

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WESTFORD  
WARRANT**

Middlesex, ss.

To the Constable of the Town of Westford, in said County,

**GREETINGS:**

You are required in the name of the Commonwealth aforesaid, to notify and warn all inhabitants of said Town qualified to vote in elections, and also in Town affairs, to meet at the Abbot School Gymnasium at Depot Street on the following date:

**Saturday, March 24, 2018**

*(voter registration deadline, Friday, March 2, 2018 at 8:00pm)*

at 10:00 o'clock in the morning, then and there to act upon the following articles:

**REPORTS**

<b>ARTICLE 1:</b>	<b>Accept Town Reports</b>	<i>Town Manager</i>
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To see if the town will vote to accept the Reports of Town Officers, Boards and Committees for the Fiscal Year 2017;

Or act in relation thereto.

**FINANCIAL - FISCAL YEAR 2018**

<b>ARTICLE 2:</b>	<b>Approve Unpaid Bills from Previous Fiscal Year(s)</b>	<i>Town Manager</i>
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To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof; a sum of money to pay for unpaid bills of prior fiscal years for various Town departments in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 64;

Or act in relation thereto.

<b>ARTICLE 3:</b>	<b>Approve Fiscal Year 2018 Supplemental Appropriations</b>	<i>Town Manager</i>
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To see if the Town will vote to appropriate various sums in order to supplement operating budgets for the Fiscal Year ending June 30, 2018;

Or act in relation thereto.

<b>ARTICLE 4:</b>	<b>Approve Fiscal Year 2018 Budget Transfers</b>	<i>Town Manager</i>
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To see if the Town will vote to transfer various sums between and among various accounts for the Fiscal Year ending June 30, 2018;

Or act in relation thereto.

<b>ARTICLE 5:</b>	<b>Appropriate to the Health Insurance Stabilization Fund</b>	<i>Town Manager</i>
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To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof, a sum of money to be deposited into the Health Stabilization Fund, established under Massachusetts General Laws, Chapter 40, Section 5B;

Or act in relation thereto.

<b>ARTICLE 6:</b>	<b>Establish Special Education Reserve Fund</b>	<i>School Superintendent</i>
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To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 40, Section 13E, for the purpose of creating a reserve fund to pay for unanticipated or unbudgeted costs for special education, out-of-district tuition or transportation;

Or act in relation thereto.

**ARTICLE 7: Appropriate for Perchlorate Expenses***Town Manager*

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof, the sum of \$99,537 (NINETY NINE THOUSAND FIVE HUNDRED THIRTY SEVEN DOLLARS) for the purpose of providing funds to address associated issues regarding perchlorate contamination;

Or act in relation thereto.

**CAPITAL APPROPRIATIONS - FISCAL YEAR 2018**

**ARTICLE 8: Approve Capital Appropriations***Capital Planning Committee*

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof, the sum of \$5,056,697 (FIVE MILLION FIFTY SIX THOUSAND SIX HUNDRED NINETY SEVEN DOLLARS) to provide for the following capital requests and all costs incidental and related thereto:

<i>DEPARTMENT</i>	<i>AMOUNT</i>	<i>PURPOSE</i>
Technology	\$35,129	Town computer replacement
Technology	\$306,453	School computer replacement
Technology	\$88,100	Network upgrades
Public Buildings	\$320,000	Design for the town center replacement building located at 51 Main Street and any other related expenses
Public Buildings	\$500,000	For the purchase of streets lights owned by National Grid and to retrofit all street lights owned by the Town of Westford with LED lighting and WIFI controls and any other related costs
Fire Department	\$44,540	Fire Captain's Car, purchase and equip
Fire Department	\$23,000	Radios repeater and any other related costs
Schools	\$50,573	Rack truck with plow, purchase and equip
Engineering	\$65,000	Beaver Brook Culvert Transportation Improvement Project (TIP) design and any other related costs
Engineering	\$260,000	Boston Road reconstruction project design and any other related costs
Engineering	\$200,000	Plain Road, Oak Hill Road, and Moore Road water main design and any other related costs
Engineering	\$45,000	Complete Streets design and any other related costs
Engineering	\$20,000	Tyngsboro Road at Route 40 signal upgrade study and any other related costs
Engineering	\$150,000	Dunstable Road at Route 40 right of way acquisitions, landscaping costs and engineering services
Highway	\$222,000	Heavy Dump Truck, purchase and equip
Highway	\$260,000	Front End Loader, purchase and equip
Highway	\$845,000	Repairing roadways, including costs incidental and related thereto
Water Enterprise	\$100,000	Two utility trucks, purchase and equip
Water Enterprise	\$400,000	Forge Village Treatment Facility media replacement and any other related costs
Water Enterprise	\$90,000	Boston Road reconstruction project design and any other related costs
Water Enterprise	\$130,000	Plain Road, Oak Hill Road, and Moore Road water main design and any other related costs
Water Enterprise	\$40,000	Forge Village Treatment Facility fire suppression replacement
Water Enterprise	\$500,000	For the Groton Road and Dunstable Road water main extension project, including costs incidental and related thereto
Ambulance Enterprise	\$321,902	Ambulance, purchase and equip
Stabilization	\$40,000	Capital Stabilization

