

**OFFICE OF THE
TOWN MANAGER**



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Town of Shrewsbury
MASSACHUSETTS 01545-5398

September 12, 2016

To: Town Meeting Members

From: Daniel J. Morgado

Re: Special Town Meeting – Monday, September 26, 2016 at 7:00 PM

Enclosed please find a copy of the Special Town Meeting Warrant for a September 26, 2016, Special Town Meeting that will start at 7:00 PM in the **Oak Middle School Auditorium**.

The Finance Committee will review this warrant in detail at a meeting and public hearing held in the Selectmen's Meeting Room that is located in the Shrewsbury Municipal Office Building on Thursday, September 22, 2016 at 7:00 PM. Town Meeting Members and interested citizens are invited to attend this meeting and hearing when the latest information on each of the proposed articles will be presented and those wishing to speak will be heard.

I direct your attention to the attached materials:

- The motions for the Special Town Meeting.
- Plans/Maps showing the subject areas for Articles 4, 5, 6, 7 and 14.
- A status report of current balances of special appropriations.

The Town's Free Cash balance is projected to be \$6,098,964 now pending certification by the Department of Revenue.

The following is a brief summary of each of the proposed articles:

Article 1 – This article is brought by petition by John Lukach of 4 Bunker Hill Road.

Article 2 - This article is brought by petition by Bryan Moss of 16 Ruthen Circle.

Article 3 – This article seeks authorization to accept \$992,495 from the Commonwealth that will be used to fund road improvements and other related eligible expenses that are not yet specified.

Articles 4, 5 & 6 – These articles seek to make public Harris Avenue, Judick Street and Fifth Avenue and to improve them via the street betterment process whereby 50% of the cost of the improvements are paid by abutters and 50% paid by the Town. These streets were originally approved for the betterment program in May of 2014 but the necessary filings with the Registry of Deeds were not made and subsequently the process must start anew. These improvements are designed and bid out and work will begin this fall. Funding will be via Chapter 90 funds with a total value of work on the three streets valued at \$651,596 (bid value \$527,305).

Article 7 – This article seeks authorization to accept a gift of land from Joseph and Shawn Lijoi. The parcel is located at 10 Whitney Street and is 14,234 square feet with an assessed valuation of \$129,800. The property is currently in tax arrears in the amount of \$2,697.67 (as of 7/27/2016). The owners no longer wish to pay taxes on the property.

Article 8 – This article seeks to raise \$350 to fund out of pocket medical expenses for a retired disabled firefighter. These expenses are related to the medical condition for which a disability pension was granted. This request was not received in time to be considered under Article 4 of the Annual Town Meeting Warrant last May.

Article 9 – This article seeks to raise \$155,794.18 to fund the first interest payment for the library bond issue #1 in the amount of \$9,745,000 (2.34% NIC) that was issued in July. One additional permanent bond will be issued for this project as early as next July. This is exempted debt so the tax rate impact of this request, based on Fiscal Year 2016 values, is \$16.67 per average residential tax bill.

Article 10 – This article seeks to raise \$18,912 in additional funding for the budget of the Office of the Building Inspector. This funding will be used to add 15 hours per week to the office with one assistant building inspector increasing from .8 FTE to 1.0 FTE and to add one part time inspector at .2 FTE. In the current budget the .8 FTE inspector is full time with .2 FTE funded via the Office of the Board of Assessors. This will require that a part time lister (.2 FTE) be added to the Office of the Board of Assessors to make up for the hours lost.

Article 11 – This article seeks to raise \$31,135 to replace a total of 13 defibrillators that are out of warranty and manufacturer support. The defibrillators being replaced are currently on fire apparatus and are located in the Municipal Office Building, Senior Center and Police Station.

Article 12 - This article seeks to raise 50% of the \$406,936 (\$203,468) in remaining levy capacity for Fiscal Year 2017 and transfer that sum to the Other Post-Employment Benefits (OPEB) Trust established in 2011. The current value of the OPEB trust is \$2,828,262 (includes SELCO funding of \$1,217,402).

Article 13 – This article seeks to raise 50% of the \$406,936 (\$203,468) in remaining levy capacity for Fiscal Year 2017 and transfer that sum to the Stabilization Fund (current balance \$602,560).

