



**TOWN OF WESTBOROUGH**  
**Report and Recommendations**  
**of the**  
**Advisory Finance Committee**  
**to the**  
**SPECIAL (FALL) TOWN MEETING**  
**OCTOBER 18, 2021 (FY22)**

Michael Barretti, Chair

Beth Blumberg

Andrew Bradley

Paul Huegel

Zafar Siddiqui

Walter Leslie, Vice Chair

Melanie Board

Thomas Dolan, Jr.

Hank Rauch



## **Town Meeting at a Glance**

### **Prepared by Town Moderator, John E. Arnold**

Welcome to Westborough's Town Meeting - Westborough's legislative body! Here, every voter can act as a citizen/legislator for our town. As Moderator, my responsibilities include presiding over and regulating debate at the Town Meetings and acting as chief parliamentarian. This is guided by the Town's Charter, Bylaws, local tradition, and Town Meeting Time (a handbook published the Massachusetts Moderator's Association).

Though the final determination of any action at Town Meeting depends on these rules and the situation at hand, the following is a brief summary of our Town Meeting guidelines with which every participant should be familiar:

- Registered voters who have checked in with the Town Clerk's staff at the meeting can vote. Each voter must be present at the meeting to vote and can only vote once on each motion put to a vote. Nonvoters are asked to sit in a designated non-voting section of the meeting.
- Voters and those non-voters who have been granted permission may address the meeting. Town employees who have been requested to attend the meeting are allowed to address the meeting.
- One person can address the meeting at a time and the Moderator chooses who can address the meeting. Those wishing to address the meeting can raise their voting slip or voting device or stand at one of the designated microphones.
- Speakers can address the meeting up to twice on any question before the meeting unless they receive permission of the meeting. Answering a question or providing information requested does not count as addressing the meeting. Each "speech" by someone addressing the meeting is limited to 2 minutes.
- The proponent of an article is allowed to make a presentation up to 5 minutes explaining the topic under consideration and advocating for the motion that has been made. If subsequent questioning and deliberation shows sustained interest in a particular aspect of the discussion, the Moderator may grant more time for a presentation on that aspect.
  - With advance notice to the Moderator, one or more voters who are opponents of an article may be given permission to make a presentation using the same rules.
  - Both proponents and opponents are encouraged to work with the Moderator in advance to prepare an organized and logical (non-repetitive) presentation to optimize effectiveness.
- A voter who has a question about procedure or process may call out "point of order" at any time and the Moderator will address the question.
- After there has been adequate debate, a voter can "move the question" (a motion to terminate debate and move to a vote) as long as the motion is not part of a speech advocating for or against the motion. That motion, if accepted, is not debatable and requires a  $\frac{2}{3}$  vote.

**Advisory Finance Committee**  
**Message to Town Voters**  
**Special (Fall) Town Meeting**  
**October 18, 2021**

*Message approved October 7, 2021*  
*(Subject to change before meeting.)*

Thank you for attending this year's Special (Fall) Town Meeting.

To fulfill our role as your Advisory Finance Committee, we have reviewed the entire Warrant and have discussed each Article to prepare this Report and Recommendations for the Citizens of Westborough. We have met with the Select Board, the Town Manager and Finance Director, department heads, and committees to understand budget requirements and the effect of these proposed Warrant Articles on the Town. In this document we report our findings and recommendations to you, the legislative body, for your consideration as you decide the direction of the Town as we continue to emerge from a historically and financially significant period for all of us.

At this meeting you will hear about the financial status of Westborough, as reflected in the narrative below and the financial summary that follows. You will also see in this document the votes cast for each article by the Select Board and the AFC.

As we said last June in our report to the Annual Town Meeting, **we strongly urge Westborough to be diligent about spending**. Make no mistake, there is still uncertainty, even as we now begin to loosen the budgetary constraints forced upon us by the pandemic. As we go forward from Covid-induced operating budgets, the restoration of those budgets, the recognition of contract obligations, and the possibility of a plethora of capital expenditures for the remainder of this fiscal year and into the next, are all matters that have our attention. We also recognize that there are times when spending provides a value-add, such as the Article 2 request for the continued funding of the Grant Administer/Procurement Officer position, which will eventually allow for the centralization of this function and attendant cost savings.

Among the Articles in this Warrant you will see spending proposals put forth by the DPW, Police and Fire Departments, the Select Board, the Town Manager, the Planning Board, the Recreation Department (which is now responsible for operating the Golf Course) and the School Department. The **total amount** being requested is **\$1,290,342**. Of this, it is proposed that **\$943,882 be transferred from Free Cash, \$76,000 from retained earnings in the Water, Sewer, and Golf Course Enterprise Funds, and \$270,460 be funded via Raise and Appropriate**. It's worthwhile noting – again - that “Free Cash” (or Available Cash) isn't “Free.” In fact, it represents a combination of the return of some appropriations of your taxes from past fiscal years, and unanticipated revenue. Finally, it should also be noted that the cost of department-proposed new hires **does not reflect the benefit costs which are assumed by the town**.

## **Taxes:**

With respect to taxes, the estimated total town valuation is \$4,495,812,141 v. \$4,368,986,311 for FY21. **For a single-family property**, this results in the following:

- a. The estimated tax rate is \$18.55/\$1000 v. \$18.54/\$1000 for FY21.
- b. The estimated average house value is \$558,546 v. 539,519 for FY21.
- c. The estimated average house tax bill is \$10,362.57, differing from the estimated \$10,335.19 at the ATM in June, and 10,002.68 for FY21.

Our **excess levy capacity** is at \$13.14 Million, the highest (by approximately \$9 Million) of our benchmark communities

If all of the articles in the Warrant before you are approved, it will add **\$27.44** to the **estimated annual average house tax bill**. **The annual tax bill estimated at the Annual Town Meeting in June was \$332.45; it will now be \$ 359.89. This represents a 3.6% increase over FY21 and is the third highest tax increase in dollars since 2010.**

## **Operating Reserves:**

General Fund Operating Budget Reserves are slightly ahead of the Select Board's Fiscal Policy targeted goal. That policy specifies maintaining between 5%-7% of the General Fund Budget in free cash and, in addition, between 5%-7.5% in the town's Stabilization Fund. Although there is a slight excess year to date, the AFC recommends no action be taken as it anticipates that this will shrink to within policy limits consequential to the next Annual Town Meeting.

