

PUBLIC NOTICE POSTING REQUEST OFFICE OF THE LEICESTER TOWN CLERK

ORGANIZATION: Select Board

MEETING: X

PUBLIC HEARING:

DATE: April 29, 2019

TIME: 6:30pm

LOCATION: Town Hall, Select Board Conference Room, 3 Washburn Square, Leicester

REQUESTED BY: Kristen L. Forsberg

*Agenda packet and associated documents can be found at www.leicesterma.org/bos. This agenda lists all matters anticipated for discussion; some items may be passed over, and other items not listed may be brought up for discussion to the extent permitted by law. Select Board meetings are recorded by LCAC. Any member of the public planning to record the meeting must first notify the Chair. **PLEASE SILENCE ALL CELL PHONES DURING THE MEETING***

CALL TO ORDER/OPENING

1. RESIGNATIONS/APPOINTMENTS

- a. [Appointment – Veteran Services Officer – Alex Arriaga](#)
- b. [Appointment - Special Police Officer – Steven P. Zecco](#)
- c. Appointment – Memorial Day Committee – Tom Brennan

2. PUBLIC COMMENT PERIOD

3. OTHER BUSINESS

- a. Moose Hill Discussion
- b. [Annual Town Meeting Warrant Discussion](#)

ADJOURN

Alex Arriaga

High-performing, strategic-thinking professional with experience in employment services in the for profit and non-profit sectors. Highly skilled at relationship building with clients and across organizations and teams; exceptional presenting, and Interpersonal communication skills. Adept at assessing needs, generating options, and. Implementing solutions in collaboration with clients and stakeholders.

SKILLS

- Fast Learner
- Extremely organized
- Effective under pressure
- Seasoned in conflict resolution
- Articulate
- Sharp problem solver
- Energetic
- Bilingual (English and Spanish)
- Experienced in office environment
- Experienced and proficient in all Microsoft suite platforms
- Good interpersonal, organizational, time management, multi-tasking and problem solving skills

EXPERIENCE

Veterans Inc. Worcester, MA

07/2018 to Present

C.O.D.E. Employment & Training & ORC Outreach Supervisor

- Responsible for the supervision of staff under CODE and ORC programs
- Assist in the acquisition of competitive talent for the organization
- Establish and maintain a resource and referral network to include linkages with service providers, employment service providers, veterans' service providers, veterans' service organizations, municipal veteran's agents, the US Department of Veterans Affairs, and others as appropriate
- Ensure completion and accuracy of necessary grant and contract reporting
- Work in collaboration with Business office to manage financial performance of the department's assigned grants by regularly monitoring financial reports and make recommendations to modify spending as allowable and applicable

Award: *Recognition for Going Above and Beyond 2018*

Veterans Inc. Worcester, MA

08/2016 to 07/2018

OIF/ OEF Employment & Training Specialist

- Consistently attend networking events and career/employment fairs, and establish / maintain relationships with various employers within the community to help veterans and service members gain employment across New England
- Collaborate with various State agencies to provide support, training, and education focused around employment
- Coached individuals with barriers to employment to help them gain marketable skills
- Developed tracking and reporting system for over 200 clients according to grant requirements
- Calculate and report accurate grant metrics to grant writing team

Award: *Recognition of Excellence 2016*

Veterans Inc. Shrewsbury, MA

07/2015 to 8/2016

Post 9/11 Peer Specialist

- Developed Excel tracking and reporting document for the program encompassing 225 clients
- Conducted several activities to engage Post 9/11 Veteran community to include weekly physical engagement activities with Team Red White and Blue and private showing of Star Wars for Veterans and Families with 300 people in attendance
- Provided supportive services and referrals to participants based on the veteran's needs, including: assistance with educational benefits, applications, and campus visits/tours, employment and training services, mental health assessments, counseling, and mental health services, suicide risk assessments and prevention, Substance abuse, legal services, and assistance applying for Veterans Administration (VA), Social Security Disability Insurance (SSDI), health, and housing benefits

Award: *Recognition of Excellence 2015*

Veterans Inc. Devens, MA

08/2014 to 07/2015

Employment and Training Specialist / Case Manager

- Developed individualized Employment and Training plans for 105 Veterans based on the Veteran's input, interests, and needs
- Assisted Veterans with resume writing, cover letters, and mock interviews as part of the employment and training process
- Provided training opportunities for veterans seeking employment funded through grants
- Created key partnerships with local businesses in order to get veterans hired

PAREXEL, Billerica, MA

08/2010 to 8/2011

Imaging Assistant

- Maintained completeness and accuracy of image tracking study on databases for 4 clinical Studies
- Monitored five projects for Good Clinical Practices (GCP), additional regulatory requirements (21CFR Part 11), applicable departmental and company-wide SOPs, and project specific protocol compliance
- Regular use of several software systems to perform job duties such as Microsoft suite (Word, Excel, PowerPoint, Outlook), adobe suite (Reader, Writer, Photoshop) and proprietary
- Trained/mentored several new employees in project specific duties and work flow

Beaumont Nursing Home, Northbridge, MA

02/2003 to 09/2010

Certified Nurse Assistant

- Worked efficiently with different residents undergoing Dementia/Alzheimer's, cancer, hospice and post-surgery physical therapy
- Maintained accurate records of food intake and output for 8-12 residents per shift

MILITARY EXPERIENCE

Army National Guard

02/2001 to 02/2007

Combat Engineer: Honorable Discharge

- Combat engineer for Plans and Operations HHC 181 Engineer Battalion, planning and development of training for soldiers working on key engineer tasks
- Ensured the efficient movement of equipment to the required location
- Oversaw and coordinated combat trainings
- Prepared and installed firing systems
- Leadership and risk assessment training

Deployed Iraq – Operation Iraqi Freedom

2005-2006

Detainee Operations (Corrections Officer)

- Deployed to Iraq for detainee operations responsible for accountability of detainees reports via secret network
- Provided security for detainee movement from camps with no incidents
- Managed risk upon multiple lines to protect assets, property, and equipment while meeting the expectations of senior leadership

MILITARY RECOGNITION

Purple Heart	Global War on Terrorism Service Medal
Army Commendation Medal	Iraq Campaign Medal, Army Service Ribbon
Army Achievement Medal	Overseas Service Ribbon
Army Reserve Components	Armed Forces Reserve Medal W/M (2 nd Award)
Achievements Medal	Combat Action Badge
Army Good conduct Medal	Meritorious Unit Commendation
National Defense Service Medal	

EDUCATION/CERTIFICATIONS

Anna Maria College, Paxton, MA Master of Social Work	Expected May 2020
Anna Maria College, Paxton, MA Bachelor of Science, Social Work	2017
Quinsigamond Community College, Worcester, MA Associate of Science, Criminal Justice (Honors)	2012-2014
CPR /AED Certified	2017

OTHER EXPERIENCE

Speaking Engagements

Guest speaker at Anna Maria College's 14th Annual Social Work Conference: Fight or Flight: Working and Living with the Effects of Military Service (4/13/2016)

Guest speaker for the International Association of Rehab Professionals (IARP) New England conference at the Central Connecticut University (4/15/2016)

Professional Memberships

Association of Latino Professionals for America (ALFA)
National Association of Social Workers (NASW)

Military and Veteran Organization Membership

Association of the United States Army (AUSA)
Iraq and Afghanistan Veterans of America (IAVA)
Veterans of Foreign Wars (VFW)
Disabled American Veterans (DAV)



Leicester Police Department
90 South Main Street
Leicester, MA 01524



Chief
Kenneth M. Antanavica

antanavica@leicesterpd.org

www.leicesterpd.org

Emergency: 911
Non Emergency: 508-892-7009
Non Emergency: 508-892-7010
Fax: 508-892-7012

Date: April 23, 2019

To: Mr. David Genereux
Town Administrator

Select Board
Town of Leicester

From: Kenneth M. Antanavica
Chief of Police

Re: Appointment of Steven P. Zecco as a Special Police Officer

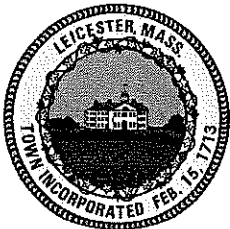
I am recommending that the Select Board consider appointing recently retired Leicester Police Steven P. Zecco as a Special Police Officer for the Town of Leicester so that he may continue to do details for the department.

The Worcester Regional Retirement Board has advised that there is a two (2) week waiting period from Officer Zecco's last payroll date. Officer Zecco's retirement date was 04/12/2019. This will put his appointment date on or after April 29, 2019.

Respectfully requested,

A handwritten signature in black ink, appearing to read "K. Antanavica".

Kenneth M Antanavica
Chief of Police



Town of Leicester

Town Hall, 3 Washburn Square
Leicester, Massachusetts 01524-1333
Phone: (508) 892-7000 Fax: (508) 892-7070
www.leicesterma.org

04/26/2019

To: Select Board

From: David Genereux, Town Administrator *dg*

RE: Moose Hill

All:

Attached is information pulled from almost 40 years of town reports that give a history of events and expenditures regarding Moose Hill. I have attached other pertinent information as well, all of which will be part of the discussion on Monday night.

Timeline

1963 – Acquisition of the Moose Hill property through Eminent Domain by the Water Resource Commission.
1979 – Construction of Moose Hill Dam.
1980 – Construction continues; expected completion 1981.
1981 – Moose Hill Dam construction completed.
1981 – Contract with SEA consultants complete.
1982 – “Moose Hill officially turned over to the Town” – BOS report.
1982 – Dam completed; reservoir filling – Moose Hill Commission.
1986 – DEP refuses to certify Moose Hill as a public water supply.
1987 - DEP certifies Moose Hill as a source of public drinking water.
1995 - Land transfer voted at 1994 ATM put on hold until demarcation of property lines is complete.
1998 - Joint venture between Moose Hill Commission and LWSD under discussion for Rte. 9 west.
2000 - Joint venture on hold due to scheduling of Rte. 9 reconstruction by Mass DOT.
2008 – Moose Hill Water report issued by SEA consulting.
2008 – DEP issues its New Source Approval Process letter.
2011 – Moose Hill seeking additional land to complement the 4 acres it believes was acquired in 2000, which DCR states did not occur.
2016 – Moose Hill participates in the WPI study.
2017 – White Water study completed.

Moose Hill Financial Articles

- STM July 30, 1973 (2b) - \$349,000 for development of a supplemental water supply.
- STM November 10, 1975 (3) - \$600 to the Moose Hill legal account.

- STM Jan 17 1977 – Moose Hill Water Commission formed.
- ATM May 7, 1977 - \$8500 to fund engineering of Moose Hill Pipeline STM Aug 30, 1977 – Borrowing authorization of \$300,000 to construct Moose Hill Reservoir.
- STM Feb 6, 1979 - \$25,000 borrowing authorization for Moose Hill Dam.
- ATM May 2, 1982 - \$44,000 raised for Moose Hill engineering.
- ATM May 7, 1983 - \$5,500 for sanitary survey.
- ATM May 1985 - \$9,500 Moose Hill Engineering.
- ATM May 7, 1986 \$26,000 to fund a comprehensive aquifer plan study.
- STM November 1986 - \$42,707.50 for debt and interest incurred for the design of the Moose Hill watershed project.
- ATM May 2, 1988 (33).3 - \$13,000 for professional assistance to the ad hoc committee for the Moose Hill Reservoir via ATM (33)
- ATM May 2, 1988 (44) - \$12,500 for Water Management Act compliance for the Moose Hill Reservoir via ATM.
- ATM May 4, 1992 (16) - \$15,000 for land taking plans and complete a real estate appraisal for the Moose Hill Reservoir via ATM.
- STM December 1992 (6) - \$15,000 borrowing authorization for preparing land taking plans and providing a real estate appraisal for the Moose Hill Reservoir.
- ATM May 3, 1993 (25) Borrowing Authorization of \$50,000 to complete pilot testing for eventual treatment of Moose Hill Reservoir as a treatment facility.
- ATM May 1, 1995 (44)-Borrowing authorization of \$44,000 to pay for the conceptual design and financial planning of the treatment plant at the Moose Hill Reservoir.
- STM September 23, 1996 (13) - \$1,500 for survey of Moose Hill.
- STM October 28, 2004 (7) - \$216,000 appropriated to pay two loans issued through USDA.
- ATM May 7, 2007 (23) - \$20,000 for a Moose Hill feasibility study.

Total: \$981,807.50 – This total excludes the payoff of earlier borrowings from 2004, but none of the borrowing appropriations on this list include the interest paid.

Other Moose Hill Articles

- ATM May 2, 1982 – Pass over rescinding the article creating Moose Hill Commission; allowing for the appointment.
- ATM May 2, 1994 (22) – Petition the General Court for land transfer without consideration for 175,480 sf for a drinking water facility.

Other Water/Sewer Articles

- STM April 3, 1979 - \$330,000 – Borrowing authorization for water mains and water meters for Cherry Valley and Oxford –Rochdale via STM.
- ATM May 7, 1990 (30) – Authorized adoption of an administrative fee to be added for use of the Upper Blackstone Water Pollution Control System.
- STM May 4, 1992 (5) - \$65,000 for water filtration systems for residents under the BOH.
- STM May 6, 1996 (8) – Agreement with LWSD for extension of sewer lines on Breezy Green Road, Rogers Drive, And Hillcrest Road and collection of betterments.

- STM November 14, 2001 (15) – Borrowing authorization 1.6 million + transfer of \$20,000 for the installation of water mains on Rte. 9 west later immortalized per May 13, 2003 agreement between Town and LWSD.
- ATM May 4, 2004 (25) – Additional authorization of \$225,000 regarding purpose established by Article 15 of the 11/14/2001 STM.
- ATM May 4, 2015 (15) \$40,000 to fund a comprehensive water/wastewater infrastructure study.

In light of this information, I believe that we should have further discussion about Article 26. I have also written the agenda to allow for further discussion on any other article on the warrant, if the Board wishes to do so.

Please contact me with any questions.