Or act in relation thereto.

**ARTICLE 9: Approve Capital Appropriations: Ornamental Traffic Signal at the Intersection of Boston Road and Main Street**

*Citizen Petition*

To see if the Town will vote to amend the capital appropriation proposed for the design of the Boston Road Reconstruction project (Article 8, March 24, 2018 Annual Town Meeting) to add to the scope of the work an ornamental traffic signal at the intersection of Boston Road and Main Street, and to raise and appropriate, borrow, or transfer from available funds, or any combination thereof; a sum of money (\$55,000) to pay for the engineering services needed for this amendment.

**ARTICLE 10: Approve Capital Appropriations – MSBA Abbot Roof**

*School Committee*

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof; a sum of money to be expended under the direction of the School Committee, in conjunction with management oversight by the Permanent Town Building Committee, for additional funds for completing the design, bidding and construction phases of the Abbot Roof Replacement project, including associated costs which consists of, but is not limited to, hazardous material removal/abatement/encapsulation as well as requirements as stipulated by the Massachusetts Energy Code, Architectural Access Board (AAB) and Massachusetts Building Code at the Abbot Elementary School located at 25 Depot Street, and any related costs, which proposed repair projects would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town has applied for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town; Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) forty-four point forty-eight percent (44.48%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

Or act in relation thereto.

**ARTICLE 11: Accept Statutory Authorization for Water Betterments**

*Board of Selectmen*

To see if the Town will vote to accept Sections 42G through 42I and 42K of Chapter 40 of Massachusetts General Laws, which will enable the Town to levy assessments using one or more of the method(s) authorized by Sections 42G through 42I and Section 42K of Chapter 40 of Massachusetts General Laws against those property owners who receive a benefit or advantage from the laying of water mains, pipes and lines for the conveyance or distribution of water; and, further, to see if the Town will accept Section 13B of Chapter 80 of Massachusetts General Laws, which provides that upon application of the owner of real property assessed, if such owner is a low-income elderly homeowner eligible for an exemption under clause 41A of Massachusetts General Laws, Chapter 59, Section 5, the Town shall enter into an agreement with such owner for the deferral of the payment of the assessment;

Or act in relation thereto.

**ARTICLE 12: Authorize Vine Brook Water System Improvements**

*Water Commissioners*

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof, a sum of money to pay costs of designing, engineering, constructing, installing and equipping the water distribution system and associated infrastructure to be extended to serve the residents of Vine Brook Estates, including the payment of all costs incidental and related thereto, and for the purpose of acquiring any land and/or interests therein as may be necessary or appropriate; and to authorize the Board of Water Commissioners to assess 100% of the costs thereof upon those properties that receive a benefit or advantage therefrom, using such assessment method(s) authorized by Sections 42G through 42I and Section 42K of Chapter 40 of Massachusetts General Laws as the Board of Water Commissioners shall determine, with such assessments to bear interest at a rate not to exceed two percent above the rate of interest chargeable to the Town;

Or act in relation thereto.

**COMMUNITY PRESERVATION FUNDS**

**ARTICLE 13: Approve Community Preservation Committee Recommendations**

*Community Preservation Committee*

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money not exceeding 5% of the FY2019 estimated annual revenues to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2019; and further to reserve for future appropriation a sum of money from the Community Preservation Fund for open space, historic resources, community housing purposes, and outdoor recreation, and further to appropriate from the Community Preservation Fund or borrow pursuant to Massachusetts General Laws Chapter 44B, Section 11, or any other enabling authority, a sum or sums of money for Community Preservation projects or purposes, including acquisition of interests in land, all as recommended by the Community Preservation Committee;

Or act in relation thereto.

