

The TOWN OF WILLIAMSBURG
Annual Town Meeting
June 3, 2019

The Annual Town Meeting was held at the Anne T. Dunphy Gymnasium, 1 Petticoat Hill Rd., Williamsburg, MA

The warrant was signed on May 9, 2019 and posted on May 16, 2019.

Moderator: Paul Rudof

Town Clerk: Brenda Lessard

Selectmen Present: David Mathers-Chair, Denise Banister-Clerk, and William Sayre

Constable: Paul Sanderson

There were 129 voters present of 1927 registered voters.

Last day to register to vote was May 14, 2019

The Board of Selectmen made the dedication of the 2018 Annual Town Report to Paul Dunphy and Ralmon Black. Both men's families accepted a signed copy of the Annual Town Report to a round of applause from the town body.

Lisa Tucker presented the final quilted Town Flag to the Town Meeting. She gave special thanks to the Flag Committee and the quilters who helped put it together which included Liz Ducharme, Sara Fredette, Sandra Graves, Valerie Nicoletti and Victoria Nicoletti.

A quorum of sixty (60) registered voters being present, there were 129 voters, the town meeting was called to order at 7:05 p.m. by the Moderator. The Moderator noted the return of the warrant and that it had been properly posted.

Motion made and seconded that the Town vote to adopt a rule that the Moderator be authorized to declare a 2/3 or 4/5 vote in the same manner as a majority vote is declared, provided that if a vote so declared is questioned by seven (7) or more members, the Moderator shall verify the vote by taking a count.

Motion Passed Unanimously

Article 1

Moved and seconded that the Town petition the Massachusetts General Court to enact legislation to allow Michael Wayne, a member of the Williamsburg Police Department, to continue as a reserve special police officer until he reaches 70 years of age or the date of his retirement or until his non-reappointment, whichever occurs first, and to direct that no further deduction shall be made from the regular compensation of Michael Wayne in connection with his service to the town for retirement or pension purposes under Chapter 32 of the General Laws for any service subsequent to his reaching the age of 65.

Motion Passed Unanimously

Article 2

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$12.58 to reimburse the Board of Selectmen's Petty Cash for three postal receipts in Fiscal Year 2018 (FY18).

Passed Unanimously

Article 3

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$1,195.65, the amount received by the Town in Fiscal Year 2018 and put in the General Fund in error, to the MIIA Grant Line.

Motion Passed Unanimously

Article 4

Moved and seconded to take no Action on Article 4. *(This article was no longer needed)*

Motion Passed Unanimously

Article 5

Moved and seconded that the Town vote pursuant to M.G.L. c.268A, §21A to authorize the Board of Selectmen, Board of Water/Sewer Commissioners, Board of Assessors, Board of Health, Board of Appeals, Finance Committee, and the Trustees of Libraries to appoint their own members to positions under their respective jurisdictions at such salaries or wage rates to be established by the Board of Selectmen.

Motion Passed Unanimously

Article 6

Moved and seconded that the Town vote to authorize the Moderator to choose a committee to expend the income from the Whiting Street Fund.

Motion Passed Unanimously

Article 7

Moved and seconded that the Town vote to approve a Capital Improvement Plan, as prepared by the Capital Planning Committee and approved by the Finance Committee, including recommended capital improvements for the following five fiscal years.

Motion Passed Unanimously

Article 8

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$9,473.64, an amount equal to one-half of the amount received by the Town as Medicaid reimbursements in FY2018, to the Williamsburg School Department.

Motion Passed Unanimously

Article 9

Moved and seconded that the Town vote to fix the salary and compensation of all elected and appointed officers of the Town for the twelve month period ending June 30, 2020, as provided in M.G.L. c.41, §108, as amended, and to see if the Town will vote to raise and appropriate such sums of money as shall be deemed necessary to defray the expenses of the Town for that same period, with each line being its own appropriation and in the total sum of 8,073,131, as recommended by the Finance Committee, such sum to be appropriated by transferring \$310,000 from Free Cash and raising \$7,763,131 from taxation.

