipt of

such written notification unless the town administrator disapproves the appointment in writing. The town administrator may, at his discretion and with the approval of the board of selectmen, consolidate and/or abolish employee positions as those positions are defined in this section, subject only to the limitations of the general laws.

Section Three: This act shall take effect upon passage.

or take any other action relative thereto.

ARTICLE 43 – AUTHORIZATION TO TRANSFER MONEY TO THE STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer a sum of money to the Stabilization Fund, or take any other action relative thereto.

ARTICLE 44– AUTHORIZATION TO RAISE AND APPROPRIATE FUNDS TO THE CAPITAL INVESTMENT FUND

To see if the Town will vote to raise and appropriate or transfer a sum of money to the Capital Investment Fund, or take any other action relative thereto.

And you are directed to serve this Warrant by posting an attested copy thereof at the place of said meeting as aforesaid and at the Post Office in said Town seven (7) days at least before the time of said meeting.

Hereof, fail not, make do return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting as aforesaid.

Given under our hands this 2nd day of May in the year of our Lord, Two Thousand and Seven.

Kevin M. McCormick, Chairman

Allen R. Phillips, Vice Chairman

Valmore H. Pruneau, Clerk

John B. DiPietro, Sr., Selectman

Christopher A. Rucho, Selectman
Board of Selectmen
Town of West Boylston

A true copy attest:

Kim D. Hopewell, Town Clerk

Honorable Board of Selectmen:

I have served this Warrant by posting duly attested copies thereof at the following places:

- Mixer Municipal Office Building_____
- West Boylston Middle/High School_____
- West Boylston Post Office_____
- Pruneau’s Barber Shop_____
- Municipal Lighting Plant_____
- Beaman Memorial Library_____

Constable

Date