**FINANCIAL-FISCAL YEAR 2019**

**ARTICLE 14: Amend the Wage and Classification Plan**

*Town Manager*

To see if the Town will vote to amend the Pay Classification Plan for non-unionized municipal employees, effective July 1, 2018;

Or act in relation thereto.

**ARTICLE 15: Authorize Revolving Funds**

*Town Manager*

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44, Section 53E ½ as most recently amended by Section 86 of Chapter 218 of the Acts of 2016, to establish limitations on expenditures from the revolving funds established by Chapter 138 of the General Bylaws, entitled, "Revolving Funds" as follows:

Revolving Account	FY 2019 Expenditure Limit
Lease of Town Buildings: 65 & 73 Main St & 170 Plain Rd	\$150,000
Recycling Revolving	\$20,000
Recreation Field Maintenance	\$150,000
Senior Center Fitness Room	\$25,000
Senior Center Programs	\$50,000
School Parking	\$30,000
School Bus/Transportation	\$700,000
East Boston Camps Maintenance	\$60,000
Immunizations and Clinical Services	\$50,000
Community Gardens	\$10,000
Town Forest Management	\$25,000

Or act in relation thereto.

**ARTICLE 16: Approve Fiscal Year 2019 Operating Budget**

*Town Manager*

To see if the Town will vote to appropriate a sum of money by taxation, by transfer from available funds, by borrowing, or any combination thereof, for the operation and maintenance of Town Departments for the Fiscal Year July 1, 2018 through June 30, 2019, and that such sums be expended for such purposes under the direction of the respective Town Officers, Boards and Committees;

Or act in relation thereto.

**ARTICLE 17: Appropriate Chapter 90 Local Transportation Funds for Roadway Maintenance** *Town Manager*

To see if the Town will vote to appropriate a sum of money from the proceeds due to the Town under the provisions of Massachusetts General Laws Chapter 90 for the purposes set forth in said Chapter;

Or act in relation thereto.

**ARTICLE 18: Appropriate Funds from Water Enterprise Other Post Employment Benefits Stabilization Fund** *Water Commissioners*

To see if the Town will vote to transfer a sum of money from the Water Enterprise Other Post Employment Benefits Stabilization Fund to Water Enterprise expenses to pay for the FY19 retiree benefits;

Or act in relation thereto.

**ARTICLE 19: Authorization for the Board of Selectmen to petition the General Court for special legislation authorizing the Town of Westford to establish a Real Property Exemption for Disabled Persons** *Board of Selectmen*

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition, or take any action thereon or in relation thereto:

**AN ACT RELATIVE TO A REAL PROPERTY EXEMPTION FOR DISABLED PERSONS IN THE TOWN OF WESTFORD**

*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 the provisions of clause 41C of section 5 of chapter 59 of Massachusetts General Laws, or of any other general or special law to the contrary, the Town of Westford is hereby authorized to grant the exemption provided for in clause 41C of section 5 of chapter 59 to applicants who are disabled persons age 69 or younger who have been domiciled in the Town of Westford for a minimum of 10 consecutive years immediately prior to the time of application, provided that they meet all other qualifications contained in said clause. The amount of the exemption and qualifications relating to gross receipts or a person's whole estate, as approved by town meeting from time to time, applicable to taxpayers qualified for the exemption pursuant to clause 41C of section 5 of chapter 59 shall apply to the same extent to applicants eligible in accordance with this act. For purposes of this act, disabled persons are individuals who have received a determination of disability from the Social Security Administration's Disability Determination Services prior to the time of application.

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

**ARTICLE 20: Authorization for the Board of Selectmen to petition the General Court for special legislation authorizing the Town of Westford to establish a means tested senior citizen property tax exemption** *Board of Selectmen*

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition, or take any action thereon or in relation thereto:

**AN ACT AUTHORIZING THE TOWN OF WESTFORD TO ESTABLISH A MEANS TESTED SENIOR CITIZEN PROPERTY TAX EXEMPTION**

*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.** As used in this act, the following words shall have the following meanings:

- (a) "Parcel", a unit of real property as defined by the board of assessors under the deed for the property, including a condominium unit.

- (b) "Income", taxpayer's total income for the purposes of the circuit breaker income tax credit, as defined in paragraph (1) of subsection (k) of section 6 of chapter 62.

