

# Warrant For Annual Town Meeting

**May 13, 2024**

**6:30pm**







## Town Meeting Guidelines for Voters

The Town of Ware Home Rule Charter states that “A Moderator, elected as provided in section 7-7 of this Charter, shall preside at all sessions of Town Meeting”. Furthermore, the Town Charter states that “the conduct of the meeting shall be governed by **Town Meeting Time** and such other rules and procedures as, from time to time, may be adopted by Town Meeting vote”.

The quorum for Town Meeting in Ware is one hundred (100) voters. The Town Clerk will inform the Moderator once a quorum is present. The Meeting will be called to order by the Moderator, and after opening procedures have been completed, the warrant articles will be taken up in the order prescribed by the Warrant. Generally, only "Consent Agenda" items (description follows) or inter-dependent articles will be taken out of order.

You will receive a packet that contains the warrant, which is the agenda for the meeting, and is a list of articles to be considered along with supportive information and the vote/recommendation (or not) by the Finance Committee, Board of Selectmen and Town Manager.

The article itself is not the motion; however often it is much the same with the addition of language specific to amounts and/or funding means and sources, for example. However, the motion associated with an article must be within the scope of that article as presented in the Warrant. Motions are submitted, signed by two registered voters and thus representing the proposed motion and a second, to the Moderator ahead of the meeting and are presented by the Moderator. As the warrant is generated by the Board of Selectmen, the motions from the warrant are submitted by the Board and already signed with a second.

Any voter may make a motion related to the article being taken up, or an Amendment. Motions that expand upon the article or materially change it will be ruled out of order by the Moderator. Amendments must be submitted in writing and be seconded in order to be considered by the body. Once there is a motion and a second, the proponents and opponents of the article may make a presentation to Town Meeting.

In order to provide a balanced meeting, particularly on projects/proposals that are highly controversial, costly or otherwise high impact to the Town the Moderator will permit formal presentations, up to and including those using a projector. However, the Moderator expects to be notified of both pro and con presentations and to approve their content and duration in advance.

### Speaking at Town Meeting

After the presentations, Town voters may ask questions or argue in support or opposition to the motion.

- Any voter wishing to speak must raise his/her hand to be recognized to speak by the Moderator. No person shall speak until or unless recognized by the Moderator. Once recognized, speakers should state their names and addresses. Town employees need not provide their address, but they should let Town Meeting know whether or not they are a Ware voter.
- Speakers and presenters are encouraged to carefully think through what they wish to say, to limit themselves to the subject/motion under discussion, to be brief, to the point and to avoid repetition.
- Generally, a limit of 5 minutes per person *in total* on a motion is suggested by the Moderator. As the Moderator is charged with assuring the meeting attends to the business as presented in the warrant efficiently, he/she may also end discussion should speakers become repetitive .

As one James Doherty, Town Moderator of Andover, Massachusetts to his age of 91 once stated: *“Shorter is better. 3 minutes is enough for everyone. After 5 minutes people are falling asleep. After 7 minutes people will vote against you even if they originally agreed with you”.*

- A speaker cannot MOVE the question after he/she has completed giving remarks
- A speaker wishing to MOVE the question must first raise his/her hand to be recognized by the Moderator.
- Speakers must speak through one of the microphones provided. You may line up at the microphone to speak (however maintain a minimum 3 feet distance between each other)
- DO NOT TOUCH the microphones
- Debate is encouraged, but personal attacks are not allowed. All debate will be conducted in a respectful and courteous manner. Debate is presented as speaking your thoughts to the body through the Moderator and not between two (or more) individuals. All speakers must be recognized each and every time they speak and back and forth between speakers may not be encouraged or continued by the Moderator.
- Comments will be limited to the content of the motion, not the merits of those presenting their viewpoints.
- No comments of a personal nature are to be made
- MGL CH.39 s17 , **Town Meeting Time** and the Town of Ware Home Rule Charter all provide that the Moderator shall regulate the proceedings, decide all questions of order, make public declaration of all votes, and may exercise such additional powers and duties as may be given to Moderators under the constitution and state law of the Commonwealth.” The Moderator’s authority and duties are defined in Massachusetts General Laws (Part I, Title VII, Chapter 39, s15 and 17). Section 17 specifically states that:

*“no person shall address a town meeting without leave of the moderator, and all persons shall, at the request of the moderator, be silent. If a person, after warning from the moderator, persists in disorderly behavior, the moderator may order him to withdraw from the meeting, and, if he does not withdraw, may order a constable or any other person to remove him in some convenient place until the meeting is adjourned”.*

This is not debatable, subject to any opinion or interpretation. If the Moderator orders a person to be removed it is understood that such removal is for the remainder of the meeting session, unless otherwise stated by the Moderator.

A "Consent Agenda" is a series of articles that are voted in a single motion and vote. The Selectmen, with input from the Moderator, Town Counsel and the Finance Committee, identify articles that they feel will not generate controversy or debate. These often tend to be “housekeeping” types of articles. After the Consent Agenda motions are read, the Moderator will announce the article numbers that are included. If any voter wishes to discuss an article, he or she should shout “hold” or “question” as the article number is announced by the Moderator. This article will be removed from the Consent Agenda and moved and discussed in its normal position in the Warrant. Any voter may offer an amendment to an article. However, like the main motion, the amendment must not go beyond the scope of the article that was published in the Warrant. A voter may also offer an amendment to an amendment. An amendment requires a simple majority vote to pass, regardless of the quantum of vote required for the original motion. If the amendment passes, the original motion is replaced by the amended motion. The vote is then held on this amended motion, and the required quantum of vote returns to that of the original motion.

### **Voting Quantum**

Different types of motions require different quanta of votes to pass. Most motions require a simple majority. If the vote were tied, a motion would fail. A lesser number requires a two-thirds (2/3) vote, (borrowing and zoning articles are the most common in this group.) Finally, in rare occasions, the requirement may call for a four-fifths (4/5) or nine-tenths (9/10) majority vote to pass.

For votes that require a simple majority or two-thirds, the Moderator may declare the results based upon observation. If any seven (7) voters stand to challenge the Moderator's declaration of vote, a count will be made by the election tellers. For those articles that require four-fifths or nine-tenths majority, a count must be taken unless the vote is unanimous. As a registered voter, the Moderator is entitled to vote. However, the Moderator will only vote if a count has been made, and the Moderator's vote affects the result.

Electronic voting has virtually eliminated these manual counts and Moderator's declaration of counts since the electronic vote count is actual and exact and provides us the actual vs quantum.

In order to assure a back up system should the EV system fail, we will still identify vote tellers/counters at the opening of the meeting should we have to revert to the aforementioned system.

### **Secret Ballot**

Per the Charter of the Town of Ware, a secret ballot may be requested for any article by a majority of the voters. A secret ballot may be requested by 10 or more voters for articles pertaining to raising and appropriating, borrowing or transfer of funds in amounts of \$75,000 or more.

Prior to electronic voting, voting via a secret ballot was a manual process of each registered voter writing down a yes or no vote on a card each received upon checking in for the town meeting and placing the card into a box. Then all votes were counted and verified. While this process by the Charter still is in place, remember that electronic voting is in itself a secret vote by each registered voter. Data from individual clickers is not gathered. Thus one may assume that secret ballots in the "old format" are no longer required (unless the body decides to revert to the manual system).

### **Adjournment**

Town Meeting shall not be adjourned until all warrant articles have been dealt with.

The following quote is attributed to Reginald Brown, Boxborough Town Moderator 1977 -2005:

**"We were all friends and neighbors before this meeting; after this meeting we will still be neighbors; hopefully, we will still be friends."**

Respectfully submitted by:

Kathleen Coulombe, Town Moderator, 2007-present





WARRANT FOR ANNUAL TOWN MEETING  
TOWN OF WARE  
COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, ss

To any of the Constables of the Town of Ware, in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn all of the inhabitants of the Town of Ware, Precincts A, B and C qualified to vote on Town affairs to meet at the Ware High School Auditorium, 237 West Street, Ware, on Monday, May 13, 2024, at six-thirty (6:30 PM) o'clock in the evening, then and there to act on the following articles:

**FISCAL YEAR 2024**

**Article 1. I move to dismiss Article 1.**

I move that the Town to appropriate, borrow and/or transfer from available funds a sum of money to pay unpaid bills from prior fiscal years, or take any other action relative thereto.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Article 2.** I move that the Town amend the following line item increases of the Fiscal Year 2024 Town Budget:

Account #	Account Name	Amount
151-5200	Legal	\$ 30,000.00
152-5200	Human Resources (POS)	3,000.00
163-5200	Registrars	2,500.00
192-5200	Town Hall	10,000.00
424-5200	Streetlights	48,000.00
2100	Bulky Waste	5,000.00
6500-5200	Water (POS)	70,000.00
425-5200	Cemetery	10,000.00
Total		\$ 178,500.00

And to fund these increases by transferring \$3,000.00 from Human Resources Salaries 152-5100; \$70,000.00 from Water Department Salaries 6500-5100; and \$105,500.00 from Free Cash.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** This Article provides funding to amend the current budget. Funds would be added for Legal Services, Human Resources, Elections/Registrars, Water System capital repairs, streetlight improvements, and cemetery repairs. The Total article will be \$178,500.00 with \$70,000.00 coming from the Water Department Reserves and the remainder being transferred within the existing budget and funds from Free Cash.

**FISCAL YEAR 2025**

**Consent Articles (3-11)**

Warrant articles on a Consent Agenda are exceptions to the general process of Town Meeting. The Selectboard, Moderator, and Finance Committee can identify, for Town Meeting consideration, those Articles that they believe should generate no controversy and can be properly voted upon without debate. These Articles are put on the Consent Agenda to allow motions under these articles to be acted upon as one unit and to be passed without debate. At the call of the Consent Agenda, the Moderator will read out the numbers of the articles, one by one. If one or more voters object to any particular article being included in the Consent Agenda, they say “HOLD” in a loud voice when the number is called. The Article will be removed automatically from the Consent Agenda and restored to its original place in the Warrant, to be debated and voted under the usual manner.

After the calling of the individual items in the Consent Agenda, the Moderator will ask for a motion that the voters pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

Please review the list of Articles and motions proposed for each Consent Item which follows:

**MOTION:** I move that Articles 3, 4, 5, 6, 7, 8, 9, 10, and 11, “Passed by Consent” in accordance with the Motions shown on the Consent Agenda distributed this evening.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Article 3.** I move that the Town accept the reports of Town Boards, Committees and Departments as presented in the Annual Town Report or take any other action relative thereto.



**Article 4.** I move that the Town authorizes the Treasurer/Tax Collector, with the approval of the Selectboard, to enter into compensating balance agreements during Fiscal Year 2025 as permitted by Massachusetts General Laws, Chapter 44, Section 53F.

**Article 5.** I move that the Town to accept and appropriate any Grant Funds awarded to the Town of Ware under Massachusetts Community Development Fund by the Executive Office of Housing and Economic Development and to authorize the Selectboard and Community Development Authority to expend the funds in accordance with the terms and conditions of any such grant agreements.

**Article 6.** I move that the Town accepts all State and Federal Educational Grants in any amount as may be awarded for the direct educational expenditures for Fiscal Year 2025, to be expended by the Pathfinder Regional Vocational Technical High School District.

**Article 7.** I move that the Town accepts all State and Federal Educational Grants in any amount as may be awarded for the direct educational expenditures for Fiscal Year 2025, to be expended by the Ware Public Schools.

**Article 8.** I move that the Town authorizes the Selectboard and Town Manager to apply for, accept and expend any grants or donations from State or Federal governments or private agencies, individuals, or institutions.

**Article 9.** I move that the Town appropriate \$424,824.61 to be expended for road repairs in anticipation of reimbursement by the Commonwealth of Massachusetts Highway Department under the Chapter 90 State Highway Aid Program and meet said appropriation by authorizing the Treasurer to borrow the sum of \$424,824.61 under provisions of Massachusetts General Laws Chapter 44, Section 6 and/or any other relevant sections of the Massachusetts General Laws Chapter 44.

**Article 10.** I move that the Town is to establish the spending limits for the Town’s revolving funds as established by the Town’s General Bylaw, as adopted by Article 24 on November 13, 2017, for certain Town departments under Massachusetts General Laws, Chapter 44, Section 53 E ½ for the fiscal year beginning July 1, 2024, as follows:

Authorized Revolving Fund	Fiscal Year Expenditure Limit
Senior Center Rental	20,000.00
Ware Public School Athletic Advertising	100,000.00
Community Development Septic Repair	25,000.00
Community Development	120,000.00
Cemetery Maintenance and Burial	10,000.00
Bulky Waste	15,000.00

**Article 11.**

I move that the Town fix the salaries of the several Elected Officers of the Town for the Fiscal Year 2025 as follow:

Town Moderator	\$ 250.00
Chairman, Selectboard	\$ 2,814.00
Members, Selectboard (each member)	\$ 2,368.00
Board of Assessors, Chair	\$ 3,876.00
Board of Assessors, Member (each member)	\$ 3,162.00
Planning Board, Member	\$ 816.00
Board of Health Member (each member)	\$ 668.00

And, further that no Town Board or Commission shall be authorized to employ any of its members for an additional salary or compensation except for the Board of Registrars, Planning Board, and Recreation Commission, and further provided that the Board of Health may appoint one or more of its members to witness percolation tests and deep hole tests and to perform other paid functions required by the Board of Health.