Attachments:

Email from Thomas LaRosa of DCR detailing ownership of Moose Hill

Email from Mary Jude Pigsley (03/16/2019) detailing the challenges in developing Moose Hill
Moose Hill ownership packet

November 3, 2008 DEP developmental process letter to Moose Hill

Genereux, David

From: LaRosa, Thomas (DCR) <thomas.larosa@state.ma.us>
Sent: Thursday, April 25, 2019 12:57 PM
To: Genereux, David
Cc: Pierce, Sean (DCR)
Subject: RE: Moose Hill - Leicester, MA

Hi David,

I am following up on your request. Moose Hill Reservoir and surrounding land in Spencer and Leicester is owned by the Commonwealth of Massachusetts. The land (and the land that is under the water) was acquired by the Commonwealth, acting by and through its Water Resources Commission, under a number orders of taking in accordance with Chapters 21 and 79 of the General Laws and Chapter 571 of the Acts of 1962, as amended by Chapter 506 of the Acts of 1978. DCR administers lands originally acquired by the Water Resource Commission. I am not aware of any of the subject land being acquired from the Town of Leicester, and nothing in the takings by the Commonwealth created any rights in favor of the town. Further, I have identified no water rights held by the town. If the town moves forward with the acquisition of land authorized under Chapter 246 of the Acts of 2000, I note that remaining Commonwealth-owned reservoir lands would need to remain available for passive recreation by the public in accordance with section 3 of the 1962 Act.

I hope this responds to your inquiry. Thank you.

Tom



Thomas J. LaRosa
Deputy General Counsel
Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114
617.626.4994 office; 617.626.1301 fax
Thomas.LaRosa@mass.gov



Please consider the environment before printing this e-mail

From: Genereux, David <genereuxd@leicesterma.org>
Sent: Thursday, April 25, 2019 9:04 AM
To: LaRosa, Thomas (DCR) <thomas.larosa@mass.gov>; Pierce, Sean (DCR) <Sean.Pierce@mass.gov>
Subject: RE: Moose Hill - Leicester, MA

Hi Tom,

I was asked by my Select Board if you could possibly send me a email that states that DCR has ownership and responsibility for Moose Hill, and that the Town currently has no water rights to the property?

I'm putting a packet together for the Board today, and would appreciate it greatly if you could get a note to be as soon as it is convenient.

Regards,

David A. Genereux

Genereux, David

From: Pigsley, MaryJude (DEP) <maryjude.pigsley@state.ma.us>
Sent: Tuesday, March 26, 2019 3:11 PM
To: Genereux, David
Subject: Moose Hill Reservoir
Attachments: Leicester-Moose Hill-pre app TA-2008-11-03.pdf

Good afternoon David,

Following up on our discussion yesterday about the potential development of the Moose Hill Reservoir as a public water supply source, I spoke again with the drinking water program here in the region. On Friday, I forwarded to you the 2017 cost analysis and timeline prepared for the Town; the cost was estimated at that time to be more than \$16 million, with a ten year timeline. In 2008, we sent the attached letter to the Moose Hill Water Commission outlining the steps that would be required under MassDEP's drinking water regulations to develop a new water supply. As you will note, the process has many steps and would likely involve other state agencies. The object of having a pre-permitting coordination meeting would be to determine which other agencies would need to be involved so that MassDEP could coordinate with those agencies to make sure the permitting process would proceed smoothly.

In addition to the cost and schedule, we discussed the treatment that would be required to use a surface water body as a drinking water source. As you know, Henshaw Pond was used as a water supply source for the Cherry Valley and Rochdale Water District. Under the Surface Water Treatment Rule in MassDEP's regulations, systems that use surface water sources must provide filtration and/or disinfection to remove bacteria and viruses that could be present including *giardia lamblia*, *Legionella*, and other organisms. The disinfectants can generate as by-products certain cancer-causing compounds. At Henshaw Pond, these disinfectant by-products exceeded MassDEP's limits, so CVPWD conducted a pilot study of an alternate treatment system. Unfortunately, the result of that pilot study was that the alternate system would not achieve compliance with the regulations, so Henshaw Pond cannot safely be used as a drinking water supply. I raise this issue as a cautionary note regarding the challenges of treating surface water to the regulatory limits; these challenges may result in greater costs for treatment, or even, as with Henshaw Pond, the discovery that the water cannot be treated effectively.

I hope this clarifies our conversation, but please let me know if you have any questions.

Mary Jude Pigsley
Regional Director
Massachusetts Department of Environmental Protection
8 New Bond Street
Worcester, MA 01606
508-767-2834
508-792-7621(fax)

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SPECIAL TOWN MEETING

JANUARY 17, 1977

Worcester, ss.

To a Constable of the Town of Leicester

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Leicester who are qualified to vote in the Town Elections and Town Affairs, to meet at the Leicester High School Auditorium on Winslow Avenue on January 17, 1977 at 7:00 P.M. then and there to act on the following articles, namely:

ARTICLE 1. To see if the Town will hear reports of Committees and take any action thereon.

✓ ARTICLE 2. To see if the Town will vote to transfer from available funds, sums of money to various departments in need of funds to pay Departmental bills incurred prior to July 1, 1976, or take any action thereon.

✓ ARTICLE 3. To see if the Town will vote to authorize the Selectmen to expend Federal Anti-Recessionary Funds for the maintenance of levels of public employment and of basic services or take any action thereon.

✓ ARTICLE 4. To see if the Town will vote to transfer from available funds a sum of money for the completion of the Recreation Center or take any action thereon. (Sponsored by the Recreation Committee.)

✓ ARTICLE 5. To see if the Town will vote to create a Town Water Commission to oversee the Moose Hill Reservoir Project. The Commission should consist of three members; one elected to a three year term, one elected to a two year term, and one elected to a one year term, or take any action thereon.

✓ ARTICLE 6. To see if the Town will vote to create a Town Water Department or a Town Water District in order to deliver water from the Moose Hill Reservoir to the various districts in Town, or take any action thereon.

✓ ARTICLE 7. To see if the Town will vote to transfer from available funds a sum of money for engineering costs for plans for a Moose Hill pipeline, treatment plant, and Town-wide Water Master Plan, or take any action thereon.

✓ ARTICLE 8. To see if the Town will vote to establish permissive parking regulations on Route 9. (Sponsored by Selectman Leonard S. Gabrila.)

✓ ARTICLE 9. To see if the Town will vote to accept drainage easements on Atwood and Folsom Streets, or take any action thereon.

✓ ARTICLE 10. To see if the Town will vote to authorize the Selectmen to seek funds for a Town Ambulance Service in accordance with the Emergency Medical Services Act of 1973, or take any action thereon.

✓ ARTICLE 11. To see if the Town will vote to transfer from available funds a sum of money for the Conservation Commission to contract Lycott Chemical Co., Inc. for a preliminary water study, or take any action thereon. (Sponsored by the Conservation Commission.)

✓ ARTICLE 12. To see if the Town will vote to transfer from available funds a sum of money for a Town-wide water study, or take any action thereon. (Sponsored by the Conservation Commission.)

✓ ARTICLE 13. To see if the Town will vote to create a committee to study parking alternatives for Town Buildings, or take any action thereon.

✓ ARTICLE 14. To see if the Town will vote to transfer from available funds a sum of money for the Veterans' Squares Account, or take any action thereon. (Sponsored by Mr. John Keenan, Veterans' Square Officer.)

✓ ARTICLE 15. To see if the Town will vote to transfer from available funds a sum of money to the Town Treasurer's Account to be used for Land Court fees, or take any action thereon. (Sponsored by Mr. Robert Cleary, Town Treasurer.)

✓ ARTICLE 16. To see if the Town will vote to transfer from available funds a sum of money to the Fire Department to adjust Firemen's pay to coincide with the Town's Fiscal Year end, or take any action thereon. (Sponsored by the Fire Department.)



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

SENATOR GUY W. GLODIS
SECOND WORCESTER DISTRICT
ROOM 413B, STATE HOUSE
TEL. 617-722-1485
FAX 617-722-1066

DISTRICT OFFICE:
334 SOUTHBRIDGE STREET
AUBURN, MA 01501
TEL. 508-721-9185
GGlodis@senate.state.ma.us

COMMITTEES:
ELECTION LAWS (CHAIRMAN)
STEERING AND POLICY
STATE ADMINISTRATION
ENERGY

July 31, 2000

Mr. Michael Knox
750 Whittemore St.
Cherry Valley, Ma. 01611

Dear Mr. Knox:

I am pleased to notify you that the legislature recently approved legislation proposed by myself and Representative John Binienda authorizing the transfer of state land to the Town of Leicester. This legislation, if signed by the Governor, will allow the Town of Leicester to acquire land for the construction of a water treatment facility to be managed by the Moose Hill Water Commission.

This effort is the culmination of a process begun in 1962 with the creation of the state flood control facility, in order to address possible water supply concerns. With Leicester's consistent growth and blossoming development possibilities, this bill is important to both meeting current water supply needs as well as preparing for future municipal needs, and I look forward to working with you in bringing this project to fruition.

Sincerely,

Guy W. Glodis, State Senator
Second Worcester District

NOTED
RECEIVED
JUL 31 2000
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON, MA 02133-1053

**PROPERTY LOCATION**

No.	AttNo.	Direction/Street/City
		MOOSE HILL RD, LEICESTER
OWNERSHIP		
Owner 1:	COMMONWEALTH OF MASS	
Owner 2:	WATER RESOURCES COMM	
Owner 3:		
Street 1:	MOOSE HILL RD	
Street 2:		
Town/City:	LEICESTER	
State/Prov:	MA	Country: N
Postal:	01524	Type:

OWNERSHIP

Owner 1:	COMMONWEALTH OF MASS
Owner 2:	WATER RESOURCES COMM
Owner 3:	
Street 1:	MOOSE HILL RD
Street 2:	
Twn/City:	LEICESTER
SLP/To:	MA
SLP/From:	
Postal:	01524
Type:	

PREVIOUS OWNER

Owner 1	COMMONWEALTH OF MASS.		
Owner 2	WATER RESOURCES COMM -		
Street	MOOSE HILL RD		
Town/City	LEICESTER		
State/Zip	MA	City	
Postal	01524		

NARRATIVE DESCRIPTION

This Parcel contains 10.12 ACRES of land mainly classified as COMMASS

OTHER ASSESSMENTS

[illegible]

PROPERTY FACTORS

Item	Code	Sub	AG	Descp	%	Item	Code	Descp
Z	SA				100	L		
B						SL		
n						SL		
CA	CA					Exempt		
D						Topo		
S						Street		
T						Traffic		

LAND SECTION (First 7 lines only)

[illegible]

IN PROCESS APPRAISAL SUMMARY

[illegible]

PREVIOUS ASSESSMENT

Year	Qtr	Use	Cat	Bldg Value	Yr Items	Land Size	Land Value	Total Value	Assets Value	Notes	Date
2019	901	FV			0	10.12	79,900	79,900	79,900	3rd 4th	11/13/2018
2019	901	TB			0	10.12	79,900	79,900	79,900	1st and 2nd billing 1y19	5/18/2018
2018	901	FV			0	10.12	79,900	79,900	79,900		10/10/2017
2018	901	TB			0	10.12	79,900	79,900	79,900	18 PRELIM	6/13/2017
2017	901	FV			0	10.12	79,900	79,900	79,900		9/20/2016
2017	901	IN			0	10.12	79,900	79,900	79,900		6/27/2016
2017	901	TB			0	10.12	94,300	94,300	94,300	1st 2nd quarter billing	5/16/2016
2016	901	FV			0	10.12	94,300	94,300	94,300	3rd 4th	11/4/2015

SALES INFORMATION

[illegible]

BUILDING PERMITS

[illegible]

ACTIVITY INFORMATION

[illegible]

THESE

[illegible]



PROPERTY LOCATION

No.	Alt No.	Direction/Street/City
		MOOSE HILL RD, LEICESTER

OWNERSHIP

Owner 1	COMMONWEALTH OF MASS		
Owner 2	WATER RESOURCES COMM		
Owner 3			
Street 1	MOOSE HILL ROAD		
Street 2			
Locality	LEICESTER		
St/Prov	MA	City	
Postal	01624	ZIP	
County			
State			

PREVIOUS OWNER

Owner 1	COMMONWEALTH OF MASS -
Owner 2	WATER RESOURCES COMM -
Street	MOOSE HILL ROAD
Town/City	LEICESTER
State/Prov	MA
Postal	01524

NARRATIVE DESCRIPTION

This Parcel contains 1.99 ACRES of land mainly classified as COMMASS

OTHER ASSESSMENTS

[illegible]

PROPERTY FACTORS

Client	SA	Code	Sub-AG	%	Herrn	Code	Description
Z	SA		SUB-AG	100	D		
p					t		
d							
	Genus:				Exmp		
Flood Haz							
D					Topo		
US					Street		
t					Traffic		

LAND SECTION (First 7 lines only)

[illegible]

Total AC/HA	1.99005	Total SF/SM	86686.58
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IN PROCESS APPRAISAL SUMMARY

[illegible]

PREVIOUS ASSESSMENT

ITEM CODE		CO		COMMENT		ITEM CODE		CO		COMMENT		ITEM CODE		CO		COMMENT		
Track	Use	Cat	Qty	Value	Qty	Value	Track	Use	Cat	Qty	Value	Qty	Value	Track	Use	Cat	Qty	Value
2019	901	FV			0	1.99	2019	901	FV		58,800	58,800	58,800	3rd 4th			11/13/2018	
2019	901	TB			0	1.99	2019	901	TB		58,800	58,800	58,800	1st and 2nd billing	fy19		6/18/2018	
2018	901	FV			0	1.99	2018	901	FV		58,800	58,800	58,800				10/10/2017	
2018	901	TB			0	1.99	2018	901	TB		58,800	58,800	58,800	PRELIM			6/13/2017	
2017	901	FV			0	1.99	2017	901	FV		58,800	58,800	58,800				9/20/2016	
2017	901	TB			0	1.99	2017	901	TB		58,800	58,800	58,800				6/27/2016	
2017	901	IN			0	1.99	2017	901	IN		73,200	73,200	73,200	1st 2nd quarter billing			5/16/2016	
2016	901	FV			0	1.99	2016	901	FV		73,200	73,200	73,200	3rd 4th			11/14/2015	

SALES INFORMATION

SALES INFORMATION				FINANCIAL INFORMATION				
Grantor	Legal Ref.	Type	Date	Sale Code	Sale Price	V	Tot. Vent	Assoc POE Value
						No	No	
JOHNSTON EDWIN	6255-91		8/9/1977					

TAX DISTRICT

	Sale Price	V	Tst	Verit	Assoc PCL Value
No	No	No	No	No	No

PAT ACCT.

