May 4, 2017

Town of West Bridgewater

Minutes of the Finance Committee Meeting

The meeting convened at 6:30 P.M. in the Selectmen's Meeting Room in the West Bridgewater Town Hall.

Committee Members Present: Chairman Ms. Meredith Anderson, Vice Chairman Ms. Jeri Screnci, Ms. Janice Fox, Ms. Cheryl Adams, Mr. Maurice McCarthy, and Mr. J.P. Waller.

Also present was Town Administrator David Gagne.

Chairman Anderson informed the committee that she received an updated Budget from the Water Department and that the bottom line budget did not change nor was there any new information. She stated that she did not see a need to vote again on this budget because the bottom line did not change.

Mr. Waller asked what exactly was changed in the budget and Mr. Gagne explained that they re-purposed $69,000.00 into a line item to look for new wells.

The committee agreed that there was no need to take another vote.

The School Committee entered the meeting to discuss and review some of the questions that the Finance Committee had regarding the School Committee budget.

Ms. Screnci began by asking why the line item for School Choice money was $1,473,667.00 while the Local Aid School Choice money was $1,183,923.00. The committee stated that the school choice money will be for next year, and that they are always one year behind.

The Committees continued to discuss the school choice line item, and Superintendent Oakley advised that the extra school choice money enables the town to be a one-to-one school district and be very well stocked with technology for the students.

The School Committee also stated that the school choice money is also stabilization money for the school and that everything that is actually spent can be found in the “actuals” on the budget.

Ms. Screnci then commented how the Grounds and Maintenance line item as well as the Superintendents and Principals Salary seemed to be high. The School Committee advised that the amounts asked for in the budgets is what is on their contracts.

Ms. Screnci noted that her concern was that it was difficult for the taxpayers to understand when the actual amounts are different then on the requested budgets.

Chairman Anderson asked if anyone had any further questions regarding this budget.

The Finance Committee thanked the School Committee for their explanations.

The School Committee exited the meeting at 7:15 PM.

Mr. McCarthy made a motion to approve the School Committee Budget, Ms. Adams seconded, Ms. Screnci abstained and the committee voted by majority to approve this budget.
Mr. Gagne then advised that he has to work on the benefits line for the overall budget as he was approached by two people who were thinking of retiring.

The committee agreed that they would grant Chairman Anderson the authority to approve the changes with Mr. Gagne, and to then inform the rest of the committee.

Mr. Waller made a motion to accept the budget as presented, Mr. McCarthy seconded and the committee voted unanimously in favor of this motion.

Chairman Anderson advised that the next item to be discussed is the Warrant Articles.

Chairman Anderson presented Warrant Articles 1-11. The committee discussed these articles, and Ms. Adams made a motion to recommend these articles, Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend these articles.

Chairman Anderson presented Article 12. The committee discussed this article, and Mr. McCarthy made a motion to recommend this article, Ms. Adams seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 13 and noted that there was no change in the language of this article from last year. The committee discussed this article, and Mr. Waller made a motion to recommend this article, Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson disclosed she would recuse herself from the discussion and voting of Article 14 due to the fact that her husband is the Interim Superintendent of the Highway Department. Chairman Anderson turned the meeting over to Vice Chairman Scrcen.

Ms. Scrcen presented Article 14 and the committee discussed this article. Mr. Waller made a motion to recommend this article, Ms. Adams seconded this motion, Chairman Anderson abstained, and the committee voted by majority to recommend this article.

Chairman Anderson presented Article 15. The committee discussed this article, and Mr. Waller made a motion to recommend this article, Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 16. The committee discussed this article and Mr. Waller made a motion to recommend this article, Ms. Scrcen seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 17. The committee discussed this article, and Mr. McCarthy made a motion to recommend this article, Ms. Adams seconded and Mr. Waller opposed. The committee voted by majority to recommend this article.

Chairman Anderson presented Article 18. The committee discussed this article, and Mr. McCarthy made a motion to recommend this article, Ms. Adams seconded and Mr. Waller opposed. The committee voted by majority to recommend this article.

Chairman Anderson presented Article 19. The committee discussed this article and Mr. Waller made a motion to refer this article to the voters. Mr. McCarthy seconded this motion and the committee voted unanimously to refer this article to the voters.
Chairman Anderson presented Article 20. The committee discussed this article and Ms. Fox made a motion to refer this article to the voters. Mr. Waller seconded this motion and the committee voted unanimously to refer this article to the voters.