**Explanation:** Articles 3 through 11 are annually proposed as consent articles and may be passed by a single vote. These articles authorize the application and use of grants, borrowing by the Treasurer, revolving funds and set the salaries of elected Town officials.

**Article 12.**

I move that the following sums be appropriated for the Water Enterprise Fund for FY25.

Salaries	\$ 371,553.00
Operating Expenses	\$ 490,700.00
Capital	\$ 200,000.00
Budgeted Surplus to Separate Reserve Fund	\$ 164,976.00
Total	\$1,227,229.00

And that \$1,227,229.00 be raised from Department Receipts to meet said appropriation.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** This Article proposes the adoption of the Water Enterprise budget. The proposed budget is \$1,227,229.00 including an addition to the Reserve Funds of \$164,976.00 and \$200,000.00 of Capital Improvements for a service truck and fire hydrant replacements.



**Article 13.**

I move that the following sums be appropriated for the Sewer Enterprise Fund for Fiscal Year 2025.

Salaries	\$ 297,550.00
Operating Expenses	\$ 621,275.00
Capital	0.00
Budgeted Surplus to Reserve Account	\$ 329,960.00
Total	\$1,248,785.00

And that \$1,248,785.00 be raised from Department Receipts to meet said appropriation.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** This Article covers the Sewer budget of \$1,248,785.00 and includes \$329,960.00 to be added to the Sewer Enterprise reserves.

**TOWN OF WARE FY25 ENTERPRISE FUND BUDGETS**

**ARTICLE #13**

		FY20 ACTUAL	FY21 ACTUAL	FY22 ACTUAL	FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	
<b>SEWER ENTERPRISE FUND</b>								
	Estimated Revenues							
	User Fees	754,798.15	840,826.64	886,237.85	1,002,009.12	1,010,000.00	1,300,000.00	1,300,000.00
	Sewer Liens	73,856.76	79,455.89	69,019.18	65,157.00	60,000.00	60,000.00	60,000.00
	Construction & Other	17,700.00	30,090.00	30,440.00	27,280.00	30,000.00	30,000.00	30,000.00
	Penalties & Interest	13,477.53	16,323.70	12,513.51	16,577.19	12,500.00	12,500.00	12,500.00
	Use of Retained Earnings/Free	-	-	-	-	-	-	-
	Municipal/School Charges	13,392.00	10,171.00	13,131.00	11,546.00	13,500.00	13,500.00	13,500.00
	<b>Total Est Revenues</b>	<b>873,224.44</b>	<b>976,867.23</b>	<b>1,011,341.54</b>	<b>1,122,569.31</b>	<b>1,126,000.00</b>	<b>1,416,000.00</b>	<b>1,416,000.00</b>
	5100 Salaries	239,172.02	219,419.99	199,993.99	238,207.56	250,636.00	254,048.88	269,550.00
	5150 Overtime	30,561.07	26,603.36	26,826.62	31,166.81	25,000.00	28,000.00	28,000.00
	5180 Licenses	235.98	200.00	310.98	143.30	800.00	1,000.00	1,000.00
	5190 Clothing Allowance	1,695.79	1,539.95	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
	5200 Purchase of Services	322,106.37	346,624.09	400,546.30	409,547.86	470,000.00	526,500.00	396,500.00
	5400 Supplies	146,460.06	148,541.70	162,157.44	167,975.76	180,000.00	185,500.00	209,500.00
	5700 Other Charges	1,382.95	506.00	423.75	3,177.00	1,750.00	2,775.00	2,775.00
	5800 Capital Outlay	-	-	-	61,540.27	-	-	-
	5850 Extraordinary/Unforeseen	-	-	-	-	10,000.00	10,000.00	10,000.00
	<b>TOTAL</b>	<b>741,614.24</b>	<b>743,435.09</b>	<b>791,759.08</b>	<b>913,258.56</b>	<b>939,686.00</b>	<b>1,009,323.88</b>	<b>918,825.00</b>
	Indirect Costs	236,705.88	238,297.56	238,297.56	239,626.36	197,141.00	250,000.00	167,215.00
	Profit/Loss	(105,095.68)	(4,865.42)	(18,715.10)	(30,315.61)	(10,827.00)	156,676.12	329,960.00
	Note: Available Retained Earnings							
Charges)	Total Revenue	859,832.44	966,696.23	998,210.54	1,111,023.31	1,112,500.00	1,416,000.00	1,416,000.00
fit/Loss)	Total Expenditures	636,518.56	738,569.67	773,043.98	882,942.95	928,859.00	1,166,000.00	1,248,785.00
	For Recap-Total Enterprise Funds							
Charges)	Total Revenue	1,939,231.55	2,260,266.45	2,295,053.49	2,417,034.90	2,392,500.00	2,894,500.00	2,894,500.00
fit/Loss)	Total Expenditures	1,523,684.43	1,805,800.02	1,801,228.93	1,888,935.37	1,883,259.00	2,294,500.00	2,476,014.00
	plus subsidy		4,865.42		30,315.61	10,827.00	-	-
						1,894,086.00	2,294,500.00	2,476,014.00

**Article 14.**

I move that the Town raise and appropriate from taxation \$36,185,943.00, \$207,500.00 from the Ambulance Reserve and \$100,000.00 from Release of Overlay, \$100,000.00 from the Road Repair Stabilization Fund and \$453,750.00 from available Free Cash for a total appropriation of \$37,047,193.00 to defray the charges and expenses of the Town, including Debt and Interest for the Fiscal Year 2025.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

***Explanation:*** Article 14 funds the Town’s general budget for Fiscal Year 2025. The total budget is \$37,047,193.00. It is funded from several sources, including taxation, ambulance reserves, Free Cash, and the Road Stabilization Fund. A full line by line budget is on the following pages.



# TOWN OF WARE

## Office of the Town Manager

126 Main Street  
Ware, MA 01082  
413-967-9648 x100

May 1, 2023

To : Town Meeting  
Selectboard  
Finance Committee

From : Stuart Beckley, Town Manager

Subject: Fiscal Year 2025 Budget Narrative

Please find attached the proposed FY2025 budget for the Town of Ware as reviewed by the Finance Committee and for consideration by Town Meeting. The budget represents the proposed funding suggested by the Town's department heads. Thoughtful and careful review by the departments and the financial team went into this proposal.

The purpose of the budget is to fund costs for services such as public safety, public works, health and education for the residents of Ware that contribute to a strong quality of life, that allow the Town to provide community activities and caring support of residents, that inspire growth, and that lead to a better future for residents and children in the years ahead.

The proposed FY2025 budget is defined by key components that affect the Town's revenues and expenses. State general unrestricted aid is proposed to increase 1% - 3% over last year's amount. State educational funding increased 4% as the increases tied to the Student Opportunity Act begin to level off. This budget funds the Town's commitment to pay wages that attract and retain employees. The budget includes funding for settlements with the bargaining units and the non-union personnel.

Of particular note are the increases in building, maintenance and insurance costs. This budget meets the financial policies of the Town. Free cash was used within the budget for smaller recurring capital items. An annual priority, free cash was not used to supplement the operations budget. This allows additional capital and funding of the Town's reserves. Capital planning will focus on need building/facility repairs and improvements, as well as needed infrastructure improvements.

## Revenues and Costs – Significant Changes

### Revenues

**State Aid.** Based on the Governor’s budget, Local aid and Chapter 70 Aid would increase nearly \$600,000, almost all in Education Aid. The Net School Spending Requirement has increased a similar amount. Other State Revenue and Costs generally offset each other.

**Local Receipts.** The proposed budget uses an increase. The Town has started receiving the negotiated fees from Resource Waste and conservatively budgeted \$100,000 for FY25. Cannabis revenues continued to decline as market availability in the region grows. Motor vehicle excise revenue was increased to reflect the trend over the past several years.

**Free Cash.** Based on the Town’s Fiscal policies, 35% of available Free Cash is available for the FY 2025 budget and adjustments to the FY2024 budget. This equates to \$752,000. The proposed FY2025 budget uses \$525,000, primarily for small and/or recurring capital purchases in the budget. The capital items that are included in the budget are:

- Road repairs (Road Stabilization Fund funded by Marijuana Tax)
- Building repairs
- Police cruiser
- Fire Turnout gear
- Senior Center HVAC
- Facilities maintenance

Additionally, \$207,000 of the Ambulance reserve were used for ambulance related costs including ambulance leases and staffing hours.

**New growth** due to construction in town is estimated conservatively until a true value is known later in the year. \$150,000 was used in the budget.

**Enterprise Funds.** The Water Reserve has a healthy earnings balance and the Wastewater budget will be self funded for the first time in four years and will generate a reserve. Town Meeting will be presented with infrastructure improvement projects in coming meetings.

**Debt.** The Debt principal and interest budgets decreased this year as previous borrowings were paid off.



## **Budget Key Points**

**Personnel.** The proposed budget does not increase the number of personnel in Town due to limited funds. In future years, the Town will consider the addition of police officers and an assistant, along with two firefighters (which could be grant funded)

Additionally, the Town notes the importance of employee retention and attraction for a stable workforce in the present and future. This is true in all departments and in most towns across the Commonwealth. It is very difficult to fill most positions, which puts Ware in the position of competing with its neighbors as well as the private sector. Negotiations are nearly completed with the Town Bargaining Units. Funds have been set aside in line 100 for this purpose. A challenge will arise in future fiscal years to keep funding these improvements and incorporate them into the scheduled contract increases.

**Insurance/Retirement.** Employee benefit costs are a large part (21%) of the Town's budget. After a year of relief in FY24, this year's proposed premium increase will be 9.8%. Liability insurance increased as insurance companies reviewed the realistic replacement costs for buildings.

**School spending.** The School Department's Need Based budget is an important tool to understanding the needs to providing education in Ware. The School Committee budget request reflects a needs-based budget. The School Department and School Committee worked closely with the finance team to find efficiencies in operations and transportation.

The Pathfinder Vocational Technical High School continues to budget with its community members in mind. The FY25 Pathfinder budget is reduced by approximately \$67,000 from FY24 for Ware. The student population, and therefore cost, is anticipated to grow in FY26.

## **Budget Specifics –**

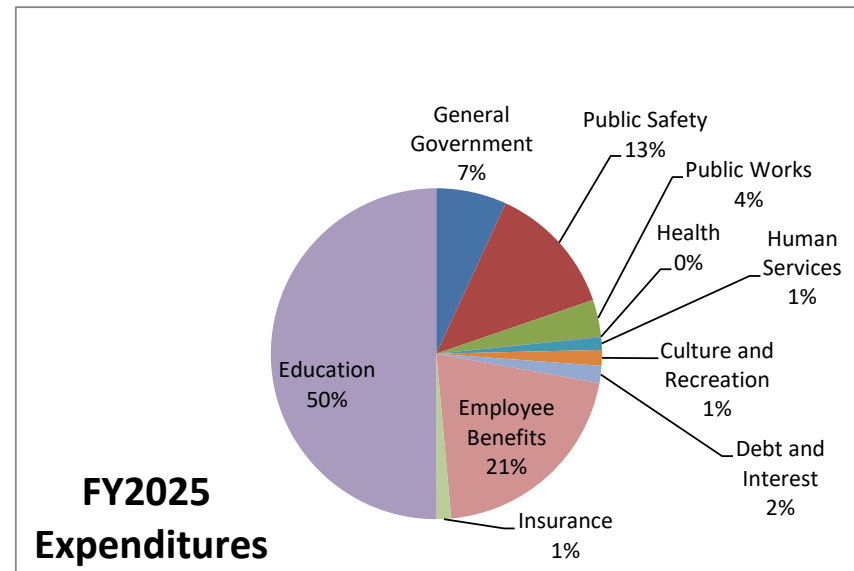
1. Elected and appointed board salaries are funded. Per Board policy, these are increased 2%.
2. Operating hours are maintained for all town employees. Funding is included in the budget for staff salary increases per settled union contracts and a non-union pay plan that is under development.
3. The Finance Committee Reserve Fund is \$80,000. The Finance Committee conservatively manages these reserves.
4. The legal services budget should be stable this coming year due to the conclusion of bargaining.
5. The IT budget reflects needed hardware and software improvements to assist with connectivity and system protection.
6. Fuel cost and energy budgets are based on review of each building and department's respective use. The Town has locked in at a rate per kilowatt, that will reduce costs beginning in the winter.

7. The Quabbin Health District continues to receive grant funding that will cover the costs of the public health nurse as well as additional inspection time. The funds included for the second year in the building budgets may be used for addressing problem properties – cleaning trash, securing. The Town participates in the Quabbin Health District for Health Agent and Inspector services.
8. Additional funding is provided to the Young Men’s Library Association for two reasons. With the Town’s population rising above the 10,000 mark, the State requires additional hours of Library availability. Additionally, the proposed funded amount will bring the Town into spending compliance with the state Library Association. The Town and Young Men’s Library Association will not have to seek a waiver from the State for library services. Library programming continues to increase.
9. Funding for regional animal control through the Town of Palmer has an increased cost this year as the actual costs of the shelter have been documented.
10. \$100,000 is proposed in the DPW budget for additional Road Repairs. This is funded through available Cannabis local sales taxes.
11. Not knowing the future of weather and climate, the snow and ice budget increased slightly.
12. The proposed School department budget currently proposes \$14,700,000, a 3.9% increase over FY2024, most of which is required to meet the Net School Spending requirement.
13. Small capital items are included for: building maintenance and repairs, as well as vehicles for police.
14. The Assessors’ office will be staffed through contracted service as the Principal Assessor continues to train.
15. Local receipts are conservatively strong.
16. New growth is estimated at \$150,000 based on increases in building.