Motion Passed Unanimously

ACCOUNT	FY 19	FY 20	FY20	FY20	%	\$
NAME	EXPENSE	REQUEST	FC RECMDS	REQ. W/ SALARY CHGE	CHG	CHG
MODERATOR	339	339	339	346	2.00%	7
SELECT BOARD SALARIES	9,470	9,470	9,470	9,659	2.00%	190
SELECT BOARD EXPENSES	3,750	3,750	3,750	3,750	0.00%	0
TOWN ADMINISTRATOR SALARY	67,994	67,993	67,993	69,353	2.00%	1,359
TOWN ADMIN ASSISTANT	16,417	16,417	16,417	16,745	2.00%	328
TOWN ADMIN EXPENSES	750	750	750	750	0.00%	0
CAPITAL PLANNING SALARIES	306	0	0	0	100.00%	-306
CAPITAL PLANNING EXPENSES	75	75	75	75	0.00%	0
FINANCE COMMITTEE SALARIES	4,280	3,804	3,804	3,880	-9.30%	-400
FINANCE COM SECRETARY	0	0	0	0	0.00%	0
FINANCE COMMITTEE EXPENSES	500	500	500	500	0.00%	0
RESERVE FUND	60,000	60,000	60,000	60,000	0.00%	0
ACCOUNTANT LABOR	29,439	30,880	30,880	30,880	4.90%	1,441
ACCOUNTANT EXPENSES	150	150	150	150	0.00%	0
ACCOUNTING SOFTWARE	750	750	750	750	0.00%	0
AUDIT SERVICES	14,500	17,000	17,000	17,000	17.20%	2,500
ASSESSORS SALARIES	9,470	9,470	9,470	9,659	2.00%	190
ASSESSORS LABOR	13,219	13,219	13,219	13,483	2.00%	264
ASSESSORS EXPENSES	19,200	19,200	19,200	19,200	0.00%	0
ASSESSORS REVALUATION	7,500	7,500	7,500	7,500	0.00%	0
TREASURER SALARY	22,954	22,954	22,954	23,413	2.00%	459
TREASURER ADDITIONAL SALARY	1,000	1,000	1,000	1,000	0.00%	0
TREASURER'S ASSISTANT	6,096	6,096	6,096	6,218	2.00%	122
TREASURER EXPENSES	4,720	4,720	4,720	4,720	0.00%	0
TREASURER SOFTWARE	8,400	9,600	9,600	9,600	14.30%	1,200
OPEB Reval	0	3,000	3,000	3,000	100.00%	3,000

OPEB Trust	1,000	1,000	1,000	1,000	0.00%	0
COLLECTOR SALARY	31,047	44,022	44,022	44,902	44.60%	13,856
COLLECTOR ADD'L SALARY	1,000	1,000	1,000	1,000	0.00%	0
COLLECTOR EXPENSES	7,992	7,992	7,992	7,992	0.00%	0
DEPUTY COLLECTOR EXPENSES	1,700	1,700	1,700	1,700	0.00%	0
TAX TITLE EXPENSES	1,549	1,549	1,549	1,549	100.00%	0
OLIVER SMITH TRUSTEE	37	37	37	38	2.80%	1
TOWN LEGAL COUNSEL	20,000	20,000	15,000	15,000	-25.00%	-5,000
ADVERTISING	1,200	1,200	1,200	1,200	0.00%	0
ENERGY COMMITTEE	250	250	250	250	0.00%	0
CONSTABLE SALARY	453	453	453	462	2.00%	9
CONSTABLE ELECTIONS	0	0	0	0	0.00%	0
CLERK SALARY	21,384	21,384	21,384	21,812	2.00%	427
CLERK'S ASSISTANT	2,441	2,441	2,441	2,490	2.00%	49
CLERK'S EXPENSES	1,700	1,700	1,700	1,700	0.00%	0
CLERK'S SOFTWARE	500	500	500	500	0.00%	0
ELECTIONS/REGISTRATION	9,500	9,500	9,500	9,500	0.00%	0
STREET LISTING	1,450	1,450	1,450	1,450	0.00%	0
CONSERVATION COMMISSION	2,029	2,029	2,029	2,070	2.00%	41
CONSERVATION COM EXPENSES	3,025	3,025	3,025	3,025	0.00%	0
PLANNING BOARD EXPENSES	519	750	750	750	44.50%	231
BOARD OF APPEALS EXPENSES	600	600	600	600	0.00%	0
CUSTODIAN LABOR	12,115	12,115	12,115	12,357	2.00%	243
BUILDING SUPERVISOR SALARY	7,356	9,356	9,356	9,543	29.70%	2,187
TOWN BLDGS & GROUNDS	35,275	35,275	35,275	35,275	0.00%	0
TOWN OFFICE EXPENSE	2,500	2,500	2,500	2,500	0.00%	0
TOWN OFFICE INTERNET SERV.	5,159	6,204	6,204	6,204	20.30%	1,045
TOWN TELEPHONE	8,068	8,228	8,228	8,228	2.00%	160
COPIER MAINTENANCE	2,835	2,835	2,835	2,835	0.00%	0
TOWN HEATING FUEL	44,492	44,492	44,492	44,492	0.00%	0
TOWN ELECTRIC	25,500	25,500	25,500	25,500	0.00%	0
TOWN COMPUTER SERVICE	24,289	25,895	25,895	25,895	6.60%	1,606
TECHNOLOGY UPGRADES	5,000	5,000	5,000	5,000	0.00%	0
TOWN BUILDING REPAIRS	20,000	18,000	18,000	18,000	-10.00%	-2,000
DOCUMENT STORAGE CONTRACT	2,100	2,100	2,100	2,100	0.00%	0
TOWN REPORT	1,900	1,900	1,900	1,900	0.00%	0

