

COMMONWEALTH OF MASSACHUSETTS

TOWN OF CHESTER

ANNUAL TOWN MEETING WARRANT

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, 15 Middlefield Rd, Chester MA on Monday, the tenth day of June, 2019, A.D. at 7:00 P.M. in the evening, then and there to act on the following articles:

ARTICLE 1: Article to Seek Special Legislation To Ratify Election

To see if the Town will vote to authorize the Board of Selectmen to file with the General Court a petition for special legislation to ratify the results of the most recent Town election, substantially as follows:

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding any general or special law or by-law to the contrary, all acts and proceedings taken by the town of Chester at the annual town election held on May 4, 2019 and all actions taken pursuant thereto are hereby ratified, validated and confirmed to the same extent as if the notice for the town election had been given by a warrant in full compliance with law.

SECTION 2. This act shall take effect upon its passage.

provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Selectmen approve amendments to the bill before enactment by the General Court, the Selectmen being hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or to take any other action in relation thereto.

ARTICLE 2:

To authorize the Board of 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, 2019 to June 30, 2020 as indicated below, or to take any other action relative thereto:

Elected Official's Salary	FY2019	Proposed
		FY2020
Selectman	\$2,150.64	\$2,196.67
Selectman	\$2,150.64	\$2,193.67
Selectman	\$2,150.64	\$2,193.67
Assessor Chair	\$1,970.55	\$0.00
Assessor Vice Chair	\$1,970.55	\$0.00
Assessor	\$538.44	\$0.00
Town Moderator	\$200.00	\$200.00
Electric Commissioner	\$700.00	\$700.00
Electric Commissioner	\$700.00	\$700.00
Electric Commissioner	\$700.00	\$700.00
Health Board	\$1,340.03	\$1,366.67
Health Board	\$1,340.03	\$1,366.67
Health Board	\$1,340.03	\$1,366.67
Town Clerk	\$6,478.70	\$8,479.00
Town Treasurer	\$10,876.80	\$12,877.00
Town Collector	\$18,650.00	\$19,023.00

ARTICLE 4

To see if the Town will vote to raise and appropriate the following sums of money 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, 2019 to June 30, 2020 and further, to hear the report of the Finance Committee and act thereon, or take any other action relative thereto.

<u>Account:</u>	<u>Line Item</u>	<u>Approp.</u> <u>FY 2019</u>	<u>Request</u> <u>FY 2020</u>	<u>\$ Inc</u>	<u>% Inc</u>	<u>Fincom</u> <u>FY 2020</u>	<u>Fincom</u> <u>vs</u> <u>Request</u>
Moderator	Moderator	\$200	\$200			\$200	
Finance Comm.	Finance Committee	\$100	\$100			\$100	
	Reserve Fund	<u>\$2,500</u>	<u>\$4,500</u>	<u>\$2,000</u>	<u>80.0%</u>	<u>\$2,500</u>	<u>-\$2,000</u>
	Total Finance Comm.	\$2,600	\$4,600	\$2,000	76.9%	\$2,600	-\$2,000
Selectmen	Selectboard Salaries	\$6,452	\$6,581	\$129.00	2.00%	\$6,581	
	Town Administrator	\$38,256	\$39,021	\$765	2.0%	\$39,021	
	Asst. Admin/Highway/Sel.	\$22,013	\$13,312	-\$8,701	-39.5%	\$0	-\$13,312
	Selectmen's Expenses	\$2,000	\$2,000			\$2,000	
	Town Counsel Serv.	\$7,000	\$7,000			\$5,500	-\$1,500
	General Office Exp.	\$3,000	\$3,000			\$3,000	
	Town Report	\$1,000	\$1,000			\$1,000	
	Inspectors certification costs	<u>\$500</u>	<u>\$500</u>			<u>\$0</u>	<u>-\$500</u>
	Total Selectmen	\$80,221	\$72,414	-\$7,807	-9.7%	\$57,102	-\$15,312
Accounting	Accountant's Salary	\$15,427	\$16,507	\$1,080	7.0%	\$16,427	-\$80
	Accounting expenses	\$750	\$750			\$750	
	Audit expense	\$0	\$6,000	\$6,000	%	\$0	-\$6,000
	Software expense	<u>\$2,500</u>	<u>\$2,940</u>	<u>\$440</u>	<u>17.6%</u>	<u>\$2,940</u>	
	Total Accounting	\$18,677	\$26,197	\$7,520	40.3%	\$20,117	-\$6,080
Assessors	Assessors	\$4,480	\$4,480			0	-\$4,480
	Principal Assessor	\$26,474	\$26,474			0	-\$26,474
	Assessor's clerk	\$7,164	\$7,164			\$7,164	
	Assessors maps	\$1,875	\$3,000	\$1,125	60.0%	\$3,000	
	Consultant/Services	\$3,000	\$1,500	-\$1,500	-50.0%	\$33,000	\$31,500
	Assessors expenses	\$3,500	\$3,000	-\$500	-14.3%	\$1,750	-\$1,250
	Assessors schooling	\$1,000	\$500	-\$500	-50.0%	\$500	
	Assessors software	<u>\$500</u>	<u>\$3,750</u>	<u>\$3,750</u>	<u>750.0%</u>	<u>\$3,750</u>	
	Total Assessors	\$47,992	\$49,867	\$1,875	3.9%	\$49,164	-\$703