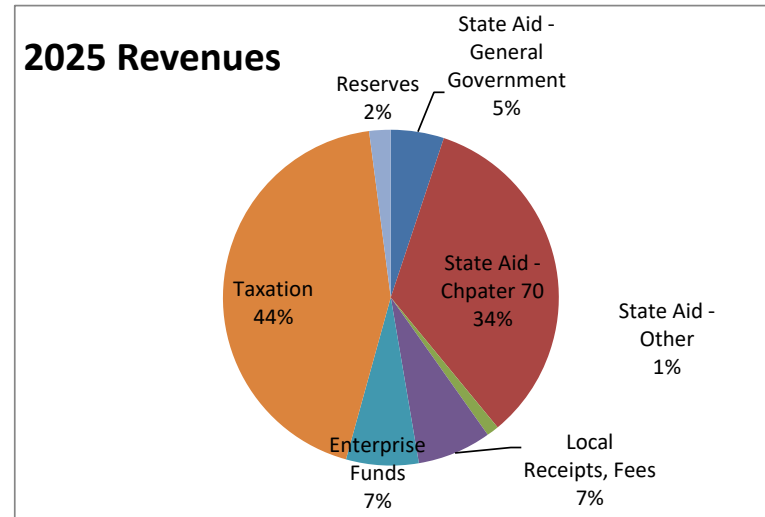
***Thank you to Ware Departments and the Finance Committee in preparing, discussing, and modifying budgets.***

		FY24	FY25	
<b>ESTIMATED RECEIPTS</b>				
<b>A. ESTIMATED RECEIPTS - STATE</b>				
1. Cherry Sheet Estimated - Chapter 70		13,527,262.00	14,086,210.00	4.13%
Cherry Sheet Estimated - Genl Govt Aid		2,063,924.00	2,125,841.00	3% Growth factor
Cherry Sheet Estimated GGA additional Formula				
Cherry Sheet Estimated - All Other		560,334.00	483,658.00	
2. Mass. School Bldg. Auth. Reimb.				
<b>B. ESTIMATED RECEIPTS - LOCAL</b>				
1. Local Receipts		2,792,195.20	2,953,780.00	Waste HCA
2. Enterprise Funds		2,392,500.00	2,894,500.00	
<b>C. REVENUE FOR PARTICULAR PURPOSE</b>				
1. Other Available Funds				
<b>D. OTHER REVENUE SOURCES</b>				
1. Free Cash		411,985.00	453,750.00	in budget capital
2. Ambulance Receipts Reserved		130,000.00	207,500.00	
3. Stabilization Fund			100,000.00	Marijuana roads
4. Capital Stabilization Fund				
5. Overlay release of funds		200,000.00	100,000.00	
<b>E. REAL &amp; PERSONAL TAX LEVY</b> *				
Tax Levy		17,339,384.15	17,501,903.75	
Underride		(400,000.00)	-	
+ 2.5%		433,484.60	437,547.59	
New Growth		129,035.00	150,000.00	
Debt Exclusion		23,200.00	22,700.00	
to balance		(31,048.05)	-	
Total Real & Personal Tax Levy		17,494,055.70	18,112,151.35	
<b>TOTAL ESTIMATED RECEIPTS</b>		<b>\$ 39,572,255.90</b>	<b>\$ 41,517,390.35</b>	
<b>ESTIMATED APPROPRIATIONS</b>				
<b>A. APPROPRIATIONS</b>				
	Budget	17,725,369.60	18,530,443.00	
	School	14,625,000.00	15,192,000.00	
	Transportation	2,102,935.00	2,250,000.00	
	Pathfinder	1,067,462.00	999,750.00	
	Medicaid	75,000.00	75,000.00	
	Enterprise Funds	1,894,086.00	2,476,014.00	
	Compensated Absences	30,000.00	-	
	STM Appropriations	-	-	
	Addnl Appropriations/Adjs	-	-	
	Transfers OPEB/Stab	-	-	
	Total Appropriations	<b>\$ 37,519,852.60</b>	<b>\$ 39,523,207.00</b>	
<b>B. OTHER AMOUNTS TO BE RAISED</b>				
1. Tax title purposes		20,000.00	20,000.00	
2. Debt & Interest not included		-	-	
3. Final court judgments		-	-	
4. Total overlay deficits prior years		-	-	
5. Total Cherry Sheet offsets CS1-ER		244,178.00	221,541.00	
6. Revenue deficits		-	-	
7. Offset receipts deficits		-	-	
8. Authorized (Quabbin Health District)		167,588.68	171,778.40	
9. Snow & Ice deficit		-	-	
Transportation Deficit		-	-	
10. Other		1,837.75	1,837.75	
<b>TOTAL B</b>		<b>\$ 433,604.43</b>	<b>\$ 415,157.15</b>	
<b>C. STATE &amp; COUNTY CHERRY SHEET CHARGES</b>		<b>1,423,248.00</b>	<b>1,399,026.00</b>	
<b>D. ALLOWANCE FOR ABATEMENTS &amp; EXEMPT.</b>		<b>195,550.87</b>	<b>180,000.00</b>	
<b>TOTAL AMOUNT TO BE RAISED</b>		<b>\$ 39,572,255.90</b>	<b>\$ 41,517,390.15</b>	
<b>TOTAL RECEIPTS LESS TOTAL EXPENDITURES</b>		<b>\$ 0.00</b>	<b>\$ 0.20</b>	

<u>Town Departments</u>	<u>FY2024 Budget</u>	<u>FY2025 Proposed</u>	<u>% Change</u>
General Government	2,310,290	2,539,148	9.9%
Public Safety	4,504,673	4,765,960	5.8%
Public Works	1,406,280	1,335,240	-5.1%
Health	39,414	25,504	-35.3%
Human Services	492,555	457,701	-7.1%
Culture and Recreation	534,810	563,728	5.4%
Debt and Interest	792,000	624,000	-21.2%
Employee Benefits	7,235,348	7,665,664	5.9%
Insurance	480,000	525,000	9.4%
Education	17,870,397	18,516,750	3.6%
Enterprise Funds			#DIV/0!
<b>TOTAL</b>	<b>35,665,767</b>	<b>37,018,695</b>	<b>3.8%</b>



<u>Revenue source</u>	<u>2024</u>	<u>2025</u>	<u>% Change</u>
State Aid - General Government	\$2,063,924	\$2,125,841	3.0%
State Aid - Chpater 70	\$13,527,262	\$14,086,210	4.1%
State Aid - Other	\$560,334	\$483,658	-13.7%
Local Receipts, Fees	\$2,792,195	\$2,953,780	5.8%
Enterprise Funds	\$2,392,500	\$2,894,500	21.0%
Taxation	\$17,494,056	\$18,112,151	3.5%
Reserves	\$741,985	\$861,250	16.1%
<b>TOTAL</b>	<b>\$39,572,256</b>	<b>\$41,517,390</b>	<b>4.9%</b>



# ARTICLE #14

<b>TOWN OF WARE FY25 BUDGET</b>					
					TOWN MANAGER
		FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	FY25 RECOMMENDED
<b>GENERAL GOVERNMENT</b>					
<b><u>100 RESERVE FOR SALARY INCREASES</u></b>					
5600	Reserve	-	81,212.00	160,000.00	235,000.00
5610	Reserve for Overtime	-	20,000.00	-	-
<b><u>114 MODERATOR</u></b>					
5100	Salary	-	-	250.00	250.00
5200-5700	Operating Expenses	-	-	-	-
<i>TOTAL</i>		-	-	<i>250.00</i>	<i>250.00</i>
<b><u>122 SELECTMEN</u></b>					
5100	Chairman Salary	442.00	2,705.04	2,759.14	2,814.32
5110	Member's Salary	7,680.33	9,106.56	9,288.69	9,474.47
5200-5700	Operating Expenses	6,628.60	120,700.00	6,900.00	6,900.00
<i>TOTAL</i>		<i>14,750.93</i>	<i>132,511.60</i>	<i>18,947.83</i>	<i>19,188.79</i>
<b><u>123 TOWN MANAGER</u></b>					
5100-5110	Salaries	144,980.73	160,962.00	229,926.00	229,926.00
5200-5700	Operating Expenses	10,468.42	9,300.00	9,500.00	9,500.00
<i>TOTAL</i>		<i>155,449.15</i>	<i>170,262.00</i>	<i>239,426.00</i>	<i>239,426.00</i>
<b><u>131 FINANCE COMMITTEE</u></b>					
5200-5700	Expenditures	184.00	455.00	455.00	455.00
5701	Reserve Fund	13,200.00	80,000.00	80,000.00	80,000.00
<i>TOTAL</i>		<i>13,384.00</i>	<i>80,455.00</i>	<i>80,455.00</i>	<i>80,455.00</i>
<b><u>135 TOWN ACCOUNTANT</u></b>					
5100	Salary	142,853.35	158,023.00	145,166.00	133,772.00
5200-5700	Operating Expenses	57,509.96	53,325.00	104,125.00	104,125.00
<i>TOTAL</i>		<i>200,363.31</i>	<i>211,348.00</i>	<i>249,291.00</i>	<i>237,897.00</i>
<b><u>141 BOARD OF ASSESSORS</u></b>					
5100	Board Member's Salary	12,000.00	12,240.00	12,485.00	12,485.00
5110-5120	Salaries	28,105.50	40,395.00	60,000.00	60,000.00
5200-5700	Operating Expenses	110,958.83	148,600.00	136,300.00	147,300.00
5800	Capital Expenditures	-	-	-	-
<i>TOTAL</i>		<i>151,064.33</i>	<i>201,235.00</i>	<i>208,785.00</i>	<i>219,785.00</i>

<b>TOWN OF WARE FY25 BUDGET</b>					
		FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	TOWN MANAGER FY25 RECOMMENDED
<b>145</b>	<b><u>TREASURER/COLLECTOR</u></b>				
	5100-5120 Salaries	211,358.28	240,720.00	252,062.00	252,062.00
	5200-5700 Operating Expenses	36,785.24	32,000.00	37,575.00	36,800.00
	<i>TOTAL</i>	<i>248,143.52</i>	<i>272,720.00</i>	<i>289,637.00</i>	<i>288,862.00</i>
<b>151</b>	<b><u>LAW</u></b>				
	5200 Purchase of Services	83,298.22	90,000.00	80,000.00	80,000.00
<b>152</b>	<b><u>HUMAN RESOURCES</u></b>				
	5100 Salary	68,705.00	71,400.00	70,270.00	70,270.00
	5200-5700 Operating Expenses	6,599.36	9,250.00	9,250.00	9,250.00
		<i>75,304.36</i>	<i>80,650.00</i>	<i>79,520.00</i>	<i>79,520.00</i>
<b>155</b>	<b><u>INFORMATION TECHNOLOGY</u></b>				
	5100 Salary	82,093.14	93,232.00	96,542.00	96,542.00
	5200-5700 Operating Expenses	142,223.82	153,410.00	170,695.00	171,295.00
	5800 Capital Expenditures	17,608.06	61,067.00	79,155.00	79,155.00
	<i>TOTAL</i>	<i>241,925.02</i>	<i>307,709.00</i>	<i>346,392.00</i>	<i>346,992.00</i>
<b>158</b>	<b><u>TELEPHONE CHARGES</u></b>				
	5200 Purchase of Services	16,810.94	25,000.00	24,000.00	24,000.00
<b>422</b>	<b><u>MUNICIPAL FUEL</u></b>				
	5401 Supplies	145,176.93	150,000.00	160,000.00	150,000.00
<b>161</b>	<b><u>TOWN CLERK</u></b>				
	5100-5110 Salaries	115,520.21	124,285.00	125,441.00	125,441.00
	5200-5700 Operating Expenses	4,641.65	7,800.00	6,900.00	6,400.00
	<i>TOTAL</i>	<i>120,161.86</i>	<i>132,085.00</i>	<i>132,341.00</i>	<i>131,841.00</i>
<b>162</b>	<b><u>ELECTIONS &amp; TOWN MEETING</u></b>				
	5100 Salaries	16,470.26	9,500.00	15,000.00	15,000.00
	5200-5700 Operating Expenses	12,500.00	10,400.00	12,500.00	12,500.00
	5800 Capital Expenditures	-	-	-	-
	<i>TOTAL</i>	<i>28,970.26</i>	<i>19,900.00</i>	<i>27,500.00</i>	<i>27,500.00</i>
<b>163</b>	<b><u>BOARD OF REGISTRARS</u></b>				
	5100 Salaries	3,000.00	3,400.00	3,400.00	3,400.00
	5200-5700 Operating Expenses	8,974.08	5,700.00	5,650.00	5,650.00
	<i>TOTAL</i>	<i>11,974.08</i>	<i>9,100.00</i>	<i>9,050.00</i>	<i>9,050.00</i>