V Tst Verif		Assoc PC Value	
No	No	No	No

BUILDING PERMITS

[illegible]

ACTIVITY INFORMATION

[illegible]

THE NEW YORK PUBLIC LIBRARY

[illegible]

Total	58,849	Sp. Credit
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Table 3: Commonwealth-Owned Real Property by Executive Office and Agency

Executive Office	Agency	Municipality	Facility Name	Acreage	# Impvts	GSF
Executive Office of Energy and Environmental Affairs	DFG					
		Hatfield	Connecticut River Access	4.00	0	0
		Hatfield	Wma Great Swamp	42.92	0	0
		Hatfield	Wma Mill River	14.15	0	0
		Hawley	Avery Acquisition	138.00	0	0
		Hawley	Hawley Natural Heritage Area	310.73	0	0
		Hawley	Nelson Acquisition	92.47	0	0
		Hawley	Wma Ashfield-Hawley	100.00	0	0
		Heath	Wma New	82.00	0	0
		Hingham	Back River Wildlife Sanctuary	16.43	0	0
		Hinsdale	Housatonic River Access	59.71	0	0
		Hinsdale	Wma Chalet	1,274.80	0	0
		Hinsdale	Wma Hinsdale Flats	1,861.45	0	0
		Holden	Quinapoxet River Access	188.77	0	0
		Holden	Wachusett Reservoir Watershed	182.31	0	0
		Holden	Wma Poutwater Pond	397.34	0	0
		Holland	Wma Leadmine	343.00	0	0
		Holliston	Winthrop Lake	1.30	0	0
		Holyoke	Beauregard And Fanti Acquisition	162.73	0	0
		Holyoke	Duquette Acquisition	84.95	0	0
		Holyoke	Edmonds Acquisition	64.00	0	0
		Holyoke	Mt. Tom Natural Heritage Area	6.80	0	0
		Holyoke	New Non Game Management Area	84.51	0	0
		Holyoke	Non Game Heritage Area	14.00	0	0
		Holyoke	Wma Broad Brook	1.79	0	0
		Holyoke	Wma East Mountain	110.90	0	0
		Hopkinton	North Pond Public Access	0.18	0	0
		Hopkinton	Wma Sudbury River Corridor	0.75	0	0
		Hubbardston	Natty Brook Access Management Area	95.17	0	0
		Hubbardston	Ware River Watershed	72.00	0	0
		Hubbardston	Wma Hubbardston	1,325.90	0	0
		Hubbardston	Wma Phillipston	69.00	0	0
		Huntington	Wce Huntington	207.00	0	0
		Huntington	Wma Hiram Fox	785.50	0	0
		Huntington	Wma Knightville	708.07	0	0
		Ipswich	North Shore Salt Marsh	179.05	0	0
		Ipswich	Wma Great Marsh North	8.47	0	0
		Lakeville	Wce Assawompsett Pond Complex	564.89	0	0
		Lancaster	Wma Bolton Flats	659.79	0	0
		Lanesborough	American Chestnut Acquisition	779.36	0	0
		Lanesborough	Apr Petricca Farm	115.00	0	0
		Lanesborough	New Natural Heritage Area	88.63	0	0
		Lanesborough	WCE Widow White's Peak	85.00	0	0
		Lanesborough	Wma Chalet	156.70	0	0
		Lanesborough	Wma Chalet	40.73	0	0
		Lee	Laurel Lake Boat Ramp	0.20	0	0
		Lee	Wma Hop Brook	149.40	0	0
		Lee	Wma Housatonic River Valley	307.93	0	0
		Leicester	Wma Moose Hill	160.66	0	0
		Lenox	Wma Housatonic River Valley	583.41	0	0
		Leominster	Access To Whalom Lake	0.52	1	18,000
		Leominster	Wekepeke Wildlife Conservation	107.00	0	0



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Central Regional Office, 627 Main Street, Worcester, MA 01608

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

November 3, 2008

Moose Hill Reservoir Commission
3 Washburn Square
Leicester, MA 01524
Attention: Mr. Kurt Parliament

RE: DWP/Leicester
New Source Approval Process
Moose Hill Reservoir

Dear Mr. Parliament:

MassDEP is in receipt of the report prepared by SEA Consultants, Inc., entitled "*Moose Hill Reservoir Feasibility Evaluation*" dated June 8, 2008. Planning and development of Moose Hill Reservoir as a public water supply began in 1980s, and sporadic work towards this goal has occurred since that time. In 1986, SEA Consultants submitted "*Preliminary Design Report for Moose Hill Reservoir Water Treatment Facility*".

New Source Approval permitting for a Surface Water Reservoir is outlined in Chapter 3 of *Guidelines and Policies for Public Water Systems* (Guidelines). The Guidelines are available for review at <http://www.mass.gov/dep/water/laws/policies.htm#dwguid>. Additional site specific work will be requested as appropriate. This letter is not intended to provide you with a complete listing of each data requirement to permit your Public Drinking Water System reservoir, but is intended to provide guidance, and help you understand the scope of the work that this project will involve.

The first step in the permitting process includes the Preliminary Report which you have provided to MassDEP in the form of the two reports listed above. Some of the information you submitted requires updating, and/or submission of additional information.

Step 1. Preliminary Report and Site Examination for a Source Greater Than 70 gpm (BRP WS 17)

Submit a BRP WS 17 permit application to MassDEP and provide the following information with your permit application:

1. Provide greater details of the proposed location of the multi-port intake structure, including a profile that indicates the depths of the various intakes.
2. A bathymetric map of Moose Hill Reservoir.
3. Map of appropriate scale depicting the Moose Hill Reservoir, its tributaries, and the associated Zones A, B, and C as described in the Definitions section of the Guidelines. Map should also identify proposed locations for water quality monitoring, per item 3 in Step 4 below.
4. Provide an update in the identification of land uses in the Moose Hill Reservoir watershed, identification of the land owned or controlled by the public water supplier, and potential sources of contamination. What changes have occurred since the 1986 summary provided? What lands have you identified for possible purchase by the Commission for watershed protection?
5. Provide maps indicating the extent of the Moose Hill Reservoir's possible service area for the water district, as well as, maps of Leicester's sewer districts. Include areas outside municipal boundaries and any possible interconnections to other Public Water System districts. This information is necessary to determine applicability of the Interbasin Transfer Act.
6. Provide information on the projected population to be served by the Moose Hill Reservoir for use by the Department of Conservation and Recreation (DCR) in developing Water Needs Forecasts for your system.
7. Detailed estimated cost of operations, maintenance, and operation expenses as well as a method to finance capital charges and operation expenses.
8. Complete relevant portions of the Site Screening package which includes:
 - a. Early Notice in the Environmental Monitor of the proposed project. Information to be included in the Notice may be found at:
<http://www.mass.gov/dep/water/laws/enotice.htm>
 - b. Water Conservation Plan for Public Water Suppliers:
<http://www.mass.gov/dep/water/con-wrc.doc>
 - c. Alternatives Analysis: <http://www.mass.gov/dep/water/laws/altana.htm>

Step 2. Site Exam

MassDEP will conduct a Site Exam after the water supplier has gathered the proper information from the property owners and obtained any necessary approvals for visiting the site. At the Site Exam, MassDEP will evaluate the proposed water quality sampling locations and schedule to be followed during the development of the source. MassDEP will conduct a separate site visit for

the purpose of preparing your Watershed Protection Plan and field verification of the Zones A, B, and C provided in Step 1.

Step 3. Coordination Meeting

Attend a meeting arranged by MassDEP with the programs whose approval may be required. The primary goal of this meeting is to establish a schedule for obtaining the necessary approvals from all programs involved. The participants may include:

1. Department of Conservation and Recreation (DCR) for Water Needs Forecasts, dam safety, and Inter Basin Transfer Act concerns.
2. MassDEP Water Management Act Program
3. MassDEP Wetlands Program
4. Massachusetts Department of Fish and Game which includes MassWildlife, Riverways, and the Natural Heritage and Endangered Species Program
5. Army Corps of Engineers
6. MEPA Office

Step 4. Formal Documentation and Final Report for a Source Greater than 70 gpm (BRP WS 19) Permit Process

After successful completion of the BRP WS 17 process, the applicant will be required to submit a permit application for BRP WS 19 Final Report for a Source Greater than 70 gpm which needs to include the following information:

1. Firm Yield must be completed by the applicant. The proponent must contact MassDEP to discuss an acceptable Firm Yield assessment approach. An on-line version of the Firm Yield estimator for *stream* dominated reservoirs may be found at:
<http://www.mass.gov/dep/water/resources/firmyield.htm>
Firm yield estimates for *groundwater* dominated reservoirs may be calculated through the use of Firm Yield II. Alternative methods of calculating the firm yield of your reservoir are acceptable with prior review and approval by MassDEP. To establish the firm yield, at a minimum, you must provide:
 - a. Bathymetric map of Moose Hill Reservoir;
 - b. Estimate of the water needs demand pattern of your service population (average and peak, daily and monthly water use).
2. Hydrogeologic Report – Provide a description of the hydrogeologic system providing recharge to the reservoir and include delineation of the drainage basin.
3. Water Quality Monitoring Report – Extensive water quality data must be collected over the course of one year. The specific sampling plan (frequency and analyses) will be prepared by MassDEP after review of the Site Examination application, site visits, and discussions with the proponent concerning potential treatment plans. The monitoring will

be conducted as close as possible to the proposed intake(s), and at other locations on the reservoir as deemed necessary. At a minimum, the sampling plan is likely to include the following:

- a. Total Coliform and E. Coli– Weekly for 1 year;
 - b. Turbidity, Color, Odor, Temperature, Suspended and Total Dissolved Solids – Weekly for one year;
 - c. Secondary Contaminants, as listed in Appendix A, to address reservoir turnover- Spring and Fall;
 - d. Safe Drinking Water Act Contaminants – During Spring turnover;
 - e. Total Organic Carbon – Seasonally
 - f. Giardia and Cryptosporidium – Every other month for one year
 - g. Nitrogen (nitrite, nitrate, ammonia) – Monthly;
 - h. Total Trihalomethane Formation Potential – Monthly in July, August, and September;
 - i. Algae – Monthly throughout the year at intake, major tributaries and at one or more locations in the reservoir;
 - j. Perchlorate – One sample collected during low flow conditions in August, September, or October.
 - k. Analyses needed to demonstrate the proposed treatment system will comply with the Long Term 2 Enhanced Surface Water Treatment Rule (LT2) and the Stage 2 Disinfection Byproducts Rule (DBPR).
4. Watershed Resource Protection Plan – Guidance can be found in the document “Developing a Local Surface Water Supply Protection Plan”, MassDEP, 2000.
 5. Zone A Surface Water Protection Zoning and Non-Zoning Controls – You must demonstrate compliance with the Surface Water Supply Protection requirements of the Drinking Water Regulations (310 CMR 20.20C).
 6. Proposed Treatment Plan – Surface water suppliers are subject to the Surface Water Treatment Rule (SWTR), as written in the Drinking Water Regulations (310 CMR 22.20A). Treatment of the source must be determined through piloting according to Policy 90-04, Pilot Study Requirements for Proposed Treatment.
 7. Water Supply Business Plan – Demonstrate the public water system has the technical, financial, and managerial ability to operate in compliance with 310 CMR 22.00, the Department’s “Guidelines and Policies for Public Water System” and each National Primary Drinking Water Regulation in effect at the time of such approval and in the foreseeable future.
 8. MEPA – Demonstrate compliance with the MEPA requirements. At a minimum, you will be required to file an Environmental Notification Form (ENF) for public review and comment.
 9. Water Management Act Permit Application (OWM WM03).

Step 5. Construction and Final Approvals

1. Permit Application BRP WS 20 – Approval to Construct a Source Greater than 70 gpm
2. Permit Application BRP WS 21 – Treatment System Pilot Study Proposal
3. Permit Application BRP WS22 – Treatment System Pilot Study Final Report
4. Permit Application BRP WS 24 – Construct a Treatment Facility Greater than 1 million gallons per day.
5. Regulatory revision to 314 CMR 4.00 – Massachusetts Surface Water Quality Standards to designate the approved surface water body and its tributaries as Class A water bodies.

This letter is intended to provide you with the extent of the permitting and data collection needed to permit Moose Hill Reservoir as a Public Drinking Water System. After you have had the opportunity to review the information, please feel free to contact us to arrange a meeting to discuss the details.

Thank you, and if you have any immediate questions, feel free to call Barbara Kickham at (508) 767-2724, Purna Rao at (508) 767-2784, or myself at (508) 767-2827.

Sincerely,



Marielle Stone
Section Chief
Drinking Water Program

CC: Robert Reed, Town Administrator-Leicester
Paul Blain, MassDEP-DWP-Boston
Duane LeVangie, MassDEP-WMA-Boston
MassDEP DWP Program File Copy
MassDEP DWP Correspondence Copy

AGREEMENT FOR EXPANSION OF WATER AND SEWER SERVICE ALONG ROUTE 9
BETWEEN
LEICESTER WATER SUPPLY DISTRICT
AND
TOWN OF LEICESTER

THIS AGREEMENT made and entered into this 13th day of May, 2003, by and between the Leicester Water Supply District ("District"), a body corporate established under Chapter 171 of the Acts of 1887, as amended, and Chapter 181 of the Acts of 1893, as amended, acting by and through its duly constituted Board of Commissioners, having principal offices at 124 Pine Street, Leicester, Massachusetts 01524, and the Town of Leicester, a municipal corporation with a usual place of business at Washburn Square, Leicester, Massachusetts 01524, as it is acting through its Board of Selectmen and referenced as the "Town."