GENL GOVERNMENT TOTAL	607,242	630,619	625,619	630,451	3.80%	23,209
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POLICE CHIEF SALARY	68,751	68,751	68,751	70,126	2.00%	1,375
POLICE DEPT LABOR	118,320	134,110	134,110	136,792	15.60%	18,472
POLICE DEPT EXPENSES	24,626	24,626	24,626	24,626	0.00%	0
POLICE RECORDS SOFTWARE	5,500	8,035	8,035	8,035	46.10%	2,535

FIRE DEPT CHIEF SALARY	24,671	24,671	24,671	25,164	2.00%	494
FIRE DEPT LABOR	22,513	22,513	22,513	22,963	2.00%	450
FIRE DEPT ADMIN ASST	5,379	5,379	5,379	5,487	2.00%	107
FIRE DEPT TRAINING	13,268	13,268	13,268	13,268	0.00%	0
FIRE DEPT EXPENSES	29,872	33,147	33,147	33,147	11.00%	3,275
AMBULANCE SERVICE	102,538	101,504	101,504	101,504	-1.00%	-1,034
EMER MANAGEMT DIR SALARY	1,218	1,218	1,218	1,242	2.00%	24
EMER MANAGEMT DEPUTY	567	567	567	578	2.00%	11
EMER MANAGEMT EXPENSES	3,750	3,750	3,750	3,750	0.00%	0
EMER COMMUNICATIONS	486	486	486	486	0.00%	0
TREE REMOVAL/PLANTING	7,000	7,000	7,000	7,000	0.00%	0

PUBLIC SAFETY TOTAL	428,460	449,025	449,025	454,169	6.00%	25,709
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LOCAL SCHOOL COMM SALARIES	1,698	1,698	1,698	1,732	2.00%	34
LOCAL SCHOOL BUDGET (+\$100,000 school choice in FY19)	2,093,251	2,108,679	2,108,679	2,108,679	0.70%	15,428
REGIONAL SCHOOL ASSESSMENT	1,407,726	1,554,453	1,554,453	1,554,453	10.40%	146,727
VOCATIONAL TUITION	364,045	572,682	572,682	572,682	57.30%	208,637
VOCATIONAL TRANSPORT	38,882	40,085	40,085	40,085	3.10%	1,203

EDUCATION TOTAL	3,905,602	4,277,597	4,277,597	4,277,631	9.50%	372,029
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HIGHWAY SUPERINTENDENT SAL	63,963	63,963	63,963	65,242	2.00%	1,279
HIGHWAY LABOR	157,949	157,949	157,949	161,108	2.00%	3,159
HIGHWAY ROAD MAINTENANCE	65,463	85,000	85,000	85,000	29.80%	19,537
HIGHWAY GARAGE/EQUIP MAINT.	36,641	41,641	41,641	41,641	13.60%	5,000
VEHICLE FUEL	35,000	35,000	35,000	35,000	0.00%	0
HIGHWAY SURPLUS & SAFETY EQUIP	3,000	3,000	3,000	3,000	0.00%	0
INVASIVE SPECIES ERADICATION	1,000	1,500	1,500	1,500	50.00%	500
SIDEWALK CONSTRUCTION	5,000	5,000	5,000	5,000	0.00%	0
WINTER OVERTIME	15,235	15,235	15,235	15,235	0.00%	0
WINTER EXPENSES	72,500	72,500	72,500	72,500	0.00%	0
STREET LIGHTING	11,432	16,432	13,432	13,432	17.50%	2,000
TRANSFER STATION SALARIES	29,211	30,956	30,956	31,575	8.10%	2,364
TRANSFER STATION EXPENSES	71,000	86,200	86,200	86,200	21.40%	15,200
CEMETERY COMMISSION	1,000	1,000	1,000	1,000	0.00%	0

PUBLIC WORKS TOTAL	568,394	615,376	612,376	617,433	8.60%	49,040
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ANIMAL INSPECTOR	1,248	1,248	1,248	1,273	2.00%	24
BOARD OF HEALTH SALARIES	4,178	4,178	4,178	4,262	2.00%	84

BOARD OF HEALTH EXPENSES	1,050	1,050	1,050	1,050	0.00%	0
PUBLIC HEALTH EMERGENCY & TRAINING (formerly Public Nurse)	1,550	1,550	1,550	1,550	0.00%	0
COUNCIL ON AGING--DIRECTOR	29,123	29,123	29,123	29,705	2.00%	582
COA--STAFF LABOR	35,390	12,479	12,479	12,729	-64.00%	-22,661
COA--MEAL SITE STAFFING	0	9,860	9,860	10,057	100.00%	10,057
COA--ADMIN ASSIST	0	13,051	13,051	13,312	100.00%	13,312
COA--EXPENSES	3,718	3,718	3,718	3,718	0.00%	0
COA--HEN PROGRAM	3,500	4,000	4,000	4,000	14.30%	500
VETERANS EXPENSES	10,805	11,222	11,222	11,222	3.90%	417
VETERANS BENEFITS	40,618	42,618	42,618	42,618	4.90%	2,000
AMERICAN'S w/DISABILITIES	400	400	400	400	0.00%	0