<b>TOWN OF WARE FY25 BUDGET</b>					
		FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	TOWN MANAGER FY25 RECOMMENDED
<b>171 CONSERVATION COMMISSION</b>					
5100 Salary		15,600.00	16,900.00	17,238.00	17,583.00
5200-5700 Operating Expenses		396.26	1,200.00	1,235.00	1,235.00
<b>TOTAL</b>		<b>15,996.26</b>	<b>18,100.00</b>	<b>18,473.00</b>	<b>18,818.00</b>
<b>175 PLANNING /ZBA</b>					
5100 Board Members Salaries		5,239.54	6,536.00	6,680.00	6,680.00
5110-5123 Salaries		45,377.85	101,231.00	108,828.00	108,828.00
5200-5700 Operating Expenses		12,090.93	12,785.00	13,875.00	13,875.00
<b>TOTAL</b>		<b>62,708.32</b>	<b>120,552.00</b>	<b>129,383.00</b>	<b>129,383.00</b>
<b>192 TOWN HALL</b>					
5100 Custodian's Salary		7,579.75	8,850.00	9,880.00	9,880.00
5130-5700 Operating Expenses		78,652.84	97,000.00	96,500.00	87,600.00
<b>TOTAL</b>		<b>86,232.59</b>	<b>105,850.00</b>	<b>106,380.00</b>	<b>97,480.00</b>
<b>194 FACILITIES MAINTENANCE</b>					
5100 Salary		-	50,000.00	61,200.00	61,200.00
5200-5700 Operating Expenses		41,772.62	50,000.00	55,000.00	241,000.00
<b>TOTAL</b>		<b>41,772.62</b>	<b>100,000.00</b>	<b>116,200.00</b>	<b>302,200.00</b>
<b>195 TOWN REPORT</b>					
5200 Purchase of Service		500.00	600.00	600.00	500.00
<b>198 AMERICANS W/DISABILITY COMMISSION</b>					
5200-5700 Operating Expenses		-	1,000.00	1,000.00	1,000.00
<b>TOTAL GENERAL GOVERNMENT</b>		<b>1,713,986.70</b>	<b>2,310,289.60</b>	<b>2,477,630.83</b>	<b>2,719,147.79</b>



<b>TOWN OF WARE FY25 BUDGET</b>				
	FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	TOWN MANAGER FY25 RECOMMENDED
<b>PROTECTION OF PERSONS &amp; PROPERTY (PUBLIC SAFETY)</b>				
<b>210 POLICE DEPARTMENT</b>				
5100-5160 Salaries	1,623,069.01	1,753,750.00	1,905,342.00	1,835,501.00
5190-5700 Operating Expenses	180,561.95	210,600.00	222,300.00	217,800.00
5800 Capital Expenditures	57,558.60	82,000.00	80,000.00	80,000.00
<b>TOTAL</b>	<b>1,861,189.56</b>	<b>2,046,350.00</b>	<b>2,207,642.00</b>	<b>2,133,301.00</b>
<b>220 FIRE DEPARTMENT</b>				
5100-5120 Salaries	1,177,224.98	1,285,833.00	1,452,258.00	1,342,260.00
5180-5700 Operating Expenses	135,711.28	147,000.00	200,000.00	183,000.00
5800 Capital Expenditures	42,739.35	70,000.00	90,000.00	90,000.00
<b>TOTAL</b>	<b>1,355,675.61</b>	<b>1,502,833.00</b>	<b>1,742,258.00</b>	<b>1,615,260.00</b>
<b>231 AMBULANCE</b>				
5100 Salary	218,044.24	376,000.00	390,000.00	381,200.00
5200-5700 Operating Expenses	215,540.30	269,250.00	257,500.00	245,500.00
5800 Capital Expenditures	-	60,000.00	-	-
<b>TOTAL</b>	<b>433,584.54</b>	<b>705,250.00</b>	<b>647,500.00</b>	<b>626,700.00</b>
<b>241 INSPECTIONAL SERVICES/CODE ENFORCEMENT</b>				
5100-5123 Salaries	124,919.14	147,440.00	135,749.00	135,749.00
5200-5700 Operating Expenses	25,691.56	45,000.00	55,000.00	54,000.00
<b>TOTAL</b>	<b>150,610.70</b>	<b>192,440.00</b>	<b>190,749.00</b>	<b>189,749.00</b>
<b>244 SEALER OF WEIGHTS &amp; MEASURES</b>				
5200 Purchase of Service	3,500.00	8,500.00	8,500.00	9,200.00
<b>291 EMERGENCY MANAGEMENT</b>				
5110 P/T Salary	-	-	-	-
5200-5700 Operating Expenses	17,522.01	14,250.00	14,750.00	14,750.00
<b>TOTAL</b>	<b>17,522.01</b>	<b>14,250.00</b>	<b>14,750.00</b>	<b>14,750.00</b>
<b>292 ANIMAL CONTROL</b>				
5100 Salary	-	-	-	-
5200-5700 Operating Expenses	29,616.00	31,050.00	53,000.00	53,000.00
<b>TOTAL</b>	<b>29,616.00</b>	<b>31,050.00</b>	<b>53,000.00</b>	<b>53,000.00</b>
<b>293 TRAFFIC CONTROL</b>				
5200 Purchase of Services	4,048.00	4,000.00	4,000.00	4,000.00
<b>TOTAL PUBLIC SAFETY</b>	<b>3,855,746.42</b>	<b>4,504,673.00</b>	<b>4,868,399.00</b>	<b>4,645,960.00</b>

<b>TOWN OF WARE FY25 BUDGET</b>				
	FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	TOWN MANAGER FY25 RECOMMENDED
<b>DEPARTMENT OF PUBLIC WORKS</b>				
<b>421 DEPARTMENT OF PUBLIC WORKS</b>				
5100-5120 Salaries	518,492.01	690,980.00	549,851.00	624,040.00
5180-5700 Operating Expenses	185,977.52	253,300.00	248,700.00	226,200.00
5800 Capital Expenditures	100,601.27	150,000.00	100,000.00	100,000.00
<b>TOTAL</b>	<b>805,070.80</b>	<b>1,094,280.00</b>	<b>898,551.00</b>	<b>950,240.00</b>
<b>423 SNOW REMOVAL</b>				
5100 Salaries	38,145.79	75,000.00	80,000.00	80,000.00
5400 Supplies	110,764.14	175,000.00	180,000.00	175,000.00
<b>TOTAL</b>	<b>148,909.93</b>	<b>250,000.00</b>	<b>260,000.00</b>	<b>255,000.00</b>
<b>424 STREETLIGHTS</b>				
5200 Purchase of Services	38,305.95	62,000.00	65,000.00	65,000.00
<b>425 TREE WARDEN</b>				
5100 Salary	5,750.00	-	-	-
5200-5700 Operating Expenses	4,090.63	-	-	-
<b>TOTAL</b>	<b>9,840.63</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>426 CEMETERY</b>				
5200-5400 Operating Expenses	-	-	-	-
5800 Capital Expenditures	-	-	-	5,000.00
<b>TOTAL</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,000.00</b>
<b>TOTAL DEPT. OF PUBLIC WORKS</b>	<b>1,002,127.31</b>	<b>1,406,280.00</b>	<b>1,223,551.00</b>	<b>1,275,240.00</b>
<b>HEALTH &amp; SANITATION</b>				
<b>510 BOARD OF HEALTH</b>				
5100 Board Members Salaries	1,963.50	1,964.00	1,964.00	2,004.00
5121-5123 Salaries	4,499.99	4,700.00	4,700.00	4,700.00
5200-5700 Operating Expenses	13,921.38	32,750.00	33,650.00	18,800.00
<b>TOTAL</b>	<b>20,384.87</b>	<b>39,414.00</b>	<b>40,314.00</b>	<b>25,504.00</b>
<b>TOTAL HEALTH &amp; SANITATION</b>	<b>20,384.87</b>	<b>39,414.00</b>	<b>40,314.00</b>	<b>25,504.00</b>

<b>TOWN OF WARE FY25 BUDGET</b>				
	FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	TOWN MANAGER FY25 RECOMMENDED
HUMAN SERVICES				
<b>541 COUNCIL ON AGING</b>				
5110-5120 Salaries	121,418.69	169,827.00	151,050.00	151,050.00
5200-5700 Operating Expenses	58,118.33	56,950.00	66,200.00	66,200.00
5800 Capital Expenditures	-	2,000.00	2,000.00	6,800.00
<b>TOTAL</b>	<b>179,537.02</b>	<b>228,777.00</b>	<b>219,250.00</b>	<b>224,050.00</b>
<b>543 VETERAN'S SERVICE</b>				
5100 Salary	10,440.00	11,128.00	11,350.56	11,351.00
5200-5701 Operating Expenses	220,448.38	252,650.00	222,300.00	222,300.00
<b>TOTAL</b>	<b>230,888.38</b>	<b>263,778.00</b>	<b>233,650.56</b>	<b>233,651.00</b>
<b>TOTAL HUMAN SERVICES</b>	<b>410,425.40</b>	<b>492,555.00</b>	<b>452,900.56</b>	<b>457,701.00</b>
CULTURE & RECREATION				
<b>610 YOUNG MEN'S LIBRARY ASSOCIATION</b>				
5120 Salaries	193,399.00	226,109.00	243,399.00	243,399.00
5200-5900 Operating Expenses	92,631.00	109,976.00	121,848.00	117,830.00
<b>SUB TOTAL</b>	<b>286,030.00</b>	<b>336,085.00</b>	<b>365,247.00</b>	<b>361,229.00</b>
Less Library Funds	(27,000.00)	(27,000.00)	(30,000.00)	(30,000.00)
<b>TOTAL</b>	<b>259,030.00</b>	<b>309,085.00</b>	<b>335,247.00</b>	<b>331,229.00</b>
<b>695 HISTORICAL COMMISSION</b>				
5200-5700 Operating Expenses	1,000.00	1,000.00	1,000.00	1,000.00
<b>693 PARKS DEPARTMENT</b>				
5100-5120 Salaries	132,313.68	186,075.00	189,347.00	189,347.00
5200-5700 Operating Expenses	27,969.15	29,450.00	31,850.00	32,250.00
5800 Capital Expenditures	27,000.00	-	-	-
<b>TOTAL</b>	<b>187,282.83</b>	<b>215,525.00</b>	<b>221,197.00</b>	<b>221,597.00</b>
<b>694 CELEBRATIONS</b>				
5400 Supplies	8,542.20	9,200.00	9,900.00	9,900.00
<b>TOTAL CULTURE &amp; RECREATION</b>	<b>455,855.03</b>	<b>534,810.00</b>	<b>567,344.00</b>	<b>563,726.00</b>

<b>TOWN OF WARE FY25 BUDGET</b>					
		FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	TOWN MANAGER FY25 RECOMMENDED
<b>DEBT &amp; INTEREST</b>					
<b>710 RETIREMENT OF DEBT</b>					
5900 Principal		704,299.00	578,000.00	450,000.00	450,000.00
<b>720 LEASE LONG TERM DEBT</b>					
5900 Leases		-	-	-	-
<b>751 LONG TERM DEBT</b>					
5900 Interest		119,038.32	134,000.00	139,000.00	139,000.00
<b>752 SHORT TERM DEBT</b>					
5900 Interest		10,209.45	80,000.00	35,000.00	35,000.00
<b>TOTAL DEBT &amp; INTEREST</b>		<b>833,546.77</b>	<b>792,000.00</b>	<b>624,000.00</b>	<b>624,000.00</b>
<b>900 MUNICIPAL WATER/SEWER CHARGES</b>					
5978 Water		10,116.00	15,000.00	15,000.00	15,000.00
5978 Sewer		11,546.00	13,500.00	13,500.00	13,500.00
<b>TOTAL</b>		<b>21,662.00</b>	<b>28,500.00</b>	<b>28,500.00</b>	<b>28,500.00</b>
<b>EMPLOYEE BENEFITS</b>					
<b>911 HAMPSHIRE COUNTY RETIREMENT</b>					
5100 Assessment		2,581,471.00	2,761,548.00	2,951,079.00	2,902,664.00
<b>913 UNEMPLOYMENT INSURANCE FUND</b>					
5100 Benefit		88,593.14	75,000.00	80,000.00	75,000.00
<b>914 HEALTH &amp; MEDICAL INSURANCE</b>					
5100 Benefit		3,812,795.70	4,120,800.00	4,540,000.00	4,400,000.00
<b>916 MEDICARE</b>					
5100 Benefit		242,935.43	265,000.00	275,000.00	275,000.00
<b>917 EMPLOYEE SICK LEAVE BUY BACK</b>					
5100 Benefit		400.00	3,000.00	3,000.00	3,000.00
<b>918 IMMUNIZATIONS &amp; PHYSICALS</b>					
5100 Benefit		8,270.00	10,000.00	10,000.00	10,000.00
<b>TOTAL EMPLOYEE BENEFITS</b>		<b>6,734,465.27</b>	<b>7,235,348.00</b>	<b>7,859,079.00</b>	<b>7,665,664.00</b>
<b>INSURANCE</b>					
<b>945 MUNICIPAL INSURANCE</b>					
5700 Other Charges		367,754.18	480,000.00	465,000.00	525,000.00
<b>TOTAL INSURANCE</b>		<b>367,754.18</b>	<b>480,000.00</b>	<b>465,000.00</b>	<b>525,000.00</b>
<b>GRAND TOTAL TOWN</b>					
		<b>15,415,953.95</b>	<b>17,823,869.60</b>	<b>18,606,718.39</b>	<b>18,530,442.79</b>
		<b>6.3%</b>	<b>15.6%</b>	<b>4.4%</b>	<b>4.0%</b>

<b>TOWN OF WARE FY25 BUDGET</b>					
		FY23 ACTUAL	FY24 BUDGET	FY25 REQUEST	TOWN MANAGER FY25 RECOMMENDED
SCHOOL					
<b>SCHOOLS</b>					
5100 Net School Spending - WPS		13,675,000.00	14,625,000.00	15,621,059.00	15,192,000.00
	(School Committee)	-	-	-	-
	Medicaid Share	75,000.00	75,000.00	75,000.00	75,000.00
5100 Transportation - WPS		1,869,090.00	2,102,935.00	2,374,710.00	2,250,000.00
5600 Pathfinder Regional Schools		1,128,099.00	1,067,462.00	1,075,000.00	999,750.00
<b>TOTAL SCHOOL</b>		<b>16,747,189.00</b>	<b>17,870,397.00</b>	<b>19,145,769.00</b>	<b>18,516,750.00</b>
		<b>3.4%</b>	<b>6.7%</b>	<b>7.1%</b>	<b>3.6%</b>
<b>GRAND TOTAL TOWN &amp; SCHOOL</b>		<b>32,163,142.95</b>	<b>35,694,266.60</b>	<b>37,752,487.39</b>	<b>37,047,192.79</b>
		<b>4.8%</b>	<b>11.0%</b>	<b>5.8%</b>	<b>3.8%</b>

**Article 15.** I move that the Town appropriate \$30,000.00 to fund the Employee Compensated Absences Reserve Fund and to meet said appropriation by transferring \$30,000.00 from Free Cash.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** This reserve fund is for use to fund employees’ benefits payouts upon retirement.