The immediate intent of this Agreement the Town and the District are mutually entering into is to provide an interim water supply and sewer connection for the rezoned portion of Route 9 West recently accepted by the District to be included within its boundaries. This Agreement will assist the Town in promoting the rezoned Route 9 West corridor for business activities.

It is understood that current District plant capacities for water and sewer are limited and will only provide an interim solution. Therefore, the long-range goal of the Town and the District shall be the development of the Moose Hill Reservoir and/or Shaw Pond as a primary water source for the entire Town. The water transmission main being installed under this Agreement would then become a key component for the distribution of these water sources.

In consideration of the mutual promises herein contained, the Town and the District agree as follows:

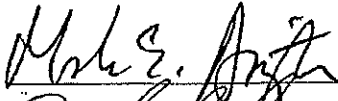
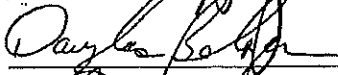
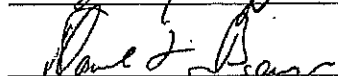



1. The Town and the District have been duly authorized to enter into this Agreement by a vote of the Town Meeting for the Town of Leicester and a vote of the District Meeting for the Leicester Water Supply District, attested copies of which are attached hereto as "Exhibit 1" as to the Town vote, and "Exhibit 2" as to the District vote.
2. The District has expanded the District limits to include all the properties that are adjacent to and that abut Route 9 from the expanded District limits at Mt. Pleasant Drive to the Spencer Town line including the West Main Street section.
3. The Town has rezoned Route 9 from Residential to Business Industrial Zoning.
4. The Town shall construct a Water Line in Route 9 and West Main Street and Water Booster Station on property purchased by the District in the vicinity of 1340 Main Street also known as Mt. Pleasant. The Water Line shall be financed and paid for by the town and constructed under Massachusetts Highway Project 600858-02. The Water Booster Station shall be financed and paid for by the town and constructed as part of a joint Town/District construction project.

5. The District shall construct a Sewer Line in Route 9 and West Main Street and Sewer Pump Station on or adjacent to Town Beach Road. The Sewer Line shall be financed and paid for by the District and constructed under Massachusetts Highway Project 600858-02. The Sewer Pump Station shall be constructed by the District.
6. The District shall provide water to the water transmission line from the intersection of Route 9 and Route 56 to the extension on West Main Street. The connection to the water booster station shall be built by the Town on Route 9 on property purchased by the District in the vicinity of 1340 Main Street also known as Mt. Pleasant. The water line from Route 56 to the pump station shall be utilized as the feed line to the booster station until the Moose Hill Reservoir facility is in operation.
7. The District shall provide sewer service to the existing residential properties and to all current and future commercial and industrial properties within the District.
8. The District shall provide water service and limited fire protection service west to Spencer Town Line including West Main Street through the water main from the booster station until such time as Moose Hill Reservoir facility pumps water from the reservoir.
9. Ownership of the water mains and Water Booster Station, after construction and acceptance by the Town, shall be relinquished to the District with the perpetual rights reserved to the Town to transmit water through the water mains from the Moose Hill facility to the distribution points at Route 9 and Route 56. The connection to the District system shall remain and shall be used as a distribution connection between the new water transmission main and the existing distribution main of the District for metering purposes from the Moose Hill Reservoir facility. The District shall meter any water usage at the District's expense once water is supplied from Moose Hill Reservoir, for payment to the Town at a rate and method of payment to be mutually agreed upon by the Town and the District.
10. The District shall construct and own a water storage tank at the District's expense at a later date to provide fire flow storage and future water storage from the Moose Hill Reservoir facility. Once the Town utilizes said tank for water storage, any maintenance and/or use costs shall be negotiated between the Town and the District.
11. All connections made to the newly installed water mains in the Route 9 West corridor shall be serviced by the District. All connection/entrance fees shall be determined by and belong to the District.
12. All operational and maintenance costs related to the water mains and water booster station installed shall be the responsibility of the District.

13. Once Moose Hill Reservoir facility water is provided to the water mains, the water mains shall also become a distribution/transmission main from the Moose Hill Reservoir facility. The booster pump station shall become a standby station in the event the Moose Hill Reservoir facility is taken off line or placed out of service. Any connections made to the water main between the facility and the Route 9/Route 56 intersection shall be metered for water and the District shall compensate the Town for the water used. The rate for water so metered shall be determined by the formula described on "Exhibit 3" attached hereto.
14. Connections to the water transmission mains, which shall include metering devices, structures, and appurtenances at the Route 9--Route 56 termination for the Cherry Valley and Rochdale District and the Hillcrest District shall be the responsibility of each District. No water shall be provided to these Districts until Moose Hill Reservoir facility is supplying water unless otherwise agreed to by the Leicester Water Supply District.
15. This agreement is entered into under the authority of Mass. General Laws Chapter 40, Section 4A, shall be governed by the terms of said Chapter 40, section 4A, and shall have a term of twenty-five years beginning on the date of the execution of this Agreement.
16. Annually during construction, the Town and the District shall cooperate in conducting an audit of the funds so expended under this Agreement and will provide a consolidated financial statement in a form approved by the Treasurer of the District and the Accountant of the Town setting forth all funds received by the project and expended together with such other pertinent financial information as may be deemed necessary by the respective officers of each party. Upon completion of the project, the Town and District shall prepare a final audit report for the project.
17. The financial liability of each party shall not exceed the amount appropriated by the Town at its town meetings, either annual or special, and by the District at its district meetings, either annual or special.
18. Annually, the Town, represented by a member of the Board of Selectmen, a member of the Moose Hill Water Commission and the Town Administrator, shall meet with the District Commissioners to review and discuss the current water and sewer capacities and water distribution system of the District. Information shared through this meeting will be utilized by all parties to promote the development of Moose Hill Reservoir and/or Shaw Pond as a primary water source and to market the Route 9 West corridor for business development.

IN WITNESS WHEREOF, the Town and the District have executed this document in the name of the inhabitants of the Town of Leicester and the Leicester Water Supply District, this 13th day of May, 2003.

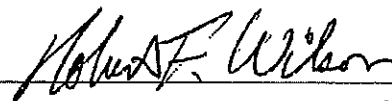
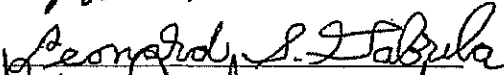
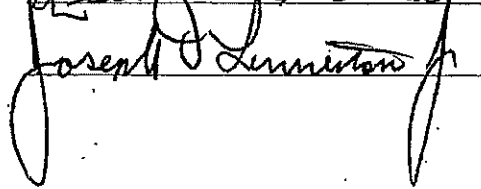
TOWN OF LEICESTER
By its Board of Selectmen:









Approved as to form:


Town Counsel

LEICESTER WATER SUPPLY DISTRICT
By its District Commissioners:


District Counsel

LEICESTER WATER SUPPLY DISTRICT

124 Pine Street - P.O. Box 86
LEICESTER, MASSACHUSETTS 01524
April 27, 2000

TRUE COPY ATTEST
[Signature]
5/13/03

Minutes of the 114th Annual Meeting
Leicester Water Supply District
April 24, 2001

In accordance with the warrant legally served and posted, the legal voters of the Leicester Water Supply District met in the Town of Leicester Town Hall, 3 Washburn Square, in the Town of Leicester on Tuesday April 24, 2001 at half past seven in the evening and acted on the following Articles, viz::

The meeting was called to order at 7:45 p.m. by the District Moderator Leonard S. Gabrila after being moved from Room 3 of the town offices to the main Auditorium of the Town Hall because there wasn't enough seating to accommodate all the voters. A Quorum was declared with 77 signed in voting residence.

A Motion was made by the Moderator to dispense with the reading of the Articles as everyone present had a copy of the Warrant. A second was made and voted in the affirmative. None opposed.

ARTICLE 1 A motion was made to dispense with the reading of the Officers Reports as copies of the 113th Annual Report were present and that the reports of the District Officers be accepted with the exception of any typographical errors. A second was made and voted. None opposed.

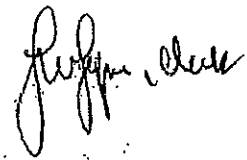
ARTICLE 2 Robert F. Wilson nominate Frank W. Lyon for Clerk for a term of one year. Motion was seconded and nominations were closed. Motion was made and seconded that the Moderator cast one ballot for Frank W. Lyon, Clerk, None opposed.

J. Donald Lennerton nominate Lillian A. Dorr for Treasurer for a term of one year. Motion was seconded and nominations were closed. Motion was made and seconded that the Clerk cast one ballot for Lillian A. Dorr Treasurer. None opposed.

Robert F. Wilson nominated Kellie A. Tyndall for District Auditor for a term of one year. Motion was seconded and nominations were closed. Motion was made and seconded that the Clerk cast one ballot for Kellie A. Tyndall for Auditor. None opposed.

ARTICLE 3 Robert F. Wilson nominated Leonard S. Gabrila for Water Commissioner for a term of three years. Motion was seconded.
Giacomo Ferraro nominated Robert J. Meyers for Water Commissioner for a term of 3 years. Motion was seconded.

The Clerk reported that both candidates had met the by-law requirement of a written three day notice prior to the meeting date and time. Ballots were distributed to the registered confirmed District members.



To transfer from the Lake Sargent Drive Paxton Street Lateral Account

To Maturing Debt (Principal).....	\$	7,960.00
To Interest on Debt (Interest).....		11,940.00
TOTAL.....	\$	19,900.00

An overview was presented by Frank W. Lyon, Superintendent, for the 2001 budget with an explanation to the special transfers from the 4 different Sewer Lateral projects.

The motion was seconded and voted: None opposed

ARTICLE 6 J. Donald Lennerton made the motion that he District vote to authorize the Treasurer with the approval of the Commissioners to borrow in anticipation of the revenue for the fiscal year beginning July 1, 2001, in accordance with the General Laws, Chapter 44, Section 4 and Acts in amendment thereon and including in addition thereto, Chapter 849 of the Acts of 1969, as amended, by issuing a note or notes payable within one year and to renew any note or notes as may be given for a period of less than one year, in accordance with the General Laws, Chapter 44, Section 17.

The motion was seconded and voted: None opposed:

ARTICLE 7 Frank W. Lyon made the motion that the District vote to transfer from Available Funds the sum of Thirty Thousand Dollars (\$38,000.00) for the purchase of a 2001 1Ton Dump Truck as per the Bid and specifications in the Hands of the Commissioners and to allow the Commissioners to advertise and sell the 1987 Ford 1 Ton Dump truck to the highest Bidder.

The motion was seconded and voted: None opposed:

ARTICLE 8 Robert F. Wilson made the motion that he District vote to transfer from Available Funds the Sum of Thirty Thousand Dollars (\$30,000.00) to construct an office for the District at the existing Garage at 124 Pine Street.

Mr. Wilson gave a brief explanation of the need to provide separate office space for the Treasurer and the Commissioners outside of the Wastewater Treatment Plant. Some of the voters verbally agreed.

The motion was seconded and voted: None opposed:

ARTICLE 9 J. Donald Lennerton made the motion that the District vote to authorize the Board of Water Commissioners to enter into an Intermunicipal Agreement with the Hillcrest Sewer District in the town of Leicester for the purpose of treating sewerage flow and maintaining the sewer system of the Hillcrest Sewer District.



Town of Leicester, Massachusetts

Annual Town Meeting Warrant

Annual Town Meeting – May 7th, 2019 – 7:00PM

“In the Hands of the Voters”

Meeting location:
Town Hall Gymnasium
3 Washburn Square
Leicester, MA 01524

Published April 22, 2019

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Town Rules & Procedures Review

Each Town Meeting is a formal legislative body. As such, we are governed by both Massachusetts General Laws and Chapter Two of Leicester's Town By-Laws. Our proceedings follow "Town Meeting Time, A Handbook of Parliamentary Law", and tradition.

The Town Moderator does not vote, except in cases of a tie vote on the floor.

Town Meetings in Leicester are open only to registered voters.

As members of the town meeting, voters have the right, if they so choose, to present opinions and to ask questions through the moderator in relation to the motion under discussion, and only to the motion under discussion. You have a right to be comfortable with the facts at hand in order to make an informed vote.

A voter wishing to address the meeting through the moderator should approach the microphone and must identify themselves and state their address each time they address the meeting. If it seems that the Moderator is not aware of your desire to speak, please give some signal so that you will be recognized. If you are not able to get to the microphone, please give a signal and a teller or volunteer will bring a microphone to you.

No one may speak to any motion more than twice, except to clarify a point or respond to a question through or from the moderator, and maximum time is ten minutes. Voters must stay on topic with the motion at hand, and personal attacks or slurs of any kind will not be tolerated.

If you have a question as to why something is done in a particular fashion, feel free to ask. Raise that question or issue with the statement, "Point of Order."

If a member of this meeting wishes to move the question, that motion must be made from the microphone. A motion to move the question will not be accepted from the floor. A motion to move the question simply indicates that at least the individual offering the motion to move the question and person making the second have heard all the debate they feel is needed. A seconded motion to move the question is not a debatable motion. At such time, all debate will cease and a vote is taken. A 2/3 majority is required for passage. If the motion to move the question passes, we will immediately vote on the motion which was under discussion in the hands of the meeting. If the motion to move the question is defeated, debate on the motion previously under discussion will resume. This procedure is often misunderstood but is allowed and governed under the By-Laws of the Town of Leicester.

Any motion undertaken by Town Meeting in Leicester may be reconsidered, meaning it can be brought up for a vote a second time. The motion to reconsider a motion must be made within one hour of the taking of the original vote on the motion in question. A motion cannot be brought forward for reconsideration more than once.

Any motion made must be within the scope of the articles posted in the warrant and presented to the moderator in writing.

Respectfully,

Donald A. Cherry, Jr. – Town Moderator

WORCESTER, SS.
To a Constable in the Town of Leicester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Leicester qualified to vote in Town Elections and Town Affairs to meet at the Town Hall Gymnasium, 3 Washburn Square, Leicester, MA on Tuesday, the Seventh day of May 2019 at 7:00 PM, then and there to act on the following articles, namely:

ARTICLE 1 ADJUST FY 2019 BUDGET AND WARRANT ARTICLES

To see if the Town will vote to raise and appropriate, transfer from available funds in the Treasury, transfer from other budget accounts, adjust budgets, or borrow under the provisions of Chapter 44, as amended, such sums of monies as may be necessary to defray expenses and fund various and diverse accounts in the Fiscal Year 2019 operating budget of the Town or take any action thereon.