HEALTH / HUMAN SERVICES TOTAL	131,580	134,497	134,497	135,896	3.30%	4,315
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LIBRARY DIRECTOR	48,949	48,949	48,949	49,928	2.00%	979
LIBRARY LABOR	84,767	84,767	84,767	86,462	2.00%	1,695
LIBRARY MAINTENANCE	15,000	15,000	15,000	15,000	0.00%	0
LIBRARY BOOKS & SUPPLIES	3,000	3,000	3,000	3,000	0.00%	0
RECREATION	4,268	4,268	4,268	4,268	0.00%	0
ATHLETIC FIELDS	5,000	5,000	5,000	5,000	0.00%	0
WOODLAND TRAILS COMMITTEE	500	500	500	500	0.00%	0
HISTORICAL COMMISSION	500	500	500	500	0.00%	0
VETERANS RECOGNITION	500	500	500	500	0.00%	0

CULTURE / RECREATION TOTAL	162,484	162,484	162,484	165,158	1.60%	2,675
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HIGHLAND AMBULANCE DEBT SER	8,027	6,339	6,339	6,339	79.00%	-1,688
HRHS DEBT SERVICE - DE1	74,109	75,838	75,838	75,838	2.30%	1,729
ATD SCHOOL--PRINCIPAL - DE1	270,000	270,000	270,000	270,000	0.00%	0
ATD SCHOOL--INTEREST - DE1	121,800	113,700	113,700	113,700	-6.70%	-8,100
FIRE TRUCK--PRINCIPAL - DE1	53,000	53,000	53,000	53,000	0.00%	0
FIRE TRUCK--INTEREST - DE1	1,308	3,541	3,541	3,541	170.70%	2,233
TOWN GARAGE--PRINCIPAL DE1	20,000	20,000	20,000	20,000	0.00%	0
TOWN GARAGE--INTEREST - DE1	2,800	2,200	2,200	2,200	-21.40%	-600
HIGHWAY TRUCK--PRINCIPAL	27,000	27,000	27,000	27,000	0.00%	0
HIGHWAY TRUCK--INTEREST	297	602	602	602	102.70%	305

DEBT SERVICE TOTAL	578,341	572,220	572,220	572,220	-1.10%	-6,121
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HIGHLAND AMBULANCE BLDG	14,287	14,635	14,635	14,635	2.40%	348
HCOG ASSESSMENT	1,252	0	0	0	100.00%	-1,252

HAMP CO REGIONAL LOCKUP	2,358	2,358	2,358	2,358	0.00%	0
HILLTOWN RESOURCE MANGMT	12,324	12,980	12,980	12,980	5.30%	656
FOOTHILLS HEALTH DISTRICT	29,729	30,533	30,533	30,533	2.70%	804
BUILDING INSPECTION PROG	39,125	43,000	43,000	43,000	9.90%	3,875
PVPC ASSESSMENT	401	411	411	411	2.50%	10
PLUMBING/GAS INSPEC TRAINING	300	300	300	300	0.00%	0
INTERGOVERNMENTAL TOTAL	99,776	104,217	104,217	104,217	4.50%	4,441
HAMPSHIRE COUNTY RETIREMENT	276,992	286,176	286,176	286,176	3.30%	9,184
WORKERS COMPENSATION	35,109	34,117	34,117	34,117	-2.80%	-992
UNEMPLOYMENT INSURANCE	5,000	5,000	5,000	5,000	0.00%	0
POLICE & FIRE ACCIDENT INSUR	13,500	13,122	13,122	13,122	-2.80%	-378
GROUP HEALTH INSURANCE	607,000	657,746	657,746	657,746	8.40%	50,746
MEDICARE/SOCIAL SECURITY TAX	45,765	46,223	46,223	47,147	3.00%	1,382
TOWN PROPERTY INSURANCE	73,564	72,647	72,647	72,647	-1.20%	-917
FIXED COSTS TOTAL	1,056,930	1,115,031	1,115,031	1,115,955	5.60%	59,025
TOTAL OPERATING BUDGET	7,538,809	8,061,066	8,053,066	8,073,131	7.10%	534,322

Article 10

Moved and seconded that the Town vote to accept monies from the Massachusetts Department of Transportation, including but not limited to Chapter 90 funds, for the maintenance and reconstruction of Town roads and bridges, and to authorize expenditure of the same without further appropriation.

Motion Passed Unanimously

Article 11

Moved and seconded that the Town vote to authorize a Board of Assessors revolving fund, to be funded with those monies received from the fees associated with negotiating tax agreements and / or payment in lieu of taxes (PILOT), and to authorize the Board of Assessors to expend such funds for the purpose of hiring a consultant to negotiate applicable tax agreements / PILOT.

