

COMMONWEALTH OF MASSACHUSETTS

TOWN OF SPENCER

SPECIAL TOWN MEETING WARRANT

November 16, 2017

WORCESTER, SS:

To either of the Constables of the Town of Spencer in the County of Worcester,
Greetings:

IN THE NAME OF THE Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at Memorial Town Hall, 157 Main Street, in said Spencer on Thursday, November 16, 2017 at 7:00 p.m. in the evening, then and there to act on the following articles:

Article 1:

AUTHORIZATION TO PAY PRIOR FISCAL YEAR EXPENSES

To see if the Town will vote to appropriate One Hundred Seventy Dollars and No Cents (\$170.00) to pay the FY2017 ODIS Expense for Conservation Commission Members Conference Fees, and Four Hundred Fifty One Dollars and Eighty One cents (\$451.81) for expenses of the Building Inspection Office to meet said appropriation by transferring from previously certified and available Free Cash or other available funds; or take any action relating thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 2:

AUTHORIZATION TO RESCIND THE PREVIOUSLY APPROVED ARTICLE FOR THE FY2018 GENERAL GOVERNMENT OPERATING BUDGET

To see if the Town will vote to rescind Article 15 from the May 4, 2017 Annual Town Meeting for the purposes of voting to approve the following Article #3 that will adjust the Fiscal Year 2018 General Government Operating Budget; said rescission is contingent upon the approval of Article

#3; or take any action relating thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 3:

AUTHORIZATION TO APPROPRIATE THE REVISED FY2018 GENERAL GOVERNMENT OPERATING BUDGET

To see if the Town will vote to raise and appropriate the sum of Eight Million Eight Hundred Six Thousand Three Hundred Twenty Five Dollars and Zero Cents (\$8,806,325.00) to pay for the operations of the General Government expenses for Fiscal Year 2018, and to meet said appropriation from a transfer of Ten Thousand Dollars and No Cents (\$10,000.00) from the Wetlands Account, from taxation, from available funds in the Treasury, and anticipated receipts as may be needed or decided necessary; or take any action relating thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Note: The amended Fiscal Year 2018 Operating Budget and an Outline of the Changes is attached separately to the Town Meeting Hand-out and can also be viewed on the Town's website at www.spencerma.gov.

Article 4:

AUTHORIZATION TO TRANSFER MONIES TO THE WATER COMMISSION CAPITAL EFFICIENCY ACCOUNT

To see if the Town will vote to appropriate the sum of Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) to the Water Efficiency Account for capital projects as approved by the Capital Improvements Planning Committee and to meet said appropriation by transferring Two Hundred Thousand Dollars and Zero Cents (\$200,000.00) from previously certified and available Retained Earnings of the Water Enterprise Fund. *(Sponsored by the Water Commissioners)*

Article 5:

AUTHORIZATION TO TRANSFER MONIES TO A RESERVE FUND

To see if the Town will vote to appropriate the sum of Ten Thousand Dollars and No Cents (\$10,000.00) for the Sick Leave Buy Back Fund (Account #083-83000-39800) and to meet said appropriation by transferring from previously certified and available Free Cash or other available funds; or take any action relating thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 6:

AUTHORIZATION TO TRANSFER MONIES TO FUND CAPITAL EXPENDITURES

To see if the Town will vote to appropriate the sum of Three Hundred Fifteen Thousand Eight Hundred Nine Dollars and Zero Cents (\$315,809.00) for capital equipment purchases and capital improvements, as generally illustrated below, and to meet said appropriation by raising and appropriating or transferring from available funds the sum of Three Hundred Fifteen Thousand Eight Hundred Nine Dollars and Zero Cents (\$315,809.00) or take any action relative thereto. *(Sponsored by the Capital Improvements Planning Committee, Board of Selectmen, and the Town Administrator)*

<u>Dept.</u>	<u>Item</u>	<u>Amount</u>
Fire Department	Turnout Gear	\$ 49,501.00
Fire Department	Truck Body for Ford F250	\$ 14,000.00
Parks and Recreation	Rail Trail Phase 3	\$ 15,000.00
Parks and Recreation	Rail Trail Phase 4	\$ 15,000.00
Police Department	Move Lake School generator to Police Bldg.	\$ 17,500.00
Town Hall	Cherry St, Fire Station Demo Specs	\$ 10,000.00
Town Hall	Lake Street School UST removal	\$ 25,000.00
Town Hall	20 Mechanic St. Specs and Demo.	\$ 55,000.00
Utilities and Facilities	Salt Shed Replacement	\$104,808.00
Utilities and Facilities	Browning Pond Road Layout	\$ 10,000.00
	Total:	\$315,809.00

Article 7:

AUTHORIZATION TO AMEND A PREVIOUSLY APPROVED ARTICLE

To see if the Town will vote to amend the action taken under Article 19 from the May 5, 2016 Annual Town Meeting which authorized borrowing for a comprehensive roads project, by striking under item B, the words “and the General Court has voted to approve the special legislation outlined in Article 20 hereunder”; or take any other action relating thereto. (Sponsored by the Board of Selectmen and the Town Administrator).

