

**COMMONWEALTH OF MASSACHUSETTS**

**TOWN OF CHESTER**

**ANNUAL TOWN MEETING**

**WARRANT**

**June 10, 2017**

**HAMPDEN, SS.**

To any of the Constables in the Town of Chester in the County of Hampden:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Chester qualified to vote in Elections and Town affairs to meet in the Chester Town Hall in said Town on Saturday, the tenth day of June, 2017, A.D. at 1:00 P.M. in the afternoon, then and there to act on the following articles:

**ARTICLE 1:**

To elect three or more Field Drivers and three or more Fence Viewers.

**ARTICLE 2:**

To authorize the Selectmen to appoint such other Town Officials as are not required to be chosen by ballot.

**ARTICLE 3:**

To see if the Town will vote to fix the salaries of all elected officials for the period of July 1, 2017 to June 30, 2018 as indicated below, or to take any other action relative thereto:

Selectman:	\$	2,087.86	Electric Commissioner	\$	700.00
Selectman:	\$	2,087.86	Electric Commissioner	\$	700.00
Selectman:	\$	2,087.86	Electric Commissioner	\$	700.00
Assessor Chair:	\$	1,913.16	Health Board:	\$	1,300.95
Assessor Vice Chair:	\$	1,913.16	Health Board:	\$	1,300.95
Assessor:	\$	522.75	Health Board:	\$	1,300.95
Tax Collector:	\$	18,107.00	Town Clerk	\$	6,290.00
Town Moderator:	\$	200.00	Town Treasurer	\$	10,560.00

**ARTICLE 4:**

To see if the Town will vote to authorize the Board of Selectmen, or other town Departments with the knowledge of the Board of Selectmen, to apply for and accept grants from the Federal Government, Commonwealth of Massachusetts or any other source, to execute any documents in connection with said applications and to expend said grant funds for purposes received without further appropriation, or take any other action relative thereto.

**ARTICLE 5:**

To see if the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to sell at public auction, or at private auction to Government agencies, all or any of its property acquired by virtue of sale for non-payment of taxes,



which sales have been confirmed by the Land Court or the Tax Commissioner, and to give deeds therefore, or take any other action relative thereto.

**ARTICLE 6:**

To see if the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2017, and in accordance with the provisions of Mass. General Laws, Chapter 44, Section 4, and to issue notes as may be given for a period of less than one year in accordance with the provisions of Mass. General Laws, Chapter 44, Section 17, or take any other action relative thereto.

**ARTICLE 7:**

To see if the Town will vote to raise and appropriate the sum of \$816,002, or any other amount, for the Town of Chester's minimum contribution to the budget for the Gateway Regional School District for the period July 1, 2017 through June 30, 2018, or take any other action relative thereto. (Last year's figure –\$834.112).

**ARTICLE 8:**

To see if the Town will vote to raise and appropriate the sum of \$276,070, or any other amount, for the Town of Chester's share of the transportation and debt service (non-discretionary contribution, including the school building project) for the Gateway Regional School District for the period July 1, 2017 through June 30, 2018 or take any other action relative thereto. (Last year's figure – \$309,188).

**ARTICLE 9:**

To see if the Town will vote to raise and appropriate the sum of \$413,788, or any other amount, for the Town of Chester's share of the above minimum contribution to the budget for the Gateway Regional School District for the period July 1, 2017 through June 30, 2018, or take any other action relative thereto. (Last year's figure \$348,154).

**ARTICLE 10:**

To see if the Town will vote to raise and appropriate the sum of \$159,309, or any other amount, for vocational tuition and transportation for Chester students for the period July 1, 2017 through June 30, 2018, or take any other action relative thereto. (Last year's figure – (210,360)

**ARTICLE 11**

To see if the Town will vote to accept funds being provided by the Commonwealth of Massachusetts under the provisions of Mass. General Laws Chapter 90, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges, in the amount of \$234,161, with such funds to carry over from year to year until expended by the Town, or take any other action relative thereto.