Treasurer	Treasurers Salary	\$10,877	\$14,177	\$3,300	30.3%	\$12,877	-\$1,300
	Asst. Treasurer	\$1,200	\$1,250	\$50	4.2%	\$1,250	
	Training/School	\$800	\$500	-\$300	-37.5%	\$500	
	Payroll	\$1,900	\$2,100	\$200	10.5%	\$2,100	
	Treasurers expenses	\$1,800	\$1,900	\$100	5.6%	\$1,900	
	Software	\$2,156	\$2,221	\$65	3.0%	\$2,221	
	Bank charges	\$100	\$100			\$100	
	Land Court fees	<u>\$10,000</u>	<u>\$10,000</u>			<u>\$10,000</u>	
	Total Treasurer	\$28,833	\$32,248	\$3,415	11.8%	\$30,948	-\$1,300

Collector	Collectors Salary	\$18,650	\$19,023	\$373.00	2.00%	\$19,023	
	Software Support	\$208	\$208			\$208	
	Collectors Expenses	\$5,000	\$5,000			\$5,000	
	Tax Taking	\$2,000	\$2,000			\$2,000	
	Computer Hardware	<u>\$1,000</u>	<u>\$0</u>	<u>-\$1,000</u>		<u>\$0</u>	
	Total Collector	\$26,858	\$26,231	-\$627	-2.3%	\$26,231	

Town Clerk	Town Clerk Salary	\$6,479	\$13,000	\$6,521	100.7%	\$8,479	-\$4,521
	Asst. Town Clerk Sal	\$1,584	\$3,120	\$1,536	97.0%	\$1,632	-\$1,488
	Town Clerk expenses	\$2,025	\$2,175	\$150	7.4%	\$2,175	
	Elections	\$5,400	\$4,000	-\$1,400	-25.9%	\$4,000	
	Registrations	\$1,270	\$1,270			\$1,270	
	Laptop	<u>\$500</u>	<u>\$0</u>	<u>-\$500</u>		<u>\$0</u>	
	Total Town Clerk	\$17,258	\$23,565	\$6,307	36.5%	\$17,555	-\$6,010

Conserv. Com.	Conservation Commission	\$300	\$300			\$300	
Planning Board	Planning Board Expense	\$200	\$200			\$200	
Zoning Board	Zoning Board of Appeals	\$200	\$300	\$100	50.0%	\$300	

TOTAL GENERAL GOVERNMENT		\$223,340	\$236,122	\$12,782	5.7%	\$204,718	-\$31,405
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PUBLIC WORKS							
Highway Dept.	Highway Dept. Salaries	\$156,462	\$211,022	\$54,560	34.9%	\$211,022	
	Water Dept. Reimbursement	-\$19,400	-\$19,400			-\$19,400	
	Contract Services	\$12,500	\$12,500			\$12,500	
	Snow Removal Sal.	\$21,224	\$24,000	\$2,776	13.1%	\$24,000	
	Snow Removal Exp.	\$50,000	\$50,000			\$50,000	
	Hwy. Garage Heat & Lg.	\$13,000	\$15,000	\$2,000	15.4%	\$13,500	-\$1,500
	Hwy Uniforms	\$3,500	\$3,500			\$3,500	
	Hwy Supplies/Repairs	\$49,875	\$49,875			\$49,875	