**Article 16.** I move that the Town amend the Town’s General Bylaws by adopting the Stormwater Bylaw, as on file with the Town Clerk, included in the Town Meeting Packet, and attached to this Motion.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Conservation Commission</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Article 16 seeks approval for a new local Stormwater Bylaw. This Bylaw addresses runoff and drainage. It is presented and recommended by the Conservation Commission. The bylaw is in addition to the MA DEP Stormwater Regulations.

The Proposed Stormwater Management Bylaw establishes a new Stormwater Authority for the Conservation Commission, establishes thresholds and submittal requirements, establishes performance standards, outlines the review process, addresses illicit discharges and construction disturbance, establishes fines for noncompliance, and presents requirements for operations and maintenance plans.

Furthermore, the proposed Stormwater Management bylaw seeks to provide details and specifications for important stormwater issues, including control of runoff during construction to prevent erosion and transport of sediment in stormwater, reduction of stormwater pollutants post construction on new or redevelopment sites through retention or treatment, standards for erosion and sediment control, site plan review – incorporation of low impact development, consideration of potential water quality impacts, consideration of information from public, site inspections – identify who will do inspections and when, both during and after construction, construction site oversight procedure for tracking number of site reviews, inspections, and enforcement activities, reducing stormwater pollutants post construction on new or redeveloped sites, address standards aimed at water quality improvements, and promote Low Impact Development (LID) techniques.

# ARTICLE #16

Town of Ware

Chapter \_\_\_\_\_

## Stormwater Management Bylaw

### Table of Contents

#### **ARTICLE I – GENERAL PROVISIONS**

- Section 1. Purpose and Objective
- Section 2. Definitions
- Section 3. Authority
- Section 4. Responsibility for Administration
- Section 5. Waivers
- Section 6. Regulations
- Section 7. Enforcement
- Section 8. Severability

#### **ARTICLE II – DISCHARGES TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM**

- Section 1. Applicability
- Section 2. Prohibited Activities; Exemptions.
- Section 3. Additional Prohibited Pollutants
- Section 4. Emergency Suspension of Storm Drainage System Access.
- Section 5. Notification of Spills

#### **ARTICLE III STORMWATER MANAGEMENT AND LAND DISTURBANCE**

- Section 1. Applicability
- Section 2. Review or Permit
- Section 3. Consent to Entry onto Property
- Section 4. Inspection and Site Supervision
- Section 5. Surety
- Section 6. Final Reports

# ARTICLE I – GENERAL PROVISIONS

## Section 1. Purpose and Objective

- A. The purpose of this bylaw is to protect public health, safety, general welfare, and the environment by regulating illicit connections and discharges to the storm drain system, as well as to control the adverse effects of construction site stormwater runoff and post-construction runoff. Stormwater runoff can be a major cause of:
- (1) Impairment of water quality and flow in lakes, ponds, streams, rivers, coastal waters, wetlands, groundwater and drinking water supplies;
  - (2) Contamination of drinking water supplies;
  - (3) Contamination of downstream coastal areas;
  - (4) Alteration or destruction of aquatic and wildlife habitat;
  - (5) Overloading or clogging of municipal stormwater management systems; and
  - (6) Flooding.
- B. The objectives of this bylaw are to:
- (1) Protect water resources;
  - (2) Comply with state and federal statutes and regulations relating to stormwater discharges including total maximum daily load requirements and with the General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems in Massachusetts, issued by the U.S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection (“MS4 Permit”);
  - (3) Prevent and reduce pollutants from entering the Town of Ware municipal separate storm sewer system (MS4);
  - (4) Prohibit illicit connections and unauthorized discharges to the MS4 and require their removal;
  - (5) Establish minimum construction and post construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
  - (6) Establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater best management practices to ensure that they continue to function as designed, and pose no threat to public safety; and
  - (7) Recognize the Town of Ware’s legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.



## Section 2. Definitions

Unless a different definition is indicated in other sections of this bylaw, the following definitions and provisions shall apply throughout this bylaw:

**ADVERSE IMPACT:** Any effect on waters or wetlands, including their quality, quantity, surface area, species composition, aesthetics or usefulness for human or natural uses, which is or may potentially be harmful or injurious to human health, welfare, safety or property, to biological productivity, diversity, or stability or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation.

**ALTERATION OF DRAINAGE CHARACTERISTICS:** Any activity on an area of land that changes the water quality, force, direction, timing or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined or discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

**APPLICANT:** Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government, to the extent permitted by law, requesting a Land Disturbance Permit or Administrative Land Disturbance Approval.

**AS-BUILT DRAWING:** Drawings that completely record and document applicable aspects and features of conditions of a project following construction using Stormwater Management Plans derived from a Land Disturbance Permit.

**BEST MANAGEMENT PRACTICE (BMP):** Schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to Waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC):** A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

**CLEAN WATER ACT:** The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

**CLEARING:** Any activity that removes the vegetative surface cover.

**COMMON PLAN OF DEVELOPMENT:** - A "larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

**DISCHARGE OF POLLUTANTS:** The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the Waters of the United States or Commonwealth from any source.

**ENVIRONMENTALLY SENSITIVE SITE DESIGN (ESSD):** A suite of practices using nature-based solutions to treat stormwater while reducing or eliminating structural Stormwater Control Measures needed to meet certain Stormwater Management Standards. More specifically, ESSD

means designs that incorporates Low Impact Development techniques or practices to prevent the generation of stormwater and non-point source pollution by reducing Impervious Surfaces, disconnecting stormwater sheet flow paths and treating stormwater at its source, maximizing open space, minimizing disturbance, protecting natural features and processes, and/or enhancing wildlife habitat.

**EROSION:** The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**EROSION AND SEDIMENTATION CONTROL PLAN:** A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activities.

**GRADING:** Changing the level or shape of the ground surface.

**GROUNDWATER:** Water beneath the surface of the ground.

**GRUBBING:** The act of clearing land surface by digging up roots and stumps.

**HAZARDOUS MATERIAL:** Any material which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as "toxic" or "hazardous" under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

**ILLICIT CONNECTION:** A surface or subsurface drain or conveyance which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water, and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this bylaw.

**ILLICIT DISCHARGE:** Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Article II, §2D of this bylaw. The term does not include a discharge in compliance with an NPDES stormwater discharge permit or resulting from fire-fighting activities and other activities exempted pursuant to Article II, §2D(1) of this bylaw.

**IMPERVIOUS SURFACE:** Any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include but is not limited to: roads, driveways, parking areas and other areas created using nonporous material; buildings, rooftops, structures, artificial turf, compacted gravel or soil, solar arrays, parking lots, bicycle paths, and sidewalks paved with concrete, asphalt, or other similar materials.

**INFILTRATION:** The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

**LAND DISTURBANCE PERMIT:** A permit issued by the Stormwater Authority pursuant to this bylaw prior to commencement of Land Disturbing Activity.

**LAND DISTURBING ACTIVITY:** Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters; involves clearing, grading, or excavating, including grubbing; or results in an alteration of drainage characteristics.

**LOW IMPACT DEVELOPMENT or LID:** Site planning and design strategies that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. LID practices include but are not limited to bioretention facilities, rain gardens, vegetated rooftops, rain barrels and permeable pavements.

**MAINTENANCE OF AN EXISTING PUBLIC ROADWAY:** means activities undertaken to a roadway that do not increase impervious area. Such activities include, but are not limited to, grinding, scarifying, repaving, resurfacing, replacing existing drainage pipes, or resetting curbs or catch basin frames. Maintenance of an Existing Public Roadway does not include widening, installing new shoulders, installing new sidewalks, or creating New Stormwater Discharges from existing roads.

**MASSACHUSETTS STORMWATER MANAGEMENT POLICY:** The Policy issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act MGL c. 131 s. 40 and the Massachusetts Clean Waters Act MGL c. 21, ss. 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM:** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Ware.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT:** A permit issued by the EPA that authorizes the discharge of pollutants to Waters of the United States.

**NEW DEVELOPMENT:** Any construction activities or land alteration on an area that has not previously been developed to include impervious cover.

**NONPOINT SOURCE POLLUTION:** Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and man-made pollutants finally depositing them into a water resource area.

**NON-STORMWATER DISCHARGE:** Discharge to the municipal storm drain system not composed entirely of stormwater.

**OFF-SITE MITIGATION:** An approach whereby pollutant removal practices are implemented at redevelopment or retrofit sites at another location in the same HUC12 watershed, as approved

by the Stormwater Authority.

**OPERATION AND MAINTENANCE PLAN:** A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

**OUTFALL:** The terminus of a storm drain or other stormwater structure where the contents are released.

**OWNER:** A person with a legal or equitable interest in property.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**PRETREATMENT PRACTICES:** Structural and nonstructural practices used as part of a treatment train, designed, operated, and maintained to remove an initial amount of a pollutant such as Total Suspended Solids from stormwater runoff prior to discharge to a Terminal Treatment Practice. Examples of Pretreatment Practices are deep sump catch basins and proprietary manufactured separators (structural) and street cleaning (nonstructural). Pretreatment Practices are not Terminal Treatment Practices.

**PERMITTEE:** The person who holds a Land Disturbance/Stormwater Management Permit and therefore bears the responsibilities and enjoys the privileges conferred thereby.

**POINT SOURCE:** Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged.

**PRE-CONSTRUCTION:** All activity in preparation for construction.

**POLLUTANT:** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, construction wastes and residues including discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes and industrial, municipal and agricultural waste discharged into water.

**POLLUTION:** The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses.

**RECHARGE:** The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

**REDEVELOPMENT:** Development, rehabilitation, expansion, demolition, construction, land alteration, or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites.

**RUNOFF:** Rainfall, snowmelt, or irrigation water flowing over the ground surface.

**SEDIMENT:** Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

**SEDIMENTATION:** The process or act of deposition of sediment.

**SITE:** The areal extent of construction activities, including but not limited to the creation of new impervious cover and improvement of existing impervious cover.

**SOIL:** Any earth, sand, rock, gravel, or similar material.

**STORMWATER AUTHORITY:** The Town of Ware’s Conservation Commission or its authorized agent(s).

**STORMWATER:** Stormwater runoff, snow melt runoff, and surface runoff and drainage.

**STORMWATER MANAGEMENT PLAN:** A document containing narrative, drawings, details and reporting requirements developed by a qualified professional engineer (PE), which describes structural and non-structural best management practices designed to control the discharge of pollutants from impervious surfaces and onsite activities as well as the volume and peak rate of surface runoff from a site on an ongoing basis after construction has been completed.

**TOTAL MAXIMUM DAILY LOAD or TMDL:** Section 303(d) of the Clean Water Act authorizes the EPA to assist states, territories and authorized tribes in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL establishes the maximum amount of a pollutant that a waterbody can accept and still meet water quality standards for protecting public health and maintaining the designated beneficial uses of those waters for drinking, swimming, recreation, and fishing. A TMDL includes Waste Load Allocations for point source discharges, Load Allocations for nonpoint sources and/or natural background, and must include a margin of safety and account for seasonal variations.

**VERNAL POOL:** Temporary bodies of freshwater which provide critical habitat for a number of vertebrate and invertebrate wildlife species that shall include, in addition to scientific definitions found in the Conservation Commission Regulations (if applicable, and the Wetlands Protection Act any confined basin or depression not occurring in existing lawns, gardens, landscaped areas or driveways which, at least in most years, holds water for a minimum of two continuous months during the spring and/or summer, contains at least 200 cubic feet of water at some time during most years, is free of adult fish populations, and provides essential breeding and rearing habitat functions for amphibian, reptile or other Vernal Pool community species, regardless of whether the site has been certified by the Massachusetts Division of Fisheries and Wildlife. The boundary of the Resource Areas for Vernal Pools shall be the mean annual high-water line defining the depression and an additional one-hundred feet, the jurisdictional buffer shall consist of an additional one hundred feet from the resource area.