**ARTICLE 12**

To see if the Town will vote to appropriate the income from the sale of electricity to private consumers, municipal building and jobbing for the Municipal Electric Light Department for the fiscal year beginning July 1, 2017 and to authorize that the whole be expended under the direction and control of the Board of Electric Light Commissioners and Manager, or take any other action relative thereto.

**ARTICLE 13**

To see if the Town will vote to raise and appropriate the following sums of money (Moderator through Selectmen Miscellaneous) to defray charges and expenses of the Town, including debt service (principal and interest) and to provide a Reserve Fund, for the period July 1, 2017 to June 30, 2018 and further, to hear the report of the Finance Committee and act thereon, or take any other action relative thereto.



Town of Chester Annual Town Meeting

June 10, 2017

Account:	Expense	Line Item	Appropriated FY 2016	Totals	Appropriated FY 2017	Totals	Request FY 2018	Totals
Moderator	Salaries	Moderator	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00
Finance Committee	Expenses	Finance Committee	\$ 100.00		\$ 100.00		\$ 100.00	
	Expenses	Reserve Fund	\$ 2,500.00	\$ 2,600.00	\$ 2,500.00	\$ 2,600.00	\$ 2,500.00	\$ 2,600.00
Selectmen	Salaries	Selectmens Salaries	\$ 6,111.00		\$ 6,264.00		\$ 6,264.00	
	Salaries	Town Administrator	\$ 36,236.00		\$ 37,142.00		\$ 37,142.00	
	Salaries	Asst. Admin/Highway/Sel.			\$ 11,375.00		\$ 21,372.00	
	Expenses	Selectmen's Expenses	\$ 1,500.00		\$ 1,500.00		\$ 2,000.00	
	Expenses	Town Counsel Serv.	\$ 10,000.00		\$ 10,000.00		\$ 10,000.00	
	Expenses	General Office Exp.	\$ 3,000.00		\$ 3,000.00		\$ 3,000.00	
	Expenses	Town Report	\$ 1,500.00	\$ 58,347.00	\$ 1,500.00	\$ 70,781.00	\$ 1,500.00	\$ 81,778.00
	Expense	Inspectors certification costs					\$ 500.00	
Accounting	Salaries	Accountant's Salary	\$ 14,613.00		\$ 14,978.00		\$ 14,978.00	
	Expenses	Accounting expenses	\$ 1,000.00		\$ 750.00		\$ 750.00	
	Expenses	Audit expense	\$ 14,000.00		\$ 14,000.00		\$ 14,000.00	
	Expenses	Software expense	\$ 2,460.00	\$ 32,073.00	\$ 2,500.00	\$ 32,228.00	\$ 2,500.00	\$ 32,228.00
Assessors	Salaries	Assessors	\$ 4,243.00		\$ 4,349.00		\$ 4,349.00	
	Salaries	Principal Assessor	\$ 25,076.00		\$ 25,703.00		\$ 25,703.00	
	Salaries	Assessor's clerk	\$ 6,785.00		\$ 6,955.00		\$ 6,955.00	
	Expenses	Assessors maps	\$ 1,200.00		\$ 3,075.00		\$ 3,075.00	
	Expenses	Consultant	\$ 2,200.00		\$ 2,200.00		\$ 1,500.00	
	Expenses	Assessors expenses	\$ 5,800.00		\$ 7,100.00		\$ 4,000.00	
	Expenses	Assessors schooling	\$ 1,000.00		\$ 1,000.00		\$ 1,000.00	
	Expenses	Assessors software	\$ 500.00	\$ 46,804.00	\$ 500.00	\$ 50,882.00	\$ 4,500.00	\$ 51,082.00
Treasurer	Salaries	Treasurers Salary	\$ 10,560.00		\$ 10,560.00		\$ 10,560.00	
	Expenses	Training/School	\$ -		\$ 800.00		\$ 800.00	
	Expenses	Payroll	\$ 1,800.00		\$ 1,800.00		\$ 1,800.00	
	Expenses	Treasures expenses	\$ 1,800.00		\$ 2,000.00		\$ 2,000.00	
	Expenses	Software	\$ 2,000.00		\$ 2,000.00		\$ 2,100.00	
	Expenses	Bank charges	\$ 400.00		\$ 100.00		\$ 100.00	
	Expenses	Land Court fees	\$ 15,000.00	\$ 31,560.00	\$ 15,000.00	\$ 32,260.00	\$ 10,000.00	\$ 27,360.00
Collector	Salaries	Collectors Salary	\$ 17,665.00		\$ 18,107.00		\$ 18,107.00	
	Expenses	Software Support	\$ 1,000.00		\$ 2,063.00		\$ 2,063.00	
	Expenses	Collectors Expenses	\$ 5,000.00		\$ 5,000.00		\$ 5,000.00	
	Expenses	Tax Taking	\$ 1,500.00	\$ 25,165.00	\$ 1,500.00	\$ 26,670.00	\$ 2,000.00	\$ 27,170.00



