

*Town of Winchester
Spring Annual Town Meeting – April 26, 2021*



Dear Members of the Town Meeting:

As we approach 2021 Spring Town Meeting, we continue to face uncertainties among our community, ready to embrace the unknown ahead. As all adults and children 16+ wait for their turns to receive vaccinations, we will continue to follow safety protocols set by the Centers for Disease Control and work as a community to move through these uncertain times. In response, the 2021 Spring Town Meeting will be conducted remotely, following the same procedures and protocols that were adopted in the Spring of 2020.

We will continue the use of the Consent Agenda as a way of streamlining the meeting. The Consent Agenda groups together articles that are not normally the subject of debate and will allow these articles to be taken up under one motion. Members are invited to ask questions about items on the Consent Agenda, but shall not debate those motions. However, at the request of five (5) or more members of Town Meeting, or at the discretion of the Moderator, an article may be removed from the Consent Agenda and heard in the normal course.

While we wait for times where we can meet again in person, I ask for your continued patience and flexibility as we navigate the new.

We will be celebrating 171 years of Winchester's Town Meeting this year, the purest form of democratic governance. It is in this forum that your voice and opinions provide direct change in our community. As you approach Town Meeting this year, as a long-time elected veteran of the meeting or a newly elected member, I welcome you and encourage you to engage your voice and perspective in shaping our community through Town Meeting's debates and votes.

Thank you for your service to the Town of Winchester,

Heather R. von Mering
Town Moderator

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Preliminary Motions

MOVED AND SECONDED that the following preliminary motions be voted as one:

1. That, in light of the ongoing COVID-19 pandemic and the federal, state and local advisories to practice social distancing and avoid the congregation of crowds, the 2021 Annual Spring Town Meeting be held through remote participation using a videoconferencing platform, and electronic voting as proposed by the Moderator in her request to the Select Board dated April 2, 2021.
2. That a Deputy Moderator be appointed to assist the Moderator in the conduct of the Meeting.
3. That unless it be otherwise ordered, all adjourned sessions of this Town Meeting shall be held on successive Thursday and Monday evenings at 7:30 P.M. via the same means as above, until the work of this Town Meeting is completed.
4. That cable television coverage shall be permitted for all sessions of this Town Meeting.

Consent Agenda

4/5 Vote Required

MOTION:

MOVED AND SECONDED that the 2021 Spring Town Meeting advance for consideration Articles 1, 9, 10, 12, 13 and 25 through 28, and take action on such Articles without debate on any of such Articles, provided that, upon the request of five voters at this Meeting made before the vote is taken on this motion, or otherwise at the Moderator's discretion, an Article shall be removed from the Consent Agenda and shall be acted upon in the ordinary course of business at this Town Meeting.

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ARTICLE 1. CONSENT AGENDA

Majority Vote Required

To hear and act upon the reports of the Town Officers and the Finance Committee; or take any other action in relation thereto.

(Select Board)

MOTION:

MOVED AND SECONDED that the report of Town Officers and Finance Committee be received and filed.

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ARTICLE 2.

Majority Vote Required

To see if the Town will vote to hear and act on the report of the Planning Board and place the report on file, or take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED that the report of the Planning Board be received and filed.

BACKGROUND:

Mass General Law Chapter 41 Section 71 states: *“Every planning board shall make a report annually to the city council or to the annual town meeting, giving information regarding the condition of the town and any plans or proposals for its development and estimates of the cost thereof. Every such planning board shall file with the director of housing and community development a copy of each report made by it.”*

Although the Planning Board has given reports at every Town Meeting along with all other Boards/Committees, the Planning Board has asked to provide a separate report this year, similar to the School Committee and the Capital Planning Committee.

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ARTICLE 3.

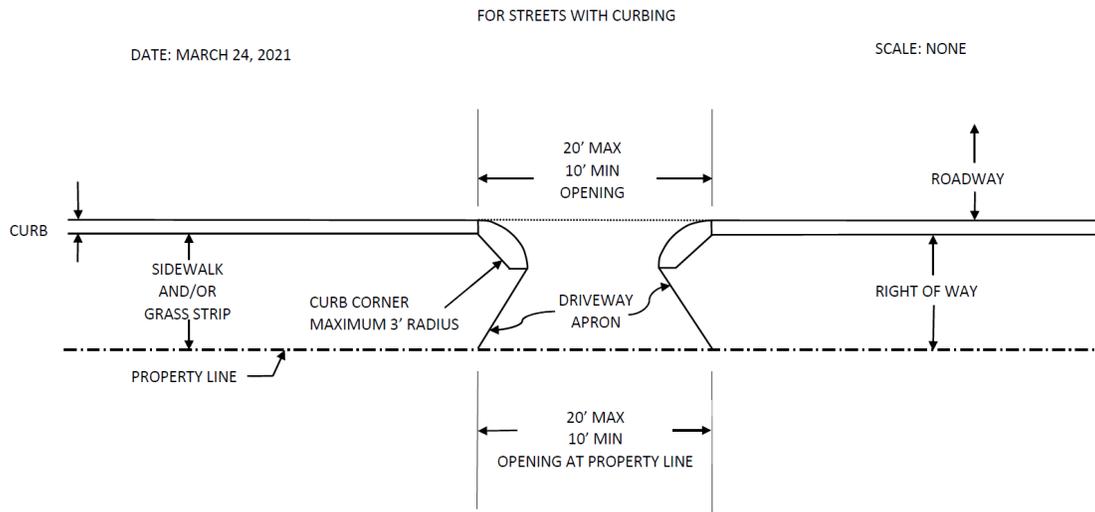
2/3 Vote Required

To see if the Town will vote to amend Section 5.1.10 of the Winchester Zoning Bylaw to include a maximum allowable driveway width and curb radii at the curb line for single family dwellings, duplexes, and triplexes as follows (deleted text struck through, added text shown in ***bold italics***, and graphic added); or take any other action in relation thereto:

5.1.10 Driveway Curb Cuts for Single family Dwellings, Duplexes, and Triplexes

1. For single-family dwellings in any district: The maximum width at the ~~street~~ ***property*** line shall be 20 feet, ***and 20 feet at the curb line or edge of pavement.*** Any driveway shall be at least 10 feet wide at the ~~street~~ ***property*** line. One driveway shall be permitted per single-family dwelling. A second entrance to the driveway on a single lot may be permitted if a minimum of 40 feet of separation is provided between entrances, and the maximum width of each entrance at the ~~street~~ ***property*** line is no more than 10 feet. The separation between entrances shall be defined by granite curbing, change in elevation, or other means to deter vehicles from driving over the separation.