The Town filed special legislation as outlined under Article 20 from the May 5, 2016 Annual Town Meeting Warrant, however, rather than only issuing a home rule exception, the General Court instead signed the Municipal Modernization Bill amending MGL c. 44 §7, allowing all cities and towns, not just Spencer, to have access to extended borrowing terms of up to 30 years. This language was prepared and approved by Town bond counsel.

Article 8:

AUTHORIZATION TO AMEND THE PERSONNEL BYLAWS

To see if the Town will vote, as a block, to amend the Personnel Bylaws, becoming effective January 1, 2018, by adding the below listed positions to Section 2-Schedule C and to amend Section 2C related to overtime compensation; or take any action relative thereto. *(Sponsored by the Town Administrator)*

SFD Full Time Firefighter	\$41,911	yearly
SFD On-Call Deputy Chief	\$9,222	yearly
SFD On-Call Captain	\$19.40	hourly
SFD On-Call Lieutenant	\$18.00	hourly
SFD On-Call Firefighter	\$16.45	hourly
Parks & Rec. Waterfront Dir.	\$18.00	hourly
Parks & Rec. Lifeguard	\$13.25	hourly
Parks & Rec. Admin. Asst.	\$17.00	hourly

Full time firefighters shall work a 56 hour average week and receive overtime for hours worked over 56 per week in a two week pay period.

Article 9:

AUTHORIZATION TO AMEND THE ZONING BYLAWS

To see if the Town will vote to amend the Zoning Bylaws, by amending; Article 4.2 Use Table, Principal Uses, Article 4.5 Temporary Uses and Article 4.8 Special Uses or take any action relating *thereto*. *(Sponsored by the Planning Board)*

Please note a copy of the Zoning Bylaw amendment is on file with the Town Clerk and can be viewed during regular business hours.

Article 10.

AUTHORIZATION TO ADD A BYLAW ON SNOW REMOVAL ON SIDEWALKS IN THE CENTRAL BUSINESS DISTRICT

To see if the Town will vote to amend Article 6, Section 5 of the General Bylaws by renumbering the existing section as Section 5.1 and creating Section 5.2 to read as follows:

Section 5.2 Property owners and/or occupants to remove snow and ice from sidewalks in the Central Business District described as follows:

both sides of Main St. from approximately 96 Main to 188 Main and both sides of Mechanic Street from Main St. to Cherry St. within 24 hours of the end of a storm and to place such snow or ice in the gutter of the street adjacent to the property. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 11.

AUTHORIZATION TO ACCEPT RICHLAND DRIVE AS A PUBLIC WAY


To see if the Town will vote to accept Richland Drive as a public way, provided that all costs associated with the preparation and recording of the deed and plan as well as certification of good and clear record and marketable title, are paid by the owner; or take any other action relative thereto. *(Sponsored by the Planning Board)*

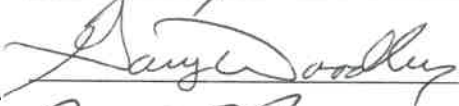
**Note: a copy of the layout plan and legal description is available for review at the Town Clerk's Office regular business hours.*


Continued on next page:


And you are directed to serve this warrant, by posting an attested copy in at least three places fourteen (14) days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this 30th day of October in the year of our Lord two thousand and seventeen.



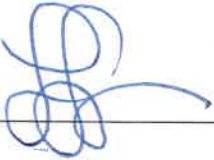






Board of Selectmen

A true copy. Attest.


_____ Constable

Worcester, SS.

10-31-17 Date

PURSUANT TO THE WITHIN WARRANT, I have posted and warned the inhabitants of the Town of Spencer by posting an attested copy in at least three places at least fourteen days before the date of the meeting, as within directed.


_____ **A True Copy Attest**
Constable of Spencer
Lee Jarvis-Constable

NOTICE: Persons needing a sign language interpreter or other hearing assistance device, please contact the Board of Selectmen.

MEMORANDUM – DEVELOPMENT & INSPECTIONAL SERVICES

TO: William Ross
Interim Town Administrator

FROM: Paul Dell’Aquila, AICP
Town Planner

SUBJECT: Planning Board Recommendation on Proposed Zoning Changes
for Fall Town Meeting

DATE: 9/21/2017



On Tuesday, September 19 at 6:30PM, the Planning Board held a Special Public Hearing on several proposed “housekeeping” changes to the Spencer Zoning Bylaw. There were no members of the public who commented on the proposed changes, although one member of the public did ask a general question about providing a legend for Zoning District abbreviations in the Bylaw’s Use Table. The board may consider adding a legend at a future time, but the Zoning Districts abbreviations are currently explained elsewhere in the Bylaw.