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TOTAL PUBLIC WORKS						\$ 506,672.00	\$ 506,672.00	\$ 118,684.00	\$514,743.00		\$507,750.00
HEALTH/WELFARE/CULTURE/RECREATION											
Board of Health	Salaries	Board of Health Salary									
	Salaries	Transfer Station Attend.									
	Expenses	Board of Health Exp.			\$ 3,808.00			\$3,903.00		\$3,903.00	
	Expenses	Transfer Station Exp.			\$ 4,850.00			\$4,971.00		\$4,971.00	
					\$ 1,200.00			\$1,200.00		\$1,300.00	
					\$ 30,000.00			\$33,000.00		\$34,000.00	
									\$43,074.00		\$44,174.00
Historical Comm.											
	Expenses	Historical Commission			\$ 1,800.00				\$1,800.00	\$1,800.00	\$1,800.00
Council on Aging	Salaries	COA Dir. Salary			\$ 9,504.00			\$9,742.00		\$9,742.00	
	Expenses	Van Service			\$ 3,500.00			\$3,500.00		\$3,500.00	
	Expenses	COA Expenses			\$ 3,500.00			\$3,500.00	\$16,742.00	\$4,500.00	\$17,742.00
Veterans	Salaries	Veterans Agent Salary			\$ 5,323.00			\$5,488.00		\$5,634.00	
	Expenses	Veteran Benefits/Serv.			\$ 30,000.00			\$30,000.00	\$35,488.00	\$45,000.00	\$50,634.00
Memorial Day	Expenses	Memorial Day			\$ 750.00			\$750.00	\$750.00	\$500.00	\$500.00
Recreation Committee	Expenses	Recreation Dept.			\$ 250.00			\$250.00	\$250.00	\$250.00	\$250.00
Library	Salaries	Library Salaries			\$ 22,321.00			\$22,919.00		\$23,219.00	
	Expenses	Library Expenses			\$ 11,800.00			\$12,095.00		\$12,400.00	
	Expenses	MassCat Annual Fee			\$ 900.00			\$900.00		\$900.00	
	Expenses	Custodian							\$35,914.00	\$100.00	\$36,619.00
Insp. Of Animals	Salaries	Animal Insp. Salary			\$ 836.00			\$836.00		\$836.00	
	Expenses	Animal Expenses			\$ 100.00			\$400.00	\$1,236.00	\$400.00	\$1,236.00
TOTAL HEALTH/WELFARE/CULTURE/RECREATION									\$135,254.00		\$152,955.00
PUBLIC SAFETY											
Fire	Salaries	Fire Chief Salary			\$ 4,659.00			\$4,775.00		\$4,775.00	
	Salaries	Fire Dept. Wages			\$ 1,500.00			\$1,538.00		\$1,538.00	
	Expenses	Fire Dept. Expenses			\$ 35,500.00			\$35,500.00		\$35,500.00	