## **Potential Budget Pressures:**

While the Town's financial condition remains stable, thanks to sound comprehensive fiscal management policies and strong leadership, here are some of the larger issues that will put pressure on the **Fiscal Year 23 Budget, which begins July 1, 2022**. We are noting them now for your attention and forethought:

1. **Five union contracts** will expire on June 30, 2022 (Clerical, DPW, Dispatch, Patrol Officers, Police Supervisors.) In the School Department, Year 2 of the Unit A contract will result in a .5% COLA on the last day of FY22, followed by a 3.5% compensation increase for FY23, for a total cost of approximately \$1.8 Million.
2. **Capital Projects/Expenditures:**
  - a. As of this writing, a proposal for the renovation of the town library is expected in the Fall of 2022. The initial cost estimate on this project in 2018 was \$24 Million, offset by a state grant of \$9.4 Million. That grant is still available and a review/update of costs will take place in the coming weeks.
  - b. There are several significant DPW infrastructure maintenance projects with significant costs, some of which could be brought forward. Some of the associated

costs may be offset by Enterprise Funds and potential increases in water and sewer fees.

- c. Several significant projects for the School Department, including HVAC replacement and upgrades (including roof replacement).
3. **OPEB (Other Post-Employment Benefits) Funding** is another noteworthy matter for your attention. Because of Covid-induced budget pressures, funding for this item was deferred, but is now being restored, as evidenced in Article 3 of the Warrant. Over time, following a specific strategy which gradually shifts away from available cash to raise and appropriate, we will be funding this item annually. The AFC views OPEB funding as essential.
4. **Master Plan:** Costs associated with the recently adopted plan have yet to be fully developed. Over the ensuing years, spending for those elements of the plan which are proposed to be implemented will proceed through the normal approval process.
5. **The Community Preservation Act**, if approved, may carry an annual surcharge on your tax bill, which may increase under certain conditions, such as an increase in that bill.
6. **The Climate Action Plan** may also carry a price tag, which as of this report is unknown.

#### **Debt:**

In addition, we must continue to keep an eye on our debt service, which presently is at \$9.5 Million for the current fiscal year. Our present short-term debt is \$62.3 million, with currently authorized but unused (available) borrowing capacity of \$11.6 million. Our long-term debt is within current goal limits, and a debt strategy is in place. However, **appreciable growth in borrowing will significantly affect your tax burden.**

#### **Revenue:**

Some revenue anticipated from the Pulte/Del Webb (Lake Chauncy) project is expected to be delayed due to the impact of Covid on the construction schedule. However, there is some good news with respect to revenue. Westborough was recently awarded an **American Recovery Plan Act** grant by the Federal Government of **\$5.7 million**. We have already received one half of these funds. Detailed guidance received with these funds specifies the parameters within which they are allowed to be spent, and all funds must be spent/allocated by 2024. Proposed uses of these funds are already under consideration by the Town's Finance Team, which is developing a process to ensure full transparency of the utilization of these monies.

Your Advisory Finance Committee meets regularly to review plans and financial information, as well as maintaining liaison relationships with certain town departments, and appointed and voluntary committees. Doing so allows us to explore and anticipate the fiscal needs of Westborough, and report with confidence to the Town Meeting. You are invited to visit our web page on the town website, and/or attend our meetings.

Respectfully submitted,  
Westborough Advisory Finance Committee

## Municipal Fund-Based Accounting: A Primer

Fund accounting is a system of accounting used in non-business entities, such as nonprofits, government agencies, churches, hospitals and colleges and universities. Fund accounting differs from traditional business accounting, which focuses on identifying how successful an entity has been at creating profits. Non-profits and governments are not designed to generate profits but rather to deliver services. An alternative accounting method gives non-profits a more fitting approach to tracking and reporting their finances.

### Separation of Funds

Fund accounting breaks down an organization financial management into a series of separate funds. **Each fund stands on its own** and reports separate income and balance sheets. This contrasts with traditional business accounting, which measures the finances of an entity as a whole. **Generally Accepted Accounting Principles (GAAP)**, which are a standard set of principles, guidelines and standards used in the United States, **require that governments use fund accounting**. This means that the finances of a municipal government, are broken into different funds, such as general operating, enterprise funds, stabilization and revolving funds. Fund accounting standards are specified by the Government Account Standards Board (GASB) in Statement No. 54.

### Tracking Restrictions

Fund accounting allows groups to manage the diverse streams of revenue that they receive and to monitor the restrictions often attached to that revenue. By breaking up an entity's finances into appropriate funds, fund accounting enables organizations to keep the revenues that it receives in the proper categories and prevents those revenues from being spent on inappropriate expenses. For instance, tax revenues in a government typically can only go toward funding certain services. Similarly, nonprofit organizations often receive donations that have restricted uses, such as toward the construction of a particular building or the operations of a specific program.

### Evaluation

Fund accounting provides organizations with the tools to consider how well they are meeting their goals. In the case of a nonprofit charity, for instance, fund accounting provides a view of the organization's relative success providing the service that it was created to provide. It identifies the sources of an organization's revenue, and shows how efficiently the organization is transforming those resources into programs that match the organization's aspirations. Fund accounting provides transparency for external audiences, such as donors, bond rating agencies, tax payers and rate payers.

## Planning

Fund accounting not only shows the organization's current financial standing for external audiences, but it also enables the organization's decision-makers to plan for the future. It demonstrates if an organization has funds on hand that can be used moving forward. It also indicates the types and size of the revenues to be expected in a given year, informing the budget for the upcoming year, and it gives context to administrators and others who are planning how much they can accomplish in the given year.

### Westborough Government Funds

The municipal funds for our town can be broken into the following categories:

#### 1. General Fund or Operating Fund

This fund is the basic fund that is used to fund town and school services. The primary income of this fund comes from the Tax Levy, State Aid and Local Receipts. Any excess from this fund at the end of the year is deposited into Free Cash (a better term might be Available Cash). Free cash is simply the monies in our savings account. Free cash is normally used to pay for onetime capital expenses such as the purchase of police cruisers and DPW equipment.

**Savings Funds** – The town maintains a couple of special saving accounts to help offset large one time purchases and/or support a rainy day fund. These funds support and supplement the general fund:

- Stabilization Fund – This is the town's rainy day fund. To appropriate monies from this source requires a 2/3<sup>rd</sup> vote of town meeting.
- Capital Equipment Stabilization Fund – This fund is meant to set aside monies that will be needed in the nearer term to purchase costly capital equipment such as a fire engine.

#### 2. Enterprise Funds

Enterprise Funds are designed to separate services not necessarily available to the entire town and thus should not be part of the general tax levy. Enterprise Funds include:

- Water
- Sewer and Wastewater Treatment
- Golf Club
- Cable TV

These funds must be tracked independently from the general fund. They must be self-sustaining and have their own balance sheet. Although these enterprise expenditures must be appropriated by town meeting, their revenue comes from rate payers and fee payers. They may with town authorization borrow money. Any excess monies earned by an



enterprise fund is deposited into that fund's retained earnings account, which is equivalent to the free cash in the general fund.