**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

**WATERS OF THE COMMONWEALTH:** All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwater, and Waters of the United States as defined under the Federal Clean Water Act as hereafter amended.

**WETLAND RESOURCE AREA:** Areas specified in the Massachusetts Wetlands Protection Act M.G.L. c. 131, s.40 and in the Town’s Wetlands Ordinance Chapter 143.

**WETLANDS:** Wet meadows, marshes, swamps, bogs, areas where groundwater, flowing or standing surface water or ice provide a significant part of the supporting substrate for a plant community for at least five months of the year; emergent and submergent communities in inland waters; that portion of any bank which touches any inland water.

**ZONE I:** The protective radius required around a public water supply well or wellfield, as defined in 310 CMR 22.00: Drinking Water.

**ZONE II:** That area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can realistically be anticipated, as defined in 310 CMR 22.00: Drinking Water.

**ZONE A, AS DEFINED IN 310 CMR 22.00:** Drinking Water, means (a) the land area between the surface water source and the upper boundary of the bank; (b) the land area within a 400 foot lateral distance from the upper boundary of the bank of a Class A surface water used as a drinking water source, as defined in 314 CMR 4.00: Massachusetts Surface Water Quality Standards; and (c) the land area within a 200 foot lateral distance from the upper boundary of the bank of a tributary or associated surface water body.

### **Section 3. Authority**

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, Massachusetts home rule statutes, and the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

### **Section 4. Responsibility for Administration**

- A. The Stormwater Authority shall administer, implement and enforce this bylaw. Any powers granted to, or duties imposed upon, the Stormwater Authority may be delegated in writing by the Stormwater Authority to its employees or agents.

### **Section 5. Waivers**

- A. The Stormwater Authority, or its authorized agent, may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where such action is:
  - (1) allowed by federal, state and local statutes and/or regulations and the MS4 Permit; and
  - (2) in the public interest; and
  - (3) not inconsistent with the purpose and intent of this bylaw.
- B. Any person seeking a waiver must submit a written waiver request. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the bylaw does not further the purposes or objectives of this bylaw.
- C. If in the opinion of the Stormwater Authority or its authorized agent, additional time or information is required for review of a waiver request, the Stormwater Authority may continue a hearing to a date certain announced at the meeting. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.

## Section 6. Regulations

- A. The Stormwater Authority shall adopt, and may periodically amend, regulations, rules and/or written guidance relating to the terms, conditions, definitions, enforcement, fees, procedures, and administration of this Stormwater Management bylaw by majority vote after conducting a public hearing to receive comments. Such hearing shall be advertised in a newspaper of general local circulation, at least fourteen (14) days prior to the hearing date. Failure of the Stormwater Authority to issue such rules, or regulations, or a legal declaration of their invalidity by a court, shall not act to suspend or invalidate the effect of this bylaw. Stormwater Management regulations, rules or guidance shall identify requirements for Administrative Land Disturbance Approval and Land Disturbance Permits required by this bylaw and consistent with or more stringent than the relevant requirements of the most recent MS4 Permit.
- B. Stormwater Management regulations may identify one or more categories of projects requiring an Administrative Land Disturbance Approval that, because of their size, scope and common features or characteristics, may be approved by one or more agents of the Stormwater Authority rather than by a majority of Stormwater Authority members pursuant to Article III of this bylaw. For such projects, the Stormwater Authority will identify minimum stormwater management standards pursuant to this bylaw, compliance with which is required before the project is approved.

## Section 7. Enforcement

The Stormwater Authority or its authorized agent shall enforce this bylaw, and any associated regulations, orders, violation notices, and enforcement orders and may pursue all civil and criminal remedies for such violations.

- A. Criminal and Civil Relief.
  - (1) Any person who violates the provisions of this bylaw, or any associated regulations, permit, or order issued thereunder, may be subject to criminal penalties and prosecution in a court of competent jurisdiction and/or a fine of not more than \$300 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
  - (2) The Stormwater Authority may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- B. Orders.
  - (1) The Stormwater Authority or its authorized agent may issue a written order to enforce the provisions of Article II of this bylaw or any associated regulations, which may include:
    - (a) Elimination of illicit connections or discharges to the MS4;
    - (b) Performance of monitoring, analyses, and reporting;

- (c) Cessation of unlawful discharges, practices, or operations;
  - (d) Implementation of measures to minimize the discharge of pollutants until such time as the illicit connection or discharge shall be eliminated; and
  - (e) Remediation of any adverse impacts of an illicit discharge or connection.
- (2) The Stormwater Authority or its authorized agent may issue a written order to enforce the provisions of Article III of this bylaw or any associated regulations or permit. Violations include, without limitation, failure to obtain a Land Disturbance Permit or Administrative Review for an activity subject to this bylaw, or failure to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, or Operations and Maintenance Plan or any other authorization issued pursuant to this bylaw or regulations issued hereunder. The written order may require the violator to remediate the non-compliance and/or any adverse impact caused by it, including without limitation:
- (a) A requirement to cease and desist from the land-disturbing activity until there is compliance with the bylaw and provisions of the Land Disturbance Permit or other authorization;
  - (b) Maintenance, installation or performance of additional erosion and sediment control measures;
  - (c) Monitoring, analyses, and reporting;
  - (d) Remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity;
  - (e) Construction, reconstruction, repair or maintenance of stormwater BMPs or any other aspect of the post-construction stormwater management system;
  - (f) Remediation of adverse impacts resulting from improper construction or operation of the post-construction stormwater management system; and/or
  - (g) A requirement to eliminate discharges, directly or indirectly, into the MS4, a watercourse or into the Waters of the Commonwealth.
- (3) If the Stormwater Authority or its authorized agent determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further provide that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, undertake such work, and expenses thereof shall be charged to the violator.



- (4) Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by Town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Stormwater Authority within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Stormwater Authority affirming or reducing the costs, or from a final decision of a court of competent jurisdiction affirming or reducing the costs, the costs shall constitute a municipal charge for purposes of G.L. c.40, §58, and a lien may be imposed on the property for the amount of the unpaid charge, pursuant to G.L. c.40, §58. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in M.G.L. c. 59 § 57 on the 31st day after the costs first become due.
- C. Noncriminal disposition. As an alternative to criminal prosecution or civil action, Town may elect to utilize the noncriminal disposition procedure set forth in M.G.L. c. 40, § 21D, in which case designated agents of the Stormwater Authority shall be the enforcing persons. The penalty for the first violation shall be a warning. The penalty for the second violation shall be \$100. The penalty for the third and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- D. Entry to perform duties under this bylaw. To the extent permitted by local, state or federal law, or if authorized by the owner or other party in control of the property, the Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Stormwater Authority deems reasonably necessary.
- E. Appeals. The decisions or orders of the Stormwater Authority shall be final. Further relief shall be appealed to a court of competent jurisdiction.
- F. Remedies not exclusive. The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law.

### **Section 8. Severability**

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

## **ARTICLE II – DISCHARGES TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM**

### **Section 1. Applicability**

Article II of this bylaw shall apply to all direct or indirect discharges to the municipal storm drain system and to any activities that might obstruct the municipal storm drain system.

### **Section 2. Prohibited activities; exemptions.**

- A. Illicit discharges. No person shall commence, allow, conduct or continue any illicit discharge to the municipal storm drain system.
- B. Illicit connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- C. Obstruction of municipal storm drain system. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior consent from the Stormwater Authority.
- D. Exemptions.
  - (1) Discharge or flow resulting from fire-fighting activities, unless the Stormwater Authority determines that such discharge or flow is a significant source of pollutants to Waters of the United States;
  - (2) The following categories of non-stormwater discharges are allowed unless the Stormwater Authority, EPA, or the MassDEP identifies any category or individual discharge of non-stormwater discharge below as a significant contributor of pollutants to the MS4; then that category or individual discharge is not allowed, but rather constitutes an “illicit discharge”:
    - (a) Water line flushing
    - (b) Landscape irrigation
    - (c) Diverted stream flows
    - (d) Rising groundwater
    - (e) Uncontaminated groundwater infiltration (as defined at 40 CFR § 35.2005(20))
    - (f) Uncontaminated pumped groundwater
    - (g) Discharge from potable water sources
    - (h) Foundation drains
    - (i) Air conditioning condensation
    - (j) Irrigation water, springs
    - (k) Water from crawl space pumps
    - (l) Footing drains

- (m) Lawn watering
- (n) Individual resident car washing
- (o) Flows from riparian habitats and wetlands
- (p) De-chlorinated swimming pool discharges (less than one ppm chlorine) provided the pool is drained in such a way as not to cause a nuisance
- (q) Street wash waters
- (r) Residential building wash waters without detergents

**Section 3. Additional Prohibited Pollutants**

- A. Pet Waste: The Town of Ware is subject to a Pathogen TMDL, and because dog feces are a major component of stormwater pollution, it shall be the duty of each person who owns, possesses, or controls a dog to remove and properly dispose of any feces left by the dog on any public or private property neither owned nor occupied by said person. It is prohibited to dispose of dog feces in any public or private storm drain, catch basin, wetland or water body or on any paved or impervious surface. However, this provision shall not be applicable to a person using a helping dog or other helping animal registered as such. Persons walking dogs must carry with them a device designed to properly dispose of dog feces including, but not limited to, a bag or “pooper scooper.”

**Section 4. Emergency suspension of storm drainage system access**

The Stormwater Authority or its authorized agent may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Stormwater Authority may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

**Section 5. Notification of spills**

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system, the person shall take all necessary steps to ensure containment and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire and police departments and MassDEP if necessary. In the event of a release of nonhazardous material, the reporting person shall notify the authorized enforcement agency no later than the next business day. The reporting person shall provide to the Stormwater Authority written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on site a written record of the discharge and the actions taken to address it and prevent its recurrence. Such records shall be retained for at least three years.

## **ARTICLE III – STORMWATER MANAGEMENT AND LAND DISTURBANCE**

### **Section 1. Applicability**

- A. These regulations shall apply to all construction activity or land disturbance that individually or as part of a Common Plan of Development resulting in disturbance of land in excess of the thresholds below.
  - (1) A Land Disturbance Permit is required for disturbance of one (1) acre (43,560 square feet) or more of land, or for the disturbance of more than 21,780 square feet of land where the proposed use is a land use of higher potential pollutant loads pursuant to the Massachusetts Stormwater Management Standards or the Stormwater Authority determines that an Administrative Land Disturbance Approval is not sufficient.
- B. The following activities are exempt from the provisions of Section 5(A):
  - (1) Maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling conducted in such a way as not to cause a nuisance;
  - (2) Construction of fencing that will not substantially alter existing terrain or drainage patterns;
  - (3) Construction of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain or drainage patterns or result in discharge of sediment or other pollutants to the MS4 or, directly or indirectly, to a Watercourse or Waters of the Commonwealth;
  - (4) Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act regulation 310 CMR 10.04.

Any person that fails to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, and Operations and Maintenance Plan, shall be in violation of this bylaw.

### **Section 2. Review or Permit**

- A. A Land Disturbance Permit must be obtained prior to the commencement of any construction activity or land disturbance for which such a review or permit is required. An applicant seeking a review or permit shall file an appropriate application with the Stormwater Authority in a form and containing information as specified in this bylaw and in regulations adopted by the Stormwater Authority.
- B. Each application must be accompanied by the appropriate application fee as established by the Stormwater Authority. Applicants shall pay the application fee before the review process commences. The Stormwater Authority is authorized to retain a Registered Professional Engineer (PE) or other professional consultant to advise the Stormwater Authority on any or all aspects of the application and/or the project's compliance with conditions of a Review or Permit. The Stormwater Authority may require the applicant to pay reasonable costs to be incurred by the

Stormwater Authority for the employment of outside consultants pursuant to Stormwater Authority regulations as authorized by G.L. c. 44, § 53G.

- C. Required submittals to obtain a Land Disturbance Permit shall include (without limitation) an Erosion and Sedimentation Control Plan, a Stormwater Management Plan, and an Operation and Maintenance Plan. To obtain a Land Disturbance Permit, the applicant must show that site design, construction site stormwater runoff control and post-construction stormwater management will meet the standards set by the Stormwater Authority in its regulations, rules and/or guidance, which shall be at least as stringent as the relevant requirements of the MS4 Permit and may also address relevant environmental considerations including (without limitation) protection of aquifers and sensitive water bodies, climate resilience, and prevention of flooding.
- D. The Land Disturbance Permit shall include measures to ensure adequate long-term operation and maintenance of stormwater management design features and BMPs. The Stormwater Authority may impose requirements including (without limitation) the following:
  - (1) A requirement that funds for future operation and maintenance be set aside in a dedicated fund or escrow account;
  - (2) A permanent permit condition requiring compliance with an Operation and Maintenance Plan;
  - (3) A permanent permit condition requiring that the property owner submit an annual report or certification regarding operation and maintenance;
  - (4) A requirement to record the Operation and Maintenance Plan (or notice thereof);
  - (5) A requirement that a legal instrument be put in place establishing responsibility for operation and maintenance of a stormwater BMP serving more than one lot; and
  - (6) A requirement that an easement be recorded allowing the Town to access a stormwater BMP to remedy any operational failure or maintenance problem.