## June 10, 2017

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	Expenses	Workmens Comp.			\$ 5,000.00			\$5,000.00			\$3,000.00
	Expenses	Group Health Ins.			\$ 52,000.00			\$61,484.60			\$90,048.00
	Expenses	Medicare/FICA Empl.			\$ 7,000.00			\$7,000.00			\$7,100.00
	Expenses	Unemployment Comp.			\$ 7,000.00			\$7,000.00			\$2,000.00
	Expenses	County Retirement			\$ 53,300.00			\$53,300.00			\$54,000.00
	Expenses	Bonds			\$ 1,000.00		\$ 158,300.00	\$1,000.00	\$167,784.60		\$190,148.00
Selectmen	Expenses	Berkshire Reg. Purch.			\$ 600.00			\$600.00			\$600.00
Miscellaneous		Landfill Monitoring			\$ 3,500.00			\$3,500.00			\$3,500.00
		Becket Spring Water			\$ 216.00		\$ 4,316.00	\$216.00	\$ 4,316.00		\$4,316.00
Total Debt & Interest & Unclassified							\$ 282,100.00		\$337,371.60		\$359,476.47
Total proposed 2018 Town Operating Budget									\$1,361,990.60		\$1,403,880.47

	Expenses	Workmens Comp.	\$ -	5,000.00	\$5,000.00				\$3,000.00
	Expenses	Group Health Ins.	\$ 52,000.00		\$61,484.60				\$90,048.00
	Expenses	Medicare/FICA Empl.	\$ 7,000.00		\$7,000.00				\$7,100.00
	Expenses	Unemployment Comp.	\$ 7,000.00		\$7,000.00				\$2,000.00
	Expenses	County Retirement	\$ 53,300.00		\$53,300.00				\$54,000.00
	Expenses	Bonds	\$ 1,000.00	\$ 158,300.00	\$1,000.00	\$167,784.60			\$190,148.00
Selectmen	Expenses	Berkshire Reg. Purch.	\$ 600.00		\$600.00				\$600.00
Miscellaneous		Landfill Monitoring	\$ 3,500.00		\$3,500.00				\$3,500.00
Total Debt & Interest & Unclassified		Becket Spring Water	\$ 216.00	\$ 4,316.00	\$216.00	\$ 4,316.00			\$4,316.00
Total proposed 2018 Town Operating Budget				\$ 282,100.00		\$337,371.60			\$359,476.47
						\$1,361,990.60			\$1,403,880.47







#### **ARTICLE 14**

To see if the Town will vote to accept a payment in lieu of taxes, in the amount of \$7,550.00, or any other amount, from the Chester Municipal Electric Light Department, to cover the cost of street lighting, or take any other action relative thereto.

#### **ARTICLE 15**

To see if the town will vote to transfer from Water Department funds in the Treasury the amount of \$665.00 to cover the cost of a bill From Elm Electric, for FY 2016, that was unintentionally never billed, or to take any other action relative thereto. (Needs a 9/10<sup>th</sup>'s vote)

#### **ARTICLE 16**

To see if the town will vote to raise and appropriate, or transfer from available funds in the Treasury (free cash) the amount of \$7,500 or any other amount, for maintenance and upgrade of the town website and IT services for town hall as needed, or to take any other action relative thereto.

#### **ARTICLE 17**

To see if the town will vote to raise and appropriate, or transfer from available funds in the Treasury (free cash) the amount of \$103,655.03, or any other amount, to cover the snow and ice deficit for Fiscal year 2016, or to take any other action relative thereto.

#### **ARTICLE 18**

To see if the town will vote to raise and appropriate, or transfer from available funds in the Treasury (free cash), the amount of \$2,000.00, or any other amount, to begin a Records Preservation project proposed by the Town Clerk, or to take any other action relative thereto.

#### **ARTICLE 19**

To see if the town will vote to transfer from available funds in the Treasury (free cash), an amount up to \$100,000, to reduce the tax rate, or to take any other action relative thereto

#### **ARTICLE 20**

To see if the town will vote to raise and appropriate, or transfer from available funds in the treasury (free cash), the amount of \$500.00, or any other amount, for the purchase of an electronic voting machine, or to take any other action relative thereto.