### 3. Revolving Funds

Revolving Funds are similar to Enterprise funds in that they are self-sustaining. However they are dedicated to very specific functions and have boundaries on their use. Examples of Revolving funds include the Recreation Department's revolving fund which draws its income from participant fees and pays its own expenses such as equipment, referees and summer staff. Revolving funds are initially authorized by town meeting but need not have annual appropriations voted. They cannot borrow money. Two examples of revolving funds which do have an effect on the tax levy are:

- Special Education Circuit Breaker
- Community Education Program Fund

### 4. Trust Funds

The town maintains a couple of trust funds whose purpose is to support specific town programs. These funds received income from either gifts, bequests or deposits voted by town meeting. The main funds in this category include:

- **Library Trust Fund** - This trust supports the public library over and beyond the town's funding of the library. The town is required to maintain a certain level of appropriations from its tax levy in order to qualify for state aid to libraries. The monies in the Library Trust Fund can be tapped to augment the town's required contributions.
- **Open Space Trust** - This Fund's purpose is to fund the purchase of appropriate properties which may be subsequently converted into open space for the general enjoyment of the community.
- **OPEB Trust Fund** - This fund was established as a way to fund the town's Other Post Employment Benefit (**OPEB**) obligations. The town is obligated to partially pay for a retiree's medical premiums. Similar to a pension fund these monies are earmarked for future expenditures which will eventually make this a self-funding expense. The calculation of the amount of money required to fully fund this obligation is calculated every two years by an independent account/actuarial firm per **GASB 45**.
- **Affordable Housing Trust Fund** - This fund was recently established to promote the availability of affordable housing through purchase existing buildings or construction of new properties.

#### **A broad estimate of how spending and borrowing impacts the average house tax bill is:**

- \$100,000 Raised and Appropriated (R&A) results in approximately \$12.50 on the Average House Tax Bill
- \$10,000,000 borrowed over 20 years at 3% results in approximately \$93.75 in annual debt

service cost on the Average House Tax Bill **over those 20 years**. \$40,000,000 borrowed over 20 years results in approximately \$375.00 per Average House Tax Bill (unless accumulated stabilization funds can cover this debt service cost.)

-- Funding from Free Cash, Reserves or Enterprise Funds does not impact the Average House Tax bill as those monies were raised and appropriated during past Town Meetings or through local Fees.

The Town of Westborough's financial position is positively impacted by a **Standard & Poor's AAA bond rating**, allowing the Town to borrow at a favorable rate to fund investments in infrastructure repairs, replacements and upgrades to assets, including schools. That AAA Bond Rating comes with the Town having achieved: a stable economy during a historical pandemic period; strong budgetary flexibility with a healthy level of reserves; strong performance with consistent operating results (estimates vs. actual); strong liquidity providing strong cash levels to cover expenses; and strong management conditions with formal policies and practices.

### **Archive of Town Meeting Recommendations**

<https://www.town.westborough.ma.us/advisory-finance-committee/pages/archive-town-meeting-recommendations>

Town of Westborough Comprehensive Fiscal Management Policies  
<https://www.town.westborough.ma.us/Fiscal=Managemen-policies>

**Financial Revenue & Expenditure Estimated for FY2022**  
**Special Town Meeting, October 18th, 2021**

| <b>Estimated Revenue and Expenses</b>                        |           |                    |                     |                       |
|--|-----------|--------------------|---------------------|-----------------------|
| Expenditures   |           | <u>Voted ATM</u>   | <u>Adjustments</u>  | <u>Estimated FSTM</u> |
| Schools - Salary & Expenses                                  | \$        | 57,121,155         | \$ 120,000          | \$ 57,241,155         |
| Town - Salary & Expenses                                     | \$        | 20,460,657         | \$ 139,460          | \$ 20,600,117         |
| Insurance - Schools & Town                                   | \$        | 13,469,350         | \$ 600,000          | \$ 14,069,350         |
| Debt - Schools & Town  | \$        | 9,554,646          | \$                  | \$ 9,554,646          |
| Debt - WWTP - (separated for info purposes)                  | \$        | 2,829,859          | \$                  | \$ 2,829,859          |
| Assabet Valley Vocational                                    | \$        | 805,484            | \$                  | \$ 805,484            |
| Water Enterprise   | \$        | 4,350,996          | \$                  | \$ 4,350,996          |
| Sewer Enterprise   | \$        | 1,975,015          | \$                  | \$ 1,975,015          |
| Waste Water Treatment Plant                                  | \$        | 5,185,714          | \$                  | \$ 5,185,714          |
| Country Club Enterprise                                      | \$        | 653,178            | \$ 11,000           | \$ 664,178            |
| Cable TV Enterprise  | \$        | 300,000            | \$                  | \$ 300,000            |
| Articles (non-borrow)  | \$        | 4,370,947          | \$ 423,725          | \$ 4,794,672          |
| Worc County Retirement & Cherry Sheet Assessment             | \$        | 5,873,063          | \$ 15,821           | \$ 5,888,884          |
| Capital Improvement Fund Offset                              | \$        | 563,724            | \$ 329,211          | \$ 892,935            |
| Overlay Reserve  | \$        | 650,000            | \$                  | \$ 650,000            |
| <b>Total AFC Recommended Expenditures</b>                    | <b>\$</b> | <b>128,163,788</b> | <b>\$ 1,639,217</b> | <b>\$ 129,803,005</b> |
| <b>Estimated Non-Tax Levy Revenues</b>                       |           |                    |                     |                       |
| State Aid (Schools - Chap 70)                                | \$        | 11,202,028         | \$ (2,645)          | \$ 11,199,383         |
| State Aid (School Buildings)                                 | \$        | 2,535,987          | \$                  | \$ 2,535,987          |
| State Aid (unrestricted)                                     | \$        | 1,502,275          | \$ 7,116            | \$ 1,509,391          |
| Local Receipts (estimated)                                   | \$        | 8,660,636          | \$                  | \$ 8,660,636          |
| Water Enterprise Receipts                                    | \$        | 4,350,996          | \$                  | \$ 4,350,996          |
| Sewer & Waste Water Treatment Plant Receipts                 | \$        | 9,990,588          | \$                  | \$ 9,990,588          |
| Water & Sewer Receipts directed to Indirect Costs            | \$        | 358,335            | \$                  | \$ 358,335            |
| Country Club Enterprise Receipts & Transfer                  | \$        | 500,000            | \$ 164,178          | \$ 664,178            |
| Cable TV Enterprise  | \$        | 300,000            | \$                  | \$ 300,000            |
| Free Cash Used - ATM/STM Articles                            | \$        | 1,753,941          | \$ 943,882          | \$ 2,697,823          |
| Retained Earnings & Transfers, ATM Articles, Trust Funds     | \$        | 3,725,230          | \$ 79,843           | \$ 3,805,073          |
| <b>Total Estimated Non-Tax Levy Revenues</b>                 | <b>\$</b> | <b>44,880,016</b>  | <b>\$ 1,192,374</b> | <b>\$ 46,072,390</b>  |
| <b>Tax Levy (Amount to be raised through property taxes)</b> | <b>\$</b> | <b>83,283,772</b>  | <b>\$ 446,843</b>   | <b>\$ 83,730,615</b>  |