	Hwy Stone,Gravel,Asp	\$80,000	\$88,000	\$8,000	10.0%	\$88,000	
	Hwy Gas/Oil/Diesel	\$21,500	\$23,000	\$1,500	7.0%	\$23,000	
	Insect Pest Contrl	\$1,000	\$1,000			\$1,000	
	Tree Removal	<u>\$12,500</u>	<u>\$11,500</u>	-\$1,000		<u>\$11,500</u>	<u>-\$1,000</u>
	Total Highway Dept.	\$402,161	\$469,997	\$67,836	16.9%	\$468,497	-\$2,500
Cemeteries	Commissioners Sal.	\$775	\$775			\$775	
	Labor Expenses	\$7,969	\$7,969			\$7,969	
	Cemetery Expenses	<u>\$1,000</u>	<u>\$1,000</u>			<u>\$1,000</u>	
	Total Cemeteries	\$9,744	\$9,744			\$9,744	
Water Dept.	Water Employee Wages	\$40,989	\$40,989			\$41,809	
	Hwy Dept. Service Fee	\$19,400	\$19,400			\$19,400	
	Water Dept. Operations	<u>\$40,000</u>	<u>\$50,000</u>			<u>\$40,000</u>	<u>-\$10,000</u>
	Total Water Dept.	\$100,389	\$110,389			\$101,209	-\$9,180
TOTAL PUBLIC WORKS		\$512,294	\$590,130	\$77,836	15.2%	\$579,450	-\$10,680
HEALTH/WELFARE/CULTURE/REC.							
Board of Health	Board of Health Salaries	\$4,020	\$4,080	\$60	1.5%	\$4,100	
	Transfer Station Attend.	\$5,999	\$5,999			\$6,119	
	Transfer Station Asst.		\$4,100	\$4,100	100.0%	\$4,550	\$450
	Board of Health Exp.	\$1,300	\$1,400	\$100	7.7%	\$1,400	
	Transfer Station Exp.	\$35,000	\$38,000	\$3,000	8.6%	\$36,000	-\$2,000
	HRMC Membership		<u>\$7,000</u>	<u>\$7,000</u>	<u>100.0%</u>	<u>\$7,000</u>	
	Total Board of Health	\$46,319	\$60,579	\$14,260	30.8%	\$59,169	-\$1,410
Historical Comm.	Historical Commission	\$1,800	\$1,800			\$1,800	
	Flagpole Repair & Vet. Park Des.		<u>\$700</u>			<u>\$0</u>	<u>-\$700</u>
	Total Historical Comm.	\$1,800	\$2,500	\$700	38.9%	\$1,800	-\$700
Council on Aging	COA Dir. Salary	\$10,034	\$10,034			\$10,235	
	Van Service	\$3,500	\$1,000			\$1,000	
	COA Expenses	\$4,500	\$7,000			\$7,000	
	Administrative Projects	<u>\$1,000</u>	<u>\$1,000</u>			<u>\$1,000</u>	
	Total Council of Aging	\$19,034	\$19,034			\$19,235	
Veterans	Veterans Agent Salary	\$6,021	\$6,258	\$237	3.9%	\$6,258	
	Veteran Benefits/Serv.	<u>\$45,000</u>	<u>\$47,000</u>	<u>\$2,000</u>	<u>4.4%</u>	<u>\$47,000</u>	
	Total Veterans	\$51,021	\$53,258	\$2,237	4.4%	\$53,258	

Memorial Day	Memorial Day	\$500	\$500			\$500	
Rec. Comm.	Recreation Dept.	\$750	\$1,000	\$250	25.0%	\$1,000	
Library	Library Salaries	\$23,916	\$24,355	\$439	1.8%	\$24,394	
	Library Expenses	\$13,316	\$13,933	\$617	4.6%	\$13,933	
	MassCat Annual Fee	\$900	\$900			\$900	
	Custodian	<u>\$100</u>		<u>-\$100</u>			
	Total Library	\$38,232	\$39,188	\$956	2.5%	\$39,227	
Insp. Of Animals	Animal Insp. Salary	\$861	\$880	\$19	2.2%	\$880	
	Animal Expenses	<u>\$400</u>	<u>\$500</u>	<u>\$100</u>	<u>25.0%</u>	<u>\$500</u>	
	Total Insp. Of Animals	\$1,261	\$1,380	\$119	9.4%	\$1,380	
TOTAL	HEALTH/WELFARE/CULTURE/RECREATION	\$158,917	\$177,439	\$18,522	11.7%	\$175,569	-\$1,870
PUBLIC SAFETY							
Fire Dept.	Fire Chief Salary	\$4,918	\$4,918			\$5,016	
	Fire Dept. Wages	\$1,584	\$1,584			\$1,584	
	Fire Dept. Expenses	\$35,500	\$35,500			\$35,500	
	Civil Defense/E.M.A.	\$1,000	\$1,000			\$1,000	
	Turn out Gear	<u>\$7,000</u>	<u>\$10,000</u>	<u>\$3,000</u>	<u>42.9%</u>	<u>\$10,000</u>	
	Total Fire Dept.	\$50,002	\$53,002	\$3,000	6.0%	\$53,100	
Police Dept.	Police Chief Sal.	\$2,530	\$2,580	\$50	2.0%	\$2,580	
	Police Officers Wages	\$37,162	\$37,905	\$743	2.0%	\$37,905	
	Police Secretary	\$592	\$600	\$8	1.3%	\$600	
	Constable Salary	\$125	\$125			\$125	
	Police Training Exp	\$3,600	\$3,600			\$3,600	
	Police Dept. Exp.	\$14,500	\$15,000	\$500	3.4%	\$15,000	
	Blackboard Notification.	\$3,000	\$3,000			\$3,000	
	Computer,Video,Safety	\$1,500	\$1,500			\$1,500	
	Police Cruiser 2013 lease	<u>\$13,456</u>	<u>\$13,456</u>			<u>\$13,456</u>	
	Total Police Dept.	\$76,465	\$77,766	\$1,301	1.7%	\$77,766	
Ambulance	Ambulance Service	\$28,414	\$29,977	\$1,563	5.5%	\$29,977	
					<u>100.0</u>		
	Vehicle Replacement Fund		<u>\$2,825</u>	<u>\$2,825</u>	<u>%</u>	<u>\$0</u>	<u>-\$2,825</u>
	Total Ambulance	\$28,414	\$32,802	\$4,388	15.4%	\$29,977	-\$2,825