Chairman Anderson presented Article 21. The committee discussed this article, and Mr. McCarthy made a motion to recommend this article. Ms. Adams seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 22. The committee discussed this article, and Mr. McCarthy made a motion to recommend this article. Mr. Waller seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 23. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 24. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Ms. Scrceni seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 25 which was part of Capital Budget. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 26. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Ms. Adams seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 27. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 28. The committee discussed this article and Ms. Scrceni noted that she still had questions and concerns regarding the contractual line. Mr. Waller made a motion to recommend this article, Mr. McCarthy seconded and Ms. Scrceni opposed. The committee voted by majority to recommend this article.

Chairman Anderson presented Article 29. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Ms. Adams seconded this motion, Ms. Scrceni and Ms. Fox opposed. The committee voted by majority to recommend this article.

Chairman Anderson presented Article 30. The committee discussed this article, and Ms. Scrceni made a motion to recommend this article. Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 31. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Ms. Adams seconded this motion and Chairman Anderson abstained. The committee voted by majority to recommend this article.
Chairman Anderson presented Article 32. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Mr. McCarthy seconded this motion and Chairman Anderson abstained. The committee voted by majority to recommend this article.

Chairman Anderson presented Article 33. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Ms. Adams seconded this motion and Chairman Anderson abstained. The committee voted by majority to recommend this article.

Chairman Anderson presented Article 34. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 35. The committee discussed this article, and Mr. Waller made a motion to recommend this article. Ms. Adams seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 36. The committee discussed this article, and Ms. Screnci made a motion to recommend this article. Ms. Adams seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 37. The committee discussed this article, and Ms. Screnci made a motion to recommend this article. Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 38. The committee discussed this article, and Mr. McCarthy made a motion to recommend this article. Ms. Adams seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 39. The committee discussed this article, and Ms. Screnci made a motion to recommend this article. Mr. McCarthy seconded this motion, and the committee voted unanimously to recommend this article.

Chairman Anderson presented Article 40. The committee discussed this article, and Ms. Screnci made a motion to recommend this article. Mr. Waller seconded this motion, Ms. Fox opposed and the committee voted by majority to recommend this article.

Chairman Anderson presented Article 41. The committee discussed this article, and Mr. Waller made a motion to refer this article to the voters. Ms. Screnci seconded this motion and the committee voted unanimously to refer this article to the voters.

Chairman Anderson presented Article 42. The committee discussed this article, and Ms. Adams made a motion to refer this article to the voters. Ms. Screnci seconded this motion and the committee voted unanimously to refer this article to the voters.

Chairman Anderson advised that the budget message for the Finance Committee was not yet complete but that she would be working on it.

Mr. Waller made a motion to accept the Finance Committee Budget message once it is complete and Ms. Screnci seconded the motion. The committee voted unanimously in favor of this motion.
The committee also discussed the opening seats in the Finance Committee and urged each other to spread the word.

Mr. McCarthy made a motion to adjourn the meeting, Ms. Fox seconded the motion and the committee voted unanimously in favor of this motion.

The meeting adjourned at 8:32 PM.

Respectfully submitted,

Kristin E. Leahy, Secretary

Enclosures:
Exhibit A, Warrant Articles 1-42
ANNUAL TOWN MEETING
WARRANT ARTICLES

Monday, June 12, 2017 – 7:00 PM
West Bridgewater Junior/Senior High School Auditorium

Article 1: To hear reports of all Town Officers and act thereon.

Article 2: To see if the Town will vote to authorize the Board of Selectmen to enter into a contract or contracts with the Massachusetts Department of Public Works for the construction and maintenance of public highways for the fiscal year, or take any action relative thereto.

Article 3: To see if the Town will vote to approve and authorize, as provided in MGL, Chapter 44, Section 53E ½, the retention of revenue generated by the West Bridgewater Council on Aging Supportive Care Program to be used by the Council for expenses needed to run said program on a year-round basis and to establish a revolving fund for such purpose from which the Director of Elder Services will be authorized to make expenditures and which shall have as an annual upper limit an amount of $40,000, or take any action relative thereto.

Article 4: To see if the Town will vote to approve and authorize, as provided in MGL, Chapter 44, Section 53E ½, the retention of revenue generated by the West Bridgewater Council on Aging’s Nutrition Program to be used by the Council to purchase supplies needed to run the program on a year-round basis and to establish a revolving fund for such purpose from which the Director of Elder Services will be authorized to make expenditures and which shall have as an annual upper limit an amount of $28,000, or take any action relative thereto.

Article 5: To see if the Town will vote to approve and authorize as provided in MGL, Chapter 44, Section 53E ½, the retention of revenue generated by the West Bridgewater Council on Aging’s Transportation Program to be used by the Council to pay necessary expenses to run the program on a year-round basis and to establish a revolving fund for such purpose from which the Director of Elder Services will be authorized to make these expenditures and which shall have as an annual upper limit an amount of $4,000, or take any action relative thereto.