| <b>Tax Rate &amp; Average Single Family Tax Bill Calculation</b> |    |               |                |                          |
|--|----|---------------|----------------|--------------------------|
|  |    | <u>FY-21</u>  | <u>Change</u>  | <u>FY-22 (Estimated)</u> |
| Estimated Total Town Valuation                                   | \$ | 4,368,986,311 | \$ 144,178,365 | \$ \$ 4,513,164,676      |
| Estimated Tax Rate = (Tax Levy / Total Valuation) x 1,000        | \$ | 18.54         | \$ 0.01        | \$ 18.55                 |
| Estimated Average House Value FY2022                             | \$ | 539,519       | \$ 19,034      | \$ \$ 558,553            |
| Estimated Avg House Tax Bill FY2022                              |    |               |                | \$ 10,362.57             |
| Average House Tax Bill for FY2021                                | \$ | 10,002.68     |                | \$ 10,002.68             |
| Increase on Average House Tax Bill                               |    | 2.33% \$228   |                | 3.60% \$359.89           |

| <b>Levy Limit Calculation</b>                                |                      |
|--|----------------------|
| Fiscal Year 2021 Levy Limit                                  | \$ <b>92,312,364</b> |
| Plus 2.5%  | \$ 2,307,809         |
| Plus New Growth (Estimated)                                  | \$ 1,500,000         |
| FY2022 Levy Limit (before Debt Exclusion)                    | \$ <b>96,120,173</b> |
| School Debt Exclusion Amount                                 | \$ 751,213           |
| Fiscal Year 2022 Levy Limit                                  | \$ <b>96,871,386</b> |
| Excess Levy Capacity (Levy Limit - Tax Levy) (% Excess Levy) | \$ <b>13,140,771</b> |

## FREE CASH & RETAINED EARNINGS TRANSFERS & SUMMARY REPORT

Special Town Meeting for FY2022

Monday, October 18, 2021

| Source              | Transfer Amount | Article | Description                            |
|---------------------|-----------------|---------|--|
| Certified Free Cash | \$ 600,000      | 3       | FY22 Insurance Budget - OPEB           |
| Certified Free Cash | \$ 70,882       | 8       | Police Department Vehicle              |
| Certified Free Cash | \$ 30,000       | 12      | Fire Alarm Infrastructure              |
| Certified Free Cash | \$ 33,000       | 13      | Fire/Dispatch Software                 |
| Certified Free Cash | \$ 30,000       | 14      | Tuition Reimbursement                  |
| Certified Free Cash | \$ 167,000      | 15      | Stormwater Infrastructure Improvements |
| Certified Free Cash | \$ 13,000       | 16      | DPW Generator Purchase                 |
| Total General Fund  | \$ 943,882      |         |  |

### Enterprise Retained Earnings Transfers

|                                |           |    |                         |
|--------------------------------|-----------|----|-------------------------|
| Country Club Retained Earnings | \$ 50,000 | 11 | Golf Course Pump System |
| Water Retained Earnings        | \$ 13,000 | 16 | DPW Generator Purchase  |
| Sewer Retained Earnings        | \$ 13,000 | 16 | DPW Generator Purchase  |
| Sub Total                      | \$ 76,000 |    |                         |

### Other Transfers

|                                |             |   |                      |
|--------------------------------|-------------|---|----------------------|
| Comm of MA Transportation Fund | \$ 3,843.10 | 1 | DPW Road Maintenance |
| Sub Total                      | \$ 3,843.10 |   |                      |

## FREE CASH & STABILIZATION FUND RESERVE SUMMARY

| Free Cash certified as of July 1st, 2021: | Certified Available  | Transfers 2021 STM    | Transfers 2022 ATM                                     | Est Ending Balance   |
|---|----------------------|-----------------------|--|----------------------|
| General Fund (GF) Free Cash               | \$ 13,655,168        | \$ (943,882)          | \$ -   | \$ 12,711,286        |
| Water Enterprise Retained Earnings        | \$ 2,314,665         | \$ (13,000)           | \$ -   | \$ 2,301,665         |
| Sewer Enterprise Retained Earnings        | \$ 1,808,795         | \$ (13,000)           | \$ -   | \$ 1,795,795         |
| Country Club Enterprise R/Earnings        | \$ 401,822           | \$ (50,000)           | \$ -   | \$ 351,822           |
| Capital Equip Stabilization Fund          | \$ 13,288            | \$ -                  | \$ -   | \$ 13,288            |
| Stabilization Fund                        | \$ 3,790,475         | \$ -                  | \$ -   | \$ 3,790,475         |
| <b>Totals</b>                             | <b>\$ 21,984,213</b> | <b>\$ (1,019,882)</b> | <b>\$ -</b>  | <b>\$ 20,964,331</b> |
| AFC Reserve Fund                          |                      |                       |  | \$ 250,000           |
|   |                      |                       | Total All Reserves:                                    | \$ 21,214,331        |
|   |                      |                       | * General Fund Free Cash, Stabilization & AFC Reserve: | \$ 16,765,049        |

| GF Operating Budget % in Reserves | Total * All Reserves | GF Free Cash & Stabilization | Select Board's Targeted Goal |
|-----------------------------------|----------------------|------------------------------|------------------------------|
| General Fund Operating Budget     | \$107,326,505        | 15.62%                       | 15.39%                       |
|                                   |                      |                              | 10 - 15 %                    |
| Enterprise Reserve Funds          | Total Reserves       |                              |                              |
| Total Enterprise Budgets          | \$14,994,762         | 29.67%                       |                              |
| OPEB - GASB Assessed Liability    | % Funded             | Annual Contribution          | Balance                      |
| OPEB - Trust as of 6/30/2021      | \$9,138,479          | 8.07%                        | \$0                          |
|                                   |                      |                              | \$9,138,479                  |

Auditor's bi-annual review of the unfunded liability for Other Post Employment Benefits, last review was issued 8-2020

## INDEX OF ARTICLES AND SUMMARY RECOMMENDATIONS

*AFC = Advisory Finance Committee; SB= Select Board*

**ARTICLE 1: Appropriation of Commonwealth Transportation Infrastructure Fund**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 2: Fiscal Year 2022 Finance Department Budget Adjustment**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 3: Fiscal Year 2022 Insurance Budget Adjustment**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 4: Fiscal Year 2022 School Department Budget Adjustment**