Bldg. Insp.	Building Insp. Salary	\$6,536	\$8,500	\$1,964	30.0%	\$8,500	
	Building Insp. Exp.	<u>\$1,000</u>	<u>\$1,500</u>	<u>\$500</u>	<u>50.0%</u>	<u>\$1,500</u>	
	Total Bldg. Insp.	\$7,536	\$10,000	\$2,464	32.7%	\$10,000	
Animal Control	Animal Control. Off.Sal.	\$1,293	\$1,293			\$1,319	
					<u>275.0</u>		
	Animal Ctrl. Expenses	<u>\$400</u>	<u>\$1,500</u>	<u>\$1,100</u>	<u>%</u>	<u>\$1,500</u>	
	Total Animal Control	\$1,693	\$2,793	\$1,100	65.0%	\$2,819	
TOTAL PUBLIC SAFETY		\$164,111	\$176,363	\$12,252	7.5%	\$173,662	-\$2,702
Debt & Int.	Water Trmt. Plant	\$29,479	\$29,479			\$29,479	
	Short term debt	\$1,000	\$1,000			\$1,000	
	2016 Dump Truck	<u>\$45,404</u>	<u>\$44,447</u>	<u>-\$957</u>	<u>-2.1%</u>	<u>\$44,447</u>	
	Total Debt & Interest	\$75,883	\$74,926	-\$957	-1.3%	\$74,926	
Unclassified Expenses							
Selectmen/ Town Hall	Town Hall Custodian	\$4,451	\$5,777	\$1,326	29.8%	\$5,777	
	Town Hall Expenses	\$15,200	\$17,500	\$2,300	15.1%	\$17,500	
	Town Hall Rep/Maint. &IT/Web	\$8,000	\$8,000			\$8,000	
	Town Hall Internet &Phone	<u>\$11,600</u>	<u>\$11,600</u>			<u>\$11,600</u>	
	Total Selectmen/Town Hall	\$39,251	\$42,877	\$3,626	9.2%	\$42,877	
Street Lighting	Street Lighting	\$7,550	\$7,550			0	-\$7,550
Insurance/ Retirement	Prop/Cas/Auto/Liab. Ins.	\$25,000	\$26,000	\$1,000	4.0%	\$26,000	
	Police/Fire/Accd. & Health	\$8,100	\$8,200	\$100	1.2%	\$8,200	
					105.9		
	Workmens Comp.	\$3,400	\$7,000	\$3,600	%	\$7,000	
	Group Health Ins.	\$112,331	\$80,000	-\$32,331	-28.8%	\$72,000	-\$8,000
	Medicare/FICA Empl.	\$7,100	\$7,100			\$7,100	
	Unemployment Comp.	\$3,000	\$3,000			\$3,000	
	County Retirement	\$86,499	\$95,870	\$9,371	10.8%	\$95,870	
	Bonds	<u>\$1,000</u>	<u>\$1,000</u>			<u>\$1,000</u>	
	Total Insurance/Retirement	\$246,430	\$228,170	-\$18,260	-7.4%	\$220,170	-\$8,000
Selectmen Misc.	Landfill Monitoring	\$3,500	\$3,500			\$3,500	
Econ. Dev.	Economic Development	\$12,300	\$14,000			\$14,000	
TOTAL DEBT/INT/UNCLASSIFIED/ECON		\$384,913	\$371,023	-\$13,890	-3.6%	\$355,473	-\$15,550

		\$1,443,57	\$1,551,07	\$107,50		\$1,488,87	
TOWN MEETING RAISE & APPROPRIATE		5	7	3	7.4%	1	
							- \$62,206
							3.1%
SCHOOL BUDGET							
		\$1,522,24	\$1,552,25			\$1,552,25	
Gateway	Stabilization Method	6	6	\$30,010	1.97%	6	
Vocational	Student Cost	\$145,000	\$145,000			\$145,000	
	Transportation	\$5,000	\$5,000			\$5,000	
	Total Vocational	\$150,000	\$150,000			\$150,000	
		\$3,115,82	\$3,253,33	\$137,51		\$3,191,12	
TOTAL BUDGET		1	3	3	4.4%	7	
							- \$62,206
							2.4%
				\$3,193,71		\$3,193,71	
				6	2.5%	6	
				\$59,617		-\$2,589	

ARTICLE 5

To See if the Town will vote to set FY2020 spending limits for each of the Town’s previously established revolving funds that have been authorized by Chapter 44, Section 53E1/2 of the Massachusetts General Law as indicated below:

<i>Board of Health</i>	\$3,000.00
<i>Plumbing Inspector</i>	\$1,000.00
<i>Wiring Inspector</i>	\$1,000.00
<i>Tax Collector</i>	\$2,000.00
<i>Deputy Collector</i>	\$1,000.00
<i>Police</i>	\$15,000.00

ARTICLE 6:

To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$1,552,256.00 for the Gateway Regional School District as determined using the "Alternative Assessment Method" as set forth in the regional school district agreement for the period July 1, 2019 through June 30,2020, or take any other action relative thereto. (Last year’s figure \$1,502,246.00).

ARTICLE 7:

To see if the Town will vote to raise and appropriate the sum of \$150,000 to pay for vocational tuition (\$111,000.00) and transportation (\$39,000.00) for Chester students for the period July 1, 2019 through June 30, 2020 or take any other action relative thereto. (Last year's figure – \$150,000).

ARTICLE 8:

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 \$235,434.00, with such funds to carry over from year to year until expended by the Town, or take any other action relative thereto.

