

**TOWN OF SHREWSBURY
SPECIAL TOWN MEETING
SEPTEMBER 26, 2016**

The meeting was called to order at 7:05 P.M. in the Oak Middle School auditorium when Moderator Christopher G. Mehne announced a quorum of town meeting members in attendance. The official checklist showed 191 town meeting members present, including the moderator. As the first order of business the moderator examined the warrant and the constable's return and asked for and received unanimous consent to waive the reading of the warrant.

The moderator led the assembly in the pledge of allegiance to the flag and remained standing for a moment of silence in honor of former town meeting member, Frances Nugent, who passed away July 6. In addition to her forty-three years of service as a town meeting representative, "Frankie" as she was known to everyone who knew her, was an accomplished and respected social worker. Her career included positions at comprehensive emergency services, The Massachusetts Society for Cruelty to Children, and Diocese of Worcester. Frances was also one of the founding members of Shrewsbury Youth and Family Services.

The moderator then recognized town officials seated on the stage and in the auditorium. Procedural rules were reviewed.

An asterisk indicates articles recommended by the Finance Committee.

Article 1: (By Petition) **Amend General By-Laws**
Article 4-J Water Department
Water Rates

VOTED BY DECLARED 2/3RDS MAJORITY a motion to end debate and vote the printed motion under Article 1.

DEFEATED a motion to amend the General By-Laws of the Town of Shrewsbury, Article 4-J Water Department by adding the following:

WATER RATES

All proposed changes to water rates must be approved by a majority vote of Town Meeting before they take effect.

Article 2: (By Petition) **Amend General By-Laws**
Article 18A – Safe Drinking Water Protection By-Law

Finance Committee recommends defeat of this Article by a vote of 7 to 1.

VOTED BY DECLARED 2/3RDS MAJORITY a motion to end debate and vote printed motion under Article 2.

DEFEATED a motion to amend the General By-Laws of the Town of Shrewsbury by adding the following new article:

ARTICLE 18A
SAFE DRINKING WATER PROTECTION BY-LAW

Section 1: Intent and Purpose.

The purpose of this Safe Drinking Water Protection By-law is to safeguard the public health, safety and welfare by protecting all citizens in the Town of Shrewsbury, including those most vulnerable, from the negative impacts of adding substances to the drinking water for preventative health care purposes; The following conditions have been identified as the challenges involved with adding substances to the drinking water for preventive health care purposes.

1. Violates Informed Consent - It is a poor medical practice because it violates the principle of informed consent.
2. No Control over Who Gets it - It is delivered indiscriminately to everyone regardless of age, health or nutritional status, and without individual oversight by a doctor.
3. No Control of Dose - While engineers can control and monitor the concentration (measured in milligrams per liter - mg/liter), it offers no control over the dose (measured in milligrams consumed per day - mg/day) received by an individual because people drink different amounts of water.
4. No Control of Dosage - It makes inadequate allowance for the size and body mass of recipients which is particularly important for infants and young children who may receive proportionately much higher dosages (measured in milligrams per kilogram of body weight per day - mg/kg/day) than adults at a time when their bodies are far more vulnerable.
5. Different Responses to Same Dose - Involves an insufficient margin of safety to protect all citizens, especially the most sensitive, from the known adverse health effects of a substance where some people will be very resistant and while others will be very sensitive to the same substance.

At the national level, the EPA is prohibited by the Safe Drinking Water Act [42 U.S.C. §300f et seq.] from requiring the addition of any substance to drinking water for preventive health care purposes. While other federal agencies (ie. The Centers for Disease Control and Prevention (CDC)) can provide recommendations, the decision whether or not to add any substances for preventive health care purposes to drinking water is made on a local basis.

Safe Drinking Water Act (42 U.S.C. § 300g1)

§300g-1. National drinking water regulations

(b) Standards

(11) No national primary drinking water regulation may require the addition of any substance for preventive health care purposes unrelated to contamination of drinking water.

Therefore, the intent of this town by-law is to resemble the intent of the Safe Drinking Water Act [42U.S.C. §300f et seq.] at the local town level and prohibit town government from requiring the addition of any substance to drinking water for preventive health care purposes.

Section 2: Procedure.

No town board, officer, or committee shall require the addition of any substance to the public drinking water supply for preventive health care purposes unrelated to contamination of drinking water.

***Article 3: Chapter 90 Local Transportation Aid Funding Program**

VOTED UNANIMOUSLY a motion to accept \$992,495.00 from the Commonwealth of Massachusetts in accordance with the provisions of the Chapter 90 local transportation aid funding program and transfer said funds to the Highway Department for the purposes of maintaining, repairing, improving and constructing town ways, sidewalks and drains and related eligible expenses.

***Article 4: Harris Avenue
Laying Out and Making Public**

VOTED UNANIMOUSLY a motion to accept the report of the Board of Selectmen in laying out and to make public Harris Avenue, as shown on a plan entitled “Layout Plan of Harris Avenue in Shrewsbury, Massachusetts, For Acceptance as a Public Street Showing Estimated Betterment Assessments” dated August, 2016, to authorize the Selectmen to acquire by gift, purchase or taking all necessary easements for public street purposes, to authorize the Selectmen to construct said street and all drains necessary in connection therewith and to assess betterments therefor under the provisions of applicable laws, and to transfer the sum of \$1.00 from the public ways account (010411-10-585170) to fund the cost of said construction, easements, engineering and other expenses incidental thereto.