PROPOSED MOTION

I move that the Town vote to transfer the following sums, totaling \$356,748 from and to the accounts listed in the table below:

From:

Employee Benefits 01-914-5110-002	\$200,000
Liability Insurance 01-945-5700-009	\$3,000
Vocational Tuition ATM 5/18 Art 9 01-100-5219-910	\$40,000
Overlay Surplus	\$91,748
PD – 2 Radar Trailers ATM 5/18 Art 18 01-101-5819-018	\$2,000
MRIP Grant 11-161-3311-021	\$20,000
Total	\$356,748

To:

Reserve Fund 01-130-5700-007	\$29,515
Town Hall Building Maintenance 01-197-5200-006	\$4,500
Other General Government 01-199-5400-005	\$1,300
Other General Government 01-199-5200-004	\$2,200
Police Salaries 01-210-5100-000	\$37,621
Police Expenses 01-210-5400-001	\$2,500
Fire Salaries 01-220-5100-000	\$4,504
Snow and Ice 01-423-5130-000	\$24,000
01-423-5400-006	\$76,000

Veteran's Benefits 01-543-5700-007	\$20,000
Library Wages 01-610-5100-000	\$3,300
Unemployment Compensation 01-913-5110-000	\$15,000
Workers Compensation 01-912-5700-009	\$3,000
High School Roof Project 33-101-5816-005	\$21,308
Town Hall Accessibility Improvements 30-101-5816-002	\$40,000
Blighted Building Control 01-100-5200-006	\$50,000
PD – Automated License Plate Reader 01-101-5819-007	\$2,000
Town Clerk Records Retention	\$20,000
Total	\$356,748

FINANCE ADVISORY BOARD RECOMMENDATION **Favorable Action (4-1-0)**

SELECT BOARD RECOMMENDATION **Favorable Action (5-0-0)**

DESCRIPTION

This article would amend the Fiscal Year 2019 (current) operating budget and various existing warrant articles by transferring funds from five (5) current fiscal year accounts that have forecast surpluses to the following accounts:

Reserve Fund: \$29,515 requested to reimburse the Reserve Fund for transfers made to fund the unemployment budget which went into deficit due to a number of claims.

Town Hall Building Maintenance: \$4,500 requested for payment of utility bills that are currently being reviewed.

Other General Government: \$1,300 requested for postage meter lease
 \$2,200 requested for increase to the Honeywell service contract

Police Salaries: \$37,621 requested to pay for the retirement payouts of two former employees.

Police Expenses: \$2,500 requested to pay for updated parking ticket books.

Fire Salaries: \$4,504 requested for benefits payout on employee who was injured on duty.

Snow/Ice: \$100,000 requested to fund the FY 2019 snow and ice deficit.

Veterans Benefits: \$20,000 requested to cover new veterans claims. These claims are reimbursed at the rate of 75% by the Commonwealth, but that funding is a general fund revenue.

Library Wages: \$3,300 requested to pay for updated salaries in accordance with the Class and Comp plan approved by the Select Board last summer.

Unemployment Compensation: \$15,000 requested to cover ongoing claims which began last July and have drained the budget resulting in two reserve fund transfers totaling \$29,515.

Workers Compensation: \$3,000 requested to fund a shortfall due to the payout of various deductibles for unforeseen claims.

High School Roof Project: \$21,308 requested to cover project costs deemed ineligible for reimbursement by the MSBA.

Town Hall Accessibility: \$40,000 requested to remove the non-compliant handicap ramp on the west side of the building, to be followed by the reconstruction of the parking lot and to install a swipe card system on the front door of the building.

Blighted Building Control: \$50,000 requested to remove a condemned town-owned building at 275 Pleasant Street.

PD Automated License Plate Reader: \$2,000 requested to cover costs associated with the purchase of the new PD automated license plate reader as approved in the FY19 Capital Plan.

Town Clerk Records Retention - \$20,000 sought to install records management system in the Town Clerk's records room.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote.

ARTICLE 2 FY 2019 CAPITAL IMPROVEMENT PLAN

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies to fund the Capital Improvement Plan budget beginning July 1, 2018 and authorize the Select Board to enter into lease purchase agreement(s) for a term of years and to transfer from available funds a sum of money to pay for the initial installments of the lease/purchase agreement(s), or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$90,081 from Free Cash to fund the Fiscal Year 2019 Capital Improvement Plan budget to pay for ongoing installments of a lease/purchase agreement for an Aerialscope Tower Truck, year three of a five year lease.

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (4-1-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

This article seeks funding from Free Cash to fund one continuing lease/purchase agreement.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote.

ARTICLE 3 CIVIL SERVICE ASSESSMENT FUNDING

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of monies to fund costs associated with administering police civil service promotional activities or take any action thereon.

PROPOSED MOTION

I move the Town transfer \$20,000 from Free Cash to fund costs associated with funding police civil service promotional activities.

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION **Favorable Action (4-1-0)**

DESCRIPTION

This article seeks funding for the police command position assessments as required by Civil Service.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote.

ARTICLE 4 FUNDING IMPROVEMENTS AT TOWN PARKS

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies to fund improvements at town parks or take any action thereon.

PROPOSED MOTION

I move the Town raise and appropriate \$25,000 to fund improvements at town parks, the application of said funding to be prioritized by the Leicester Highway Department.

FINANCE ADVISORY BOARD RECOMMENDATION To be given at Town Meeting

SELECT BOARD RECOMMENDATION **Favorable Action (4-1-0)**

DESCRIPTION

This article seeks funding for the maintenance of town parks, several of which have fallen into disrepair. It is anticipated that these funds will be used to restore lighting, revitalize fields and repair or replace equipment. The source of this \$25,000 in funding is the Cultivate Host Community Agreement.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote, unless funding is sought from the Stabilization Fund. Transfers from the Stabilization Fund require a 9/10th's vote per Town bylaw.

ARTICLE 5 FUNDING HIGHWAY POSITION

To see if the Town will vote to raise and appropriate a sum of monies to fund a Highway Department position, commencing on July 1, 2019, or take any action thereon.

PROPOSED MOTION

I move the Town vote to raise and appropriate \$50,000 to fund a Highway Department position.

FINANCE ADVISORY BOARD RECOMMENDATION To be given at Town Meeting

SELECT BOARD RECOMMENDATION **Unfavorable Action (2-3-0)**

DESCRIPTION

This original purpose of this funding was to hire an employee to serve as a point position for existing and new businesses, write grants and undertake community outreach. At this time, it is recommended that the funding be used to add a Highway Department position due to significant understaffing in this department. The source of this \$50,000 in funding is the Cultivate Host Community Agreement. Funding for the economic development/grant writer position will be attempted on at least a part time basis at the Fall Special Town Meeting.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

ARTICLE 6 ELECTED OFFICIALS SALARIES

To see what compensation the Town will vote to pay elected officials or take any action thereon.

PROPOSED MOTION

I move the Town vote to set the rate of compensation to pay elected officials for Fiscal Year 2020 as detailed in the May 7, 2019 Spring Annual Town Meeting Warrant.

FISCAL YEAR 2020 ELECTED OFFICIALS PAY RATES	
<u>POSITION</u>	<u>PAY RATE</u>
TOWN CLERK	\$65,394
SELECT BOARD – CHAIR	\$882
SELECT BOARD – MEMBERS (4) each	\$724
SCHOOL COMMITTEE – CHAIRMAN	\$447
SCHOOL COMMITTEE – MEMBERS (4) each	\$197
PLANNING BOARD – CHAIRMAN	\$320
PLANNING BOARD – MEMBERS (4) each	\$276
MODERATOR	\$81
BOARD OF HEALTH – CHAIRMAN	\$320
BOARD OF HEALTH – MEMBERS (2) each	\$276
ASSESSOR – MEMBERS (3) each	\$577
TOTAL ELECTED SALARIES	\$74,515

FINANCE ADVISORY BOARD RECOMMENDATION **Favorable Action (4-0-0)**

SELECTBOARD RECOMMENDATION **Favorable Action (5-0-0)**

DESCRIPTION

Compensation for elected officials is set by Town Meeting. The proposed FY2020 elected officials pay rate is the same as approved by the voters for FY2019 with the exception of the Town Clerk, whose salary contains a 3.03% COLA.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote per M.G.L. Chapter 41, Section 108.

ARTICLE 7 FY 2020 OPERATING BUDGET

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies as may be necessary to defray the expenses of Town departments and Town accounts for the Fiscal Year beginning July 1, 2019 and ending on June 30, 2020, as listed in the May 7, 2019 Spring Annual Town Meeting Warrant or take any action thereon.

PROPOSED MOTION

I move the Town vote to approve the budgets of the Town departments and Town Accounts as printed in the 2019 Annual Town Meeting Warrant for the Fiscal Year beginning July 1, 2019, in the aggregate amount of \$29,343,868, and to fund this amount from the following sources:

<i>Transfer from Ambulance Receipts Reserved Account:</i>	<i>\$371,192</i>
<i>Transfer from Board of Health Title V Reserve Account Principal:</i>	<i>\$19,944</i>
<i>Transfer from Conservation Commission NOI Account:</i>	<i>\$3,882</i>
<i>Transfer from Free Cash:</i>	<i>\$150,000</i>

And the balance of the funds in the remaining sum of \$28,798,850 shall be raised and appropriated by taxation.

DEPT #	DEPARTMENT NAME	FY2018 BUDGET	FY2019 BUDGET	FY2020 TOWN ADMIN	\$ CHANGE	% CHANGE
111	LEGAL					
	TOTAL	59,000	209,000	209,000	0	0.00%
114	MODERATOR					
	TOTAL	151	151	151	0	0.00%
122	SELECT BOARD					
	TOTAL	249,228	239,780	246,361	6,581	2.74%
130	RESERVE FUND					
	TOTAL	50,000	50,000	50,000	0	0.00%
131	ADVISORY BOARD					
	TOTAL	1,325	1,325	1,325	0	0.00%
135	ACCOUNTANT					
	TOTAL	114,955	118,153	122,611	4,458	3.77%
141	ASSESSORS					
	TOTAL	113,136	116,964	121,745	4,781	4.09%
145	TREASURER/COLLECTOR					
	TOTAL	160,514	165,867	163,615	-2,252	-1.36%
147	TAX TITLE					
	TOTAL	16,000	16,000	16,000	0	0%
152	PERSONNEL BD					
	TOTAL	250	250	250	0	0.0%
155	IT DEPARTMENT					
	TOTAL	141,620	138,560	144,560	6,000	4.33%
161	TOWN CLERK					
	TOTAL	99,955	104,699	110,491	5,822	5.56%
162	ELECTIONS & REGISTRATIONS					
	TOTAL	21,500	35,600	35,100	-500	-1.40%
180	DEVELOPMENT & INSPECT. SVCS					
	TOTAL	227,640	234,787	241,930	7,143	3.04%
192	TOWN OWNED BLDG MAINT					
	TOTAL	15,250	8,000	38,281	30,281	378.51%

Town of Leicester
Annual Town Meeting – May 7, 2019

DEPT #	DEPARTMENT NAME	FY2018 BUDGET	FY2019 BUDGET	FY2020 TOWN ADMIN	\$ CHANGE	% CHANGE
197	TOWN HALL BLDG MAINTENANCE					
	TOTAL	55,155	63,909	63,909	0	0.00%
198	TOWN HALL TELEPHONES					
	TOTAL	6,400	6,400	6,400	0	0.00%
199	OTHER - GENERAL GOV					
	TOTAL	79,170	49,355	54,155	4,800	9.73%
210	POLICE DEPT					
	TOTAL	1,881,427	1,963,857	1,964,796	939	0.05%
220	FIRE DEPT					
	TOTAL	305,313	305,307	305,307	0	0.00%
231	AMBULANCE					
	TOTAL	424,850	440,418	440,372	-46	-0.01%
232	EMERGENCY MANAGEMENT					
	TOTAL	4,813	4,813	4,813	0.00	0.00%
241	CODE DEPT					
	TOTAL	67,267	68,879	63,690	-5,189	-7.53%
292	ANIMAL CONTROL					
	TOTAL	33,129	33,552	33,552	0	0.00%
296	INSECT PEST CONTROL					
	TOTAL	9,770	7,850	7,850	0	0.00%
310	SCHOOL					
	TOTAL	16,264,094	16,667,839	16,881,790	213,951	1.28%
420	HIGHWAY DEPT					
	TOTAL	697,060	743,282	751,680	8,398	1.13%
423	SNOW & ICE					
	TOTAL	121,000	121,000.00	121,000.00	0	0.00%
424	STREET LIGHTS					
	TOTAL	70,000	75,000	50,335	-24,665	-32.89%
541	COUNCIL ON AGING					
	TOTAL	84,418	94,122	108,280	14,158	15.04%
543	VETERANS SERVICES					
	TOTAL	97,925	92,980	92,980	0	0.00%
545	VETERANS GRAVES REG					
	TOTAL	2,400	2,400	2,400	0	0.00%
610	PUBLIC LIBRARY					
	TOTAL	189,000	204,306	216,629	12,323	6.03%

Town of Leicester
Annual Town Meeting – May 7, 2019

DEPT #	DEPARTMENT NAME	FY2018 BUDGET	FY2019 BUDGET	FY2020 TOWN ADMIN	\$ CHANGE	% CHANGE
630	PARKS & RECREATION					
	TOTAL	6,450	6,450	6,450	0	0.00%
691	HISTORICAL COMM					
	TOTAL	950	950	950	0	0.00%
692	MEMORIAL DAY COMM					
	TOTAL	3,000	3,000	3,000	0	0.00%
710	MATURING DEBT PRINCIPAL					
	TOTAL	919,485	894,532	1,139,797	245,265	27.42%
751	MATURING DEBT INTEREST					
	TOTAL	306,027	325,635	406,144	80,509	24.72%
752	TEMPORARY LOAN INTEREST					
	TOTAL	18,993	94,647	33,255	-61,392	-64.86%
753	BOND ISSUE					
	TOTAL	0	0	0	0	0.00%
911	WORC REG RETIREMENT					
	TOTAL	1,055,412	1,161,643	1,314,800	153,157	13.18%
912	WORKER COMPENSATION					
	TOTAL	197,000	216,700	227,535	10,835	5.00%
913	UNEMPLOYMENT COMP					
	TOTAL	66,510	66,650	141,650	75,000	112.53%
914	EMPLOYEE BENEFITS					
	TOTAL	3,052,161	3,266,089	3,288,285	22,196	0.68%
945	BONDING & INSURANCE					
	TOTAL	146,200	100,586	110,645	10,059	10.00%
Grand Total – All Budgets		27,435,843	28,521,258	29,343,868	822,610	2.88%

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (4-0-0)

SELECTBOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

This is the fiscal year 2020 annual operating budget for municipal and school services. Property tax proposed to be levied is within the allowances of Proposition 2 ½. The State FY 2020 budget has not been finalized, so the Governor's proposed revenue estimates for local aid have been used to formulate the Town budget. This financial plan meets the minimum needs of every department and continues to move the Town forward

in a sustainable direction. The FY 2020 budget is 2.88% greater than the FY 2019 budget. Please note the budget allocation below:

Department	FY 19 Budget	FY 20 Budget	\$ Change	% Change
Municipal Budgets	5,726,937	\$5,799,968	\$73,031	1.28%
School Budget	\$16,667,839	\$16,881,790	\$213,951	1.28%
Unclassified Budget	\$6,126,482	\$6,662,110	\$535,628	8.74%
Totals	\$28,521,258	\$29,343,868	\$822,610	2.88%

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote, unless funding is sought from the Stabilization Fund. Transfers from the Stabilization Fund require a 9/10th's vote per Town bylaws.