Article 14 – This article seeks to transfer from the Water Systems Improvements Account \$280,000 to fund water main flushing and related expenses and to treat Home Farm Wells 6-1 and 6-3. The flushing process is called “ice pigging” whereby an ice slurry is pumped through the water mains to scour out mineral deposits. It is a new technique which is being trialed that has had good success in an area community that is also dealing with high levels of manganese. The plan is to clean 29,000+ linear feet of water main in the immediate area of the water treatment facility on Main Street, North Quinsigamond Avenue, Old Mill Road, Harrington Avenue, Audubon Drive and O’Donnell Avenue. The well treatments are intended to reduce manganese levels in raw water. The June 30th balance in the Water System Improvements Account was \$752,025.

Article 15 – This article seeks to transfer from the Water Systems Improvements Account \$95,000 to fund additional design and engineering costs associated with the new Water Treatment Plant. Previously, the sum of \$500,000 was made available for this work. Changes made to the design of the project resulting from review of the design by DEP and our own internal review require additional design work to be undertaken.

Article 16 - This article seeks to transfer \$495,000 from Free Cash to the Water System Improvements Account. The \$495,000 amount is the result of funds that flowed into the General Fund (later to be part of the Free Cash certification) resulting from water collections above estimate of \$228,347 and unspent Water Department appropriations for FY 2016 of \$265,823 (actual total amount is \$494,170 but rounded to \$495,000). The Town’s long standing practice has been to isolate Water Department funds to support water operations.

Articles 17 & 18 – These articles seek a total bond authorization of \$14,885,000 to construct a new water treatment facility. Enclosed is a report to the Town Meeting explaining this proposal in greater detail including what the anticipated water rate impact will be if this project proceeds as proposed.

Please contact me directly with any questions.

Cc Board of Selectmen
Finance Committee
All Departments

Warrant Article Appropriation Balances

8/30/2016

01012310 Town Manager WarArt

585895 Shrews Dev Corp 30,000.00

01016210 ElectRegistration WarArt

551340 Replace Voting Machines 535.34

01017110 Conservation WarArt

570000 Other Charges & Expend 114,508.09 ****

585850 Repairs to Dam 25,479.72

01019210 Public Bldg WarArt

571430 Security Upgrades 70.49

571440 Design Dev Spring 34,736.53

572040 Beal Bldg Comm 25,000.00

582110 Replace Tile - Spring 3,571.35

585223 Town Hall 2nd Floor Reno 408,180.75

585224 Reseam/Rep Roof - Oak 186,300.00

585225 Interior Painting - HS 20,500.00

585226 Paving - Coolidge 21,407.15

01021010 Police WarArt

585680 Purchase Cruisers 140,000.00

01022010 Fire WarArt

585700 Replace M-1 Pickup 1,799.18

580280 Replace Fire Eng #1 1,108.00

01041110 Engineer WarArt

570610 GIS Program 208,010.48

571450 Eng/Plan Office Re-design 25,000.00

585170 Public Ways 712,695.13

585222 Main St Easements 100,000.00

585893 Lake St WWTP 100,000.00

585894 Stormwater Mgmt 24,327.23

01042110 Highway WarArt

585160 Storm Drain 45,969.83

585180 Sidewalks 11,474.49

585227 Replace Loader w/plow 5,051.35

01045010 Water WarArt

571320 Water Mains Maple/Westview 4,392.94

571370 CB Rubber Track Excavator 11,775.76

571420 Test Manganese 630.21

571480 HVAC Rep Water Treat Plant 125,000.00

571490 Rep/Rep Home Farm 189,700.00

571510 Prelim Des Wat/Sew 75,000.00

571530 WMA/WMP 106,750.00

571540 Oakland Ave 50,000.00

571550 Poor Farm Brook 7,508.00

580090 New Water Meters 894,487.65

580330 Replace PU with Utility 5,781.11

580570 Oak S. Quinsig 7,719.07

580580 Lambert Well 3-1 94,656.36

582010 Rt 9 Bridge Repairs 10,000.00

582040 Water Supply Permitting 163,538.32

582050 Capital Efficiency Plan 10,000.00

582080 Main St/Circle/Gage 55,415.93

582150 Security Fence 4,862.75

585360 Study Water Plant Upgrade 70,000.00

585820 Water Conservation 9,822.55

585880 Replace Dump Truck 567.00

585890 Replace Pick Up Truck 3,965.00

01054910 Comm on Disabilities WarArt

570180 Building Improvement 8,067.42

01065010 ParkRec WarArt

571520 Rep/Res HS Fields 100,886.00

585700 Replace M-1 Pickup 580.00

Grand Total

4,256,831.18

**** Bond Proceeds

MOTIONS
Special Town Meeting
September 26, 2016

ARTICLE 1
(By Petition)