## **ARTICLE 21**

To see if the town will vote to rescind \$12,335.00 of the borrowing made under Article #19 of the June 13, 2015 Annual Town Meeting, or to take any other action relative thereto.

## **ARTICLE 22**

To see if the town will vote to raise and appropriate, or transfer from available funds in the treasury (free cash), the amount of \$2,500, or any other amount, for the purpose of a survey and engineering drawings to establish costs for construction of the William Street turn-around, or to take any other action relative thereto.

## **ARTICLE 23**

To see if the town will vote to amend the Chester General Bylaws by enacting a bylaw entitled "Stretch Energy Code for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 1, 2018, or take any other action relative thereto.,

## **ARTICLE 24**

To see if the town will vote to accept the Dog Control By-Law, as printed in the warrant, or to take any other action relative thereto.

### **DOG CONTROL BY-LAW**

#### **SECTION 1: PURPOSE**

To achieve the objectives of the Animal Control Officers responsibilities as contained in Chapter 140, sections 136A-174E of the Massachusetts General Laws, which includes the regulation of domestic animals, the licensing of dogs, and the establishment of fines for these Bylaws within the boundaries of the Town of Chester.

#### **SECTION 2: APPLICATION**

This Bylaw shall apply to those persons owning or keeping dogs within the boundaries of the Town of Chester in their role as responsible pet owners. It must be understood, however, that enforcement of same is necessary to protect, the rights and safety of the public. Any owner/keeper seeking relief from any portion of these regulations may file or appeal for same with the Board of Selectmen.

#### **SECTION 3: SEVERABILITY**

Should any section, portion, or provision of this by-law be found invalid for any reason, that finding shall not affect the validity and force of any other section, portion, or provision of this Bylaw.

#### **SECTION 4: ANIMAL CONTROL OFFICER**

The Selectboard shall annually appoint an Animal Control Officer. The salary shall be fixed by vote of Annual Town Meeting.

#### **SECTION 5: LICENSES AND TAGS**



1. The owner or keeper of a dog kept within the Town of Chester, said dog being six months of age or older, shall cause that dog to be licensed annually. The license year shall be from April 1 to the following March 31, inclusive.

2. The Town Clerk shall issue dog licenses and tags. The Town Clerk shall record for each license issued, the name, address and telephone number of the owner or keeper of each dog so licensed, the tag number issued, date of expiration of last rabies vaccination, breed, age, color, or other description of the dog. Each tag shall contain the tag number, the name "Chester" and the year of issue.

3. The owner or keeper shall cause said dog to wear around its neck or body a collar or harness to which he/she shall securely attach the tag issued. In the event that any tag is lost, defaced or destroyed, substitute tags shall be obtained by the owner or keeper from the Town Clerk, at a cost of \$2.00 each.

4. The fee for each dog licensed shall be \$10.00 unless a certificate of a veterinarian stating that the dog has been spayed or neutered has been presented to the Town Clerk, in which case the fee shall be \$5.00. Any owner or keeper of four or more dogs, six months of age or over, may elect to secure a kennel license after inspection by the Animal Control Officer, as follows:

a. 4 dogs - \$20.00

b. Up to 10 dogs - \$40.00

c. Over 10 dogs - \$75.00

No license fee or part thereof shall be refunded because of a subsequent death, loss, spaying or neutering, or removal from the Town of such dog. A late fee of \$10.00 per dog will be charged for late renewals after April 15. A late fee of \$50.00 per dog will be charged for late renewals after June 1. This does not apply for newly acquired dogs or for individuals who have moved into Town less than 30 days prior to licensing. All dogs must be licensed every year.

5. A license shall not be issued for any dog unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that the dog is currently vaccinated against rabies or indicating that, because of infirmity, other physical condition or regimen of therapy, said vaccination is deemed inadvisable. The rabies vaccination expiration date shall be recorded on the license record.

6. No fee shall be charged for a dog specially trained to lead or serve a disabled person, upon presentation of certification of said training. No fee shall be charged for a license for a dog owned by a person aged 70 years or over.