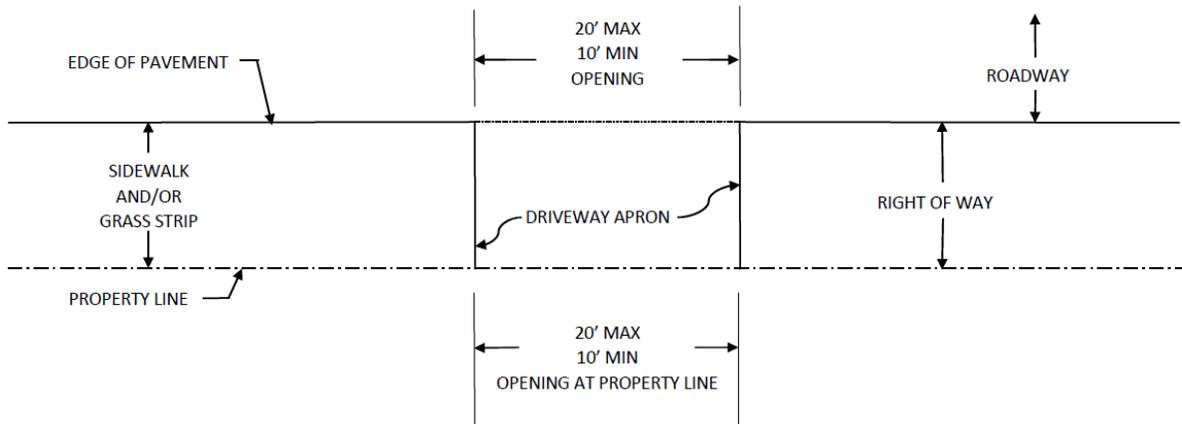
2. For duplexes and triplexes in any district: The maximum width at the ~~street~~ ***property*** line shall be 20 feet, ***and 20 feet at the curb line or edge of pavement.*** Two driveways may be permitted per lot, at a maximum width of 10 feet per driveway as measured at the ~~street~~ ***property*** line. Any driveway shall be at least 10 feet wide at the ~~street~~ ***property*** line. A minimum of 10 feet of separation between the driveways is required. The separation between driveways shall be defined by granite curbing, change in elevation, or other means to deter vehicles from driving over the separation.



FOR STREETS WITHOUT CURBING

DATE: MARCH 24, 2021

SCALE: NONE



3. All driveways shall be located to minimize conflict with traffic and pedestrian movement on public and private streets and to maximize visibility and site distances. Driveways shall be located and designed to discourage vehicular traffic from using driveways to avoid intersections, to cut corners, or to avoid stop signs. Driveways shall be at least 20 feet from an unsignalized intersection and at least 30 feet from a signalized intersection.

4. The Board of Appeals may grant relief from the requirements of subsection 1-3, above, by Special Permit under Section 9.4. If the Board of Appeals disagrees with the recommendation of the Engineering Department regarding the Special Permit application, it shall explain its position in its written decision.

~~5. This Section 5.1.10 shall apply only to entrances and exit driveways installed or widened at the street line, after May 1, 2017~~

(Planning Board)

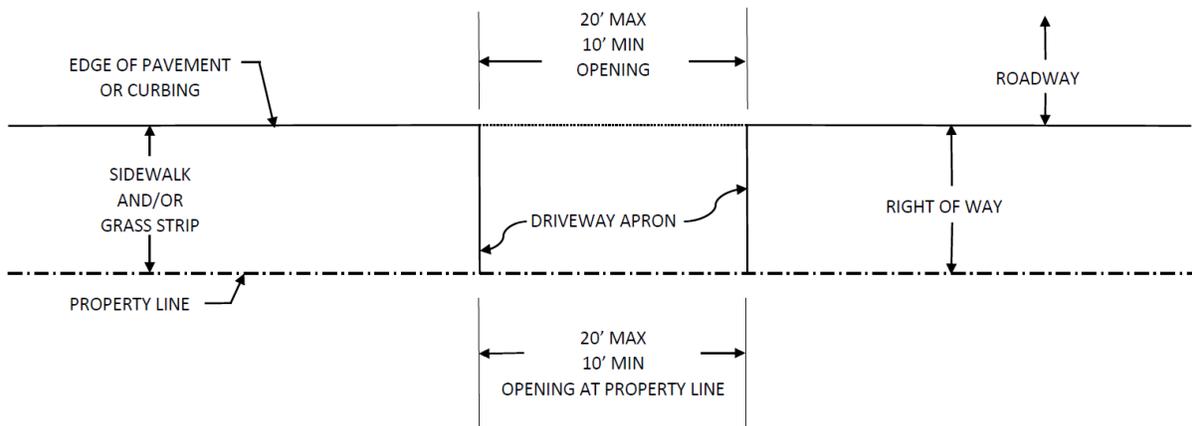
MOTION:

MOVED AND SECONDED that the Town approve Article 3 as printed in the warrant, except that the graphic therein shall be replaced with the following graphic:

FOR STREETS IN WINCHESTER

DATE: APRIL 12, 2021

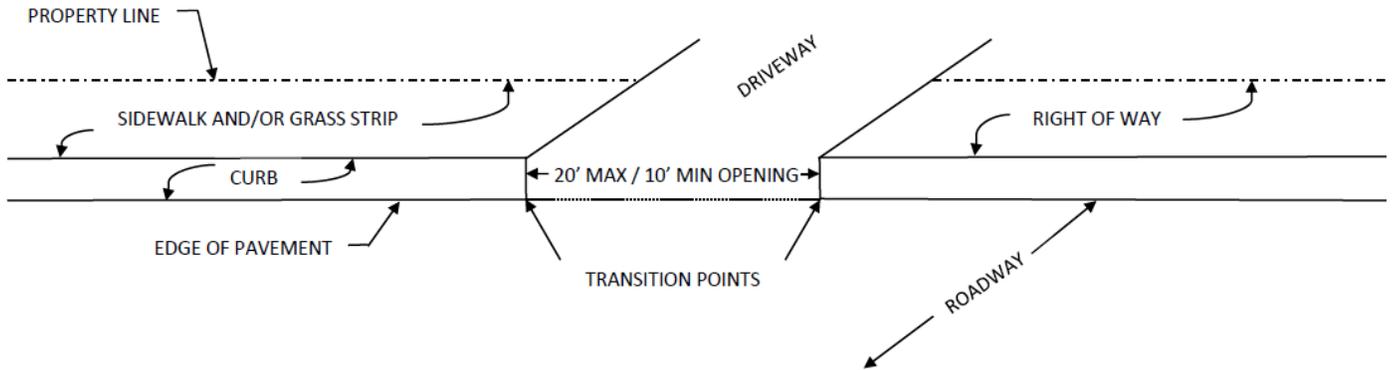
SCALE: NONE



FOR STREETS IN WINCHESTER

DATE: APRIL 12, 2021

SCALE: NONE



BACKGROUND:

The Spring 2017 Town Meeting voted to regulate the width of curbcuts for residential properties at the street line. Prior to this, only commercial curbcuts were regulated, and oversized and multiple curbcuts on a property were posing hazards for pedestrians. Over the past 3 years, the Planning Board determined that using the term “street line” is unclear, as different configurations of driveways can cause different curbcut widths, for instance the use of rounded curb edges can have less width at the curb line than straight curbs which angle down towards the middle of the driveway. The aim of the amendment is to make clear what is allowed at the edge of pavement (or the curb line, if present). Maximum width at the edge of pavement (or curb line if present) and the property line are proposed to be 20’, where previously only the “street line” was regulated at a maximum of 20’. The proposed amendment does not change anything with respect to properties where two driveways exist, and therefore a maximum of 10’ is allowed per driveway.

Exceptions to these requirements are allowed via Special Permit, under section 9.4.2. All driveways currently in use are protected as pre-existing nonconforming driveways and no action is needed unless a **new driveway** is proposed or an existing driveway is planned to be **widened**, and which point a Special Permit would be required.

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ARTICLE 4.

Majority Vote Required

To see if the Town will vote to amend Chapter 2 (Town Meetings) of the Town of Winchester Code of By-Laws by adding a new Section 3.9, as follows; or take any other action in relation thereto:

3.9 Voting.

3.9.1 Voting shall be by:

- (1) Voices of the members; or
- (2) A counted vote by:
 - (a) An electronic tally and display system used (i) by itself to reflect the vote, or (ii) in conjunction with a voice vote, as authorized pursuant to this Bylaw; or
 - (b) Members standing.

3.9.2. Electronic System:

- (1) The Town Clerk shall provide for the use of an electronic system for voting that includes, at a minimum, the following features:
 - (a) Votes taken using the electronic system shall be displayed to Town Meeting members and the public before the Moderator announces the vote. The display shall be capable of showing, at a minimum:
 - (i) The final tally of votes when the electronic vote is accompanied by a voice vote; or
 - (ii) A listing identifying each Town Meeting member and the member's precinct, vote and the final tally of votes.
 - (b) At the Moderator's discretion, or at the request of 20 or more members, the listing in Section 3.9.2.1(a)(ii) shall be used even if the electronic vote is accompanied by a voice vote.
- (2) Votes taken using the electronic system in conjunction with a voice vote shall be determined by the results reported by the electronic system.
- (3) The Moderator may in the Moderator's discretion use a voice vote on simple motions without an electronic tally of the vote, including, without limitation: (a) votes taken by unanimous consent, (b) votes to adjourn, or (c) votes to amend a motion to correct typographical or other clerical errors.
- (4) At the Moderator's discretion, or at the request of 20 or more members, the vote on all motions before the Meeting, or on any particular motion, shall be taken by use of the electronic system.

(5) A record of the results of each electronic vote shall be provided to the Town Clerk immediately following each electronic vote.

3.9.3. *Standing vote*: At the Moderator's discretion, or at the request of 40 or more members, the vote on any motion shall be taken by use of a standing vote.

3.9.4 *Record of votes*: A record of the vote taken by the electronic system or in the manner specified in Subsection 3.9.2 above shall be made available electronically to the public within 24 hours of the vote. The record shall disclose whether and how each Town Meeting member voted.

(Select Board)

MOTION:

MOVED AND SECONDED that the Town approve Article 4 as printed in the warrant.

BACKGROUND:

The Fall 2020 Annual Town Meeting approved a procedural rule that, except where otherwise voted by Town Meeting, a mechanism for recording each vote of Town Meeting be required that 1) provides for an immediate electronic recordation and tabulation of the vote; and 2) provides a transparent record of how each member voted on any question put to meeting. The 2020 Fall Town Meeting also called for the Town to bring forward a proposed By-Law amendment, which amendment will be subject to a further vote of the Town Meeting, making permanent these procedures for each successive Town Meeting. This article is intended to accomplish that mandate.

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ARTICLE 5.

Majority Vote Required

To see if the Town will vote to amend Chapter 3 (Elected Officers) of the Town of Winchester Code of By-Laws by revising Section 1 as follows (added text in ***bold italics***); or take any other action in relation thereto:

The annual town election to fill elected town offices, to elect members of the representative town meeting and to determine any matters which are required to be determined by referendum election shall be held on the last *Tuesday or the last or second to last Saturday* of March, ***as determined by the Select Board no later than December 1 of the preceding year.***

(Select Board)

MOTION:

MOVED AND SECONDED that the Town approve Article 5 as printed in the warrant.

BACKGROUND:

This change would create an option for the town to hold the annual March local election on a non-work, non-school day to allow flexibility to respond to changing circumstances. The town's current practice of holding voting at the middle and elementary schools on a weekday when school is normally in session can be disruptive or raise safety or building security concerns. Scheduling a non-teaching, teacher professional day to coincide with the March election is not feasible every year (particularly when there is a statewide election as well). Voter turnout in local elections tends to be lower than in statewide elections. For town voters, getting to the polls on a workday can be difficult for commuters, working parents with young children, and those working long or inflexible shifts or multiple jobs. A number of nearby or comparable towns hold their annual election on Saturday, including Arlington, Bedford, Burlington, Hingham, Marshfield, Tewksbury, and Wilmington.

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ARTICLE 6.

2/3 Vote Required

To see if the Town will vote to authorize the Select Board to enter into a land development agreement and lease for the land identified on plan entitled “Plan of Land, Waterfield Parking Lot, Winchester, Massachusetts: Progress Print” dated November 2, 2017 (the “Waterfield Lot”), in substantially the form on file with the Town Clerk and available on the Town’s website; or take any other action in relation thereto.

(Select Board)

MOTION:

MOVED AND SECONDED that the Select Board be authorized to enter into a land development agreement with Winchester Waterfield MM LLC, or another subsidiary or affiliate of Civico Development, LLC, in substantially the form approved by the Select Board on April 15, 2021, as posted on the Town’s website at <https://www.winchester.us/DocumentCenter/View/6139/LDA-Winchester-Waterfield-MM-LLC> and on file with the Town Manager’s office, and to enter into a lease in accordance with such agreement.