Motion: I move that the Town vote 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)

Motion: I move that the Town vote 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

Motion: I move that the Town vote 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

Motion: I move that the Town vote 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

Motion: I move that the Town vote 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

Motion: I move that the Town vote 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

Motion: I move that the Town vote 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

Motion: I move that the Town vote to raise \$350.00 to pay the medical expenses of retired and disabled police officers and firefighters.

ARTICLE 9

Motion: I move that the Town 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

Motion: I move that the Town vote 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

Motion: I move that the Town raise \$31,135.00 to fund the purchase and deployment of defibrillator units.

ARTICLE 12

Motion: I move that the Town raise \$203,468.00 and transfer this amount to the Other Post-Employment Benefits (OPEB) Trust Fund.

ARTICLE 13

Motion: I move that the Town vote to raise \$203,468.00 and transfer this amount to the General Stabilization Fund.

ARTICLE 14

Motion: I move that the Town vote 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

Motion: I move that the Town 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

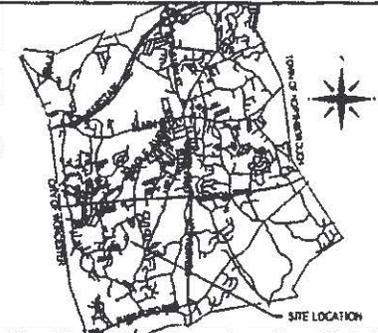
Motion: I move that the Town vote to transfer \$495,000.00 from Free Cash to the Water System Improvements Account.

ARTICLE 17

Motion: I move that the Town vote 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

I move that the Town vote 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.



THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTER'S OFFICE OF THE COMMONWEALTH OF MASSACHUSETTS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF SHREWSBURY ASSESSORS RECORDS.

TOWN OF SHREWSBURY
 BY: JONATHAN S. RAHBAI
 JONATHAN S. RAHBAI, P.E.
 TOWN SURVEYOR

OWNER: TOWN OF SHREWSBURY

LAYOUT PLAN
 OF
JUDICK STREET
 IN
SHREWSBURY, MASSACHUSETTS
 FOR ACCEPTANCE AS A PUBLIC STREET
 (SHOWING ESTIMATED BETTERMENT ASSESSMENTS)

SCALE AS NOTED AUGUST 2016
 TOWN OF SHREWSBURY ENGINEERING DEPARTMENT

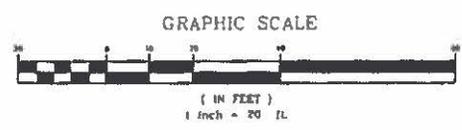
Article 5

NOTE
 ■ INDICATES GRANITE BOUNDS TO BE SET AFTER THE STREET CONSTRUCTION

PLAN AND DEED REFERENCES W.D.R.O.
 PLAN BOOK 138 PLAN 1
 PLAN BOOK 154 PLAN 34
 PLAN BOOK 382 PLAN 109
 PLAN BOOK 723 PLAN 121

DEED REF. BOOK 2974 PAGE 335

PLAN AND DEED REFERENCES
 PLAN OF WORCESTER COUNTY ENGINEERING DEPARTMENT, TOWN OF SHREWSBURY REALIGNMENT OF OAK STREET STA. 0+00 TO STA. 11+57.92, FEBRUARY 1940, SURVEYED BY L.H. SPOFFORD, FILED WITH TOWN OF SHREWSBURY TOWN CLERK



TOWN OF SHREWSBURY BOARD OF SELECTMEN:

 CHAIR MALCOLM M. DEPALO

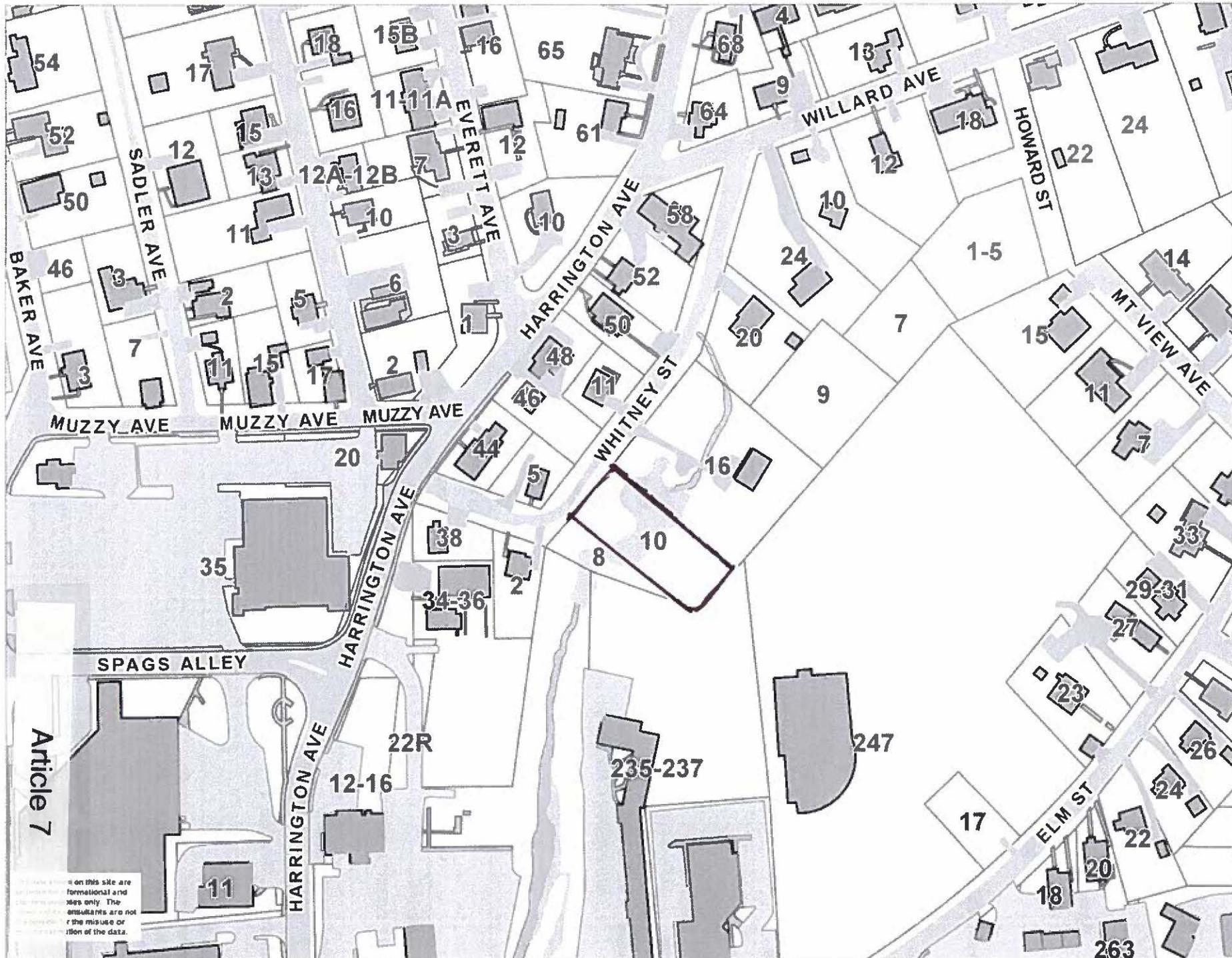
 VICE CHAIR JAMES F. KANE

 CLERK JOHN L. LEBEAU

 SELECTMEN MORRIS MILLER

 SELECTMEN HENRY J. FITZGERALD

DATE _____



- Parking Areas
- Sidewalks and Walkways
 - Public Sidewalks
 - Private Sidewalks
- Driveways
 - Paved Driveways
 - Unpaved Driveways
- Roads
 - Paved Roads
 - Unpaved Roads
- Parcels
- Buildings 2013
- MA Highways
 - Interstate
 - US Highway
 - Numbered Routes
- Town Boundary
- Abutting Towns
- Road Centerlines
- Lakes and Ponds
 - Ponds
 - Streams
 - Wet Area
 - Streams and Brooks

Article 7

Information on this site are for informational and advisory purposes only. The Town and its consultants are not responsible for the misuse or misinterpretation of the data.



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Article 14