ARTICLE 8 VOCATIONAL TUITION

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money as may be necessary to fund the Vocational Tuition expenses for Leicester students for the fiscal year beginning July 1, 2019 or take any action thereon.

PROPOSED MOTION

I move the Town vote to raise and appropriate \$1,078,000 for Vocational Tuition expenses for the Fiscal Year beginning July 1, 2019.

FINANCE ADVISORY COMMITTEE RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

Chapter 74 of the Mass General Laws governs vocational technical education programs in public school districts. This article was moved out of the line item budget and into a separate warrant article starting in FY'16. Tracking these costs independently allows for more accurate accounting of the costs associated with Leicester students attending other schools for vocational education.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote.

ARTICLE 9 CENTRAL MASS REGIONAL PLANNING COMMISSION ANNUAL ASSESSMENT

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies to fund the FY 2020 assessment from the Central Mass Regional Planning Commission, said assessment to be based on a per capita rate or take any other action thereon.

PROPOSED MOTION

I move the Town vote to raise and appropriate the sum of \$3,142 to fund the FY 2020 assessment from the Central Mass Regional Planning Commission, said assessment to be based on a per capita rate of \$0.28637.

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (4-0-1)

DESCRIPTION

In accordance with Chapter 40B, Section 7 of the Mass General Laws, the Central Mass Regional Planning Commission requires member municipalities to pay the costs and expenses of the Central Massachusetts Regional Planning District each fiscal year. Leicester is a part of this District. The assessment is based on the population of the Town as it appears in the most recent national census (2010). The payment of this assessment will maintain the Town's services provided by the District.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote

ARTICLE 10 FY 2020 CABLE PEG ACCESS ENTERPRISE ACCOUNT APPROPRIATION

To see if the Town will vote to appropriate a sum of monies to fund the FY 2020 expenses of the Cable Access Enterprise Fund, as established by the vote under Article 5 of the May 1, 2018 Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F ½, said appropriation to be funded by fees received pursuant to the Town's cable licensing agreement, or act on anything relating thereon.

PROPOSED MOTION

I move that the Town vote to appropriate \$186,395 to fund the FY 2020 expenses of the Cable Access Enterprise Fund, as established by the vote under Article 5 of the May 1, 2018 Annual Town Meeting, pursuant to Massachusetts General Laws, Chapter 44, Section 53 F ½, said appropriation to be funded by funds available in the Cable PEG Access Enterprise Fund pursuant to the Town's cable licensing agreement.

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

The Department of Revenue requires the Town to budget for the funds received through Charter for Cable PEG Access operations. While these funds are exclusively for Cable Access operations, it must be approved by the voters annually at Town Meeting.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote.

ARTICLE 11 OTHER POST-EMPLOYMENT BENEFITS TRUST

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies to deposit into the Other Post-Employment Benefit (OPEB) Trust or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$35,000 from Free Cash to deposit into the Other Post Employment Benefit (OPEB) Trust Fund.

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

Other Post-Employment Benefits are benefits that an employer pays to an employee once they retire. Like most public-sector employers, the Town of Leicester provides matching funds towards the health insurance premiums of eligible retirees. In recent years, financial oversight entities including bond rating agencies and the Governmental Account Standards Board have required municipalities to perform an actuarial analysis to

project the future cost of the benefits that are being offered. Further they have encouraged municipalities to begin setting funding aside to ensure they are able to make these payments in the future.

The most recent actuarial analysis performed for the Town estimates that the Town's current OPEB liability is \$23.8 million when projected 18 years into the future. By starting to fund this projected obligation now, the Town will be reducing its projected funding requirement. The funds that are being set aside in the trust will only be able to be used to pay for retiree health insurance contributions. These funds will be reflected on the Town's financial balance sheet as an asset that will help offset the liability. The current balance in this fund is \$100,249.21.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

ARTICLE 12 GROUNDWATER STUDIES AT LANDFILL

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies to fund groundwater and other studies at the former landfill site, said funds to be expended by the Select Board, or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$21,400 from Free Cash to fund groundwater and other studies at the former landfill site, said funds to be expended by the Highway Department.

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

The Town is obligated to comply with the Massachusetts Department of Environmental Protection's annual monitoring and testing requirements for the closed landfill. These tasks require routine sampling of groundwater from a series of wells, any required follow up or additional testing based upon the findings and routine readings of landfill gases being produced. The \$21,400 requested will fund these required activities in Fiscal Year 2020.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote

ARTICLE 13 POLICE CRUISERS

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies to purchase and equip two (2) police vehicles or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$84,223 from Free Cash to purchase and equip two (2) police vehicles.

FINANCE ADVISORY BOARD RECOMMENDATION: Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

The Police Department utilizes a fleet of ten (10) vehicles to meet the law enforcement needs of the residents of Leicester. This fleet of vehicles includes five (5) frontline marked police cruisers that are used on a daily basis. Funding is being requested to replace the two oldest marked frontline cruisers which will have over

100,000 miles when replaced. The Town has been following a fleet replacement schedule that includes the replacement of one to two cruisers annually to ensure the full use and reliability of the fleet.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote

ARTICLE 14 FY 2020 CAPITAL IMPROVEMENT PLAN

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies to fund the Capital Improvement Plan budget beginning July 1, 2019 and authorize the Select Board to enter into lease purchase agreement(s) for a term of years and to transfer from available funds a sum of money to pay for installments of the lease/purchase agreement(s), or take any action thereon.

PROPOSED MOTION

I move the Town vote to transfer \$40,037 from Free Cash to fund the Fiscal Year 2020 Capital Improvement Plan budget to pay for the final installment of the Backhoe lease/purchase agreement (Year 3 of 3).

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

This article seeks funding from Free Cash to fund the final lease payment on the Highway Department's backhoe.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

ARTICLE 15 EXPANSION OF ARTICLE 7 OF THE MAY 2, 2017 SPECIAL TOWN MEETING, ENTITLED "GREENVILLE POND DAM" TO "INSPECTIONS, REPORTING AND/OR GRANT APPLICATION FUNDING FOR TOWN-OWNED DAMS" WITH ADDITIONAL FUNDING

To see if the Town will vote to expand the purpose Article 7 of the May 7, 2017 Special Town Meeting entitled Greenville Pond Dam" from that purpose to "Inspections, Reporting, and/or Grant Application Funding for Town-owned Dams" and raise and appropriate and/or transfer from available funds a sum of monies for this purpose or take any action thereon.

PROPOSED MOTION

I move to expand the purpose Article 7 of the May 7, 2017 Special Town Meeting entitled Greenville Pond Dam" from that purpose to "Inspections, Reporting, and/or Grant Application Funding for town-owned dams" and transfer from Free Cash the sum of \$6,675 for this purpose.

FINANCE ADVISORY COMMITTEE RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

The Town owns two dams that require annual inspections and reporting to DCR. Funds are being sought to broaden the purpose of the 2017 article to pay for some these costs, as well as move additional funds from Free Cash to the article. The Greenville Dam article has a balance of \$8,325. Coupled with the transfer request of \$6,675 from Free Cash, the end result is a general dam inspection and/or grant application article with funding of \$15,000.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

ARTICLE 16 TRANSFER FUNDS INTO STABILIZATION

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of monies to the Town Stabilization Fund or take any action thereon.

PROPOSED MOTION

Move that the Town appropriate and transfer \$91,387 from Free Cash to the Town Stabilization Fund.

FINANCE ADVISORY COMMITTEE RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

The Town has a financial policy that calls for 25% of annual free cash to be placed into the Stabilization Fund until the fund achieves a balance of 5% of total revenues. The amount requested for transfer is less than the 25% of free cash as stated in the policy but represents a good faith effort to increase the balance in the stabilization fund. The balance in the Stabilization fund prior to this transfer is \$971,610.69.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote

ARTICLE 17 AMENDMENT TO THE DEPARTMENTAL REVOLVING FUNDS BYLAW

To see if the Town will vote amend the Departmental Revolving Funds Bylaw by adding the following proposed new revolving funds to the table listed after paragraph 5 of said bylaw.

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A	B	C	D	E	F	G
Revolving Fund	Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	Fees, Charges or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Other Requirements / Reports	Fiscal Years
Library Copier	Library	Library fines and fees	Copier lease payments and misc. operating fees	None	None	Fiscal Year 2020 and subsequent years
Tree Lighting	Tree Lighting Committee	Donations and other miscellaneous receipts	Activities associated with the annual Leicester tree lighting event	None	None	Fiscal Year 2020 and subsequent years
300 th Anniversary	300 th Anniversary	Donations and other miscellaneous receipts	Activities associated with Leicester 300 th anniversary events	None	None	Fiscal Year 2020 and subsequent years
Agricultural Land Acquisition	Agricultural Commission	Donations and other miscellaneous receipts	Agricultural land acquisitions	None	None	Fiscal Year 2020 and subsequent years

Or take any other action thereon.

FINANCE ADVISORY BOARD RECOMMENDATION

Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION

Favorable Action (5-0-0)

DESCRIPTION

This article requests that four new revolving funds to be added to the Revolving Funds Bylaw, as explained above.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

ARTICLE 18 ESTABLISH REVOLVING FUND ANNUAL SPENDING LIMITS

To see if the Town will vote to set annual spending limits for revolving accounts as detailed in the hands of the voters and as defined by Massachusetts General Laws, Chapter 44, § 53E½, for Fiscal Year 2020, or take any action thereon.

PROPOSED MOTION

I move the Town vote to set annual spending limits for revolving accounts as detailed in the warrant and as defined by Mass General Laws, Chapter 44, § 53E½, for Fiscal Year 2020.

<u>Revolving Fund</u>	<u>Spending Limit:</u>
Inspectional Services	\$50,000
Health Clinics	\$5,000
Senior Center Programs	\$10,000
Fuel Usage	\$35,000
Town Hall	\$15,000
Recycling	\$30,000
Police Training	\$5,000
Recreation	\$20,000
One-to-one Technology	\$25,000
DIS Fees	\$5,000
Library Copier	\$5,000
Tree Lighting	\$20,000
300 th Anniversary	\$100,000
Agricultural Land Acquisition	\$100,000

FINANCE ADVISORY BOARD RECOMMENDATION Favorable Action (5-0-0)

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

Under MGL Chapter 44, Section 53E½ as amended through the Municipal Modernization Act of 2016, Town Meeting is required to vote on the amount that may be spent from each revolving fund established through the Town's General Bylaws during the upcoming fiscal year prior to July 1st.

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote

ARTICLE 19 BORROWING RESCISSION – HIGHWAY EQUIPMENT

To see if the Town will vote to rescind an outstanding borrowing authorization, in the amount of \$40,000, which was authorized as part of the \$950,000 borrowing authorization voted as Article 3 of the October 30, 2018 town meeting; or take any action thereon.

PROPOSED MOTION Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION **Favorable Action (5-0-0)**

SELECT BOARD RECOMMENDATION **Favorable Action (5-0-0)**

DESCRIPTION

An authorization for a debt exclusion of \$950,000 for 7 pieces of Highway Department equipment was approved by the voters last fall. The equipment has been ordered, at a total cost of \$910,000. This article requests the leftover authorization be rescinded.

VOTE REQUIRED FOR PASSAGE Requires a majority vote

ARTICLE 20 ACCEPTANCE OF MASSACHUSETTS GENERAL LAWS CHAPTER 90, § 20A 1/2

To see if the Town will vote to accept M.G.L. Chapter 90, § 20A ½ in regard to the assessment and collection of parking tickets and fees; or take any action thereon.