BACKGROUND:

The Town of Winchester issued a Request for Proposals (RFP) for the redevelopment of a surface parking lot known as the Waterfield Lot, which is comprised of about one acre directly adjacent to the Winchester Center commuter rail MBTA station. The project will be a rental mixed-income project with at least 25% deed restricted Affordable units and ground level commercial space. The Select Board has selected Civico (WINCHESTER WATERFIELD MM LLC) as the developer based on a robust community feedback exercise, along with review of the six qualifying proposals by the Planning Board and Housing Partnership Board. Last fall, Town Meeting authorized the Select Board to negotiate a Land Development and Access Agreement (LDA) and terms of a Ground Lease that is now back in front of Town Meeting for final approval. The LDA outlines the terms of the disposition, including the due diligence period, process for design and permitting, and approvals. The terms of the Ground Lease are outlined in Exhibit C of the LDA and outline the additional base rent payment of \$1 million to the Town, an annual rent, permitted uses, maintenance and capital requirements and other provisions. Though the final start date is based on financing, the project is expected to break ground in 2024 or 2025.

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ARTICLE 7.

2/3 Vote Required

To see if the Town will vote to authorize the Select Board to lease, sell, convey, release, or otherwise dispose of any interests in a portion of the land located at 20 Glenwood Avenue in the Town, containing approximately 2,800 sf, which land is shown as Board of Assessors Map 14 Block 247 lot 0 (the “Town Property”); provided that the proceeds of such lease, sale, conveyance or other disposal shall be deposited in the Town’s Municipal Affordable Housing Trust Fund; that such lease or disposition be on such other terms and conditions as the Select Board deems appropriate, which may include the reservation of easements and restrictions over, along or through the Town Property; and that this authorization supersede and override any conditions of any prior authorization to dispose of said Town Property, including the authorization granted pursuant to Article 13 of the 2018 Fall Annual Town Meeting; or take any other action in relation thereto.

(Select Board)

MOTION:

MOVED AND SECONDED that the Town approve Article 7 as printed in the warrant.

BACKGROUND:

The Fall 2018 Town Meeting authorized the Select Board to dispose of 20 Glenwood Avenue with the restriction that the property would be used for affordable housing purposes. However, it has become evident that the costs to redevelop the property into affordable housing are likely prohibitive. This motion would remove this restriction but require that the proceeds of the sale be deposited into the Winchester Housing Trust Fund. This property was acquired by the Town through the tax title foreclosure process.

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ARTICLE 8.

Majority Vote Required

To see if the Town will vote to authorize the Select Board to petition the General Court to enact special legislation substantially in the form below that permits the Town to enact a bylaw charging a building permit surcharge to be used by the Town for the purposes of funding sustainability initiatives in the Town and to establish a special revenue fund to receive the proceeds of that surcharge; or take any other action in relation thereto:

“An act establishing a building permit surcharge and special revenue fund in the Town of Winchester.”

SECTION 1. The Town of Winchester, hereafter referred to as “the Town,” may, by bylaw, require the payment of a sustainability surcharge for any construction that (i) requires a building permit and (ii) exceeds a minimum construction value to be determined by the Select Board of the Town. The bylaw shall specify the amount of said sustainability surcharge, the method by which the surcharge may be increased from time to time, and any types of construction or uses to which sustainability surcharge shall not apply. All fees received pursuant to such a bylaw act shall be deposited in a special revenue fund established pursuant to section 2 of this act.

SECTION 2.

- (a) Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, the Town may establish a special revenue fund to be known as the Sustainability Special Revenue Fund, hereinafter referred to as “the Fund” into which shall be deposited certain receipts comprised of the surcharge authorized by Section 1 of this Act and any additional funds appropriated for placement into said fund by the legislative body.
- (b) An appropriation shall be required to spend any monies in the Fund. Appropriations shall be made by a majority vote of Town Meeting and shall be limited to the actual unencumbered balance of the Fund at the time of the appropriation. Anticipated receipts cannot be appropriated. Monies from the Fund may be used, at the direction of the Town Manager, to support the Town’s environmental sustainability efforts, activities, operations and administration, including (i) the procurement or purchase of goods and services to study, analyze, and reduce the Town’s and Town residents’ and businesses’ greenhouse gas emissions, (ii) the purchase or procurement of renewable energy or renewable energy infrastructure, and (iii) the hiring of a town sustainability coordinator and other employees engaged in energy conservation, energy reduction, renewable energy use and other sustainability efforts, including any associated wages and benefits for such employees.
- (c) Notwithstanding any general or special law to the contrary, any interest accruing on any amount on deposit in the Fund shall be credited to the general fund of the Town. The Town Treasurer may pool the cash and shall not be required to establish a separate bank account for the Fund.
- (d) The Comptroller of the Town shall establish and maintain the Fund as a separate account and record all activity in the Fund as follows: (i) revenues shall be recorded directly into the Fund; (ii) expenditures may be recorded directly to the Fund and transfers out shall be appropriated and accounted for; (iii) the unspent and unencumbered balance of the Fund for an appropriation for a particular sustainability purpose shall be limited to other purposes of the Fund and shall not revert to the general fund; (iv) the balance in the Fund at the end of a fiscal year shall carry forward to the next fiscal year.

(e) The Comptroller of the Town shall, until such time as the Fund ceases to exist, provide an annual financial report to the Select Board at the close of the fiscal year, by October 1, and to Town Meeting. The annual financial report shall specifically include: (i) the beginning fund balance; (ii) revenues; (iii) expenses; (iv) transfers in/out; (v) the ending fund balance.

(f) The Town may close the Fund by a two thirds vote of Town Meeting. The vote to close the Fund shall state that: (i) the Fund shall cease to have effect; (ii) all unexpended and uncommitted amounts on deposit in the Fund as of the date of the vote shall immediately be credited to the general fund of the Town; and (iii) the surcharge that is received annually by the Town under section 1 of this act and credited to the Fund shall be credited to the general fund of the Town.

SECTION 3. This act shall take effect upon its passage.

(Select Board)

MOTION:

MOVED AND SECONDED that the Town approve Article 8 as printed in the warrant.

BACKGROUND:

This motion would authorize the Select Board to petition the General Court to enact special legislation permitting the Town to enact a bylaw charging a building permit surcharge to be used by the Town for the purposes of funding sustainability initiatives in the Town and to establish a special revenue fund to receive the proceeds of that surcharge.

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ARTICLE 9. CONSENT AGENDA

Majority Vote Required

To see if the Town will vote to transfer from Free Cash, or other available funds, a sum of money to supplement or reduce appropriations previously voted for Fiscal Year 2021 Budgets; or take any other action in relation thereto.

(Town Manager/Finance Committee)

MOTION #1:

MOVED AND SECONDED that the Town transfer \$134,241.96 from Free Cash to the FY2021 Department of Public Works Snow & Ice Personal Service Budget Account 0141711.