Motion Passed Unanimously

Article 12

Moved and seconded that the Town vote pursuant to M.G.L. c.44, §54E½, as most recently amended, to set Fiscal Year 2020 spending limits for the Revolving Funds as set forth in Article 12 of the Warrant.

Motion Passed Unanimously

Revolving Fund	FY20 Spending Limit
Board of Assessor Revolving Fund	\$15,000
Gas Inspector Revolving Fund	\$ 1,500
Electrical Inspector Revolving Fund	\$ 7,500
Plumbing Inspector Revolving Fund	\$ 3,500
Transfer Station Open Box Revolving Fund	\$18,000
Planning Board Revolving Fund	\$30,000
Animal Control Officer Revolving Fund	\$ 5,000
Recreation Commission Revolving Fund	\$30,000
Council on Aging Revolving Fund	\$ 2,000
Conservation Commission Revolving Fund	\$ 5,000
Board of Appeals Revolving Fund	\$ 6,000
Fire Dept. Revolving Fund	\$ 3,000
Total Spending	\$126,500

Article 13

Moved and seconded that the Town vote to raise and appropriate the sum of \$199,600, as set forth in Article 13 of the Warrant, for the purpose of operating and maintaining and constructing the Town water system, including the laying of mains, for Fiscal Year 2020, and to take said sum from Water Enterprise Revenue.

Stipends	\$ 2,800
<u>Expenses</u>	<u>\$ 196,800</u>
Total	\$ 199,600

Motion Passed Unanimously

Article 14

Moved and seconded that the Town vote to raise and appropriate the sum of \$208,500 as set forth in Article 14 of the Warrant, for the purpose of operating, maintaining and constructing the Town sewer system for Fiscal Year 2020, and to take said sum from Sewer Enterprise Revenue.

Stipends	\$ 2,800
Operation & Maintenance	\$ 205,700
Total	\$ 208,500

Motion Passed Unanimously

Article 15

Moved and seconded that the Town vote to transfer the sum of \$25,000 from Sewer Retained Earnings to Sewer Expenses for maintenance, infiltration and inflow work on the Town sewer system.

Motion Passed Unanimously

Article 16

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$1,000 for the purpose of upgrading and installing a Voice Over Internet Protocol (VOIP) phone system, and any other incidental and related expenses.

Motion Passed Unanimously

Article 17

Moved and seconded that the Town vote transfer from Free Cash the sum of \$3,000 for planning and coordinating the Town's 250th Anniversary celebration to take place in the year 2021, and any other incidental and related expenses.

Motion Passed Unanimously

Article 18

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$2,500 for the purposes of upgrading the Town's Firewall, and any other incidental and related expenses.

Motion Passed Unanimously

Article 19

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$9,000 for removal and maintenance of Town shade trees.

Motion Passed Unanimously

Article 20

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$200 for replacement and maintenance of flags and brackets along Route 9.

Motion Passed Unanimously

Article 21

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$5,000 for Police Department training and gear.

Motion Passed Unanimously

Article 22

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$10,209, the Town's Match to an Assistance Firefighters Grant, to purchase and equip a Brush Truck, and any other incidental and related expenses.

Motion Passed Majority

Article 23

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$2,075, the Town's Match to an Assistance Firefighters Grant, to purchase a Fill Station, and any other incidental and related expenses.

Motion Passed Unanimously

Article 24

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$150,000 to the Stabilization Fund.

Motion Passed Unanimously

Article 25

Moved and seconded that the Town vote to authorize the Selectboard to enter into a ten (10) year contract with the option for a five (5) year extension, 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 the Selectboard's determination that the contract is in the best interests of the Town and subject to Town Meeting approval in the Spring 2020 for funding for these services.

Motion Passed Unanimously

Article 26

Moved and seconded that the Town vote to authorize and allow Hampshire Regional School District Administration to enter into a five year (5) contract consisting of a three year base contract with the option to renew for two (2) additional years to provide bus transportation to Hampshire Regional High School, Chesterfield Goshen Regional School, Southampton Public Schools, Westhampton Public Schools, Williamsburg Public Schools, and vocational transportation.

Motion Passed Unanimously

Article 27

Moved and seconded that the Town vote to amend the Town's General Government Bylaw to adopt an ENFORCEMENT By-Law as set forth in Article 27 of the Warrant. *(Bylaw below)*

Motion made and seconded to Call the Question. *(Following much discussion)*

Motion Passed Majority

Original Motion Passed Majority

ENFORCEMENT

The provisions of the Williamsburg General Government By-laws or any rule or regulation of any Town board, officer, commission, or committee, may be enforced by the Board of Selectmen or its designee, any Police Officer of the Town of Williamsburg or their designee, or any other enforcing authority specifically authorized by by-law, rule or regulation, by any available means in law or equity, including but not limited to enforcement by non-criminal disposition pursuant to G.L. c. 40, §21D. Each day a violation exists shall constitute a separate violation. When enforced through noncriminal disposition, unless otherwise specifically provided for by by-law, rule or regulation, the penalties shall be as follows:

First violation:	\$100.00
Second violation:	\$200.00
Third and subsequent violations:	\$300.00

Article 28

Moved and seconded that the Town vote to amend the Town of Williamsburg Zoning Bylaw taking the following actions as set forth below:

1. Create a new Section 9.31 – Establishments for Transient Lodgers;
2. Amend Section 18 – Definitions to add new definitions and update existing definitions consistent with new Section 9.31; and
3. Amend Section 3 – Schedule of Use Regulations, subsection 3.2 Business Uses to designate Lodging Facilities and Short-Term Rentals as uses permitted in all zoning districts by special permit,

as outlined in Article 28 of the Warrant. *(Bylaw below)*

Motion made and seconded to call the question. *(Following much discussion)*

Motion Passed Majority

Original Motion Passed 2/3 Majority as declared by the Moderator

1. Amend Zoning Bylaw to create a new Section 9.31 – Establishments for Transient Lodgers

9.31 ESTABLISHMENTS FOR TRANSIENT LODGERS

9.31-1 Purpose

To define and regulate commercial Lodging Facilities and the use of residential housing as Short-Term Rentals in The Town of Williamsburg. Minimize public safety risks for guests and visitors, and minimize possible nuisances for abutters. Ensure the safe and orderly provision of lodging for transient lodgers within the Town of Williamsburg, and ensure the maintenance of the character and livability of neighborhoods in the Town of Williamsburg. Only those uses which meet the definitions of “Short-Term Rentals” and “Lodging Facilities” contained herein shall be permitted within the Town. All other types of non-qualifying rental lodgings for transient lodgers are expressly prohibited.

9.31-2 Short-Term Rentals, General Standards

9.31-2.1 A homeowner or leaseholder may rent up to four (4) bedrooms in the owner’s or leaseholder’s primary residence, a Single-Family Dwelling, for overnight lodging of transient guests, for a period not to exceed thirty-one (31) days for any one rental.

9.31-2.2 If a homeowner or leaseholder owns or leases both dwelling units of a Two-Family Dwelling, one dwelling unit being the homeowner’s or leaseholder’s primary residence, and the second dwelling unit being unoccupied by long-term renters and not presently subject to an on-going long-term lease or sublease for rental occupation, the homeowner or lease holder may rent up to four (4) bedrooms in the unoccupied, unleased dwelling unit as a Short-Term Rental for overnight lodging of transient guests, for a period not to exceed thirty-one (31) days for any one rental. Within a Two-Family Dwelling, Short-Term Rentals are not permitted in the dwelling unit that is the homeowner’s or leaseholder’s primary residence.

9.31-2.3 Except as specified in section 9.31-2.2 herein, the dwelling must be a Single-Family Dwelling and shall not be part of a multi-family dwelling, or be connected to another dwelling, or share well or septic systems with another dwelling.

9.31-2.4 Short-Term Rentals under all circumstances require a Special Permit from the Zoning Board of Appeals for all Zones, and shall meet all applicable Special Permit criteria as set forth in Section 5.5 of the Zoning Bylaw. See also General Bylaws for The Town of Williamsburg for additional regulations and requirements.

9.31-3 Limitations

All homeowners or leaseholders of Short-Term Rentals in a Single-Family Dwelling, or in a Two-Family Dwelling as permitted under section 9.31-2.2 herein, shall ensure that renters refrain from activity and behavior that produces noxious light, odor, dust, fumes, amplified sound, excessive noise, and other nuisances. All Short-Term Rentals must comply with all Zoning and General Bylaws of the Town of Williamsburg, including those related to signage. See also General Bylaws for the Town of Williamsburg for additional regulations and requirements.

9.31-4 Parking

The homeowner or leaseholder must provide at least one off-street parking space for each bedroom rented, and one off-street parking space for the owner or leaseholder. The homeowner or leaseholder may apply to the Zoning Board of Appeals for a waiver for all or a portion of this requirement. The Zoning Board of Appeals will consider public safety, availability of on-street parking, and concerns of abutters when considering the request for a waiver, but no waiver shall override any seasonal restrictions or prohibitions of on-street parking.

9.31-5 Number of Renters Permitted

The homeowner or leaseholder may rent to no more than two adults in any one bedroom. Children under the age of 18 are not limited by this provision, except that the maximum occupancy of the Short-Term Rentals in the dwelling shall be no more than ten (10) renters. State and Local Health Department guidelines and restrictions may further restrict the number of transient lodgers permitted.

9.31-6 Primary Residence of Homeowner or Leaseholder

The dwelling, or one dwelling unit of the two-family dwelling as permitted under section 9.31-2.2 herein, must be the primary residence of the homeowner or leaseholder, with short-term rental lodging as an accessory use of the single-family or two-family dwelling.