7. The owner or keeper of any dog shall provide proof of said license upon request of the Animal Control Officers, Police officers or other authorized officials.

8. The penalty for violation of this section, in addition to any other penalties provided by law, shall be \$50.00. The penalty for failure to license said dog within 30 days of notification of violation of this section shall be \$75.00.

## **SECTION 6 : LEASHING AND RESTRAINT OF DOGS**

1. No owner or keeper of a dog shall permit such dog whether licensed or unlicensed to run at large within the Town of Chester. No person shall permit a dog owned or kept by him beyond the confines of the property of the owner or keeper unless the dog is physically restrained by a leash and under the control of its owner/keeper.

2. No person shall permit a dog owned or kept by him to run freely outside the confines of the property of the owner or keeper unless leashed or as to restrain the dog in such manner that the dog will not go beyond the property of the owner or keeper by fencing or appropriate barriers.

3. No person shall permit a dog owned or kept by him to be unaccompanied by a person of adequate age and discretion to properly control its actions.



4. Any dog found to be at large in violation of this section may be caught and confined by an officer authorized to do so, or returned to the owner or keeper of record forthwith. The Animal Control Officer, or authorized agent, shall attempt to notify the owner/keeper of record of a confined dog. The owner/keeper of said dog shall have a period of time, not to exceed 10 days, within which to recover said dog. Return of the dog to the owner/keeper of record shall be dependent upon admission of ownership or the keeping of said dog, and assumption of responsibility by the owner or keeper. If said dog is unlicensed, a current license shall be obtained and all impound fees paid prior to release of the dog. In addition to fees charged for boarding, medical or other care costs, there shall be an impound fee paid to the Town of Chester of \$20.00 for licensed dogs and \$30.00 for dogs unlicensed at time of impound.

5. This section shall not be construed to limit or prohibit the use of hunting dogs during the hunting season, the conducting of field trials for hunting dogs or the training or use of police K-9 units.

6. The penalty for violations of this section shall be \$25.00 for each offense.

#### **SECTION 7: NUISANCE DOGS; DISTURBING THE PEACE; FINES**

(Definition of Nuisance Dog; a dog that: (i) by excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity; or (ii) by excessive barking, causing damage or other interference, a reasonable person would find such behavior disruptive to one's quiet and peaceful enjoyment; or (iii) has threatened or attacked livestock, a domestic animal or a person, but such threat or attack was not a grossly disproportionate reaction under all the circumstances.

No owner or keeper of a dog shall allow such dog to soil or defile (unless picked up by owner or keeper), or dig, or commit a nuisance other than within the boundaries of its owner or keeper, or disturb the peace and quiet of any neighborhood with excessive barking or howling. Violators shall be warned by an Animal Control Officer. Fines within a one year period:

First offense: warning

Second offense: \$20.00 and reported to Selectboard

Third offense: not to exceed \$50.00

Fourth offense: not to exceed \$100.00 and the Selectboard shall take action as allowed in section 13 of this bylaw.

#### **SECTION 8: VICIOUS OR DANGEROUS DOGS; FINES**

No owner or keeper of a dog shall allow such dog to endanger the safety of any person or other domestic or kept animals. Violators shall be warned by an Animal Control Officer and reported to the Selectboard and action may be taken as described in Section 13 of this bylaw.

(Definition of Dangerous Dog; a dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic owned animal)

First offense: warning and reported to the Selectboard

Second offense: \$50.00 and the Selectboard shall cause the dog to be restrained as provided in section 13 of this Bylaw

Third offense: not to exceed \$100.00 and cause the Selectboard to take action, by removal or destroying, as described in section 13 of this Bylaw.

#### **SECTION 9: PERSONAL PROPERTY, LIVESTOCK/FOWL DAMAGE; APPRAISAL; REIMBURSEMENT**

1. Whoever suffers loss by the worrying, killing or maiming of his livestock or fowl by dogs shall inform the Animal Control Officer who shall forthwith proceed to the scene to view the damage, who shall determine if the damage was done in fact by dogs and, if so, appraise the amount of damage if it does not exceed \$50.00.