ARTICLE 9:

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 10:

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, 2019 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 11

To see if the Town will vote to raise and appropriate the amount of \$14,000.00 or any other amount to pay for the Town of Chester's share of the third year of salary and expenses for the Hilltown Collaborative Economic Development Director or take any other action relative thereto.

ARTICLE 12

To see if the Town will vote to authorize the Select Board to enter into a ten (10) year contract, commencing on July 1, 2020 with the qualified vendor selected by MassDEP through a competitive bid process for recycling processing services for the Town, subject to Town Meeting approval in the Spring of 2020 for funding for these services and subject to the Select Board's determination that the contract is in the best interests of the Town or to take any other action relative thereto.

ARTICLE 13

To see if the Town will vote to authorize the Select Board to enter into a three (3) year contract, commencing on July 1, 2019 to June 30, 2022 with Hilltown Resource Management Cooperative. Their program/operation services will include liaison on the new MRF recycling contract and a regional hauling bid. Annual DEP grant reporting, the filing of annual DEP surveys, and annual DEP grant applications are included in the operations

assessment. The Assessment will also cover annual DEP 3rd Party Inspection of Chester's transfer station or take any other action relative thereto.

ARTICLE 14

To see if the Town will vote to appropriate from Free Cash the sum of \$2,825.00 to the Hilltown Ambulance replacement fund or take any action relative thereto.

ARTICLE 15

To see if the Town will vote to appropriate from Free Cash the sum of \$45,000 to the Hampshire County Group Insurance Trust as the Town's deposit toward employee health benefit claims or take any action relative thereto.

ARTICLE 16

To see if the Town will vote to appropriate from Free Cash the sum of \$700.00 for the Chester Historical Commission to do work on the Town flagpoles and monument area or take any action relative thereto

ARTICLE 17

To see if the Town will vote to appropriate from Free Cash the sum of \$42,000 for the replacement of three exterior doors at the Town Hall or take any action relative thereto.

ARTICLE 18

To see if the Town will vote to create a Fire Truck Replacement Stabilization Fund pursuant to G.L.c.4,ss 5B for the purpose of funding one or more replacement fire engines and to appropriate thereto from Free Cash the sum of \$25,000, or take any action relative thereto.

ARTICLE 19

To see if the Town will vote to create a Town Building Maintenance Stabilization Fund pursuant to G.L.c.4,ss5B for the purpose of funding the maintenance costs of Town owned buildings and to appropriate thereto from Free Cash the sum of \$10,000 or take any action relative thereto

ARTICLE 20

To see if the Town will vote to create a Town Road Maintenance Stabilization Fund pursuant to G.L.c.4,ss5B for the purpose of funding the maintenance of public ways within the Town and to appropriate thereto from Free Cash the sum of \$10,000 or take any action relative thereto

ARTICLE 21

To see if the Town will vote to appropriate from Free Cash the sum of \$170,853 to the Stabilization Fund or take any action relative thereto

ARTICLE 22 – Non-binding article

To see if the Town is in favor of the Hamilton Memorial Library Trustees purchasing a piece of land on the western side of the old grammar school located on Route 20, to build a new Library. The estimated cost of the project will be approximately \$800,000.00, to be funded by existing trust funds, grants and Friends of the Library fundraising efforts. Any money that may come through the Town to help fund the project, in the form of increased taxes, would have to be approved at a Town Meeting.

A Yes vote will express support for Trustees continuing with the project and a No vote would express opposition

ARTICLE 23 - Citizens petition

To see if the Town will create a bylaw such that no two people who are living in the same household or who are related, can serve on the same board or committee in Town.

ARTICLE 24- Citizens petition

To see if the Town will vote to change the length of term for the position of Town Clerk from one year to three years, effective with the Annual Town Election, May 2020

ARTICLE 25 – Citizens petition

To see if the Town will name the bridge on East River Road the “Thomas E. McFarland Memorial Bridge” as a posthumous honor for all that Tom McFarland did in service to the Town of Chester as a Police Officer, Constable, Registrar, Council on Aging Advisory Board member and member of the Town’s Democratic Committee, as well as his work to have this bridge rebuilt.

ARTICLE 26 – Citizens petition

To see if the town will raise and appropriate \$8,000.00 for an electronic vote counting machine to be in place by the end of the 2020 fiscal year.

ARTICLE 27 APPROVAL FOR AMENDED REGIONAL AGREEMENT

To see if the Town will vote to approve the Gateway Regional District Amended Regional Agreement as presented by the School Committee dated March 13,2019. A copy of this agreement and an explanation page is is on file with the Town Clerk and available on the Town Website.

ARTICLE 28 ADULT USE MARIJUANA BYLAW

To see if the Town will vote to approve the updated Adult Use Marijuana Bylaw or take any other action relative thereto.

Section 5.12 ADULT USE MARIJUANA ESTABLISHMENTS

5.12.1 Purpose

It is recognized that the nature of the substance cultivated, processed, and/or sold by Marijuana Establishments may have objectionable operational characteristics and should be located in such a way as to ensure the health, safety, and general well-being of the public as well as legally authorized adult customers seeking to legally purchase marijuana for their own use. The specific and separate regulation of Marijuana Establishments is necessary to advance these purposes and ensure that such facilities are not located within close proximity of minors and do not become concentrated in any one area within the Town of Chester.