Article 6: To see if the Town will vote to approve and authorize, as provided in MGL, Chapter 44, Section 53E ½, the retention of fines and fees collected by the West Bridgewater Public Library to be used for general library expenses for said Library and to establish a revolving fund for such a purpose from which the Library Director will be authorized to make expenditures and which shall have as an annual upper limit in of $12,000, or take any action relative thereto.

Article 7: To see if the Town will vote to approve and authorize, as provided in MGL, Chapter 44, Section 53E ½, the retention of revenue generated by the West Bridgewater Public Schools’ Preschool Program, to be used by the preschool for
expenses needed to run said program on a year-round basis and to establish a
revolving fund for such purpose from which the School Committee will be
authorized to make expenditures and which shall have as an annual upper limit an
amount of $100,000, or take any action relative thereto.

Article 8: To see if the Town will vote to approve and authorize, as provided in MGL,
Chapter 44, Section 53B/12, the retention of revenue generated by the West
Bridgewater Fire Department Fire Alarm Maintenance Program to be used to
maintain the Town's Municipal Fire Alarm System on a year round basis and to
establish a revolving fund for such purpose from which the Fire Chief will be
authorized to make expenditures and which shall have as an annual upper limit an
amount of $18,500, or take any action relative thereto.

Article 9: To see if the Town will vote to approve and authorize as provided in MGL
Chapter 44, Section 53B/12, to be administered by the Town Administrator's
Office, the retention of revenue generated by monies received by the Town as
fees, charges and costs from certain property owners pursuant to an existing
Intermunicipal Agreement between the Town and the City of Brockton; which
fees, costs and charges are to be collected by the Town from the property owners
and to be used to pay to the City of Brockton fees for the utilization of its sewer
connection and to reimburse the Town for its expenses pursuant to the said
Intermunicipal Sewer Agreement and which shall have as an upper limit an
amount of $15,000, or to take any action relative thereto.

Article 10: To see if the Town will vote to set the upper limit on expenditures from the
Town Golf Course Revolving Fund established under Article 55 of the Town By-
Laws at $400,000, or take any other action relative thereto.

Article 11: To see if the Town will vote to determine the salaries of the following elected
Town Officials for the fiscal year beginning July 1, 2017:

- Moderator
- Board of Selectmen
- Town Clerk
- Board of Health
- Tree Warden
- Board of Assessors
- Water Commissioners

The following officers to serve without pay:

- Library Trustees
- Planning Board
- School Committee

Or take any action relative thereto.

Article 12: To raise such sums of money as may be necessary to defray Town charges for the
fiscal year beginning July 1, 2017 and to make appropriations for the same, or
take any action relative thereto.
Article 13: To see if the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986 and to further accept the provisions of Chapter 126 of the Acts of 1988, which will grant a percentage increase to real estate tax exemptions to persons who are otherwise qualified for such exemptions, or take any action relative thereto.

**EXPLANATION:** Section 4 of Chapter 73 of the Acts of 1986 authorizes towns certified by the Commissioner of Revenue to be assessing all property at its full and fair cash value, and which accept the provisions of that Act to grant additional real estate tax exemptions. Such additional exemptions may be granted to persons who qualify for property tax exemptions under Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A and 41C.

This means to statutory exemption recipients:

<table>
<thead>
<tr>
<th>Exemption</th>
<th>FY2017 Amount</th>
<th>With 25% increase FY2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elderly</td>
<td>$500.00</td>
<td>$625.00</td>
</tr>
<tr>
<td>Widows/Over 70</td>
<td>$175.00</td>
<td>$218.75</td>
</tr>
<tr>
<td>Veterans</td>
<td>$400.00</td>
<td>$500.00</td>
</tr>
<tr>
<td>Blind</td>
<td>$500.00</td>
<td>$625.00</td>
</tr>
</tbody>
</table>

This increased amount will stay in place so long as it is voted each year at Town Meeting.

Article 14: To see if the Town will vote to borrow a sum of money in anticipation of reimbursement to meet the Town's share of the cost of work for State Aid Construction and Maintenance or take any action relative thereto. *(Borrow $319,219 per allocation of Chapter 90 funds for West Bridgewater from the State's Chapter 90 local transportation aid funding for FY 2018 in anticipation of reimbursement from the state.)*

Article 15: To see if the Town will vote to appropriate a sum of money for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; to determine whether this appropriation shall be raised by using the monies repaid to the Town by current outstanding loans that are in excess of amounts due to be repaid to the Massachusetts Water Pollution Abatement Trust or otherwise, or to take any other action relative thereto.