2. If in the opinion of the Animal Control Officer the damage exceeds \$50.00, the damage shall be appraised on oath by three persons, one of whom shall be the Animal Control Officer, one shall be appointed by the person alleged to have suffered the loss and the third appointed by the other two.

3. Said appraisers shall consider and include in such damages the number and kind of animals damaged, the extent of the damage and the approximate weight of the killed animals. The appraisers will also note in their report whether or not any animals were sent for medical treatment in an effort to save them, the number and kind of such animals. Such report shall be filed with the Board of Selectmen within 10 days of said appraisal. The Board of Selectmen may require the appraisers to provide any additional information that they deem appropriate. The appraisal will be reviewed and submitted for payment as deemed appropriate. Reimbursement may be denied or limited in accordance with Chapter 140, § 161A, of the Massachusetts General Law.

#### **SECTION 10: LIABILITY OF DOG OWNER**

1. The owner or keeper of a dog which has done damage to livestock or fowl shall be liable for such damage, and the Board of Selectmen may order the owner or keeper to pay such damages after an investigation by the Animal Control Officer of the facts of the matter and appraisal conducted as outlined in Section 5.

2. In the event that the owner or keeper of such dog known to have done damage to livestock or fowl refuses to pay upon the order of the Board of Selectmen, the Animal Control Officer shall enter or cause to be entered a complaint in District Court for the enforcement of the order.

#### **SECTION 11: VACCINATION AGAINST RABIES**

1. The owner or keeper of a dog six months of age or older, housed or sheltered in the Town of Chester shall cause such animal to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Massachusetts Department of Public Health. Such owner or keeper shall procure a veterinarian's certification that such animal has been so vaccinated and setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certification was issued, or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

2. Vaccinated animals shall be revaccinated periodically in accordance with rules and regulations adopted and promulgated by the Massachusetts Department of Public Health.

3. The owner or keeper of a dog shall present certification of rabies vaccination upon demand of the Animal Control Officers, police officers or other authorized officials of the Town.

4. The penalty for violation of this section shall be \$50.00 for each offense. The penalty for failure to vaccinate said animal within 30 days of notification of a violation of this section shall be \$75.00.

#### **SECTION 12: QUARANTINE OF DOGS SUSPECTED OF HAVING CONTAGIOUS DISEASE**

1. The Board of Selectmen, or his authorized agent, may order any dog which said person has reason to believe is affected with a contagious disease, to be quarantined or isolated for at least 10 days upon the premises of the owner or of the person in whose charge it is found, or in such other place as the Board of Selectman or agent may designate.

2. A dog which has been quarantined or isolated by order of the Board of Selectmen or his agent shall, during the continuance of such quarantine or isolation, be deemed to be affected with a contagious disease. The owner or keeper shall be responsible for any fees incurred for any off-premises quarantine. Whoever knowingly breaks or authorizes or causes to be broken a quarantine so imposed; or whoever contrary to such order of quarantine or isolation knowingly removes a dog or authorizes or causes it to be removed from a building, place or enclosure where it is quarantined or isolated; or whoever contrary to an order or notice of quarantine knowingly places or causes or authorizes to be placed any other animals within a building, place or enclosure where a dog is quarantined or in contact therewith; or knowingly



causes or authorizes to be concealed, sold, removed or transported a dog, knowing or having reasonable cause to believe that it is affected with a contagious disease; or whoever knowingly authorizes or permits such dog to go at large within the Town of Chester shall be punished by a fine of \$200.00. Any such dog found at large by the Animal Control Officer, or other authorized agent of the Town, shall be captured and confined at the expense of said owner or keeper. This section shall not apply to authorized Town officials in the performance of their duties.