Subject to the provisions of this Zoning Bylaw, Chapter 40A of the Massachusetts General Laws, Chapter 94G of the Massachusetts General Laws and 105 CMR 725.000, Marijuana Establishments will be permitted to provide the opportunity for the legal cultivation, product manufacturing and retail sale of marijuana for non-medical adult marijuana use in a manner that complies with state regulations.

5.12.2 Applicability

Nothing in this section shall be construed to supersede federal and state laws governing the sale and distribution of marijuana.

This bylaw does not apply to the cultivation of industrial hemp as it is regulated by the Massachusetts Department of Agricultural Resources pursuant to General Laws, Chapter 128, Sections 116-123.

5.12.3 Definitions

Cannabis Cultivation: The use of land and/or buildings for planting, tending, improving, harvesting, processing and packaging, the preparation and maintenance of soil and other media and promoting the growth of cannabis by a cannabis cultivator, micro-business, research facility, craft marijuana cultivator cooperative, registered marijuana dispensary or other entity licensed by the Commission for cannabis cultivation. Such use is not agriculturally exempt from zoning. The cultivation and processing of medical marijuana in accordance with these regulations is considered to be a manufacturing use and is not agriculturally exempt from zoning. (Note: this term is not defined in 935 CMR 500.)

Cannabis or Marijuana or Marihuana: All parts of any plant of the genus Cannabis, not excepted in 935 CMR 500.002: Cannabis or Marijuana or Marihuana (a) through (c) and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; clones of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in M.G.L. c. 94G, § 1; provided that cannabis shall not include:

- (a) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination;
- (b) hemp; or
- (c) the weight of any other ingredient combined with cannabis or marijuana to prepare topical or oral administrations, food, drink or other products.

Cannabis or Marijuana Products: Cannabis or marijuana and its products unless otherwise indicated. These include products have been manufactured and contain cannabis or marijuana or an extract from cannabis or marijuana, including concentrated forms of marijuana and products composed of marijuana and other

ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

Ceases to Operate: Marijuana Establishment closes and does not transact business for a period greater than 60 days with no substantial action taken to reopen. The Commission may determine that an establishment has ceased to operate based on its actual or apparent termination of operations.

Commission: The Massachusetts Cannabis Control Commission established by M.G.L. c. 10, § 76, or its designee. The Commission has authority to implement the state marijuana laws, which include, but are not limited to, St. 2016, c. 334 as amended by St. 2017, c. 55, M.G.L. c. 94G, and 935 CMR 500.000.

Craft Marijuana Cooperative: A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers.

Hemp: The plant of the genus Cannabis or any part of the plant, whether growing or not, with a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis of any part of the plant of the genus Cannabis, or per volume or weight of cannabis or marijuana product, or the combined percent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus Cannabis regardless of moisture content.

Host Community: A municipality in which a Marijuana Establishment is located or in which an applicant has proposed locating an establishment.

Host Community Agreement: An agreement, pursuant to General Laws, Chapter 94G, Section 3(d), between a Marijuana Establishment and a municipality setting forth additional conditions for the operation of a Marijuana Establishment, including stipulations of responsibility between the parties and an up to 3% host agreement revenue sharing. (Note: this term is not defined in 935 CMR 500.)

Marijuana Independent Testing Laboratory: A laboratory that is licensed by the Commission and is:

- (a) accredited to the International Organization for Standardization 17025 (ISO/IEC 17025: 2017) by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission;
- (b) independent financially from any Medical Marijuana Treatment Center (RMD), Marijuana Establishment or licensee for which it conducts a test; and
- (c) qualified to test cannabis or marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.

Licensee: A person or entity licensed by the Commission to operate a Marijuana Establishment under 935 CMR 500.000.

Manufacture: To compound, blend, extract, infuse or otherwise make or prepare a cannabis or marijuana product.

Marijuana Cultivator: An entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.

Marijuana Establishment: A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Marijuana Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a medical marijuana treatment center. Marijuana establishments permitted in accordance with these regulations are considered to be a commercial and/or manufacturing use and are not considered being subject to any agricultural exemptions under zoning.

Marijuana Microbusiness: A collocated Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, in compliance with the operating procedures for each license. A Microbusiness that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments.

Marijuana Process or Processing: To harvest, dry, cure, trim and separate parts of the cannabis or marijuana plant by manual or mechanical means, except it shall not include manufacture as defined in 935 CMR 500.002.

Marijuana Product Manufacturer: An entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers.

Marijuana Research Facility: An entity licensed to engage in research projects by the Commission.

Marijuana Retailer: An entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment.

Marijuana Transporter: An entity, not otherwise licensed by the Commission, that is licensed to purchase, obtain, and possess cannabis or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not to consumers. Marijuana Transporters may be an Existing Licensee Transporter or Third Party Transporter.