MOTION #2:

MOVED AND SECONDED that the Town transfer \$101,966.07 from Free Cash and \$11,365.87 from the FY2021 Department of Public Works Snow & Ice Equipment Budget 0141713 to the FY2021 Department of Public Works Snow & Ice Expense Budget, Account 0141712.

MOTION #3:

MOVED AND SECONDED that the Town transfer \$25,000 from Free Cash to the FY2021 Legal Expense Budget Account 0115102.

BACKGROUND:

The Department of Public Works – Snow & Ice Personal Services Budget is in deficit \$134,241.96. Additionally the Snow & Ice Expense Budget is in deficit by \$113,331.94. These motions appropriate the funds to eliminate the deficits in these accounts.

The Select Board annually appoints Town Counsel each April 1. Anderson & Kreiger was reappointed as Town Counsel effective April 1, 2021, and a new rate was negotiated that will require a \$9,000 increase total for expenses in May – June 2021. Other outside counsel expense require an additional \$16,000 due to unexpected expenses including negotiation of an agreement with Eversource that will include payment of funds to the Town, and obtaining environmental concessions related to The Vale in Woburn.

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ARTICLE 10. CONSENT AGENDA

4/5th Vote Required

To see if the Town will vote to transfer from Free Cash, or other available funds, a sum of money to pay bills incurred in prior fiscal years; or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED that the Town appropriate \$5,000 from Free Cash to pay the following expenses incurred in a previous fiscal year:

<u>Vendor</u>	<u>Amount</u>
Metropolitan Area Planning Council	<u>\$5,000</u>
Total	<u>\$5,000</u>

BACKGROUND:

The above bill was not paid or encumbered in the year that the expenses were incurred. This motion is required in order to pay this prior year invoice.

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ARTICLE 11.

Majority Vote Required

To see if the Town will vote to amend the water and sewer rates currently in effect in accordance with Chapter 7, Section 3 of the Code of By-Laws; or take any other action in relation thereto.

(Select Board)

MOTION:

MOVED AND SECONDED that the Town vote to amend the water and sewer rates currently in effect in accordance with Chapter 7, Section 3 of the Town of Winchester Code of By-Laws. All bills for consumption on or after March 1, 2021, shall be in conformance with the following rates:

Residential Accounts (in accordance with Chapter 110):

Water:

0-15	Units Per Billing Period \$1.62	ccf
16-45	Units Per Billing Period \$4.02	ccf
Over 45	Units Per Billing Period \$6.42	ccf

Low-Income Water:

0-15	Units Per Billing Period \$1.29	ccf
16-45	Units Per Billing Period \$3.19	ccf
Over 45	Units Per Billing Period \$5.12	ccf

Sewer:

0-15	Units Per Billing Period \$1.65	ccf
16-45	Units Per Billing Period \$5.22	ccf
Over 45	Units Per Billing Period \$8.11	ccf

Low-Income Sewer:

0-15	Units Per Billing Period \$1.32	ccf
16-45	Units Per Billing Period \$4.19	ccf
Over 45	Units Per Billing Period \$6.50	ccf

Commercial/Industrial/Institutional

Water:

0-75	Units Per Billing Period \$6.48	ccf
Over 75	Units Per Billing Period \$7.94	ccf

Sewer:

0-75	Units Per Billing Period \$8.46	ccf
Over 75	Units Per Billing Period \$11.47	ccf

Service Charge: \$30 Per Billing Period

BACKGROUND:

After not updating water and sewer rates for FY 2019, the Town increased water and sewer rates 3.5% for FY 2020 and 12.0% for the current fiscal year, FY 2021. Additionally, for FY 2021, the Town increased the per-bill service charge from \$5.00 to \$30.00. Water and sewer billings in FY 2020 were down about 8.0% from FY 2019’s billings because of decreased consumption, due in large part to a rainy, wet spring in 2019. Generally, wet weather during the warmer months of the year means less outdoor water usage, which means less billings. Significant amounts were appropriated in FY20 from the water and sewer enterprise fund’s retained earnings as well. Without changes in consumption and billings moving forward, the Town was looking at increasing water and sewer rates 7.0% per fiscal year in the subsequent few fiscal years.

In 2020, water consumption increased dramatically, driven by extremely dry warmer months and the pandemic’s impact on residential consumption patterns. The increased consumption, along with the rate increase and service charge increase, produced increased billings and revenues for fiscal year 2021. Total revenues project to be \$2.8 million higher than FY 2020’s revenues. FY 2021’s surplus is projected to be over \$1.1 million, and FY 2021 will be the first year the Water & Sewer Enterprise Fund will have a surplus since FY 2017, after seeing deficits of about \$460,000 in FY 2018, \$405,000 in FY 2019, and \$900,000 in FY 2020. These deficits were absorbed by the retained earnings balance causing it to decline. The fund’s retained earnings balance projects to be about \$1.6 million after the next certification after the conclusion of FY 2021, which equates to over 13.7% of the fund’s total budget in FY 2021. The Town’s targeted retained earnings balance is 8.0% to 10.0 %, a balance the Town was able to maintain the past few fiscal years until the most recent certification at the end of FY 2020, due primarily to the noted decreases in billings and revenues. FY 2020 is a good example of the impact a wet year can have on the fund’s revenues and retained earnings balance.

MWRA assessments for both water and sewer are impacted by the increased consumption in 2020. The Town’s flow share of water usage in calendar year 2020 was 0.75%, compared to 0.67% in 2018 and 0.68% in 2019. The Town’s flow share in 2020 increased 12.3% over 2019’s. The Town’s flow share was also impacted by consumption pattern changes by other MWRA members. For example, Boston’s flow share decreased significantly because of consumption changes in the city. Boston’s flow share decreased 5.6% from 2019 to 2020. The Town’s preliminary water assessment payable to MWRA for FY 2022 is about \$267,000 higher than the FY 2021 water assessment, or about 14.5%. The Town’s sewer assessment is also impacted by 2020 consumption patterns, but less so than the water assessment is because three years of consumption impacts the sewer assessment, as well as other factors. The Town’s preliminary sewer assessment payable to MWRA for FY 2022 is about \$129,000 higher than the FY 2021 sewer assessment, or about 2.9%.

Projected total expenditures increase by an average of 4.4% over the next few fiscal years. For the Water & Sewer Enterprise Fund’s revenues to keep up with expenditures and for the retained earnings balance to maintain the Town’s targeted 8.0% to 10.0% range over that span, the Town should continue to raise rates on a regular basis. The updated five-year rate plan consists of 3.0% increases to water and sewer rates in FY 2022 and FY 2023 and 5.0% increases to water and sewer rates in FY 2024, FY 2025, and FY2026. The rate plan was updated from the one adopted in the spring of 2020 due to strong revenues in FY 2021. The plan will be reviewed each year moving forward.