### **SECTION 13: COMPLAINT INVESTIGATION; ORDER TO RESTRAIN OR REMOVE**

If any person shall make a complaint in writing to the Board of Selectmen that a dog owned or kept in the Town of Chester is a nuisance or dangerous dog as defined in Sections 7 & 8 of this bylaw the Board of Selectmen shall cause to be investigated such complaint, including an examination on oath of the complainant, and may make such order concerning the restraint or disposal of such dog as may be deemed necessary. Within 10 days after such order the owner or keeper of such dog may petition for relief of said order in accordance with the provisions of Massachusetts General Law, Chapter 140, § 157. Any person owning or keeping a dog subject to any order of the Board of Selectmen, who shall fail to comply with said order of the Board of Selectmen, shall be punished by a fine of \$100.00 for each offense. The owner/keeper of any dog subject to an order of the Board of Selectmen shall be responsible for any and all costs of carrying out said order.

### **SECTION 14: VIOLATION AND PENALITIES**

Unless otherwise stated, violation of any provision of these regulations shall be punished by a fine not to exceed \$300.00. The provisions of these regulations may be enforced by the Animal Control Officer utilizing the procedures contained in Massachusetts General Law Chapter 40, § 21D, as a non-criminal disposition of the violation. The fine for violations pursued utilizing the provisions of Chapter 40, § 21D, shall be \$50.00 unless otherwise specified within the regulation.

### **SECTION 15: BYLAW SUPERIORITY**

This Bylaw supersedes any policies, directives, dog control, or dog restraint Bylaws now in effect. Unless otherwise provided for or mandated by law.

### **ARTICLE 25**

To see if the Town will vote to rescind the annual town caucus, or to take any other action relative thereto.

### **ARTICLE 26**

To see if the town will vote to accept the following MGL 41:110A which states: Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday, or to take any other action relative thereto.

(For reference, MGL 4:9 reads: "Except as otherwise provided, when the day or the last day for the performance of any act, including the making of any payment or tender of payment, authorized or required by statute or by contract, falls on Sunday or a legal holiday, the act may, unless it is specifically authorized or required to be performed on Sunday or on a legal holiday, be performed on the next succeeding business day.")

### **ARTICLE 27**

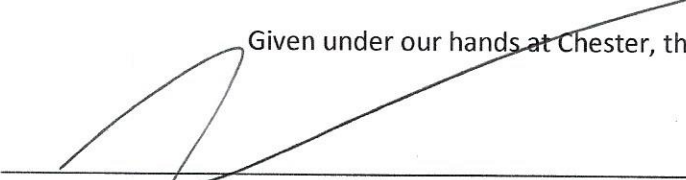
To see if the town will vote to authorize the Board of Selectmen to conduct a market feasibility study to determine if selling the Chester Municipal Electric Light Department benefits the town and its' residents, or take any action in relation thereto. (Submitted by petition).




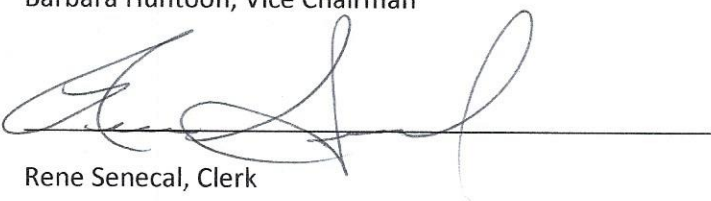
You are hereby directed to serve this Warrant by posting true and attested copies thereof, one at the Town Hall, one at the U.S. Post Office, and one at Chester Center, (7) days at least, before the day and hour of holding said meeting.

Therefore, Fail Not and make due return of said Warrant with your doing thereon to the Town Clerk of the Town of Chester, at or before the day and hour of holding said meeting.

Given under our hands at Chester, this 22nd day of May, 2017

  
John Baldasaro, Chairman

  
Barbara Huntoon, Vice Chairman

  
Rene Senecal, Clerk

As per instruction in this Warrant, I have posted same, this 31st day of May 2017 at the Chester Town Hall, U.S. Post Office, and Chester Center.

  
Nunziotino Cardarelli, Constable

Town of Chester Annual Town Meeting

June 10, 2017

1:00 p.m.