Medical Marijuana Treatment Center, also known as a Registered Marijuana Dispensary (RMD): A not-for-profit entity registered under 105 CMR 725.100: Registration of Registered Marijuana Dispensaries, that acquires, cultivates, possesses, processes (including development of related products such as edible cannabis or marijuana products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use.

Propagation: The reproduction of cannabis or marijuana plants by seeds, cuttings, or grafting.

Provisional Marijuana Establishment License: A certificate issued by the Commission confirming that a Marijuana Establishment has completed the application process.

Public Place: Any area maintained for or used by the public and any place that is open to the scrutiny of others or where there is no expectation of privacy.

RMD Applicant: A previously Registered Marijuana Dispensary with a final or provisional certificate of registration in good standing with the DPH.

5.12.4 Additional Requirements/Conditions

The following requirements shall apply to all Marijuana Establishments and will be discussed as part of the Host Community Agreement approval process and, as needed, included in the agreement:

a. Use:

- i. Any type of Marijuana Establishment may only be involved in the uses permitted by its definition and may not include other businesses or services.
- ii. No marijuana shall be smoked, eaten or otherwise consumed or ingested within the premises.
- iii. The hours of operation shall be set as part of the Host Community Agreement, but in no event shall a marijuana establishment facility be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises, between the hours of 8:00 p.m. and 8:00 a.m.
- iv. No Marijuana Establishment may apply for a building permit prior to its receipt of all required permits and approvals including, but not limited to, its Provisional Marijuana Establishment License from the Cannabis Control Commission.
- v. No Marijuana Establishment may commence operations prior to receipt of its Final Marijuana Establishment License from the Cannabis Control Commission.
- vi. The number of adult use Marijuana Establishments permitted to be located within the Town of Chester shall not exceed four.

b. Physical Requirements:

- i. All aspects of the Marijuana Establishment, except for the transportation of product or materials, relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials must take place at a fixed location within a fully enclosed building or greenhouse and shall not be visible from the exterior of the business. They may not be permitted to be located in a trailer, storage freight container, motor vehicle or other similar type of potentially movable enclosure. Greenhouse construction must be permanent structures, suitable for the location and for local weather conditions, such as winds and snow load. Rigid frame construction of suitable, durable materials, such as wood or aluminum, is required. The greenhouse covering material will be a long-term type, such as glass, fiberglass, acrylic, or polycarbonate. Plastic film coverings are not allowed.
- ii. Ventilation – all Marijuana Establishments shall be ventilated in such a manner that no:
 1. Pesticides, insecticides or other chemicals or products used in the cultivation or processing are dispersed into the outside atmosphere, and
 2. No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the marijuana business or at any adjoining use or property.
- iii. Signage shall be displayed on the exterior of the Marijuana Establishment's entrance in plain sight of the public stating that "Access to this facility is limited to individuals 21 years or older." in text two inches in

height. All other signage must comply with all other applicable signage regulations in the Zoning Bylaw Section 5.1 and 935 CMR 500

- iv. Cannabis plants, products, and paraphernalia shall not be visible from outside the building in which the cannabis establishment is located and shall comply with the requirements of 935 CMR 500. Any artificial screening device erected to eliminate the view from the public places shall also be subject to a vegetative screen and the Board shall consider the surrounding landscape and view to determine if an artificial screen would be out of character with the neighborhood. Marijuana cultivation in the AR zone shall not be visible from abutting parcels as well as from public places.

c. Location:

- i. Marijuana Establishments are encouraged to utilize existing vacant buildings where possible
- ii. No Marijuana Establishment shall be located on a parcel which is within three hundred (300) feet (to be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment is or will be located) of a parcel occupied by a pre-existing public or private school (existing at the time the applicant's license application was received by the Cannabis Control Commission) providing education in kindergarten or any of grades 1-12.
- iii. No marijuana retailer shall be located on a parcel which is within three hundred (300) feet (to be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the marijuana retailer is or will be located) of a parcel occupied by another marijuana retail facility.
- iv. No Marijuana Establishment in the Industrial (I) and Agricultural-Residential (AR) zones shall be located inside a building containing residential units. Marijuana Establishments may be located inside a building containing residential units in the Business (B) and Rt. 20 Commercial Overlay District (COD) zones.
- v. No Marijuana Establishment is permitted to utilize or provide a drive-through service.

d. Other Host Community Agreement discussion requirements:

In addition to the requirements of section 5.12.4 a through c, application requirements for a Host Community Agreement shall also discuss, and include in the agreement, the following, to the extent possible, with the understanding that not all specific details may be available at the time of the discussion:

- i. If it is in conjunction with an approved RMD, a copy of its registration as an RMD from the Massachusetts Department of Public Health in accordance with 105 CMR 725.000 or from the Cannabis Control Commission in accordance with 935 CMR 500.
- ii. Liability Insurance Coverage or Maintenance of Escrow as required in 935 CMR 500.
- iii. Address of proposed establishment and state of obtaining site control by purchase or lease.
- iv. Disclosure of all of its designated representatives, including officers, directors, shareholders, partners, members, managers, or other similarly-situated individuals and entities. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons.
- v. Proposed exterior security measures for the Marijuana Establishment including lighting, fencing, gates and alarms, etc. ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity. Lighting measures to prevent or minimize light pollution to surrounding properties.
- vi. Proposed floor plan identifying the areas available and functional uses (including square footage).
- vii. All signage being proposed for the facility.
- viii. Pedestrian/vehicular traffic impact to establish the Marijuana Establishment's impacts at peak demand times, including a line queue plan to ensure that the movement of pedestrian and/or vehicular traffic, including but not limited to, along the public right of ways will not be unreasonably obstructed.
- ix. An odor control plan discussing the odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted from the facility, the frequency of such