After deliberation, the 5 members of the Planning Board voted unanimously to recommend that Town Meeting adopt these following zoning changes:

Under Article 4.2 Use Table, Principal Uses

Change Use Table from existing table (top) to format consistent with Zoning Bylaw (“H.” below):
(Amended 11/17/16 Article 14)

Principal Uses	RR	SR	LR	VR	TC	C	I
Roof Mounted Solar Photovoltaic Generating Installation	P	P	P	P	P	P	P
Small Scale (15kW or less) DC Photovoltaic Generating Installation	SPP/SPR	SPP/SPR	-	-	-	SPR	SPR
Medium Scale (greater than 15kW to 200kW) DC Solar Photovoltaic Generating Installation	SPP/SPR	-	-	-	-	SPP/SPR	SPR
Large Scale (greater than 200KW) Solar Photovoltaic Generating Installation	SPP/SPR	-	-	-	-	-	SPP/SPR

H. Other Principal Uses									
6	Roof Mounted Solar Photovoltaic Generating Installation	Y	Y	Y	Y	Y	Y	Y	4.8.9
7	Small Scale (15kW or less) DC Photovoltaic Generating Installation	SPP	SPP	N	N	N	SPP	SPP	4.8.9
8	Medium Scale (greater than 15kW to 200kW) DC Solar Photovoltaic Generating Installation	SPP	N	N	N	N	SPP	SPP	4.8.9

9	Large Scale (greater than 200KW) Solar Photovoltaic Generating Installation	SPP	N	N	N	N	N	SPP	4.8.9
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Under Article 4.5 Temporary Uses

Add new 4.5.4:

Placement and occupancy of a mobile home on the same parcel during reconstruction of an existing single-family destroyed by fire or other natural holocaust is allowed for a period of one year (12 months) upon obtaining a building permit from the Building Inspector. Any such mobile home shall be subject to the State Sanitary Code. Placement and occupancy of a mobile home on the same parcel during reconstruction of an existing single-family destroyed by fire or other natural holocaust for a period greater than one year (12 months) requires a Special Permit from the Special Permit Granting Authority. The SPGA may authorize placement of the mobile home within the required setbacks if necessary.

Under Article 4.8 Special Uses

In Article 4.8.9(F)(10) Utility Notification: change “National Electric Code compliant” to “Massachusetts Electrical Code (527 CMR, § 12.00) compliant”.

Revisions to Previously Approved Budget for Fiscal Year 2018

Revenue Adjustments:

	<u>May 2017</u>	<u>Nov 2017</u>	<u>Difference</u>
New Growth	\$100,000	\$541,025	\$441,025
State Aid	\$2,593,198	\$2,587,807	-\$5,391
Local Receipts	\$2,215,333	\$2,215,333	\$0
Water Indirects	\$140,360	\$140,360	\$0
Sewer Indirects	\$160,295	\$160,295	\$0
AR Total Additional Revenue			\$435,634

School Expense Adjustments:

	<u>May 2017</u>	<u>Nov 2017</u>	<u>Difference</u>
Bay Path Assessment	\$1,311,558	\$1,304,887	\$6,671
Tantasqua Transport.	\$18,000	\$18,000	\$0
Norfolk County Transp.	\$19,800	\$19,800	\$0
SE Total Additional Voke Expenses			\$6,671

Line No.	Department	Increase	Reduction	Description
135-51	Town Accountant	\$3,000		Town Accountant Consultant Services
210-51	Police Department	\$10,000		To Cover Leave for MSP Departures
210-57	Police Department	\$7,500		New Hire Expenses
220-51	Fire Department	\$1,278		Fire Chief Contract Adjustment
250-51	ODIS	\$1,179		Building Inspector Contract Adjustment
250-51	ODIS	\$2,000		Building Inspector Alternate Coverage
405-51	Utilities & Facilities	\$4,000		Superintendent Contract Adjustment
640-51	Parks & Rec Coordinator	\$7,561		Support for Parks & Rec Committee
220-51	Fire Department	\$31,707		Match for SAFER grant
220-51	Fire Department	\$10,500		Overtime and Call back Full Time FF
220-57	Fire Department	\$9,010		Physicals, books and training new paid on call
220-57	Fire Department	\$7,161		Lockers
630-57	Parks and Recreation	\$5,000		O'Gara Park infield renewal
630-57	Parks and Recreation	\$4,500		Prepare facilities at Luther Hill
630-57	Parks and Recreation	\$8,100		Docks and Floats for Luther Hill
630-51	Parks and Recreation	\$12,000		Staff for Luther Hill Beach
135-570	Town Accountant	\$2,000		Consultant Services
	Totals:			
	Net Line Item Adjustments	\$126,496	\$0	
LI			-\$126,496	

AR	Total Budget Revenue Adjustments	\$435,634 (from above)
SE	Total School Expense Adjustments	\$6,671 (from above)
LI	Total Item Expense Adjustment	-\$126,496 (from above)
	Cherry Sheet Charges Adjustment	\$0 (Proforma pg 2)
	Library Offset Adjustment	\$0 (Proforma pg 2)
	Capital Items In Article 9	-\$315,809 (Proforma pg 2)
	Balanced Budget	\$0