9.31-7 Location of Rental Rooms

The Short-Term Rental units must be within the homeowner's or leaseholder's dwelling, or within one dwelling unit of the two-family dwelling as permitted under section in 9.31-2.2 herein. Rental of detached structures, or temporary structures, including trailer, mobile home or recreational vehicle, or tents, is not permitted.

9.31-8 Meals

The rental may, or may not, include breakfast. No meals other than breakfast may be served, and breakfast may be served only to overnight guests. Homeowner or leaseholder must obtain all state and local permits and licenses required to provide food services if breakfast is served on the premises. Additional state regulations related to Bed and Breakfast operations may apply.

9.31-9 Lodging Facility

A hotel, motel, inn, or other establishment may provide sleeping accommodations for transient guests for a period of less than thirty-one (31) days. The lodging facility may, or may not, include a dining room or restaurant. Lodging facilities require a Special Permit from the Zoning Board of Appeals for all Zones and shall meet all applicable Special Permit criteria as set forth in Section 5.5 of the Zoning Bylaw. A Site Plan Review by the Planning Board is also required if the first floor of the lodging facility is equal to or larger than 5,000 square feet. See also General Bylaws for the Town of Williamsburg for additional regulations and requirements.

2. Amend Section 18 – Definitions as set forth below:

- **Delete the current definition for “Bed and Breakfast Inn” and replace it with the following:**

For purposes of the Zoning Bylaws for the Town of Williamsburg, a Bed and Breakfast Inn shall be considered a Short-Term Rental in a Single-Family Dwelling, and shall, in all instances, be limited to the rental of not more than four bedrooms in a single-family dwelling.

- **Delete the current definition for Boarding House**
- **Delete the current definition for “Lodging Facility” and replace it with the following:**

A hotel, motel, inn, or other commercial establishment, with or without a dining room or restaurant, which offers sleeping accommodations for transient guests, for a period not to exceed thirty-one (31) consecutive days, and which does not otherwise qualify as a Short-Term Rental in a Single-Family Dwelling, as defined in the Zoning Bylaws for the Town of Williamsburg.

- **Add the following definition for “Primary Residence”:**

A dwelling or dwelling unit is considered a primary residence if the owner or leaseholder resides in said dwelling or dwelling unit for 183 days, or more, each year.

- **Add the following definition for “Short-Term Rentals in a Single-Family Dwelling”:**

An accessory use to a Single-Family Dwelling. All or part of the Single-Family Dwelling may be used to provide overnight accommodations for transient guests for a rental period not to exceed thirty-one (31) consecutive days. The Single-Family Dwelling must be the primary residence of the homeowner or leaseholder, and no more than four bedrooms in the dwelling, with or without access and use of other portions of the dwelling, may be offered for rental.

- **Add the following definition for “Short-Term Rentals in a Two-Family Dwelling”:**

An accessory use to a Two-Family Dwelling. Both dwelling units must be owned or leased by the same homeowner or leaseholder. One dwelling unit must be the primary residence of the homeowner or leaseholder, and the second dwelling unit shall be unoccupied by long term renters and shall not be subject to an ongoing long-term lease or sublease for rental occupation during the time it is used as a short-term rental. All or part of the unoccupied dwelling unit may be used to provide overnight accommodations for transient guests for a rental period not to exceed thirty-one (31) consecutive days. No more than four bedrooms in the unoccupied dwelling unit, with or without access and use of other portions of the unoccupied dwelling unit, may be offered for rental. Short-Term Rentals in a Two-Family Dwelling are not permitted in the dwelling unit that is the homeowner’s or leaseholder’s primary residence.

3. Amend Section 3 – Schedule of Use Regulations, subsection 3.2, Business Uses as set forth below with additions shown in **bold**, and deletions shown in ~~striketrough~~:

Section 3.2	Business Uses	VR	VM	RU
	Bed and Breakfast Inn (4 units or less)	SP	SP	P
	Short-Term Rentals in a Single-Family Dwelling	SP	SP	SP
	Short-Term Rentals in a Two-Family Dwelling	SP	SP	SP
	Lodging Facility	SP	SP	SP

Article 29

Moved and seconded that the Town vote to amend the Town's General Government Bylaw to adopt the following TRANSIENT LODGER BYLAW as set forth in Article 29 of the Warrant, to regulate Lodging Facilities and Short-Term Rentals within the Town through the licensing, registration and inspection of such facilities. (*Bylaw below*)

Motion Passed Unanimously

Transient Lodger Bylaw

Section 1. Purpose

The purpose of this Bylaw is to ensure that Short-Term Rentals in Single-Family Dwellings, or in specific instances in Two-Family Dwellings, and Lodging Facilities, provide safe and healthy lodging for visitors to Williamsburg by requiring 1) registration and licensing of these facilities; 2) annual inspections; and 3) maintenance of a guest register.