***Article 5: Judick Street
Laying Out and Making Public**

VOTED UNANIMOUSLY a motion to accept the report of the Board of Selectmen in laying out and to make public Judick Street, as shown on a plan entitled “Layout Plan of Judick Street in Shrewsbury, Massachusetts, For Acceptance as a Public Street Showing Estimated Betterment Assessments” dated August, 2016, to authorize the Selectmen to acquire by gift, purchase or taking all necessary easements for public street purposes, to authorize the Selectmen to construct said street and all drains necessary in connection therewith and to assess betterments therefor under the provisions of applicable laws, and to transfer the sum of \$1.00 from the public ways account (010411-10-585170) to fund the cost of said construction, easements, engineering and other expenses incidental thereto.

***Article 6: Fifth Avenue
Laying Out and Making Public**

VOTED UNANIMOUSLY a motion to accept the report of the Board of Selectmen in laying out and to make public Fifth Avenue, as shown on a plan entitled “Layout Plan of Fifth Avenue in Shrewsbury, Massachusetts, For Acceptance as a Public Street Showing Estimated Betterment Assessments” dated August, 2016, to authorize the Selectmen to acquire by gift, purchase or taking all necessary easements for public street purposes, to authorize the Selectmen to construct said street and all drains necessary in connection therewith and to assess betterments therefor under the provisions of applicable laws, and to transfer the sum of \$1.00 from the public ways account (010411-10-585170) to fund the cost of said construction, easements, engineering and other expenses incidental thereto.

***Article 7: Whitney Street #10
Accept Parcel of Land**

VOTED BY A DECLARED 2/3RDS MAJORITY a motion to authorize the Selectmen to accept a gift of a parcel of land located at and known as 10 Whitney Street, now or formerly owned by Joseph Lijoi and Shawn Lijoi.

***Article 8: Medical Expenses
Retired and Disabled Police Officers and Firefighters**

VOTED a motion to raise \$350.00 to pay the medical expenses of retired and disabled police officers and firefighters.

***Article 9: Library Project
Fund Interest on Debt**

VOTED UNANIMOUSLY a motion to raise \$155,794.18 to fund account 01-0751-09-590310 Interest on Debt – Library Project in order to fund interest expenses associated with the Library Project.

***Article 10: Building Inspector Salaries & Wages**

VOTED UNANIMOUSLY a motion to raise \$9,456.00 to fund account 01-0241-03-510010 Building Inspector Salaries & Wages – Full Time and \$9,456.00 to fund account 01-0241-03-510020 Building Inspector Salaries & Wages – Part Time to fund salary expenses for the Fiscal Year 2017.

***Article 11: Purchase Defibrillator**

VOTED UNANIMOUSLY a motion to raise \$31,135.00 to fund the purchase and deployment of defibrillator units.

***Article 12: Other Post-Employment Benefits (OPCB) Trust Fund**

VOTED UNANIMOUSLY a motion to raise \$203,468.00 and transfer this amount to the Other Post-Employment Benefits (OPEB) Trust Fund.

***Article 13: General Stabilization Fund**

VOTED UNANIMOUSLY a motion to raise \$203,468.00 and transfer this amount to the General Stabilization Fund.

***Article 14: Water Systems Improvements
Flushing, Cleaning, Rehabilitation, Maintenance**

VOTED BY A DECLARED 2/3RDS MAJORITY a motion to end debate and vote the printed motion under Article 14.

VOTED a motion to transfer \$280,000.00 from the Water System Improvements Account for the flushing, cleaning, rehabilitation, maintenance and incidental repairs and improvements to water mains, wells, hydrants and related water system appurtenances.

***Article 15: Water Systems Improvements
Fund Design, Engineering Services and Fees**

VOTED UNANIMOUSLY a motion to transfer \$95,000.00 from the Water System Improvements Account to fund design or engineering services and related fees and expenses associated with the replacement of the Water Treatment Facility.

***Article 16: Water Systems Improvements Account
Transfer from Free Cash**

VOTED a motion to suspend procedural rule to adjourn Town Meeting at 10:30 P.M. or at the completion of any moved motion before us at 10:30 P.M.

VOTED UNANIMOUSLY a motion to transfer \$495,000.00 from Free Cash to the Water System Improvements Account.

***Article 17: Water Treatment Facility
 Engineering, Design and Professional Services**

VOTED BY A DECLARED 2/3RDS MAJORITY a motion to end debate and vote the printed motion under Article 17.

VOTED a motion to appropriate \$900,000.00 to pay for the engineering, design, or any other professional services required for and associated with the construction of a new water treatment facility and related appurtenances; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow the sum of \$900,000.00 by issuance and sale of bonds or notes of the Town in accordance with Chapter 44 of the General Laws or any other enabling authority.

***Article 18: Construction of New Water Treatment Facility**

VOTED BY A DECLARED 2/3RDS MAJORITY a motion to appropriate \$13,985,000.00 for the purpose of financing the planning and construction of a new water treatment facility and related appurtenances including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 2014, c. 259, §§ 19, 20 and 21; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow \$13,985,000.00 and issue bonds or notes therefore under Chapter 44 of the General Laws or any other enabling authority available to the Town; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 2014, c. 259, §§ 19, 20 and 21; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 2014, c. 259, §§ 19, 20 and 21; and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available to the project and to take any other action necessary or convenient to carry out the project.

VOTED at 11:16 P.M. a motion to adjourn.

ATTEST:

Sandra E. Wright
Town Clerk