For FY 2022, the Select Board is prepared to recommend a 3.0% increase in water and sewer rates for consumption on or after March 1, 2021, which would cover all bills issued during FY 2022. The above motion represents the final recommendations of the Select Board. Please find below tables comparing current rates with proposed rates. There is a table comparing users’ current bills to projected bills with the proposed rates.

Residential

Tiers	Current		Proposed FY 2022	
	Water	Sewer	Water	Sewer
0 - 15	\$1.57	\$1.60	\$1.62	\$1.65
16 - 45	\$3.90	\$5.07	\$4.02	\$5.22
Over 45	\$6.23	\$7.87	\$6.42	\$8.11

Low Income

Tiers	Current		Proposed FY 2022	
	Water	Sewer	Water	Sewer
0 - 15	\$1.25	\$1.28	\$1.29	\$1.32
16 - 45	\$3.10	\$4.07	\$3.19	\$4.19
Over 45	\$4.97	\$6.31	\$5.12	\$6.50

Commercial / Industrial / Institutional

Tiers	Current		Proposed FY 2022	
	Water	Sewer	Water	Sewer
0 - 75	\$6.29	\$8.21	\$6.48	\$8.46
Over 75	\$7.71	\$11.14	\$7.94	\$11.47

Note: Unit is 100 cubic feet.

Impact on Users' Bills

User Type	Usage	Current Bill	Proposed FY 2022	
			Bill	Diff \$
Tier 1 Residential	15	\$77.55	\$79.05	\$1.50
Average Residential	21	\$131.37	\$134.49	\$3.12
Average Commercial	37	\$566.50	\$582.78	\$16.28
Average Irrigation	74	\$755.55	\$777.62	\$22.07

Notes: Quarterly water and sewer bills shown. Bill amounts shown include service charge of \$30 per bill.

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ARTICLE 12. CONSENT AGENDA

Majority Vote Required

To see if the Town will vote to appropriate a sum of money from the Parking Meter Fund to the Wedgemere Parking Account #0396912 and the Town Center Parking Account #0396942 to pay for parking meter equipment and all related costs, maintenance of parking lots, and other costs associated with the collection and enforcement of parking ticket revenues at the Wedgemere and Downtown parking lots; or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED that \$12,000 be appropriated from the Parking Meter Fund to the Town Center Parking Account #0396942 for operating expenses and all other costs associated with the collection and enforcement of parking ticket revenue.

BACKGROUND:

This transfer of funds from the Parking Meter Funds to the Town Center Parking Account #0396942 is to cover all costs associated with the collection and enforcement of the parking ticket program for the Town Center parking areas.

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ARTICLE 13. CONSENT AGENDA

Majority Vote Required

To see if the Town will vote to appropriate a sum of money from the PEG Access and Cable Related Fund to pay for PEG access service programming, monitoring the cable operator’s compliance with the franchise agreement and preparing for renewal of the cable franchise license including any associated expert and legal services; or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED that \$211,605.553 be appropriated from the PEG Access and Cable Related Fund, \$191,605.55 of which shall be used for PEG access service programming, monitoring the cable operator’s compliance with the franchise agreement and to prepare for renewal of the cable franchise license including any associated expert and legal service and \$20,000 of which shall be used for capital funding purposes.

BACKGROUND:

WinCAM was established in 2000 to manage facilities and produce programming on the Public, Educational and Government (PEG) access channels of Comcast and Verizon, in addition to any other cable system franchised in the Town of Winchester. WinCAM used to receive funds directly from Comcast and Verizon as part of the license agreement between the cable companies and the Town. Town Meeting voted to create a PEG Access and Cable Related Fund in the 2019 Spring Town Meeting to accept payments as the state determined that, since the license is with the Town, the funds must go to the Town first. This article then allows the Town to disperse the funds to WinCAM.

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ARTICLE 14.

Majority Vote Required

To see if the Town will vote to hear and act on the report of the Capital Planning Committee regarding the revised proposed Capital Plan for FY22 and place the report on file, or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that the Revised Capital Planning Report for FY2022 be received and filed.

Capital Planning Committee Report under separate cover.

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ARTICLE 15.

2/3 Vote Required

To see if the Town will vote to appropriate a sum of money for engineering, design, permitting and planning expenses related to remodeling, reconstructing and making of extraordinary repairs to the Town's transfer station facility and associated environmental remediation, including the demolition and disposition of the incinerator, and for the payment of all costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto.

(Select Board/Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$201,200 be appropriated for the transfer station design project, consisting of engineering, design, permitting and planning expenses related to remodeling, reconstructing and making extraordinary repairs to the Town's transfer station facility and cleaning up pollution caused by the closed incinerator located at the site of the Town's transfer station, including the demolition and disposition of the incinerator, and for the payment of all costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under Massachusetts General Laws Chapter 44, Section 7(7), or under any other enabling authority, and to issue bonds or notes of the Town therefor; that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; that the Town Manager shall be authorized to have oversight of the transfer station design project; and that in accordance with Section 4-2 of the Town of Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to the project.

Capital Planning Committee Report under separate cover.

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ARTICLE 16.

2/3 Vote Required

To see if the Town will vote to appropriate a sum of money for the construction of traffic improvements at the intersection of Waterfield Road and Church Street, including all costs incidental or related thereto, which appropriation shall be in addition to the amount previously appropriated for the design, engineering and construction of such traffic improvements under Article 11 at the 2019 Fall Town Meeting; to determine whether such appropriation shall be funded from transfers from the Capital Stabilization Fund established under Chapter 69 of the Acts of 2002 and the Parking Meter Fund, or otherwise; and to take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$305,000 be appropriated for the construction of traffic improvements at the intersection of Waterfield Road and Church Street, including all costs incidental or related thereto, which appropriation shall be in addition to the amount previously appropriated for the design, engineering and construction of such traffic improvements under Article 11 at the 2019 Fall Town Meeting; that to meet this appropriation \$50,000 shall be transferred from the Parking Meter Fund and \$255,000 shall be transferred from the Capital Stabilization Fund established under Chapter 69 of the Acts of 2002.

Capital Planning Committee Report under separate cover.

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ARTICLE 17.