- odor-emitting activities, the duration of such odor-emitting activities, and the administrative of odor control including maintenance of such controls.
- x. A description of all activities to occur on site, including all provisions for the delivery of marijuana and related products to marijuana establishment or off-site direct delivery and level of activity expected outside of the approved hours of operation.
 - xi. Other requirements relative to the Marijuana Establishment's:
 - 1. Marketing and advertising
 - 2. Waste disposal
 - 3. Transportation and delivery of marijuana or marijuana products
 - 4. Energy efficiency and conservation
 - 5. Security and Alarms
 - 6. water usage
 - 7. noise level expected both during and outside hours of operation and any noise abatement measures, if necessary
 - 8. employment opportunities
 - 9. revenue sharing
- e. Reporting Requirements:
- i. Prior to the commencement of the operation or services provided by a Marijuana Establishment, it shall provide the Police Department, Fire Department, and Building Inspector with the names, phone numbers and email addresses of all management staff and key-holders, including a minimum of two (2) operators or managers of the facility identified as contact persons to whom one can provide notice if there are operating problems associated with the establishment. All such contact information shall be updated as needed to keep it current and accurate.
 - ii. The local Building Inspector, Board of Health, Police Department, and Fire Department shall be notified in writing by the marijuana establishment facility owner/operator/ manager:
 - 1. A minimum of 30 days prior to any change in ownership or management of that establishment.
 - 2. A minimum of 12 hours following a violation or potential violation of any law or any criminal or potential criminal activities or attempts of violation of any law at the establishment.
 - iii. Permitted Marijuana Establishmentsst shall file an annual written report to, and appear before, the Board of Selectmen no later than January 31st of each calendar year, providing a copy of all current applicable state licenses for the facility and/or its owners and demonstrate continued compliance with the requirements of this bylaw and Host Community Agreement.
 - iv. The owner or manager of a Marijuana Establishment is required to respond by phone or email within twenty-four hours of contact by a town official concerning their marijuana establishment at the phone number or email address provided to the Town as the contact for the business.
- f. Issuance/Transfer/Discontinuance of Use
- i. A Host Community Agreement (HCA) shall be issued to the Marijuana Establishment owner.
 - ii. A HCA shall be issued for a specific type of Marijuana Establishment on a specific site/parcel.
 - iii. A HCA shall be non-transferable to either another Marijuana Establishment owner or another site/parcel.
 - iv. A HCA shall have a term limited to the duration of the applicant's ownership/control of the premises as a Marijuana Establishment, and shall lapse/expire if:
 - 1. the Marijuana Establishment ceases operation (not providing the operation or services for which it is permitted) for 365 days, and/or
 - 2. the Marijuana Establishment's registration/license by the Cannabis Control Commission expires or is terminated.

- v. The Marijuana Establishment shall notify the Town Administrator in writing within 48 hours of such lapse, cessation, discontinuance or expiration or revocation.
- vi. A marijuana cultivation or product manufacturing establishment shall be required to remove all material, plants equipment and other paraphernalia prior to surrendering its state registration/license or ceasing its operation.

5.12.6 Professional Fees

The town may retain a technical expert/consultant to verify information presented by the applicant. The cost for such a technical expert/consultant will be at the expense of the applicant.

5.12.7 Conflict with Other Laws

The provisions of this bylaw shall be considered supplemental of existing zoning bylaws. To the extent that a conflict exists between this bylaw and others, the more restrictive bylaw, or provisions therein, shall apply.

5.12.8 Severability

The invalidating of any section or provision of this bylaw shall not invalidate any other section or provision thereof.

5.12.9 Penalties

Any person who fails to comply with any provision of this bylaw or a building permit issued pursuant to this bylaw shall be subject to enforcement and penalties as allowed by applicable law.

OTHER REQUIRED ZONING AMENDMENTS

1. Amend the Chester Zoning Bylaw by amending the Table 1: Chester Schedule of Use Regulations by adding the following under Section 3.0.7, Business:

BY LAW NUMBER	LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	<u>R</u>	<u>AR</u>	<u>B</u>	<u>I</u>	<u>COD</u>
3.0.7	<u>BUSINESS</u>						
	5.12 Adult Use Marijuana Establishments	see Bylaw 5.12 for additional standards	<i>N</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

You are hereby directed to serve this Warrant by posting true and attested copies thereof, in three public places within the Town of Chester, seven (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 31st day of May, 2019

Barbara Pease Huntoon, Chair

John Baldasaro, Vice Chairman

As per instruction in this Warrant, I have posted same, this 31st day of May 2019 in three public places, Chester Town Hall, Chester Post office, Chester Center.

Nunziotino Cardarelli, Constable