Article 16: To see if the Town will vote to appropriate, or reserve from the Community Preservation Fund Estimated Revenues the following amounts recommended by the Community Preservation Committee for committee administrative expenses, debt services, Community Preservation projects, Open Space, Historic Resources, and Community Housing reserves, and other expenses in fiscal year 2018 with each item to be a separate appropriation or reserve:
Appropriations:
From FY 2017 estimated revenues for Committee Administrative Expenses ........................................... $ 10,622

Reserves:
From FY 2017 estimated revenues for Historic Resources Reserve: ......................................................... $ 0
From FY 2017 estimated revenues for Community Housing Reserve: ......................................................... $ 24,245
From FY 2017 estimated revenues for Open Space Reserve... ............................................................ $ 0
From FY 2017 estimated revenues for Undesignated Funds.... ............................................................ $ 0

Or take any other action relative thereto.

Article 17: To see if the Town will vote to transfer and appropriate from the Historical Resources portion of the FY2017 Community Preservation Fund estimated revenue a sum, not to exceed $21,245, and from the undesignated portion of the Community Preservation Fund a sum not to exceed $88,755, for a total sum not to exceed $110,000, to be expended by the Forestry Superintendent for the restoration and preservation of historic Town-owned cemeteries, or to take any action relative thereto.

Article 18: To see if the Town will vote to transfer and appropriate from the undesignated portion of the Community Preservation Fund a sum not to exceed $13,100 to be expended by the Forestry Superintendent for repairs and/or additions at Friendship Park, or to take any action relative thereto.

Article 19: To see if the Town will vote to designate the 9/11 Memorial and beam from the World Trade Towers as an historic artifact pursuant to the definition of Historic Resources found in Massachusetts General Laws Chapter 44B, Section 2 and that the Town residents approve the expenditure of monies from the local Community Preservation Fund for its installation, expansion, improvement and preservation.

Article 20: To see if the Town will vote to transfer and appropriate from the Open Space portion of the FY2017 Community Preservation Fund estimated revenues a sum not to exceed $21,245 and from the Open Space Reserve portion of the Community Preservation Fund a sum not to exceed $38,755, for a total sum not to exceed $60,000 to be expended by the Forestry Superintendent for the installation of the 9/11 Memorial Park in front of the Public Safety Building, to be expended by the Forestry Department, or take any action relative thereto.

Article 21: To see if the Town will vote to transfer and appropriate from the undesignated portion of the Community Preservation Fund a sum not to exceed $15,000, to be expended by the Town Clerk for the preservation of historic vital records, or to take any action relative thereto.
Article 22: To see if the Town will vote to transfer and appropriate from the undesignated portion of the Community Preservation Fund a sum not to exceed $10,000 to be expended by the Board of Assessors for the preservation of the Assessor Valuation Books, or take any action relative thereto. ($100,000, Raise and Appropriate)

Article 23: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to fund Other Post Employment Benefits (OPEB) Liability Trust Fund established in accordance with Chapter 32B, Section 20 of the Massachusetts General Laws, or take any other action relative thereto. ($100,000, Raise and Appropriate)

Article 24: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money as the Town's match for the WBB Task Force Grant in FY2018, or take any action relative thereto. ($10,000, Raise and Appropriate)

Article 25: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended by the Board of Selectmen to replace the roof at Town Hall, or to take any action relative thereto. ($60,000, free cash)

Article 26: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to pay off and close out Article 1 of the Special Town Meeting of February 25, 2016 for the replacement of the Spring Street School roof, or to take any action relative thereto. ($330,000, free cash)

Article 27: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended by the School Committee to pave the parking lots at Howard School and Spring Street School, or take any action relative thereto. ($117,000, free cash)

Article 28: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended by the School Committee to purchase elementary furniture, or take any action relative thereto. ($100,000, free cash)

Article 29: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money, to be expended by the School Committee to purchase a digital library resources, or take any action relative thereto. ($100,000, free cash).