AFC recommends the Town vote to approve this Article (7-2-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 5: Fiscal Year 2022 Department of Public Works Budget Adjustment**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 6: Fiscal Year 2022 Conservation Department Budget Adjustment**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 7: Fiscal Year 2022 Police Department Budget Adjustment**

AFC recommends the Town vote to approve this Article (8-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 8: Police Department Vehicle**

AFC recommends the Town vote to approve this Article (4-3-1)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 9: Fiscal Year 2022 Golf Course Budget Adjustment**

AFC recommends the Town vote to approve this Article (7-1-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 10: Fiscal Year 2022 Golf Course Budget Adjustment**

AFC recommends the Town vote to approve this Article (8-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 11: Golf Course Pump System**

AFC recommends the Town vote to approve this Article (8-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 12: Fire Alarm Infrastructure**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 13: Fire Department and Dispatch Software**

AFC recommends the Town vote to approve this Article (8-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 14: Tuition Reimbursement**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 15: Stormwater Infrastructure Improvements**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 16: Generator Purchase**

AFC recommends the Town vote to approve this Article (8-0-1)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 17: Amend General Bylaws – Article 25: Alcoholic Beverages**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 18: Amend Zoning Bylaws**

AFC recommends the Town vote to approve this Article (9-0-0)

SB will make their recommendation at Town Meeting

**ARTICLE 19: Amend Zoning Bylaws**

AFC voted to refer this Article Back to the Planning Board (9-0-0)

SB will make their recommendation at Town Meeting

**ARTICLE 20: Amend Zoning Bylaws – Article 3: Off-Premise Signs**

AFC voted to refer this Article back to the Planning Board (9-0-0)

SB will make their recommendation at Town Meeting

**ARTICLE 21: Amend General Bylaws – Article 38: Animal Control Bylaw**

AFC recommends the Town vote to approve this Article (9-0-0)

SB recommends the Town vote to approve this Article (5-0-0)

**ARTICLE 22: Acceptance of Trail Easement**

AFC recommends the Town vote to approve this Article (7-0-1)

SB will make their recommendation at Town Meeting

**Editorial Note:** *The Town Manager’s Statements are not part of the formal Articles in the Warrant. They constitute additional information offered for the benefit of the voters, true and correct as of the time of the posting of the Warrant, but subject to change as appropriate. They are not to be construed so as to broaden or limit the scope of the formal Articles.*

*In the Report, votes are shown in the format (x-y-z) where “x” is the number of votes in support; “y” is the number of votes in opposition and “z” is the number of abstentions. The vote reflects the number of members present at the time the vote was taken.*

## **COMMONWEALTH OF MASSACHUSETTS**

### **WORCESTER, SS**

#### **SPECIAL TOWN MEETING WARRANT**

TO ANY CONSTABLE IN THE TOWN OF WESTBOROUGH, IN THE COUNTY OF  
WORCESTER, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Westborough, qualified to vote in elections and Town affairs, to act on the following Articles on Monday, October 18, 2021, at 7:00 P.M. in the Westborough High School located at 90 West Main Street, Westborough.

#### **ARTICLE 1: Appropriation of Commonwealth Transportation Infrastructure Fund (DPW)**

To see if the Town will vote to transfer from the Receipts Reserve Account the sum of Three Thousand Eight Hundred Forty Three and 10/100 Dollars (\$3,843.10), or such other amount as Town Meeting may approve, for the purpose of road maintenance, or take any other action thereon.

*Town Manager Statement – The Town received \$3,843.10 from the Commonwealth Transportation Infrastructure Fund (derived from a tax on Lyft, Uber, etc.). The funds must be used “to address the impact of transportation network services on municipal roads, bridges and other transportation network services in the city or town” and must be appropriated by Town Meeting.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

#### **ARTICLE 2: Fiscal Year 2022 Finance Department Budget Adjustment (Select Board)**

To see if the Town will vote to raise and appropriate Forty Five Thousand Dollars (\$45,000), or appropriate such other amount as Town Meeting may approve, for the purpose of increasing the Finance Department Salary/Wages Budget, or take any other action thereon.

*Article Information – The Town created a Grants Administrator/Procurement Officer position in July 2021. The salary for this position was initially funded through the Coronavirus Relief Funds. These funds expire on December 31, 2021. This article would increase the budget to include the balance of FY2022 salary for this position.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

### **ARTICLE 3: Fiscal Year 2022 Insurance Budget Adjustment (Select Board)**

To see if the Town will vote to transfer Six Hundred Thousand Dollars (\$600,000) from Free Cash or appropriate such other amount as Town Meeting may approve, for the purpose of increasing the Insurance Budget, or take any other action thereon.

*Article Information – The Town annually budgets \$1,100,000 to fund the Other Post Employment Benefits (OPEB) Trust Fund. In FY2021 and FY2022, the Town did not budget any money for this funding in order to offset lost revenues due to the COVID-19 pandemic. This article will begin restoration of the previous funding of the OPEB using Free Cash in FY2022.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

### **ARTICLE 4: Fiscal Year 2022 School Department Budget Adjustment (School Committee)**

To see if the Town will vote to raise and appropriate the sum of One Hundred and Twenty Thousand Dollars (\$120,000) for the purpose of increasing Fiscal Year 2021-2022 School Department Budget, for the purpose of funding two additional 1.0 FTE requests, or take any other action thereon.

*Article Information – This article would add \$120,000 to the previously appropriated FY2022 School Department budget of \$57,121,155. The School Department's approved appropriation during the COVID-19 pandemic rolled forward adequate services for students. This article would add 1.0 FTE student support (English Language Learner position, 64,000) and 1.0 FTE business office support (payroll / clerical 56,000). An Enrollment increase has created the need for an additional ELL position at the Mill Pond School. The School Departments business office is understaffed in relation to the volume of work it receives and processes daily. The increase in FTE will allow the Director of Finance and Administration to reassess workflow, reduce issues and increase productivity.*

**AFC recommends the Town vote to approve this Article (7-2-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---



## **ARTICLE 5: Fiscal Year 2022 Department of Public Works Budget Adjustment (DPW)**

To see if the Town will vote to raise and appropriate Nine Thousand Seven Hundred Thirty Three Dollars (\$9,733), or appropriate such other amount as Town Meeting may approve, for the purpose of increasing the Department of Public Works Expenses Budget and, or take any other action thereon.

*Article Information – This article would fund cleaning of the Westborough Fire Department. The WFD has used COVID related grant money to clean the station. The grants expire at the end of the calendar year and additional money is needed to fund the second half of the Fiscal Year. This cost is in the DPW budget because the facilities department pays for cleaning of town buildings.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

## **ARTICLE 6: Fiscal Year 2022 Conservation Department Budget Adjustment (Conservation)**

To see if the Town will vote to raise and appropriate Five Thousand Dollars (\$5,000), or appropriate such other amount as Town Meeting may approve, for the purpose of increasing the Conservation Department Expenses Budget and, or take any other action thereon.