2/3 Vote Required

To see if the Town will vote to appropriate a sum of money for the Main Street bridge project, consisting of replacing and/or repairing the concrete rails and all costs incidental and related thereto; to determine whether this appropriation shall be funded by transferring amounts from the Capital Stabilization Fund, transferring unexpended proceeds of the Town's General Obligation Municipal Purpose Loan of 2020 Bonds dated June 25, 2020 issued for the purpose of funding the Waterfield Road bridge rehabilitation and repair project pursuant to the vote of the 2019 Fall Annual Town Meeting passed on November 7, 2019 (Article 14), which project has been completed and has no remaining liability, pursuant to Massachusetts General Laws Chapter 44, Section 20, or any other source or combination thereof; to determine whether the Town Manager shall be authorized to have oversight of the Main Street bridge project; and to determine whether in accordance with Section 4-2 of the Town of Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to the project; or take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$270,000 be appropriated for the Main Street bridge project, consisting of replacing and/or repairing the concrete rails and all costs incidental and related thereto; that to meet this appropriation, \$177,570.88 shall be transferred from the Capital Stabilization Fund and \$92,429.12 shall be transferred from the unexpended proceeds of the Town's General Obligation Municipal Purpose Loan of 2020 Bonds dated June 25, 2020 issued for the purpose of funding the Waterfield Road bridge rehabilitation and repair project pursuant to the vote of the Town passed November 7, 2019 (Article 14 Account Number 8918), which project has been completed and has no remaining liability, pursuant to Massachusetts General Laws Chapter 44, Section 20; that the Town Manager shall be authorized to have oversight of the Main Street bridge project; and that in accordance with Section 4-2 of the Town of Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to the project.

Capital Planning Committee Report under separate cover.

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ARTICLE 18.

2/3 Vote Required

To see if the Town will vote to appropriate a sum of money to install additional culverts behind the Muraco Elementary School for flood mitigation purposes, including engineering expenses and all other costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; to determine whether in accordance with Section 4-2 of the Town of Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to the project; or take any other action in relation thereto.

(Select Board / School Committee / Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$9,110,000 be appropriated to install additional culverts behind the Muraco Elementary School for flood mitigation purposes, including engineering expenses and all other costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under Massachusetts General Laws Chapter 44, Section 7(1), or under any other enabling authority, and to issue bonds or notes of the Town therefor; that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and that in accordance with Section 4-2 of the Town of Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to the project.

Capital Planning Committee Report under separate cover.

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ARTICLE 19.

2/3 Vote Required

To see if the Town will vote to appropriate a sum of money to make extraordinary repairs to the Muraco Elementary School, including engineering expenses and all other costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; to determine whether in accordance with Section 4-2 of the Town of Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to the project; or take any other action in relation thereto.

(Select Board / School Committee / Capital Planning Committee)

MOTION:

MOVED AND SECONDED that \$3,650,000 be appropriated to make extraordinary repairs to the Muraco Elementary School, including engineering expenses and all other costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow said amount under Massachusetts General Laws Chapter 44, Section 7(1), or under any other enabling authority, and to issue bonds or notes of the Town therefor; that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and that in accordance with Section 4-2 of the Town of Winchester Home Rule Charter the Town Manager shall have the authority to enter into contracts and approve payments with respect to the project.

Capital Planning Committee Report under separate cover.

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ARTICLE 20.

Majority / 2/3 vote required

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to defray the expenses of the Town for the fiscal year beginning July 1, 2021 and especially for or relating to all or any of the officers, boards or departments and for all purposes authorized by law, vote to fix the salary and compensation of all elective officers of the Town as provided in Massachusetts General Laws Chapter 41, Section 108, and to appropriate funds into the Capital and Building Stabilization Funds; or take any other action in relation thereto.

(Finance Committee)

Materials to be distributed by the Finance Committee under separate cover.

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ARTICLE 21.

Majority vote required

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to defray the expenses of the Water and Sewer Enterprise Fund of the Department of Public Works for the fiscal year beginning July 1, 2021, and to appropriate and transfer retained earnings into the Water Sewer Enterprise Account; or take any other action in relation thereto.

(Finance Committee)

Materials to be distributed by the Finance Committee under separate cover.

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ARTICLE 22.

Majority vote required

To see if the Town will raise and appropriate, or transfer from available funds, a sum of money to defray the expenses of the Recreation Department for the fiscal year beginning July 1, 2021, and to appropriate and transfer retained earnings into the Recreation Enterprise Account; or take any other action in relation thereto.

(Finance Committee)

Materials to be distributed by the Finance Committee under separate cover.

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ARTICLE 23.

Majority Vote Required

To see if the Town will vote to hear and act on the report of the Personnel Board and take any action in connection with recommendations as to wages and salaries, working conditions, new or revised rates of wages and salaries, changes, additions, adjustments or revisions of wages and salaries and in classifications and definitions, and in amending, revising and adding to the Personnel Policy Guide as well as in other matters thereto related; and to raise and appropriate money for any adjustments or revisions of wages and salaries of employees subject and not subject to collective bargaining agreements or in any job classifications, and to provide for salary or wage adjustments not otherwise provided for, said monies to be expended by the departments affected; determine in what manner the monies shall be raised by taxation or otherwise; or take any other action in relation thereto.

(Personnel Board)

Materials to be distributed by the Personnel Board under separate cover.

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ARTICLE 24.

Majority Vote Required

To see if the Town will vote to transfer from Free Cash, or other available funds, a sum of money for COVID related expenses including, but not limited, testing services, professional services, cleaning, overtime and related supplies and materials; or take any other action in relation thereto.

(Town Manager)

MOTION #1:

MOVED AND SECONDED that the Town vote to appropriate \$240,000 from Free Cash for Board of Health COVID related expenses including but not limited to testing, professional services, overtime, supplies and materials.

MOTION #2:

MOVED AND SECONDED that the Town vote to appropriate \$331,000 from Free Cash for Department of Public Works COVID related expenses including but not limited to cleaning and related overtime, professional services, supplies and materials.

MOTION #3:

MOVED AND SECONDED that the Town vote to appropriate \$10,000 from Free Cash for Building Department COVID related expenses including but not limited to temporary wages to backfill positions.

BACKGROUND:

The Town continues to implement public health measures to ensure the safety of town residents. The Center for Disease Control outlines and updates their guidelines continuously, including prevention guidance for schools and managing daily operations. The Town does not know at this time when enough people will get vaccinated to relax restrictions, whether and when school aged children can safely receive and access vaccines, and what the impact the COVID-19 variants will be. This request is intended to cover COVID-19 related cleaning and response efforts at least until the end of December 2021. The Health Department is requesting \$240,000 for ongoing COVID-19 testing, overtime and additional staffing for contact tracing and other response measures. The Department of Public Works is requesting \$331,000 for cleaning, supplies and overtime expenses. This will ensure that areas within schools that are frequently touched will be cleaned throughout the school week, deep cleaning when the students are not in school, and targeted cleaning in the case of an outbreak. The Building Department is requesting \$10,000 for temporary wages to backfill inspector positions.