Section 2. Legislative Intent and Authority

This Bylaw is adopted in accordance with General Laws c.64G, § 14, which authorizes municipalities to enact bylaws to regulate operators of Short-Term Rentals, and the Town's Home Rule authority under the Massachusetts Constitution. Nothing herein shall interfere with the independent authority of the Board of Health to enact its own health and safety regulations with respect to Short-Term Rentals and Lodging Facilities

Section 3. Definitions

- Short-Term Rentals in a Single-Family Dwelling is an accessory use to a Single-Family Dwelling. All or part of the Single-Family Dwelling may be used to provide overnight accommodations for transient guests, for a rental period not to exceed thirty-one (31) consecutive days. The Single-Family Dwelling must be the primary residence of the homeowner or leaseholder, and no more than four bedrooms in the dwelling, with or without access and use of other portions of the dwelling, may be offered for rental.
- Short-Term Rentals in a Two-Family Dwelling is an accessory use to a Two-Family Dwelling. In order to be used as a Short-Term Rental, both dwelling units must be owned or leased by the same homeowner or leaseholder with one dwelling unit being used as the homeowner's or leaseholder's primary residence, and the second dwelling unit being unoccupied by long-term renters and not presently subject to an ongoing long-term lease or sublease for rental occupation. All or part of the unoccupied second dwelling unit may be used as a Short-Term Rental to provide overnight accommodations for transient guests, for a rental period not to

exceed thirty-one (31) consecutive days. No more than four bedrooms in the unoccupied dwelling unit, with or without access and use of other portions of the unoccupied dwelling unit, may be offered for rental. Within a Two-Family Dwelling, Short-Term Rentals are not permitted in the dwelling unit that is the homeowner's or leaseholder's primary residence.

- For purposes of this Bylaw, a Bed and Breakfast Inn shall be considered a Short-Term Rental in a Single-Family Dwelling and shall, in all instances, be limited to the rental of not more than four bedrooms in a single-family dwelling.
- A Lodging Facility is a hotel, motel, inn, or other commercial establishment, with or without a dining room or restaurant, which offers sleeping accommodations for transient guests, for a period not to exceed thirty-one (31) consecutive days, and which does not otherwise qualify as a Short-Term Rentals in a Single-Family Dwelling, as defined in the bylaws for the Town of Williamsburg.
- A dwelling is considered the primary residence of a homeowner or leaseholder, if the homeowner or leaseholder resides in said dwelling for 183 days, or more, each year.

Section 4. Registration and Licensing

- Short-Term Rentals in Single-Family and Two-Family Dwellings must register annually with the Town Clerk with location, number of rooms available, and emergency contact information for the homeowner or leaseholder of the Short-Term Rental property.
- All Short-Term Rentals shall be licensed by the Board of Selectmen or its designee. Failure to obtain a license shall constitute a violation of this Section. The Board of Selectmen may adopt rules and regulations related to the issuance of such licenses, including the fees to be paid and the conditions to be satisfied by any applicant for such a license. Licenses shall be for a two-year term and are renewable at the discretion of the Board of Selectmen. Persons operating a Short-Term Rentals shall also comply with all Zoning and General Bylaws of the Town of Williamsburg, including Bylaws regulating signs.
- Lodging Facilities must register annually with the Town Clerk with emergency contact information. They must also comply with Massachusetts laws and regulations, including but not limited to, the Massachusetts State Building, Plumbing, Electrical, Fire and Sanitary Codes, and all Zoning and General Bylaws of the Town of Williamsburg, including Bylaws regulating signs.

Section 5. Inspections

Short-Term Rentals must pass the following inspections:

- Annual inspection and approval from the Health Department.
- Annual fire inspection demonstrating adequate egress, smoke detectors, and carbon monoxide detectors, as determined by the Fire Chief or designated fire inspector.

Section 6. Guest Registers

Short-Term Rentals, and Lodging Facilities must maintain, for a period of at least two (2) years, a guest register that includes the name and address of the guest(s) and the date and length of stay.

Section 7. Enforcement

The Board of Selectmen or its designee may issue orders as appropriate to aid in the enforcement of this Bylaw and may enforce these provisions in equity, including the request for injunctive relief in a court of competent jurisdiction or enforcement by noncriminal disposition pursuant to G.L. c. 40, §21D. Any failure to comply with any order issued hereunder shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of \$100.00. Any failure to comply after the issuance of said final fine may be punishable by a subsequent fine of \$300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the Board of Selectmen may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked.

Motion made and seconded to adjourn Town Meeting. Motion passed unanimously. Meeting adjourned at 9:12 P.M.

Filed: June 4, 2019

A True Copy Attest: Brenda Lessard, Town Clerk



Brenda Lessard
Williamsburg Town Clerk

Cc: Accountant, Department of Revenue, Finance Committee, Board of Selectmen, Treasurer, Assessors, KP/Law, Highway Department, Planning Board, Board of Health, Town Administrator, Water & Sewer Commission, Police Department, Capital Planning, and Fire Department