*Article Information – This article would restore the \$5,000 that was cut from the Conservation Department budget due to COVID. This money will be used for the development of land management plans and maintenance for Conservation parcels including the newly acquired Despres and Zwicker property.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

## **ARTICLE 7: Fiscal Year 2022 Police Department Budget Adjustment (Police)**

To see if the Town will vote to raise and appropriate Seventy Nine Thousand Twenty Seven Dollars (\$79,027), or appropriate such other amount as Town Meeting may approve, for the purpose of increasing the Police Department Salary/Wages Budget and to raise and appropriate Seven Hundred Dollars (\$700), or appropriate such other amount as Town Meeting may approve, for the purpose of increasing the Police Department Expenses Budget and, or take any other action thereon.

*Article Information – This article would fund an additional Lieutenant position in the Police Department in the current FY2022 budget. The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (8-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

## **ARTICLE 8: Police Department Vehicle (Police Chief)**

To see if the Town will vote to transfer from Free Cash the sum of Seventy Thousand Eight Hundred Eighty Two Dollars (\$70,882), or appropriate such other amount as Town Meeting may approve, for the purpose of purchasing and equipping an electric vehicle for the police department and purchasing and installing a charging station, including all costs incidental and related thereto, or take any other action thereon.

*Article Information – The Police Department is requesting an additional vehicle needed with the addition of the new lieutenant position. This article requests an all-electric vehicle as the first all-electric vehicle in the department. The appropriation covers the cost of the vehicle and installation of a charging station at the Police Department.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (4-3-1)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

## **ARTICLE 9: Fiscal Year 2022 Golf Course Budget Adjustment (Recreation)**

To see if the Town will vote to change the funding source for the funds appropriated under Article 2 of the May 15, 2021 Annual Town Meeting, Fiscal Year 2022 Operating Budgets, pursuant to which \$500,000 was appropriated from enterprise revenues and \$153,178 from the Tax Levy, for a total FY2022 Country Club budget of \$653,178, to operate the Country Club Enterprise, to, instead, appropriate the full sum of \$653,178 from enterprise revenues, and nothing from the Tax Levy, for a total FY2022 Country Club budget of \$653,178, or take any other action thereon.

*Article Information – Starting in January of 2021, the Golf Club changed from the long standing practice of a management contract to a Town employee run course. Although we were certain under this new management arrangement the Club would collect more revenue, we were unable to increase the anticipated revenues until we closed Fiscal Year 2021. After the year closed, it was noted that the Club collected \$287,890 more than the prior fiscal year. The above article will allow the Golf Club to cover their entire Fiscal Year 2022 annual appropriation through the Enterprise Fund, with no reliance on tax dollars.*

**AFC recommends the Town vote to approve this Article (7-1-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

## **ARTICLE 10: Fiscal Year 2022 Golf Course Budget Adjustment (Recreation)**

To see if the Town will vote to raise and appropriate through the Country Club Enterprise Fund Eleven Thousand Dollars (\$11,000), or appropriate such other amount as Town Meeting may approve, for the purpose of increasing the Golf Course Expenses Budget and, or take any other action thereon.

*Article Information – This article will fund an increase in the Golf Course budget for the purpose of funding credit card fees.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (8-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

#### **ARTICLE 11: Golf Course Pump System (Recreation)**

To see if the Town will vote to transfer from Country Club Retained Earnings the sum of Fifty Thousand Dollars (\$50,000), or appropriate such other amount as Town Meeting may approve, for the purpose of replacing the water pump system at the golf course, including all costs incidental and related thereto, or take any other action thereon.

*Article Information – The water pump currently at the golf course is very old, and it can be difficult to find parts to repair the pump. Earlier this summer the pump failed completely and we have been advised that the entire system should be replaced.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (8-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

#### **ARTICLE 12: Fire Alarm Infrastructure (Fire Chief)**

To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand Dollars (\$30,000), or appropriate such other amount as Town Meeting may approve, for the purpose of removing existing fire alarm infrastructure from utility poles, including all costs incidental and related thereto, or take any other action thereon.

*Article Information - The Westborough Fire Department intends to contract with a vendor to remove existing fire alarm infrastructure from utility poles in the community. For many decades, occupancies within Westborough utilized the municipal fire alarm system that was hard wired to the old fire station at 42 Milk Street. Much of this infrastructure was removed by WFD personnel, however a significant number still exists. This old infrastructure includes primarily wire and utility boxes. Over the last two years, the department has received requests from National Grid to remove old wires that would allow existing poles to be replaced. This has been done sporadically to accommodate projects that include utility companies. This request would complete the removal of this infrastructure.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

### **ARTICLE 13: Fire Department and Dispatch Software (Fire Chief)**

To see if the Town will vote to transfer from Free Cash the sum of Thirty-three Thousand Dollars (\$33,000), or appropriate such other amount as Town Meeting may approve, for the purpose of purchasing and installing a fire department and dispatch software system, including all costs incidental and related thereto, or take any other action thereon.

*Article Information - In 2016, the Fire Department assumed control of the Public Safety Communications Center from the Westborough Police Department. At the time of the move, there was a significant renovation project at the Forbes Building / Westborough Police which required the dispatch center to relocate. In an effort to be cost effective, as well as merge the (once separate) police and fire dispatch centers together, the joint public safety communications center was created. Due to budget constraints, the fire department, who was already using outdated fire reporting software, agreed to merge into the police software known as "IMC." Although this software has fared well for Westborough Police, it is not intended for use by fire departments and is therefore difficult. The department has performed extensive research and is looking to procure fire department and dispatch software that is designed for their specific needs. The recurring annual cost for software maintenance is estimated to be approximately \$29,000 per year.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (8-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

**ARTICLE 14: Tuition Reimbursement (Town Manager)** To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand Dollars (\$30,000), or such other amount as the Town Meeting may approve, for the purpose of funding employee tuition reimbursement, or take any other action thereon.

*Article Information – This article funds tuition reimbursement to allow the Town to meet its obligation to the Collective Bargaining Units and Personnel Policies. The Town typically funds the amount that is estimated to be used during the upcoming fiscal year at the Annual Town Meeting however, we are anticipating additional requests that will exceed the current balance.*

*The motion for this article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

### **ARTICLE 15: Stormwater Infrastructure Improvements (Department of Public Works)**

To see if the Town will vote to transfer the sum of One Hundred Sixty Seven Thousand Dollars (\$167,000) from Free Cash, or such other amount as Town Meeting may approve, for the purpose of completing assessments and improvements to the municipal stormwater infrastructure system, including all costs incidental and related thereto, or take any other action thereon.