SECTION 2. With respect to each qualifying parcel of real property classified as Class one, residential, there shall be an exemption from the property tax equal to the total amount of tax that would otherwise be assessed without this exemption less the sum of: (i) 10 per cent of income, or such other percentage of income as determined under section 4 of this act; (ii) the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 the applicant received for the year prior to the year for which application is being filed; and (iii) any other statutory exemptions received in the year for which the application is being filed. In no event shall property taxes be reduced by more than 50% by this exemption.

SECTION 3. The board of assessors may deny an application for an exemption pursuant to section 2 of this act if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption under section 2 if all of the following criteria are met:

- (a) the real property is owned and occupied by a person whose prior year's income did not exceed the income limit established in clause (i) of paragraph (3) of subsection (k) of section 6 of chapter 62 and adjusted pursuant to paragraph (4) of subsection (k) of section 6 of chapter 62 for the prior year, whichever such income limit applies to the individual's filing status, multiplied by a percentage, determined by vote of the Board of Selectmen following passage of this act, of no less than 75 per cent and no greater than 100 per cent, which percentage may be modified annually by vote of the Board of Selectmen, and may differ based upon filing status;
- (b) the real property is owned by a single applicant age 65 or older at the close of the previous year or jointly by persons either of whom is age 65 or above at the close of the previous year and if the joint applicant is 60 years of age or older;
- (c) the real property is owned and occupied by the applicant or joint applicants as their domicile;
- (d) the applicant or at least 1 of the joint applicants has been domiciled in the town of Westford for at least 10 consecutive years before filing an application for the exemption;
- (e) the maximum assessed value of the domicile does not exceed (i) the prior year's average assessed value of a single family residence for the town plus 10 per cent; and (ii) the valuation limit established in clause (ii) of paragraph (3) of subsection (k) of section 6 of chapter 62 and adjusted pursuant to paragraph (4) of said subsection (k) of said section 6 of said chapter 62 for the prior year; and
- (f) the board of assessors has approved the application.

SECTION 4. The exemption under section 2 shall be in addition to any other exemption allowable under the General Laws; provided, however that there shall be a dollar cap on all the exemptions granted pursuant to this section equal to .5 per cent of the fiscal year's total residential property tax levy for the town, including the levy for any regional high school if not included in the town's tax levy at some subsequent date with the total exemption amount granted by this act allocated proportionally within the tax levy on all residential taxpayers. After the first year of such exemption, the total cap on the exemptions granted pursuant to this act shall be set annually by the board of selectmen within a range of .5 to 1 per cent of the residential property tax levy for the town, including the levy for any regional high school. In the event that benefits to the applicants may be limited because the percentage established annually by the selectmen would otherwise be exceeded, the benefits shall be allocated by raising the income percentage as required in section 2 as necessary to not exceed the cap. In the event the cap exceeds the need for the exemption, the total cap on the exemptions granted by this act shall be reduced to meet the need.

SECTION 5. A person who seeks to qualify for the exemption under section 2 shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 6. No exemption shall be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

SECTION 7. Acceptance of this act by the town of Westford shall be by an affirmative vote of a majority of the voters at any regular or special town election at which the question of acceptance is placed on the ballot. Sections 1 to 6, inclusive shall take effect 30 days after an affirmative vote by the town.

SECTION 8. This act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election at which the question of revocation is placed on the ballot. Revocation of sections 1 to 6, inclusive shall take effect 30 days after an affirmative vote of the town to revoke those sections.

**ARTICLE 21: Payment in Lieu of Tax Agreement – Westford Solar Holdings LLC, and Westford Solar Holdings II LLC, Located at 10 Commerce Way, Map 48-11.234** *Board of Selectmen*

To see if the Town will vote to authorize the Board of Selectmen and the Board of Assessors to negotiate and execute a payment in lieu of taxes (PILOT) agreement pursuant to Massachusetts General Laws Chapter 59 Section 38H(b) and the Department of Revenue guidelines promulgated thereunder, or any other enabling authority, with respect to annual payments in lieu of personal taxes for a term of years relative to a parcel of land located at 10 Commerce Way, Westford, MA as shown on Assessors map 48-11.234, with respect to a Solar Photovoltaic Electricity Generating Facility, with an expected capacity of approximately 4.0 Megawatts which has been installed, owned and operated by a third party upon said parcel on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and further to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to undertake the purpose of this article;

Or act in relation thereto.

### ADMINISTRATIVE

**ARTICLE 22: Authorize Board of Selectmen to Accept Easements** *Board of Selectmen*

To see if the Town will vote to authorize the Board of Selectmen, during Fiscal Year 2019, to accept any and all easements for sidewalk, drainage, or other utility purposes, as they may deem in the Town's best interests;

Or act in relation thereto.