PROPOSED MOTION Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION **Favorable Action (5-0-0)**

SELECT BOARD RECOMMENDATION **Favorable Action (5-0-0)**

DESCRIPTION

Chapter 90, §20A½ is a local acceptance statute which would allow the following changes to be enacted over our currently accepted statute, Chapter 90, §20A:

- Requires parking violation notices to be in tag form
- Eliminates mailing provisions of current law
- Eliminates automatic dismissal of violator's first violation per calendar year unless there is a contrary rule or bylaw in place
- Changes the fee schedule for certain parking tickets

Although parking tickets are not a major focus of Police Department activities, we believe that the changes within 20 A1/2 provides for a more cost-effective use of police powers, with a lesser administrative burden on the Police Department.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

ARTICLE 21 DISPOSITION OF 11 MEMORIAL DRIVE (MEMORIAL SCHOOL), MAP 39, BLOCK A7

To see if the Town will vote to dispose of the fee or any lesser interest in the real property and the improvements thereon used by the Memorial School, located at 11 Memorial Drive, Leicester as shown on Assessor's Map 39, Block A7, containing about 28 acres of land, more or less, with building thereon by auction or solicitation of proposals in accordance with M.G.L. c. 30B, any such disposition to be on such terms and conditions that the Select Board shall deem appropriate, which may include the reservation of easements and restrictions and the grant of rights of access or easements appurtenant to the property; and to authorize the Select Board to take all related actions necessary or appropriate to carry out the purposes of this article; or take any action thereon.

PROPOSED MOTION Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION **Favorable Action (5-0-0)**

SELECTBOARD RECOMMENDATION **Favorable Action (5-0-0)**

DESCRIPTION

The School Committee has voted to turn the Memorial School back to the Town due to declining enrollment. Closing the school is seen as a cost cutting measure and will allow the Town to explore alternative uses for the building. There are challenges to be addressed, such as an outstanding USDA loan on the property, as well as leased solar panels on the roof of the structure, but the Select Board requires town meeting authority pursuant to M.G.L. c. 40, § 15, in order to explore the lease or sale of the property.

VOTE REQUIRED FOR PASSAGE Requires a two-thirds majority per M.G.L. c. 40, § 15.

ARTICLE 22 GENERAL BYLAW – PLACEMENT OF SIGNS ON TOWN PROPERTY

To see if the Town will vote to enact the following Town General Bylaw:

PLACEMENT OF SIGNS ON TOWN PROPERTY

Section 1: Prohibition - No person, group, organization, or company shall post or affix in any manner, any bill, placard, advertisement, or notice, either written or printed, upon any building, sidewalk, curbstone, traffic control signal, litter receptacle, tree, tree belt, fence, or post owned by the Town. In addition, no free standing or mounted bill, placard, advertisement or notice shall be placed upon any real property owned or leased by the Town, or on Town-owned property within or abutting a public way.

Section 2: Removal - Any bill, placard, advertisement, or notice placed upon Town-owned property shall be removed and discarded by the Town.

or take any action thereon.

PROPOSED MOTION Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION **Favorable Action (4-1-0)**

SELECT BOARD RECOMMENDATION **Favorable Action (5-0-0)**

DESCRIPTION

The purpose of this bylaw is to eliminate use of town property for the placement of temporary signage, no matter the purpose. The premise behind the bylaw is that all town property is owned by the residents of the Town and should not be used to promote any singular goal or purpose. There are no fines attached to the bylaw; but all signs placed on town property will be removed and destroyed.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

ARTICLE 23 GROUND MOUNTED SOLAR ENERGY SYSTEMS BYLAW AMENDMENT

To see if the Town will vote to amend the Leicester Zoning Bylaw Sections 5.14, Ground-Mounted Solar Energy Systems and Section 3.2, Subsection 3.2.05 (Transportation, Communication, Utility) as follows:

A. Amend Section 5.14, Ground-Mounted Solar Energy Systems, subsection 6.8. (Land Clearing, Habitat Protection, and Screening Requirements), by amending subsections A and C as follows:

A. Land Clearing

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the solar energy systems or otherwise prescribed by applicable laws, regulations, and bylaws. Vegetation includes all types of vegetation, including trees. Solar energy systems, to the maximum extent feasible, shall be located on previously-disturbed sites that do not require tree clearing. Existing vegetation shall remain in required setback areas, ~~except where such vegetation would shade the solar energy system. However, in no event shall clearing of existing vegetation in setbacks exceed half the required setback width.~~ In the SA district, land clearing shall not exceed sixty (60%) of the total lot area. Adequate erosion control measures shall be provided for all proposed land clearing. The Planning Board may require phasing of tree clearing to minimize potential erosion control problems.

C. Screening/Buffering:

Medium-scale and large-scale ground-mounted solar energy systems shall be screened year-round from all ~~adjoining~~ abutting properties in residential use in all zoning districts and from public and private ways in residential districts (SA, R1, and R2). For purposes of this section, abutting properties shall include adjacent properties and properties directly opposite on any public or private street or way. Such screening shall be provided in the required setback areas and where existing vegetation in setbacks is insufficient for year-round screening purposes shall consist of dense vegetative screening, fencing, berms, or other methods to adequately screen the facility, depending on site specific conditions. Landscaping shall be maintained and replaced as necessary by the owner/operator of the solar energy system.

B. Amend the Zoning Bylaw, Section 3.2, Schedule of Use, Subsection 3.2.05 (Transportation, Communication, Utility), as shown below:

3.2.05 TRANSPORTATION, COMMUNICATION, UTILITY	SA	R1	R2	B	CB	I	BI- A	HB-1 & HB-2
Large-Scale Ground-Mounted Solar Energy System	SP	SP N	SP N	SP	N	Y	Y	Y
Medium-Scale Ground-Mounted Solar Energy System	SP	N SP	N SP	Y	N	Y	Y	Y

C. Amend Section 5.14, Ground-Mounted Solar Energy Systems, by inserting a new subsection 6.13:

- 6.13. The total number of medium and large-scale ground-mounted solar energy systems in Leicester shall be limited to twenty (20). Facilities constructed prior to this bylaw are counted in this total. For the purposes of this bylaw, projects on separate parcels are considered separate projects, even if such parcels are under common ownership.

or take any action in relation thereto.

PROPOSED MOTION Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION No recommendation without prejudice

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

The purpose of this amendment is to make corrective amendments to the Leicester Zoning Bylaw related to Ground-Mounted Solar Energy Systems, and to improve the bylaw to better protect natural resources and abutting property owners.

VOTE REQUIRED FOR PASSAGE Requires a two-thirds majority per M.G.L. c. 40A, § 5.

ARTICLE 24 EARTH FILL AND REMOVAL

To see if the Town will amend the Leicester Zoning Bylaw by inserting a new Section 5.16, Earth Filling and Removal, and amending Section 3.2, Subsection 3.2.04 (Industrial), Section 3.30 (BR-1 Zone) and Section 5.3 (Uses Prohibited in all Districts) as follows:

A. Insert a new Section 5.16, Earth Filling & Removal, as follows:

Section 5.16 Earth Filling & Removal

A. Purpose

The purpose of this bylaw is to regulate filling of land and earth removal operations to protect of public health, safety and welfare, and to protect the integrity of natural resources in the Town of Leicester.

B. Definitions:

1. EARTH: This term shall include soil, loam, sand, gravel, clay, peat, rock, or other earth material in solid form.
2. EARTH FILLING OPERATION: the permanent filling of land that involves greater than 1,000 cubic yards of or more of earth and/or fill material per calendar year (January through December)
3. EARTH REMOVAL OPERATION: Any commercial mining, stripping, quarrying, filling, digging or blasting of earth originating from the Town of Leicester and its transportation into or out of the Town of Leicester.
4. FILL MATERIAL: Any geologic, man-made, recycled or processed material including in its entirety or as a proportion containing clay, rock, sand, gravel, peat and sediment. Material meeting the Federal and/or State definition of solid or hazardous waste or as toxic, infectious, radioactive, corrosive, or reactive material is specifically excluded.
5. FILLING OF LAND: The importation, use, redistribution, alteration or movement of earth and or fill material on or within any land area or water body within the Town of Leicester.
6. GRAVEL: Loose fragments of rock or coarse aggregate resulting from natural disintegration and abrasion of rock or processing of weakly bound conglomerate.
7. LOAM OR TOPSOIL: A soil consisting of a friable mixture of varying proportions of clay, sand, silt, and organic matter.
8. PROCESSING: The sorting or separation of earth into distinct categories based on particle size or type usually through the use of a screening process, not including stone crushing.
9. SILT: Loose sedimentary material with rock particles usually less than 1/16 mm or less in diameter based on the Wentworth scale of measurement.
10. SITE: A distinct portion of contiguous lots, under the same or different ownerships, on which an earth removal and/or fill operation is conducted, or is proposed to be conducted, under the Permit.
11. STONE CRUSHING: The mechanical operation which creates smaller sized stones or stone products from larger sized stones, boulders or particles typically using a crushing plant or similar machinery.
12. SIGNIFICANTLY GREATER CONCENTRATION: The concentration of a substance in earth or fill materials as measured by Federal or State-approved analytical methods, which is one order of magnitude or greater in concentration than the same substance measured in existing, pre-fill earth materials.

C. Applicability

1. A Special Permit from the Planning Board shall be required for:
 - a. The filling of land that involves greater than 1,000 cubic yards of or more of earth and/or fill

material per calendar year (January through December).

- b. Earth removal operation that involves excavation of more than 1,000 cubic yards of earth material per calendar year (January through December).
2. Contiguous parcels under the same ownership or right of operation shall be considered one location for the purpose of this bylaw.

D. Exemptions from Special Permit Requirements

1. Earth removal or placement of fill associated with the installation of septic systems, which shall be governed by the Commonwealth of Massachusetts Environmental Code (Title 5, 310 CMR 15.00).
2. Earth removal or the placement of fill associated with the installation of foundations for new buildings and/or building additions, which shall be governed by M.G.L. c. 143 and the Commonwealth of Massachusetts Building Code (780 CMR).
3. Earth removal or the placement of fill associated with grading and/or landscaping in connection with the otherwise lawful construction of new driveways, structures, buildings and/or building additions.
4. Earth removal or the placement of fill associated with the normal use of a cemetery.
5. Earth removal or the placement of fill associated with grading in the course of normal and customary use of land in connection with a bona fide commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture operation that is exempt under MGL c.40A, §3.
6. Earth removal or the placement of fill, where the operation occurs entirely within an individual parcel or between contiguous parcels under common ownership and where a town-accepted public way is not used for the transportation of the material.
7. Earth removal or the placement of fill related to a new subdivision road that has been approved by the Planning Board, or by the Zoning Board of Appeals pursuant to M.G.L. c. 40B, where there is already a bond in place with the Town to ensure performance.
8. Earth removal or the placement of fill for the construction, maintenance and repair of fire ponds, existing public roadways or the installation of public utilities and appurtenances.
9. Operations lawfully in existence at the time of adoption of this bylaw to the extent that such operations are protected by MGL c.40A, §6.

E. Prohibited Activities and Uses:

The following activities and uses are prohibited in the Town of Leicester:

1. Use or importation of earth or fill materials whose quality would either meet Federal or State criteria for definition as being toxic, reactive, radioactive, corrosive, explosive, hazardous, infectious, oil-impacted, or as a hazardous or solid waste.
2. Use or importation of earth or fill containing toxic, reactive, corrosive, hazardous, infectious, or solid waste at individual concentrations, or presence by weight or volume, which would render such material a regulated substance or material subject to M.G.L. c. 21E or as a Solid Waste as defined in the regulations promulgated by the Massachusetts Department of Environmental Protection as 310 Code of Massachusetts Regulations (CMR) 19.00.
3. Use or importation of earth or fill at any location not otherwise regulated or permitted for acceptance of earth materials containing toxic, reactive, radioactive, corrosive, hazardous, infectious, oil, solid waste, or metals when such fill materials contain concentrations of these substances less than regulatory criteria established for reporting or special handling purposes but with one or more significantly greater concentrations by weight or volume than existing, pre-fill concentrations.
4. Transport of earth or fill materials in a manner which is prone to release the same during transport.

5. Use of earth or fill materials in a manner which renders the fill area structurally unstable, produces uncontrolled leachate or off-gases, creates nuisance conditions, creates uncontrolled storm water run-off, siltation, or visually apparent erosion of fill materials, or where finished fill grading slopes are not properly stabilized.
6. Construction of permanent structures over or adjacent to areas of fill unless the fill material is structurally stable and free of emissions or other hazardous criteria relative to permanent building construction and use.
7. Use of fill material which may cause chemical or physical impact to off-site ground water, surface water, or wetland resource areas without specific Soil Management Plan and field procedures designed to prevent degradation of these natural resources. This prohibited use specifically includes, but is not limited to, fill materials containing nutrient or salt concentrations at significantly greater concentrations than pre-existing soil conditions on the site.

F. General Standards

1. Earth Filling Operations:

- a. Throughout the length of the project, the applicant must identify the point of earth material origin and receiving location for fill material and must document that 1) that the earth material is not otherwise prohibited from use as fill material in accordance with Leicester's Zoning Bylaw and Regulations or other applicable Federal and State standards, regulations, and guidelines; and, 2.) that a Massachusetts Licensed Site Professional (LSP) has compared analytical results of earth materials to existing, pre-fill conditions specific to the location and determined that the concentrations of substances in the earth materials intended for use as fill do not contain significantly greater concentrations than existing, pre-fill conditions for that location. The applicant will facilitate off-site inspections at points of origin for earth materials if requested by the Planning Board or its agents.
- b. The LSP shall perform site inspections during the course of the project as specified by the Planning Board to ensure compliance with Leicester's Bylaws and Regulations and shall upon completion of work provide written certification signed and stamped stating that all earth materials used for fill comply with Leicester's Bylaws and Regulations and applicable Federal and State Regulations.
- c. Should an applicant or Special Permit holder seek an Administrative Consent Order (ACO) from the Massachusetts Department of Environmental Protection to use or deposit earth or fill materials in the Town, the Town reserves all rights to impose additional requirements upon the applicant or Special Permit holder to assure mitigation of all impacts or effects of the activities undertaken pursuant to such ACO.

2. Earth Removal Operations

- a. All topsoil and subsoil stripped from operation areas shall be stockpiled, seeded with an erosion control seed mixture, and used in restoring the area.
- b. If erosion control structures are utilized, these devices shall be in place and stabilized before excavation can begin in the affected area. These structures shall be inspected and maintained in accordance with the approved plan and the capacity of the structural device.
- c. Except for fire ponds, no area shall be excavated so as to cause the accumulation of free-standing water. Drainage shall be provided as needed in accordance with accepted engineering and conservation practices. Measures shall be taken to ensure that silting and sedimentation of nearby streams is not caused by a temporary or permanent drainage systems on site. Drainage shall not lead directly into streams, ponds, abutting properties nor shall drainage from access roads drain directly onto public ways.
- d. The active excavation area shall not exceed a total of three (3) acres at any one time. Natural vegetation shall be left and maintained on undisturbed land for screening and noise reduction purposes.
- e. Restoration shall be carried on simultaneously with excavation, so that when any three (3) acre operation area has been excavated, at least two (2) acres shall be restored before work commences on the next contiguous three (3) acres.