*Article Information – This article requests funds for culvert design and funds to support compliance with the town’s Municipal Separate Storm Sewer System (MS4) permit. The existing culverts conveying Jackstraw Brook under Bowman Lane are deteriorated. The “Bowman Lane Culvert Evaluation Report”, completed June 2021 and funded by a Division of Ecological Restoration grant, identifies the need to replace two culverts. The requested funds will enable design, permitting, bid document preparation, and related tasks as necessary, for the Bowman Lane culverts. Additionally, the funding will support stormwater bylaw revisions, the creation of stormwater rules and regulations and/or design standards, and related tasks to ensure the town is in compliance with the MS4 permit and upcoming revisions to MassDEP’s stormwater guidance manuals.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

#### **ARTICLE 16: Generator Purchase (Department of Public Works)**

To see if the Town will vote to transfer from Free Cash the sum of Thirteen Thousand Dollars (\$13,000) transfer from Sewer Retained Earnings the sum of Thirteen Thousand Dollars (\$13,000), and transfer from Water Retained Earnings the sum of Thirteen Thousand Dollars (\$13,000), for a total appropriation of Thirty Nine Thousand Dollars (\$39,000), or such other amount as Town Meeting may approve, for the purpose of purchasing a generator and any accessory or other equipment, including all costs incidental and related thereto, or take any other action thereon.

*Article Information - This request funds the purchase of a used trailer mounted generator to serve as a mobile emergency power supply to support Town infrastructure. Delivery time for the purchase of new pump station generators is currently greater than 12 months. Replacement backup generators for sewer pump stations have been ordered and additional generators are programmed to be ordered in the coming years. A trailer mounted generator will provide an interim solution for supplying power at various stations until new generators are delivered. The high cost to rent a generator for months at a time makes purchasing a used generator a better option. Additionally, this trailer mounted generator will serve as immediate backup power during temporary power outages at water, sewer, or other infrastructure sites.*

**AFC recommends the Town vote to approve this Article (8-0-1)**

**SB recommends the Town vote to approve this Article (5-0-0)**

---

#### **ARTICLE 17: Amend General Bylaws – Article 25: Alcoholic Beverages (Select Board)**

To see if the Town will vote to amend Article 25 of the General Bylaws by deleting the strikethrough text and adding the bold italicized text, as follows:

## SECTION 1 PROHIBITION IN TOWN BUILDINGS AND TOWN PROPERTY

No person shall keep, use, consume or have in his possession any alcoholic beverage as defined in Chapter 138, Section 1 of the Massachusetts General Laws, in any building or structure or on any property owned by the Town of Westborough and used for municipal purposes ***unless authorized by permit duly issued by the Select Board.***

## SECTION 2 PROHIBITION IN PROPERTY LEASED BY THE TOWN

No person shall consume any alcoholic beverage as defined in Section 1 in any portion of any structure in the Town of Westborough leased, rented, or otherwise used by said Town for municipal purposes ***unless authorized by permit duly issued by the Select Board.***

## SECTION 3 PROHIBITION IN PUBLIC WAYS

No person shall consume any alcoholic beverage as defined in Section 1 while in or upon any public way in the Town of Westborough ***unless authorized by permit duly issued by the Select Board..***

## SECTION 4 PROHIBITION IN PUBLIC PLACES – EXCEPTIONS

No person shall consume any alcoholic beverage as defined in Section 1 upon any way, place, or building in the Town of Westborough to which members of the public have access as invitees or licensees without the permission of the owner or person in control thereof.

## SECTION 5 USE IN PUBLIC PARKS – EXCEPTIONS

No person shall keep, use, consume, or have in his possession any alcoholic beverage as defined in Section 1 in any public park or playground in the Town of Westborough ***unless authorized by permit duly issued by the Select Board.***~~except as may be provided in Section 4.~~

## SECTION 6 VIOLATION

~~All alcoholic beverages being used in violation of this Bylaw shall be seized and safely held until final adjudication of the charge against the person or persons arrested or summoned before the court, at which time they shall be returned to the person entitled to lawful possession.~~

***Per police procedures, all alcoholic beverages being used in violation of this Bylaw shall be seized and destroyed, or processed and held until final adjudication of the charge against the person or persons arrested or summoned before the court, at which time they may be returned to the person entitled to lawful possession. The Chief of Police or designee may return any seized alcohol prior to final adjudication for purposes they deem reasonable.***

Or take any other action thereon;

*Article Information – This Article seeks to amend the Alcoholic Beverages section of the General Bylaws to preserve the current prohibitions but authorizes the Select Board to approve a permit to allow alcohol to be consumed in or on Town property.*

*The motion for this Article requires a simple majority vote.*



**AFC recommends the Town vote to approve this Article (9-0-0)**  
**SB recommends the Town vote to approve this Article (5-0-0)**

---

**ARTICLE 18: Amend Zoning Bylaws – (Planning Board)**

To see if the Town will vote to amend its Zoning Bylaws by amending the Zoning Map to rezone that portion of the property located at 64 Otis Street, further identified on the Town of Westborough's Assessor's Maps as Parcel: 25-3A from the Highway Business (BA) Zoning District to the General Industrial (IB) Zoning District, or take any action thereon.

*Article Information - The Highway Business portion of the lot is approximately 2% of the overall lot area. However, the split zoning requirements place unnecessary encumbrances on the property. This article would create uniform zoning for the property by placing the entire property in the General Industrial (IB) Zoning District.*

*The motion for this article requires a two-thirds vote.*

**AFC recommends the Town vote to approve this Article (9-0-0)**  
**SB will make their recommendation at Town Meeting**

---

**ARTICLE 19: Amend Zoning Bylaws – (Planning Board)**

To see if the Town will vote to amend its Zoning Bylaws by amending the Zoning Map designation for properties located at 50, 54, 60 and 64 Otis Street and identified on the Westborough's Assessor's Maps as Parcels 26-34, 25-1, 25-3, and 25-3A to include these properties within the Industrial D Overlay (ID) District, or take any action thereon.