### **Section 3. Consent to Entry onto Property**

By signing the permit application, an applicant consents to the entry of members of the Stormwater Authority or its authorized agents in or on the site while the application is under review to verify the information in the application, and at any time after a Review or Permit is issued to inspect for compliance with Review or Permit conditions.

### **Section 4. Inspection and Site Supervision**

The Stormwater Authority or its designated agent shall make inspections to verify and document compliance with the Administrative Land Disturbance Approval or Land Disturbance Permit.

### **Section 5. Surety**

The Stormwater Authority may require the applicant to post before the start of land disturbance or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by the Stormwater Authority and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Stormwater Authority may release part of the bond as each phase is completed in compliance with the permit. If the permittee defaults on any obligations imposed by the Land Disturbance Permit, the Stormwater Authority may (after notification of the permittee) inform the holder of the security (and the municipal treasurer if the treasurer is not holding the funds) of the default, in which event the Town shall be entitled to the security funds.

### **Section 6. Final Reports**

Upon completion of the work and no later than two (2) years after completion of construction, the holder of a Land Disturbance Permit shall submit a report (including certified as-built construction plans) from a Professional Engineer (PE), surveyor, or Certified Professional in Erosion and Sedimentation Control (CPESC), certifying that the project has been completed in accordance with the conditions of the Land Disturbance Permit. The as-built drawings must depict all on site controls, both structural and non-structural, designed to manage the stormwater associated with the completed site (post construction stormwater management). Any discrepancies with the approved permit plans shall be noted in the cover letter submitting the report and as-built plans.

**Article 17.**

I move that the Town amend the Town's Zoning Bylaws to the Floodplain zoning overlay, Section 4.1 (Use Designations) and Section 4.9 (Overlay District Regulations), as on file with the Town Clerk, included in the Town Meeting Packet and attached to this Motion.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>    </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>    </u>	<b>NO</b>
	<b>Planning Board</b>	<u>  X  </u>	<b>YES</b>	<u>    </u>	<b>NO</b>

**Explanation:** Ware currently participates in the National Flood Insurance Program, which allows community members to purchase NFIP flood insurance. For the community and residents to be eligible for certain types of federal disaster assistance, one of the requirements of participation is that the community needs to keep its regulations up to date with the NFIP minimum standards. The Town of Ware's ordinance was reviewed by the State Coordinating Officer for the NFIP during a community monitoring visit on March 13, 2023. The ordinance was found to require updating in order to meet the minimum standards at the earliest convenient opportunity.

## 4.9 Overlay District Regulations

### 4.9.1 Floodplain

- A. Purpose.** The purposes of the Floodplain District are to:
1. Enhance public safety through reducing the threats to life and personal injury.
  2. Minimize new hazards to emergency response officials resulting from flooding conditions;
  3. Prevent the occurrence of public emergencies resulting from water quality contamination, and pollution due to flooding;
  4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
  5. Minimize costs associated with the response and cleanup of flooding conditions;
  6. Minimize damage to public and private property resulting from flooding waters.
- B. Designation of community Floodplain Administrator.** The Town hereby designates the position of Building Commissioner to be the official floodplain administrator.
- C. District Delineation**
1. The general boundaries of the Floodplain district are shown on the Overlay Zoning District Map dated March 8, 2012. The official boundaries of the Floodplain district are shown on the Town of Ware Flood Insurance Rate Map (FIRM), dated August 17, 1981, as Zone A, A2, A7, A10, or A13 which indicate the one-hundred-year water surface elevations shown on the FIRM and further defined by the Flood Profiles contained in the Flood Insurance Study, dated August 17, 1981. The floodway boundaries are delineated on the Town of Ware Flood Boundary-Floodway Map (FBFM), dated August 17, 1981, and further defined by the Floodway Data Tables contained in the Flood Insurance Study. These two maps, as well as the accompanying Study are incorporated herein by reference and are on file with the Board of Selectmen, Town Clerk, and Planning Board.
  2. Within Zone A where the one-hundred year flood elevation is not provided on the FIRM, the developer/applicant shall obtain any existing flood elevation data, and it shall be reviewed by the Building Inspector. If the data is sufficiently detailed and accurate, it shall be relied upon to require compliance with the Bylaw and the State Building Code. Within A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
  3. Floodway Data. In ~~Zone A~~, Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local,
-



or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

4. Base Flood Elevation Data. ~~Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.~~ Base flood elevations for each developable parcel shown on design plans are required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones. Such data is to be prepared by a professional engineer registered in Massachusetts and submitted to the Planning Board by the applicant.

- D. Notification Of Watercourse Alteration. The following entities are to be notified of any alteration or relocation of a watercourse in a riverine situation: adjacent communities, the National Flood Insurance Program (NFIP) State Coordinator, and the NFIP Program Specialist, FEMA Region 1.

**E. Use Regulations**

1. The Floodplain District is established as an overlay district over all other districts. Any uses permitted in the underlying districts by right or by special permit shall continue to be permitted by right or by special permit, subject to all the provisions of this section.
2. Reference to Existing Regulations. All development in the floodplain district, including structural and non-structural activities, must be in compliance with all applicable federal, state, and local regulations, including but not limited to the state building code, wetlands protection, and subsurface disposal of sanitary sewage. It shall be demonstrated that all necessary permits have been acquired. The town's permit review process includes the requirement that the proponent obtain all local, state, and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district.
3. Permitted Uses. The following uses of low flood-damage potential and causing no obstructions to flood flows shall be permitted provided they do not require structures, fill, or storage of materials or equipment:
  - a) Agricultural uses such as farming, grazing, truck farming, horticulture, etc.
  - b) Forestry and nursery uses
  - c) Outdoor recreational uses, including fishing, boating, play areas, foot, bicycle, and/or horse paths, etc.
  - d) Conservation of water, plants, and wildlife
  - e) Wildlife management areas
  - f) Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises
  - g) Buildings lawfully existing prior to the adoption of these provisions, provided that any changes comply with the MA Building Code Regulations.
4. Uses Permitted by Special Permit. ~~No structure or building shall be erected, constructed, substantially improved, reconstructed (except as provided above), or otherwise created or moved; no earth or other materials dumped, filled, excavated, or transferred, unless a special permit is granted. A special permit is required for all proposed construction or other development in the floodplain overlay district including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties. No earth or other materials dumped, filled, excavated, or transferred, unless a special permit is granted.~~ The SPGA may grant a special permit under this §4.9.1 provided:
  - a) The proposed use complies in all respect to the provisions of the underlying district in which the land is located;

- b) All encroachments, including fill, new construction, substantial improvements to existing structures and other development, are certified by a registered professional engineer demonstrating that such encroachment will not result in any increase in flood levels during the occurrence of the one-hundred-year flood. In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.;
  - c) The SPGA takes into consideration reports from the Conservation Commission and Board of Health, unless no such report is received from said boards within 35 days from the date of transmission of the application to said boards; and
  - d) The SPGA may specify such additional requirements and conditions as it finds necessary to protect the health, safety, and welfare of the public and occupants of the proposed use.
5. AO and AH zones drainage requirements. Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
6. Subdivision proposals. All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:
- a) Such proposals minimize flood damage;
  - b) Public utilities and facilities are located & constructed so as to minimize flood damage;
  - c) Adequate drainage is provided.
7. Base Flood elevation data for subdivision proposals. When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
8. Recreational vehicles. In A1-30, AH, AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.
9. Requirement to submit new technical data. If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s). Notification shall be submitted to: \_\_\_\_\_
- a) NFIP State Coordinator
    - i. Massachusetts Department of Conservation and Recreation
  - b) NFIP Program Specialist
    - i. Federal Emergency Management Agency, Region 1
10. Variances to building code floodplain standards. The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files. The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a

community official that (1) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

- 11.** Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP). A variance from these floodplain bylaws must meet the requirements set out by the State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.
- 12.** Abrogation and the greater restriction section. The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.
- 13.** Disclaimer of liability. The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.
- 14.** Severability section. If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

**F. Definitions**

Development: Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. (US Code of Federal Regulations, Title 44, Part 59)

Floodway: The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. (Base Code, Chapter 2, Section 202)

Functionally Dependent Use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. (US Code of Federal Regulations, Title 44, Part 59).

Highest Adjacent Grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. (US Code of Federal Regulations, Title 44, Part 59)

Historic Structure: Any structure that is

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district of a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary or
  - b. Directly by the Secretary of the Interior in states without approval programs.

(US Code of Federal Regulations, Title 44, Part 59)

New Construction: Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement. (Referenced Standard ASCE 24-14)

Recreational Vehicle: means a vehicle which is:

- 1) Built on a single chassis;
- 2) 400 square feet or less when measured at the largest horizontal projection;
- 3) Designed to be self-propelled or permanently towable by a light duty truck; and
- 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

(US Code of Federal Regulations, Title 44, Part 59)

Regulatory Floodway – See Floodway.

Special Flood Hazard Area: The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, or AH. (Base Code, Chapter 2, Section 202).

Start of Construction: The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement

or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building.

For substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. (Base Code, Chapter 2, Section 202)

Structure: For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. (US Code of Federal Regulations, Title 44, Part 59)

Substantial Repair of a Foundation: When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. (As amended by MA in the 9<sup>th</sup> Edition BC)

Variance: A grant of relief by a community from the terms of the flood plain management regulation. (US Code of Federal Regulations, Title 44, Part 59)

Violation: The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 60.3 is presumed to be in violation until such time as that documentation is provided. (US Code of Federal Regulations, Title 44, Part 59)

**Article 18.** I move that the Town appropriate \$125,000.00 from the Water Enterprise Reserve Fund for the design of the refurbishment of the water tanks on Church Street and Anderson Road, including all costs incidental and related thereto.

<b>Recommended by:</b>	<b>Selectboard / Water Commissioners</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Infrastructure Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Capital Planning Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Articles 18, 19 and 20 were presented by the Infrastructure Assessment Committee and would fund improvements to the Town’s water system. These Articles will be funded by transfers from the Water Enterprise Reserve. Article 18 (\$125,000.00 design) and Article 19 (\$2 million for construction) would refurbish the Town’s water tanks on Church Street and Anderson Road. The tanks are over 20-year-old and need cleaning and interior resurfacing.

**Article 19.** I move that the Town appropriate \$2,000,000.00 for the refurbishment of the water tanks on Church Street and Anderson Road, including all costs incidental and related thereto and meet said appropriation by transferring \$500,000.00 from the Water Enterprise reserves and authorizing the Treasurer with the approval of the Selectboard to borrow \$1,500,000.00 in accordance with MGL Chapter 44, or any other enabling authority, and to issue bonds and notes thereto.

<b>Recommended by:</b>	<b>Selectboard / Water Commissioners</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Infrastructure Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Capital Planning Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Article 19 (\$2 million for construction) would refurbish the Town’s water tanks on Church Street and Anderson Road. The tanks are over 20-year-old and need cleaning and interior resurfacing.

**Article 20.** I move that the Town appropriate \$50,000.00 from Water Enterprise Reserve Fund to develop a plan for the Ware public water system in relation to the pending EPA PFAS Regulation including all costs incidental and related thereto.

<b>Recommended by:</b>	<b>Selectboard / Water Commissioners</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Infrastructure Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Capital Planning Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Article 20 will provide \$50,000.00 for a study and design recommendations to research and address new EPA standards for PFAS, a water contaminant.

WATER – A GREAT RESOURCE  
FOR YOU IN SO MANY WAYS

Did you know that there is an Infrastructure Asset Committee in the Town of Ware?

Our committee was formed soon after the Selectboard opted not to pursue privatization of the Water and Sewer Utilities for the town. The committee consists of the following members who were chosen specifically for their professional abilities and those who were willing to commit the time needed in an expeditious manner to accomplish several things: Matthew Palladino, Kenneth Willette, David Comeau, James Bourcier, John J. Cascio, Matthew Provencal, Terry Smith, Tracy Meehan, Nancy Talbot and Stuart Beckley, Town Manager.

The organizational meeting was merely three months ago, and with the help of Tighe & Bond (the consultants familiar with the water and sewer system), members have come to an agreement that it is in our best interest on behalf of the water users to do the following:

1. Undertake a study of PFAS as directed by the EPA (Environmental Protection Agency) to ensure that the levels in our systems are with the norms set by the Federal Government; and if not how to begin to remediate.
2. Finally, and with your support, to refurbish the two (2) existing water towers; one located on Anderson Rd. and the other located on Church St. Many of you do not realize that this refurbishment is long overdue. Refurbishment is defined as the act or process of cleaning, uplifting, and providing new equipment or facilities.

The history of the water tanks is that the two steel water storage tanks were installed in 1980 as part of an improvement plan to the water system. Subsequently in 1998 the tank on Anderson Rd. was cleaned, sandblasted, and repainted. The tank on Church Street was also similarly done in 2000. In 2015 inspections of both of these tanks were done and it was deemed that the two tanks were sound and free of obvious leakage. In 2020 an additional inspection was done; the results were similar – no leakage and tanks were sound; It should be noted however that no restoration has been made to date and it is now time to once again do a refurbishment of both of these storage tank to insure for present day standards to be met and insure for good water quality.