**ARTICLE 23: Authorize Board of Selectmen to Acquire Easements for the Groton Road and Dunstable Road Intersection Improvement Project** *Board of Selectmen*

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Board of Selectmen shall determine, permanent and/or temporary easements on the parcels of land shown on plans entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Route 40 (Groton Road ) and Dunstable Road," revised through November 27, 2017, as said plans may be amended, said plans on file with the Town Clerk, for public way purposes, including, but not limited to, the construction, alteration, maintenance, improvement, repair and/or replacement of sidewalks, and for drainage, utility and slope work, traffic signal improvements, driveway reconstruction and grading, tree protection and landscaping; and, further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein, or take any other action relative thereto;

Or act in relation thereto.

### GENERAL BYLAW AMENDMENTS

**ARTICLE 24: Town Bylaw Amendment: Section 51.2 (A): Date and Time of Special Town Meetings** *Board of Selectmen*

To see if the Town will vote to amend the Bylaws of the Town of Westford by adopting the following changes to Section 51.2 (A) as shown below, with additions appearing as underlined text and deletions indicated by the placement of a line through the affected word(s):

**Date and Time of Special Town Meetings.** Special Town Meetings may be called on any day not earlier than ~~7:30~~ 7:00 P.M., except that on a Saturday a Special Town Meeting may be called at any time determined by the Board of Selectmen to be in the public interest and convenience.

Or act in relation thereto.

## Plastic Bag Reduction

**Section 1. Purpose and Intent**

The purpose of this bylaw is to regulate the retail use of single-use plastic checkout bags and promote the use of reusable, recyclable and biodegradable bags in the Town of Westford.

- The manufacture and use of single-use checkout bags have a significant impact on the environment, including, but not limited to: contributing to pollution of land, waterways, and oceans; contributing to the death of marine animals through ingestion and entanglement; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil.
- Plastic bags also affect human health by adding pollutants to the air we breathe during the process of extracting oil from the ground, when they are disposed of by incineration, and when they breakdown adding toxic chemicals to the groundwater.
- Plastic bags are rarely recycled and are not biodegradable. Residents of Westford are justifiably proud of their environmental awareness. The reduction of plastic bags is another way to demonstrate that we care about the health of where we live and our Planet. The final intent of this bylaw is to encourage everyone to bring their personal reusable bags when shopping.

**Section 2 Definitions**

- A. *Single-use plastic* bags shall mean a plastic bag including but not limited to bags with integral handles made of non-biodegradable plastic that is 3.0 mils in thickness or less, and is intended for single-use transport of purchased items provided by a store to a customer at the point of sale.
- B. *Recyclable paper bag* means a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag the word "recyclable" or a symbol identifying the bag is recyclable.
- C. A *reusable checkout* bag shall be a bag with handles that is specifically designed for multiple use, preferably made of natural fibers, that is at least 3.0 mils or thicker.
- D. *Establishment* shall mean any business or vendor that sells or provides food, merchandise, goods, or personal services to the public. However, the term Establishment does not include bazaars or festivals operated by nonprofit organizations or religious institutions.

**Section 3 Regulations**

- A. Single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any Establishment within the Town of Westford.
- B. Other thin-film bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items, perishables and other similar merchandise, typically without handles, are still permissible.
- C. If a retail store provides or sells checkout bags to customers, the bags must be one of the following:
  - a. Recyclable paper bag, as defined above or
  - b. Reusable checkout bag, as define above

**Section 4 Enforcement and Penalties**

- A. The administration and enforcement of this bylaw shall be the responsibility of Board of Selectmen or its designee.
- B. The Board of Health and its designee is also authorized to include as part of their routine health inspection compliance with this bylaw.
- C. Citizens of the Town of Westford who may observe potential violations of this bylaw shall be able to file a complaint with the Board of Health or its designee who shall investigate whether there is a violation of this bylaw. When deemed necessary the Board of Health or its designee, shall issue a written notice of a violation, and notices thereafter.
- D. This bylaw may be enforced by any lawful means in law or in equity, including but not limited to non-criminal disposition as provided in the Massachusetts General Law, Chapter 40, Section 21D and appropriate chapter of the General Bylaws of the Town of Westford. If non-criminal disposition is elected, then any Establishment which violates any provision of this bylaw shall be subject to the following penalties:
  - First Offense: \$50 fine
  - Second Offense: \$100 fine
  - Third and subsequent Offense: \$200 fine

Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense.