G. Financial Security; Inspection of Conditions

1. The applicant shall provide financial surety in the form of a cash deposit or bond, or similar financial surety acceptable to the Planning Board, to insure faithful performance of the work to be undertaken pursuant to the conditions of approval or approval with modifications, and conditioned upon completion of the regulated activity in accordance with the conditions established by the Planning Board at the time of granting of the Special Permit or any subsequent changes of such conditions.
2. The Planning Board may waive or reduce the financial surety requirements, but no such financial surety shall be released, until the applicant has complied with the conditions of approval and this bylaw. The Planning Board shall act on a requested release of the financial surety within sixty-five (65) days of submission of the applicant for such release.

H. Special Permit Procedures

1. The Planning Board may adopt and periodically amend its Special Permit Regulations for the implementation of this Bylaw. Such Regulations may set forth performance standards for earth removal and fill operations, impose filing and consultant fees, define additional terms not inconsistent with the Bylaw, and establish administrative procedures. Failure by the Planning Board to adopt such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this Bylaw.
2. Any person wishing to obtain a Special Permit under this Section shall file a completed application for a Special Permit together with any required supporting data, maps, and the filing fee in accordance with the Planning Board's Special Permit Regulations and Fee Regulations.
3. Any Permit issued is non-transferable and shall automatically expire upon completion of the earth removal or fill project for which it was issued or at such time as may be specified in said Special Permit. In no case shall a Special Permit be issued initially for a period longer than three years. A Special Permit may be renewed for up to two years or lesser time as determined by the Planning Board after evidence is presented that all conditions of the expiring Special Permit have been complied with and the work has been performed in good faith. There is no limit on the number of Permit renewals an Applicant can apply for. A public hearing may be required by the Planning Board, at its discretion, for renewal of Special Permits.
4. The applicant shall pay reasonable fees for independent inspection to assess adherence to the Planning Board's special permit conditions in accordance with the Planning Board's Special Permit Regulations and Fee Regulations. Said fee shall be deposited into a Revolving Fund Account pursuant to M.G.L. c. 40, §53G.

I. Special Permit Criteria for Earth Removal & Fill Operations

1. The Planning Board shall use the general standards for Special Permit Approval contained in the Planning Board Special Permit Regulations, any district-specific special permit requirements, and the additional standards contained herein
2. Permits for earth removal and/or fill operations shall be granted by the Planning Board only upon its written determination that the proposed use shall not cause substantial detriment to the neighborhood, or the Town, considering the characteristics of the site and the proposal in relation to the site and surrounding environment. In addition to any specific factors that may be set forth elsewhere in this Bylaw and its associated Regulations, such determination shall include consideration of each of the following:
 - a. Impacts on the natural environment
 - b. Traffic flow and safety, including loading and unloading; and
 - c. Management of stormwater
3. No Special Permit shall be issued for the removal of earth or the placement of fill in any location if such an operation will:

- a. endanger the public safety, public health or constitute a nuisance; or
- b. produce noise, dust, or other noxious effects observable at the lot lines of the property in amounts objectionable or detrimental to the normal use of adjacent properties; or
- c. result in the transportation of materials in such manner as to cause traffic congestion, dust, spillage, noise, or other nuisances or hazards, particularly on residential streets; or
- d. result in the transportation over ways which will be unduly injured thereby; or
- e. cause irreparable harm to or loss of important wildlife, wildlife habitat or rare plant species indigenous to the area; or
- f. result in stormwater damage to abutting properties.

J. Conditions of Special Permit

The Planning Board may impose reasonable conditions on any special permit granted under this bylaw for earth filling or earth removal operations, including but not limited to the following:

- 1. Limitations on the size, number, and maximum weight of trucks that may access the property in any 24-hour period as well as routes of travel
- 2. Requirements for site security procedures
- 3. Limitations on hours of operation
- 4. Requirements for regular access to the Town of Leicester or its agents for the purpose of inspection of records or field conditions, and enforcement of this Bylaw
- 5. Implementation of erosion and sedimentation control measures to prevent material from moving offsite or into wetland or water resource areas
- 6. Limitations on slope
- 7. Requirements for ongoing monitoring by licensed professionals at the Applicant's expense to document full conformance with this bylaw and any conditions of approval.
- 8. Requirements for site stabilization and restoration

K. Violations and Enforcement

- 1. The Planning Board or its authorized agent shall enforce this Bylaw, its regulations, and the requirements and conditions of Permits issued thereunder, and may pursue civil and criminal remedies for violations of the same including but not limited to fines per Zoning Bylaw 6.5 (Penalty).
- 2. The Building Inspector or other authorized agent of the Planning Board is authorized to conduct inspections on behalf of the Planning Board. To the extent permitted by law, or if authorized by the owner, operator, or other person in control of the site, the Building Inspector or other agent of the Planning Board may enter on the site to conduct inspections.
- 3. The Building Inspector or other authorized agent of the Planning Board may issue such orders as are deemed necessary to stop violations and ensure compliance with this Bylaw, its regulations, and Permits, including an order to cease and desist operations.
- 4. If the violator holds a Special Permit issued under this Bylaw, the Planning Board may without prior hearing order that the violator cease and desist from violations of this bylaw and/or conditions of the Special Permit, or may suspend or revoke the Special Permit after a public hearing, at which point all operations shall cease until such time as the necessary measures are taken to assure compliance with this Bylaw and a new Permit is issued.

L. Change of Conditions

1. Any change in the activities not included in, or contemplated by, the Special Permit application or approved pursuant to a modification to a Special Permit shall be brought to the attention of the Planning Board or its agents prior to, or immediately following, such change in activities.
2. This notice shall be in writing and include specific actions recommended by the applicant to correct or to demonstrate compliance with the Special Permit and this bylaw. All operations shall be suspended within one operation day following such occurrence and remain suspended until the Planning Board or its agents have reviewed and amended the Special Permit with the applicants recommended change(s). Nothing herewith shall be interpreted to require acceptance of changed conditions or recommended corrective actions by the Planning Board.

B. Amend the Zoning Bylaw, Section 3.2, Schedule of Use, Subsection 3.2.04 (Industrial), as shown below:

3.2.04 INDUSTRIAL		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
4.	Earth Removal Operation (See Section 5.16) Gravel, sand or stone removal for commercial venture.	SP	SP	SP	SP	N	SP	SP	N
5.	Earth Filling Operation (See Section 5.16)	SP	SP	SP	SP	SP	SP	SP	SP

C. Amend Section 3.30, Business Residential-1 (BR-1) Zone, by re-numbering use nn. as oo. and inserting use pp. as follows:

~~nn-oo.~~ Brewery, Distillery, Winery by special permit

pp. Earth Removal Operation or Earth Filling Operation by special permit from the Planning Board (See Section 5.16)

D. Amend Section 5.3, Uses Prohibited in All Districts, subsection 5.3.01, as follow:

5.3.01 Dumping of other than clean fill. Dumping of refuse, contaminated or combustible materials except as a municipal function. See definition of Clean Fill (Section 1.3) and Section 5.16 (Earth Filling & Removal).

5.3.04 The stripping and removal of topsoil for use outside of the Town of Leicester boundaries. See Section 5.16 (Earth Filling & Removal)

or take any action in relation thereto.

PROPOSED MOTION Move that the article be voted as written.

FINANCE ADVISORY BOARD RECOMMENDATION No recommendation, without prejudice

SELECT BOARD RECOMMENDATION Favorable Action (5-0-0)

DESCRIPTION

Currently, there are no standards or procedural requirements for importation of fill or commercial earth removal operations. These amendments establish permitting requirements and reasonable regulations for earth fill and removal operations.

VOTE REQUIRED FOR PASSAGE Requires a two-thirds majority per M.G.L. c. 40A, § 5.

ARTICLE 25 MARIJUANA CULTIVATION (Clarification of the greenhouse issue)

To see if the Town will vote to amend the Leicester Zoning Bylaw Section 5.15, Medical Marijuana Treatment Center and Marijuana Establishments, Subsection 5.15.02 (Standards) by amending paragraph A and inserting new paragraph J as follows:

5.15.02 STANDARDS:

A. General

All aspects of a Medical Marijuana Treatment Center or Marijuana Establishment must take place at a fixed location within a fully enclosed building with opaque walls and shall not be visible from the exterior of the business building. (Greenhouses with transparent or translucent walls are prohibited; glass or other transparent roofs are allowed. See related subsection J., Lighting). No outside storage of marijuana, related supplies, or educational materials is permitted. Medical Marijuana Treatment Centers and Marijuana Establishments are not permitted as a home occupation. Site Plan Review is required for all Medical Marijuana Treatment Centers and Marijuana Establishments, including when the facility will reuse an existing structure.

J. Lighting

Lighting shall not extend beyond property lines. Artificial lighting from within the building(s) shall not create light pollution.

or take any action in relation thereto.

PROPOSED MOTION Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION **Favorable action (4-1-0)**

SELECT BOARD RECOMMENDATION **Favorable Action (5-0-0)**

DESCRIPTION

The purpose of this amendment is to clarify that marijuana establishments, including cultivation, are allowed only in fully enclosed buildings with opaque sides.

VOTE REQUIRED FOR PASSAGE Requires a two-thirds majority per M.G.L. c. 40A, § 5.

ARTICLE 26 – MOOSE HILL WATER COMMISSION

To see if the Town will vote to disband the Moose Hill Water Commission, at the request of said Commission, as formed by majority vote at the January 17, 1977 Special Town Meeting or take any action in relation thereto.

PROPOSED MOTION Move that the article be voted as written

FINANCE ADVISORY BOARD RECOMMENDATION **To be voted at Town Meeting**

SELECT BOARD RECOMMENDATION **Favorable Action (5-0-0)**

DESCRIPTION

At a meeting held on April 18th, 2019, the Moose Hill Water Commission voted unanimously ask the Select Board to place an article on the May 7th Annual Town Meeting warrant requesting Town Meeting disband the Commission.

The Moose Hill reservoir and surrounding property was acquired by the State as a flood control project in 1977. Legislation approved in 2000 enabled the Town to acquire the Moose Hill property at market value for the construction of a water treatment facility to be managed by the Commission. The Town never acquired

Moose Hill and the property is currently owned and managed by the Department of Conservation and Recreation (DCR).

The Commissioners believe that the development of Moose Hill as a drinking water source is not feasible based on the following reasons:

- Significant estimated capital cost of \$27,600,000 to construct a water treatment facility by 2025 based on the Moose Hill Feasibility Study Update undertaken by WhiteWater in 2017 in addition to legal and market value property acquisition costs
- Regulatory issues impeding the development of new surface water bodies like Moose Hill as drinking water sources due to current Federal and State regulations

Costs to develop Moose Hill would be borne by all taxpayers whether or wells or town water and the districts would need to agree to purchase this water at a rate which is currently unknown.

If the Town is not going to acquire the property and build the water treatment facility the Moose Hill Water Commission serves no purpose.

VOTE REQUIRED FOR PASSAGE Requires a simple majority vote

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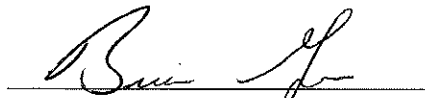
TOWN OF LEICESTER
ANNUAL TOWN MEETING
May 7th, 2019

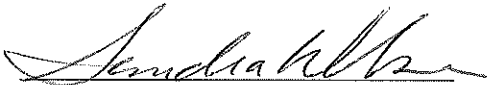
And you are hereby directed to serve this Annual Town Meeting Warrant by posting an attested copy in at least one public place in each precinct of the Town, on the Town Clerk's bulletin board, and on the bulletin board in the front entry of the Town Hall, and also by serving a copy of said Warrant to the Moderator and the Town Clerk, not less than fourteen (14) days before the 7th day of May 2019.

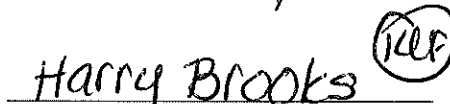
Given under our hand and seal of the Town on this 22nd day of April, 2019

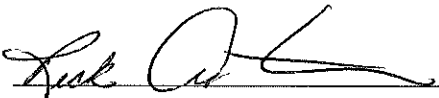
Respectfully submitted, Leicester Select Board


Chair






Harry Brooks (illegible)




Date: 4/22/19

Pursuant to above warrant, I have notified and warned the inhabitants of the Town of Leicester by posting a certified copy in the following precincts:

- Precinct 1. Leicester Post Office,
- Precinct 2. Redemption Center/Jan's Beer Mart,
- Precinct 3. Post Office in Rochdale,
- Precinct 4. Leicester Country Bank for Savings;

and on the Town Clerk's bulletin board, in the front entry of the Town Hall, with the Moderator, and with the Town Clerk, not less than fourteen days before the 7th day of May 2019.


Printed Name of Constable
Signature


Signature of Constable
Printed

TOWN OF LEICESTER
Annual Town Meeting Warrant Posting
and Advisory Board Recommendations
May 7, 2019

Pursuant to above warrant, I have notified and warned the inhabitants of
the Town of Leicester by posting a certified
copy in the following precincts

**Precinct 1. Leicester Post Office,
Precinct 2. Redemption Center/Jan's Beer Mart,
Precinct 3. Post Office in Rochdale,
Precinct 4. Leicester Country Bank for Savings,**

on the Town Clerk's bulletin board, in the front entry of the Town Hall, the Moderator, and Town Clerk, not less than fourteen days before the **SEVENTH** day of May 2019

April 23, 2019

Kenneth M. Antanavica

Printed Name of Constable

Kenneth M Artanavica
Signature of Constable

Deborah K. Davis

Printed Name of Town Clerk

Robert K Davis
Signature of Town Clerk