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ARTICLE 25. CONSENT AGENDA

2/3 Vote Required

To see if the Town will vote to raise and appropriate a sum of money to the Capital Stabilization Fund or the Building Stabilization Fund established under Chapter 69 of the Acts of 2002; or take any other action in relation thereto.

(Finance Committee)

MOTION:

MOVED AND SECONDED that the Town vote to raise and appropriate \$30,000 to the Building Stabilization Fund pursuant to Chapter 69 of the Acts of 2002.

BACKGROUND:

In 2012 the Building Stabilization Fund financed the installation of a new energy efficient boiler at the Muraco School. The new boiler was projected to save at least \$44,000 per year in energy costs with the intent that a portion of the savings, \$30,000, be transferred from the General Fund to the Building Stabilization Fund each year to help support the debt service on the bonds for the boiler installation.

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ARTICLE 26. CONSENT AGENDA

Majority Vote Required

To see if the Town will vote to fix the maximum amount that may be spent during the fiscal year beginning July 1, 2021, for the revolving funds established in Winchester’s bylaws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½; or take any other action in relation thereto.

(Finance Committee)

MOTION:

MOVED AND SECONDED that the Town fix the maximum amount that may be spent during fiscal year 2022 beginning July 1, 2021, for the revolving funds established pursuant to the Winchester’s Code of By-Laws for certain departments, boards, committees, agencies or officers, in accordance with Massachusetts General Laws Chapter 44, Section 53E1/2, as follows:

<u>Revolving Fund</u>	<u>Department</u>	<u>FY22 Spending Limit</u>
Archival Center	Town Clerk	\$5,000
Energy Use	Energy	\$95,000
Board of Heath Clinics	Board of Health	\$100,000
Grass Fields	Recreation	\$50,000
Synthetic Fields	Recreation	\$50,000
Historical Commission	Historical Commission	\$5,000

BACKGROUND:

The Municipal Modernization Act changed how cities and towns established departmental revolving funds in accordance with M.G.L. Chapter 44, Section 53E1/2. The funds were created at the 2017 Fall Town Meeting with the exception of the Historical Commission Revolving Fund which was established at the Spring 2018 Town Meeting. This article sets the FY22 spending limits for these funds.

ARCHIVAL CENTER: The revolving fund for the Archival Center was established to enable the Archival Center to retain fees that it receives through the sale of reproductions from its collections or other products. This revenue stream permits the Archival Center to fund other projects consistent with its mission to acquire and retain historical documents pertaining to the Town of Winchester.

ENERGY USE: This revolving fund was established to enable the Town to assess and retain revenue from energy surcharges on the rental of space in municipal and school buildings. The revenue is used to invest in modest improvements designed to reduce energy usage or otherwise improve the energy efficiency in municipal or school buildings. This fund is an essential element of a policy recommended by the Energy Management Committee and adopted jointly by the Select Board and School Committee. The primary source for income to the Revolving Fund is the Energy Rental Surcharge Fee.

BOARD OF HEALTH CLINICS: This revolving fund is used by the Board of Health to sponsor vaccine clinics and other health programs that provide for health screenings and immunizations such as for flu and pneumonia. Expenses include the cost of the vaccine, printing costs, staff time, and other supplies.

GRASS FIELDS: The purpose of this revolving fund is to collect permitting fees and charges related to the use of the grass fields. These funds will be used to pay for grass field maintenance, bathrooms, fencing, lights, court maintenance, playground equipment and scoreboards. All spending is authorized by the Town Manager based on recommendations of the Field Management Committee.

SYNTHETIC FIELDS: The purpose of this revolving fund is to collect permitting fees and charges related to the use of the synthetic fields. These funds will be used to pay for synthetic/turf field maintenance, bathrooms, fencing, lights, scoreboards and custodial overtime. All spending is authorized by the Town Manager based on recommendations of the Field Management Committee.

HISTORICAL COMMISSION: The purpose of this revolving fund is to retain permit fees for Demolition Permits, which require time consuming research and analysis by a professional architectural historian, and to pay for such work out of these permit fees.

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ARTICLE 27. CONSENT AGENDA

Majority Vote Required

To see if the Town will vote to authorize the Treasurer, with the approval of the Town Manager and the Select Board, to borrow money from time to time in anticipation of revenue for the fiscal year beginning July 1, 2021 in accordance with Massachusetts General Laws Chapter 44, Section 4, and to issue a note or notes therefor, 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 Massachusetts General Laws Chapter 44, Section 17; or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED that the Town authorize the Treasurer, with the approval of the Town Manager and the Select Board, to borrow money in anticipation of revenue for the fiscal year beginning July 1, 2021 in accordance with Massachusetts General Laws Chapter 44, Section 4, and to issue a note or notes therefor, 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 Massachusetts General Laws Chapter 44, Section 17.

BACKGROUND:

This is an annual article to allow the Treasurer to borrow funds in anticipation of revenues for the following fiscal year.

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ARTICLE 28. CONSENT AGENDA

Majority Vote Required

To see if the Town will vote to raise and appropriate a sum of money to be used with such sum as may be made available from Massachusetts Department of Transportation for maintenance, repair, alteration, relocation or other improvements of Town ways, and to authorize the Select Board to acquire by purchase, gift, eminent domain or otherwise, any necessary easements or other interests in land therefor, and for the payment of damages and expenses in connection therewith, as well as to authorize the transfer and use for said purposes of any unused balances; or take any other action in relation thereto.

(Select Board)

MOTION:

MOVED AND SECONDED that the Town be authorized to accept and expend funds from the Commonwealth of Massachusetts Department of Transportation for maintenance, repair, alteration, relocation and other improvements to Town ways or the purchase of equipment, acquisition of easements and payments of damages and expenses in connection therewith and to authorize the transfer and use for said purposes of any unused balances.

BACKGROUND:

This article authorizes the Town to accept and expend funds from the Commonwealth of Massachusetts for improvements to Town Ways, the purchase of equipment, acquisition of easements, and payments for damages and expenses. These funds are referred to as “Chapter 90 Funds”.

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ARTICLE 29.

To see if the Town will vote to authorize and direct the Board of Assessors to take any sum of money from available funds to reduce the tax levy for Fiscal Year 2022, and to transfer funds to or from the Stabilization Fund; or take any other action in relation thereto.

(Town Manager)

Motion to be distributed under separate cover

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ARTICLE 30.

To see if the Town will vote to hear or accept committee reports, dissolve old committees, authorize new committees; or take any other action in relation thereto.

(Select Board)

No motions received to date