**Section 5 Variance**

- A. Any Establishment may make a written application to the Board of Health for a variance from this bylaw.
- B. Every application for a variance is subject to a public hearing. Notice of the hearing shall be posted as part of a public notice by the Board of Health meeting at which the application will be considered. Notice shall be posted no less than 48 hours before the meeting.
- C. By vote of a majority of its full authorized membership, the Board of Health may grant a variance when, in its opinion, the enforcement would result in an undue burden. Each request for a variance shall be in writing stating the specific provision of this regulation from which a variance is sought, the reason or reasons for seeking the variance, and information to establish a variance.
- D. A variance may be granted for up to six months and extended for like periods upon submission of a renewal application.
- E. Any variance granted by the Board shall be in writing.
- F. A copy of the variance granted under this Section shall be available for public inspection on the premises for which it is issued.

**Section 6 Effective Date**

- A. This bylaw shall take effect January 1, 2019.
- B. Each section of this bylaw shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be invalid for any reason, the remainder of this bylaw shall continue in force.

<b>ARTICLE 26:</b>	<b>Town Bylaw Amendment: Section 123.2: Annual List of Delinquent Parties</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to amend the Bylaws of the Town of Westford by adopting the following changes to Section 123.2 as shown below, with additions appearing as underlined text and deletions indicated by the placement of a line through the affected word(s):

The Treasurer/Collector of the Town shall annually no later ~~than that~~ than October 15, and may periodically, furnish to each department, board, officer or commission (hereinafter referred to as the "licensing authority") that ~~issued~~ issues licenses or permits a list of persons, corporations, or business enterprises (hereinafter referred to as "the party") that has, ~~as of October 1 of the year,~~ neglected or refused to pay any local taxes, fees, assessments, betterments, or other municipal charges ~~for a period of 12 months or more~~ and that such party has not filed in good faith an application for an abatement of such tax or a pending petition before the Appellate Tax Board.

Or act in relation thereto.

**CARE AND CUSTODY OF TOWN LAND**

<b>ARTICLE 27:</b>	<b>Name the Boston Road Fire Station the "Fletcher Station 1"</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to name the Boston Road Fire Station the "Fletcher Station 1" in recognition of the many contributions from members of the Fletcher family for our community;

Or act in relation thereto.

<b>ARTICLE 28:</b>	<b>Rename the Norman E. Day Elementary School Gymnasium in Recognition of Kevin Regan</b>	<i>School Committee</i>
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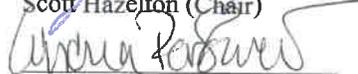
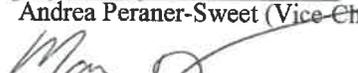
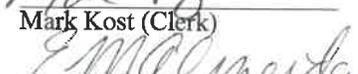
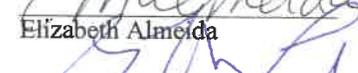
To see if the Town will vote to name the Norman E. Day Elementary School gymnasium the "Kevin Regan Gymnasium" in recognition of his service to the community as a Physical Education Teacher and longtime Norman E. Day School principal;

Or act in relation thereto.

And you, Constable, are directed to serve this warrant by posting a true and attested copy thereof at the Town Hall, Library and at each Post Office in said Town of Westford at least fourteen (14) days prior to the time of holding said meeting.

THEREOF FAIL NOT and make return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of holding the meeting aforesaid.

Given under our hands this 27 day of February in the Year of our Lord 2018.

  
\_\_\_\_\_  
Scott Hazelton (Chair)  
  
\_\_\_\_\_  
Andrea Peraner-Sweet (Vice-Chair)  
  
\_\_\_\_\_  
Mark Kost (Clerk)  
  
\_\_\_\_\_  
Elizabeth Almeida  
  
\_\_\_\_\_  
G. Thomas Clay

**A TRUE COPY  
ATTEST:**

\_\_\_\_\_  
Constable of Westford

**DATE:**

**I HEREBY CERTIFY THAT I HAVE SERVED THE FOREGOING WARRANT BY POSTING A TRUE AND ATTESTED COPY THEREOF AT THE TOWN HALL, LIBRARY AND AT EACH POST OFFICE IN THE SAID TOWN OF WESTFORD AT LEAST FOURTEEN DAYS PRIOR TO THE TIME OF HOLDING SAID MEETING.**