*Article Information: The properties involved in this zoning amendment are part of a much larger campus development that can be more appropriately planned with the advantages of the Industrial D Overlay (ID) zoning elements. This rezoning would allow increased land use options for the property owners and the Town in the overall development of the properties. The Industrial D Overlay (ID) zoning adds greater flexibility in lot coverage and building height than would be otherwise realized under the current General Industrial (IB) zoning.*

*The motion for this article requires a two-thirds vote.*

**AFC voted to refer this Article Back to the Planning Board (9-0-0)**  
**SB will make their recommendation at Town Meeting**

---

**ARTICLE 20: Amend Zoning Bylaws – Article 3: Off-Premise Signs (Planning Board)**

To see if the Town will vote to amend its Zoning Bylaws by deleting Section 3340. OFF-PREMISES SIGNS. in its entirety and inserting in its place the following language:

3340. OFF-PREMISES SIGNS OR SIGNAGE. Billboards or signs, whose content does not relate exclusively to the premises on which they are located, or to products, accommodations,

services or activities on those premises, shall not be permitted, except as provided below.  
(Amended 10/19/2015, Article 5)

- a. Off-Premises Signage may be allowed by the Building Commissioner if the Off-Premises Signage serves to reduce traffic congestion, improve public safety or serves a similar public benefit; (Added 10/19/2015, Article 5)
- b. The Building Commissioner may also allow Off-Premises Signage to announce temporary events. The location and duration of the display of such Off-Premises Signage shall be determined by the Building Commissioner”; (Added 10/19/2015, Article 5)
- c. Off-Premises Digital Billboard signs may be allowed on commercial or industrially zoned (specifically including: IA – Exclusive Industrial, IB – General Industrial B, IC – Mixed Use Industrial, ID – Industrial D Overlay and BA – Highway Business) property directly abutting Interstate Route 90, the Massachusetts Turnpike, or Interstate 495 if such Digital Billboard sign will not be situated within two hundred (200) feet of a residential district, and further, Off-Premises Digital Billboard signs shall not be: permitted within 1000 feet of another permitted Off Premises Digital Billboard sign on the same side of the traveled way regardless of which direction the sign is intended to face; or be permitted within 1000 feet of another permitted Off Premises Digital Billboard sign on the opposite side of the traveled way regardless of which direction the sign is intended to face . Such Off-Premises Digital Billboard signs shall be permitted by the Selectboard if the Board determines the Digital Billboard sign serves to provide a public benefit to the Town of Westborough. Upon such approval and issuance of a permit and/or license in accordance with 700 CMR 3.00, the Building Commissioner shall, after review of application, issue a building permit for the Off-Premises Digital Billboard sign.
- d. For purposes of this Section, a Digital Billboard means an Off-Premises sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically. A Digital Billboard may be internally or externally illuminated. Digital Billboards shall contain static messages only, and shall not have animation, movement, or the appearance or optical illusion of movement, of any part of the sign structure. Each static message shall not include flashing or the varying of light intensity.
- e. Digital Billboard Requirements. Digital Billboards are permitted subject to the following:
  1. Operational Limitations. Such displays shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement during the static display period, of any part of the sign



structure. Each static message shall not include flashing lighting or the varying of light intensity.

2. Owners of Digital Billboard sign faces have the sole option to remove the digital units from the outdoor advertising structure at any time, for any reason. During all periods where there are no digital units on the sign structure, the sign owner shall be permitted to operate the sign faces as traditional non-digital, printed type.
3. The owner/operator of a Digital Billboard sign(s) from time to time, may operate the sign face(s) as digital or printed/non-digital, at their sole discretion.
4. Minimum display time. Each message on the sign must be displayed for a minimum of (10) ten seconds.
5. Digital Billboards shall not operate at brightness levels of more than 0.3 (zero point three) foot candles above ambient light, as measured using a foot candle meter at a pre-set distance.
6. Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign. Measurement distance criteria:

| Nominal<br>Face Size | Distance to<br>be measured from: |
|----------------------|----------------------------------|
| 12' x 25'            | 150'                             |
| 10'6" x 36'          | 200'                             |
| 14' x 48'            | 250'                             |

7. Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.
8. The technology currently being deployed for Digital Billboards is LED (light emitting diode), but there may be alternate, preferred and superior technology available in the future. Any other technology that operates under the maximum brightness stated in ## 5 and 6 above shall not require an ordinance change for approval, unless the Town of Westborough finds it in the best interest of the public to do so.
9. The maximum face size of each Digital Billboard sign face shall not exceed 680 (six hundred and eighty) square feet, including framing or trim. The maximum height of any off-site digital billboard shall not exceed ninety (90) feet as measured from the elevation of the roadway upon which it is intended to face, to the top of the sign.

10. Owners of Digital Billboards shall coordinate with law enforcement, emergency management authorities or the Westborough Select Board to display, when appropriate, regional emergency information important to the traveling public including, but not limited to Amber Alerts, emergency management information or public service announcements.
11. The Digital Billboard will be permitted, if in compliance with applicable local, state and federal regulations, in addition to a primary use ground sign situated on the same lot. Or take any action thereon.

*Article Information - This article would create zoning to allow digital billboards along the frontage of Interstate 495 and the Massachusetts Turnpike (I-90) in conformance with the State regulations governing the siting of digital billboards. It should be noted that these billboards provide emergency and public service announcements free of charge. The billboards also pay an annual fee to the Town for the installation.*

*The motion for this article requires a two-thirds vote.*

**AFC voted to refer this Article Back to the Planning Board (9-0-0)**  
**SB will make their recommendation at Town Meeting**

---

#### **ARTICLE 21: Amend General Bylaws – Article 38: Animal Control Bylaw (Select Board)**

To see if the Town will vote to amend Article 38, Section G3 of the General Bylaws by deleting the strikethrough text and adding the bold italicized text, as follows:

Any person who violates this Bylaw may be penalized by non-criminal disposition as provided by Massachusetts General Laws, Chapter 40, Section 21D and the Town's Non- Criminal Disposition bylaw. If non-criminal disposition is elected, then any person who violates the provisions of this regulation shall be subject to penalties as follows:

First Offense - fifty dollars (\$50.00)

Second Offense – one hundred dollars (\$100.00)

Third Offense ***and Further Offenses*** - three hundred dollars (\$300.00)

Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

Or take any other action thereon.

*Article Information – This Article amends the poultry section of the General Bylaws to clarify that the fine for Third Offense and Further Offenses will be \$300. When the bylaw was passed at the ATM 2021, it included that “Fourth and Further Offenses” would be \$500. This portion of the bylaw was disapproved by the Attorney General because it conflicts with MGL Chapter 40, Section 21 that states a Town's bylaw may be enforced by way of a fine not to exceed \$300.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (9-0-0)**

**BOS recommends the Town vote to approve this Article (5-0-0)**

---

**ARTICLE 22: Acceptance of Trail Easement (Select Board)**

To see if the Town will vote to authorize the Select Board to acquire, by gift, a trail easement from the Commonwealth of Massachusetts in, on and under the parcel of land shown as “Parcel 16-EG-1” (the “Premises”) on a plan entitled “The Massachusetts Department of Transportation Plan of Road in the Town of Westborough Worcester County Altered and Laid Out as a State highway by the Massachusetts Department of Transportation Scale: 20 Feet to the Inch (Except as noted)”, a copy of which is on file with the Town Clerk, or take any other action thereon.

*Article Information – This Article authorizes the Select Board to accept a trail easement from the Commonwealth.*

*The motion for this Article requires a simple majority vote.*

**AFC recommends the Town vote to approve this Article (7-0-1)**

**BOS will make their recommendation at Town Meeting**

---