It is of our belief that not only will the refurbishment be the beginning of a change in the water system, but ***this long overdue project*** will allow us to determine if this has indeed been part of the problem of “dirty water” that exists.

The consultants agree that ***routine maintenance is critical***. You have seen the regular flushings twice a year for several years and this is also necessary. Notably we all realize that while the infrastructure is aging there are routine and preventative measures that must be done to ensure that this utility is of an acceptable standard for the users.

The refurbishment of the existing tanks is a two-part project where the town first partners with Tighe & Bond to complete a thorough engineering study to identify all tasks that should be completed in the near future as well as developing a robust preventative maintenance plan to reduce and/or eliminate many of the issues we currently experience in our water system.



## WATER – A GREAT RESOURCE FOR YOU IN SO MANY WAYS

Water and sewer rates were increased for these utilities as you know, and it is anticipated that funding for most of these projects will be provided from the increases.

The committee is seeking your support for the projects, and we are providing several documents to support our request. Please see the pictures and brochure attached to lend insight as to why we feel it is essential to move forward as quickly as possible for these projects.

The committee will continue its work, meeting regularly to plan for other needed repairs, and asks that you trust us to work on your behalf to ensure that other projects long continue to be considered and recommended to you for action. The water and sewer infrastructure is a valuable asset and we want users to benefit from proactive actions undertaken.

Many of you have seen in the last few days information on the news of the need to rid ourselves of lead pipes. Our infrastructure is old, some of it has been repaired and restored with Community Block Grant funds in the central areas of our town for more than thirty years. However, the long-term focus of the committee will be to plan for, design and restore in order to keep the utilities in the best condition possible.

It is known by committee members that there are many resources of funding available via the Federal or State government, and we intend to seek as well as pursue whatever help is available to assist as we move forward.

**PFAS: What is it?** PFAS is a man-made chemical that is found in many everyday items ranging from makeup to popcorn bags, from non-stick cookware to plastic wrapping and many, many other items. Needless to say, many of these items end up littering our streets. Therefore, it is understandable how PFAS has made it into our drinking water supply, as it has historically been there as well. The change now is that the United States EPA has tightened the levels of allowable PFAS in municipal water supplies and we now need to put some effort in to identify improvements to our infrastructure that will allow us to better adhere to the stricter regulations.

Do you know how our water distribution system works? As noted in a previous section, our town relies on two water storage tanks that use gravity to provide adequate water pressure throughout the distribution system. Nightly the pumps at the main water cistern are used to pump water from this central location to the two storage tanks to a desired pressure for later use during normal peak times. Due to the nature of the inflow and outflow of water from the storage tanks, we, the Infrastructure Asset Committee feel the work on the two water storage tanks is the best starting point for improving the water that flows out of all of our faucets.

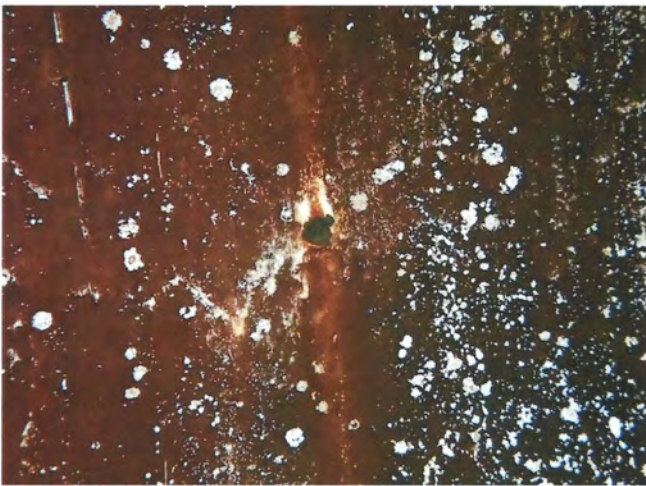
There are many other projects that will undoubtedly be required to be completed, and we will address these in a timely manner with partnerships that will only yield positive improvements to one of the most important infrastructures of our town.



67 Interior Wall Having Coating Loss, Exposed Steel And Corrosion



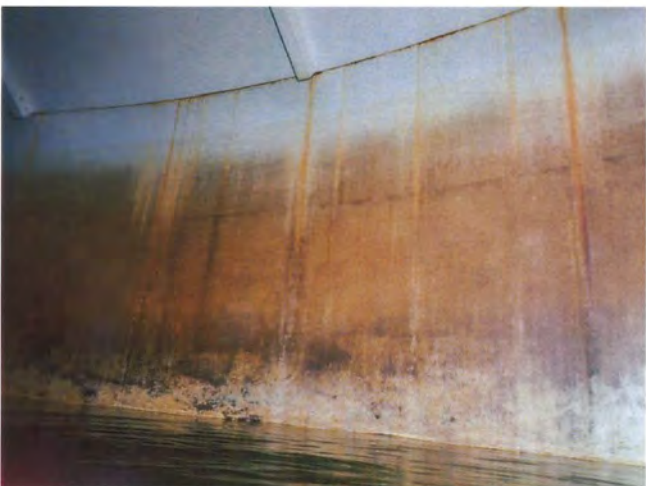
68 Interior Wall Having Coating Loss, Exposed Steel And Corrosion



69 Interior Wall Panel Having Fatigue (Pitting) Of The Steel



70 Top Of The Top Row Of Wall Panels At The Junction Of Where The Walls And Roof Meet Having Exposed Steel And Corrosion



71 Top Of The Top Row Of Wall Panels At The Junction Of Where The Walls And Roof Meet Having Exposed Steel And Corrosion



72 Top Of The Top Row Of Wall Panels At The Junction Of Where The Walls And Roof Meet Having Exposed Steel And Corrosion

# Town of Ware PFAS Master Plan

## What are PFAS?

- **PFAS** are a group of manmade chemicals that have been widely used in industry and consumer products since the 1940s.
- Some of the older, more toxic PFAS, Perfluorooctanoic acid **PFOA** and Perfluorooctane sulfonic acid **PFOS** have found their way into the Ware’s groundwater supply.

## What is the safe level of PFAS

- The EPA issued a Maximum Contaminant Level (MCL) Goal of zero for PFAS in drinking water. The EPA believes there is no safe level of PFAS in drinking water and have acted to regulate distribution of water with PFAS such as **PFOA** and **PFOS**.
- On April 10, 2024, the EPA issued a National Drinking Water Regulation setting enforceable Maximum Contaminant Levels (MCL) for six specific PFAS in Drinking Water. This regulation created individual MCLs for PFOA, PFOS, PFHxS, PFNA, and HFPO-DA, and a combined Hazard Index (HI) MCL for PFAS mixtures with two or more of PFHxS, PFNA, HFPO-DA, and PFBS.
- Massachusetts already regulated a group of six PFAS at a total of 20 parts per trillion (ppt) . The Water Department has been testing regularly and has not violated the State MCL.



<https://riversideca.gov/press/understanding-pfas>

## Has PFAS been found in the Town’s water supply?

- Tests have detected the presence of PFAS in the Town’s water supply at levels concerning public health.
- With EPA’s new rules, Water Suppliers, like the Town of Ware, may need to take action to address PFAS in the water provided to their customers.
- These chemicals shouldn’t be in drinking water. Safe drinking water is fundamental to healthy people and thriving communities. EPA’s new drinking water standards for PFAS will prevent thousands of deaths and tens of thousands of illnesses.
- The Town of Ware must prepare to meet EPA’s new drinking water standards and requires your help to approve the first step towards understanding how these new regulations will impact the Town.

Compound	MCL
PFOA	4 ppt
PFOS	4 ppt
PFNA	1
PFHxS	
PFBS	
HFPO-DA (GenX)	

## Town of Ware PFAS Master Plan

### What Are Our Next Steps:

- Public water systems have five years by (2029) to implement solutions that reduce PFAS Levels in the water they provide their customers.
- The Water Department is seeking funding to develop a plan to meet the requirements of the new EPA regulations and better understand the impact to their residents.

### EPA | LOWER YOUR EXPOSURE TO PFAS

**CONTACT**  
your local water provider to learn more about your water

**ASK QUESTIONS**

- What PFAS contaminants may be present?
- Are you monitoring for PFAS?
- What are the PFAS levels?
- What actions are you taking to address PFAS?

**TEST**  
Use a state-certified laboratory using EPA-developed testing methods to test your water

**INFORMATION**  
Contact your state environmental protection agency or health department and find out what actions they recommend

**TREATMENT**  
You may consider installing in-home water treatment (e.g., filters) that are certified to lower the levels of PFAS in your water

### How Can I Find More Information On PFAS?

- <https://www.epa.gov/system/files/documents/2023-10/final-virtual-pfas-explainer-508.pdf>
- <https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas>
- <https://www.mass.gov/info-details/per-and-polyfluoroalkyl-substances-pfas-in-drinking-water>
- <https://www.mass.gov/info-details/pfas-in-private-well-drinking-water-supplies-faq>

**Article 21.** I move that the Town appropriate \$75,000.00 from available Free Cash for masonry repairs at the Ware Senior Center including all costs incidental and related thereto.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Capital Planning Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Article 21 will address structural issues in the walls and foundation of the Ware Senior Center. The requested \$75,000.00 will fund engineering and construction repairs to the building. An additional \$60,000.00 in funding will be funded with COVID recovery funds (ARPA).

**Article 22.** **I move to dismiss Article 22.**  
 To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Committee for the feasibility study for roof repairs for the Stanley M. Koziol Elementary School at 4 Gould Road, Ware for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority, or take any other action relative thereto. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

**Explanation:** Articles 22 and 23 will be dismissed. These Articles would fund repairs to the Middle School and SMK Elementary School roofs. The Town, through the School Department, will apply for grant funding and then return for requests to Town Meeting.

**Article 23.** **I move to dismiss Article 23.**  
 To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Committee for the feasibility study for roof repairs for the Ware Middle School at 239 West Street, Ware for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority, or take any other action relative thereto. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

**Article 24.**

**I move to dismiss Article 24.**

To see if the Town will vote to raise and appropriate, borrow, and/or transfer from available funds a sum of money for the design for restroom facilities at Grenville Park including all costs incidental and related thereto, or take any other action relative thereto.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Article 24 will also be dismissed. This Article would have funded the design of new restrooms at Grenville Park. The Selectboard has authorized ARPA funding for this purpose. The Town will seek a grant for the restroom construction.

**Article 25.**

I move that the Town appropriate \$120,000.00 from available Free Cash for the upgrade of the electrical system at Town Hall to meet code compliance including all costs incidental and related thereto.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Capital Planning Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Article 25 requests \$120,000.00 for the upgrade of the electrical system at Town Hall. This Free Cash request will be matched by \$80,000.00 of ARPA funds.

**Article 26.**

I move that the Town instruct the Selectboard and Town Manager to establish a Charter Review Committee to be appointed by the Town Manager. The members of said Committee shall include a member of the Selectboard, Finance Committee, Planning Board, Finance Department, public safety, public works and at least two at large community members. The Charter Review Committee shall serve as an advisory committee to the Ware Town Meeting by making recommendations to the Town, through the Selectboard, for changes to the Town Charter by proposing articles for the Annual Town Meeting Warrant.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Article 26 is a request to establish a committee to review the Town Charter which was adopted in 2007 and has not had an overall review since. Town Meeting will consider the appointment, size and role of the proposed committee.

**Article 27.**

I move that the Town accept MGL Chapter 59, Section 5, Clause 41C; increase the exemption amount up to 100%; increase the income (gross receipts), for eligibility for the exemption from \$13,000 to \$20,000 for single people and from \$15,000 to \$25,000 for married persons and; increase the assets (whole estate) limit from \$28,000 to \$30,000 for single people and, from \$30,000 to \$40,000 for married people.

<b>Recommended by:</b>	<b>Selectboard</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Finance Committee</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Town Manager</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>
	<b>Board of Assessors</b>	<u>  X  </u>	<b>YES</b>	<u>      </u>	<b>NO</b>

**Explanation:** Article 27 will provide tax relief to some seniors by amending the application thresholds for qualifying residents. The proposed tax break will increase, and eligibility requirements will be loosened.

Clause 41C provides property tax exemptions to seniors who meet specific ownership, residency, income, and asset requirements. The community can vote to reduce the eligibility age, increase the gross receipts and whole estate limits, within specified parameters. They may also increase the exemption amount by up to 100%. The Board of Assessors is recommending the following adjustments:

<b>ELIGIBLE AGE</b>	<b>Current Law</b>	<b>Adjustment</b>
	70	None
<b>INCOME LIMITS</b>	<b>Current Law</b>	<b>Adjustment</b>
Deductions:	\$13,000 Single	\$20,000 Single
(1) Minimum Social Security/retirement allowance set by DOR each year and (2) business expenses or losses (i.e., only net profits/rental income included)	\$15,000 Married	\$25,000 Married
Married limit is combined income of both spouses		
<b>ASSET LIMITS</b>	<b>Current Law</b>	<b>Adjustment</b>
Married limit is combined assets of both spouses	\$28,000 Single	\$30,000 Single
	\$30,000 Married	\$40,000 Married
<b>EXEMPTION AMOUNT</b>	<b>Current Law</b>	<b>Adjustment</b>
Amount prorated by % of applicant's ownership interest if co-owns with anyone but spouse	\$500	\$750