Article 30: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Forestry Superintendent to purchase a new Dump Body for a 2005 F-450, or to take any action relative thereto. ($7,200, free cash)
Article 31: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Highway Superintendent to purchase a new Dump Body for a 2006 F450, or to take any action relative thereto. ($85,000, free cash)

Article 32: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Highway Superintendent to purchase two new Freightliner 64Ks, or take any action relative thereto. ($388,000, free cash)

Article 33: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Highway Superintendent to purchase a new F250 with plow, or to take any action relative thereto. ($58,000, free cash)

Article 34: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Board of Library Trustees to install sidewalks and railings at the Public Library, or take any action relative thereto. ($45,000, free cash)

Article 35: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be placed in the Town Stabilization Fund, or to take any action relative thereto. (Anticipated to be $1,094,538, free cash)

Article 36: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to fund the Municipal Building Needs Fund, or take any action relative thereto. ($50,000, raise and appropriate)

Article 37: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Board of Water Commissioners to payoff and close out Article 31 of the Annual Town Meeting of June 9, 2014 for the purchase of hydrants and related equipment, or take any action relative thereto. ($38,607.70, unspent funds in article, $9,392.30 Water Surplus)

Article 38: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Board of Water Commissioners to make a payment toward the debt authorized by Article 30 of the Annual Town Meeting of June 9, 2014 for the purchase of water meters and related equipment, or take any action relative thereto. ($128,000, Water Surplus)

Article 39: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended by the Board of Water Commissioners to convert the Station 1 wells into automated submersible pumps, purchase any related equipment, and perform all related electronic, computer, instrumentation, piping and electrical work, or take any action relative thereto. ($147,572, Water Surplus)
Article 40: To see if the Town will vote to accept the provisions of Chapter 138 Section 12 allowing the sale of liqueurs and cordials by a common victualler which holds a license under said section to sell wines and malt beverages, or to take any action relative thereto.

Article 41: To see if the Town will vote to amend Article 17 ANIMAL CONTROL OFFICERS of the Town’s General By-Laws as follows:

ARTICLE 17

ANIMAL CONTROL OFFICERS

Section 1. Appointment. The Board of Selectmen shall annually appoint Animal Control Officers who shall hold office for one year or until their successors take office. The compensation to be paid Animal Control Officers shall be determined from time to time by the Chief of Police.

Section 2. Duties. The Animal Control Officers, under the general supervision and control of the Board of Selectmen and the Chief of Police, shall perform the following duties:

a. Enforce the provisions of this by-law and all other by-laws which may from time to time be adopted by the Town for the purpose of regulating animals.

b. Enforce the applicable provisions of Chapter 140 of the General Laws relating to the regulation of dogs.

c. Investigate complaints regarding dogs.

d. Apprehend dogs who are running at large or who are a public nuisance and keep them until the owner is found or until the dogs are otherwise disposed of.

e. Inspect or cause to be inspected any kennel.

f. Collect all delinquent payments of dog licenses and kennel licenses on July August first of each year. In this regard, the Town Clerk will submit a list of such unpaid licenses to the Animal Control Officer who will issue a noncriminal citation forward a demand for payment of the unpaid licenses to the dog owner with a demand fee of twenty five dollars ($25). If payment is not made within fifteen days of such demand, an additional charge of $25.00 will be assessed to the owner for each dog. Such charge shall be assessed in accordance with the provisions for the non-criminal disposition of violations contained in General Laws Chapter 40, Section 21D and in Article 46 of these by-laws.

g. Perform such other duties which are the responsibility of the Animal Control Officer under this by-law and Chapter 140 of the General Laws.
Section 3. Regulation of Dogs. The provisions of this by-law relating to the regulation of dogs are adopted pursuant to the provisions of Chapter 140, Section 147A and 173 of the General Laws. The provisions of Chapter 140, Sections 136A through 174D, inclusive, except as modified herein, are incorporated into this by-law by reference.

Section 4. Definitions. The following words and phrases as used herein shall have the following meanings:

a. **Owner.** Any person, partnership, corporation, society or other legal entity owning, keeping, or harboring one or more dogs. A dog shall be deemed to be harbored if it is fed or sheltered for seven (7) consecutive days or more.

b. **Keeper.** Any person, partnership, corporation, society, or other legal entity, other than the owner, harboring or having in his possession any dog.

c. **Animal Control Officer.** Any officer appointed under this by-law to enforce the laws relating to animals including, but not limited to MGL Ch 140 sections 136A to 174B, inclusive.

d. **At Large.** Any dog shall be deemed to be at large when it is off the property of its owner and not under the control of a competent person.

e. **Commercial Kennel.** A pack or a collection of dogs on a single premises maintained for sale, commercial breeding, boarding, grooming, training, hunting, or for any other commercial purposes, and including any shop where dogs are on sale.

f. **Private Kennel.** A pack or collection of more than three four dogs, three months old or over, owned or kept by a person on a single premises and maintained exclusively as domestic pets and not maintained for sale, commercial breeding, boarding, grooming, training, hunting, or for any other commercial purposes.

g. **Shelter.** A public animal control facility, or any other facility which is operated by any organization or individual for the purpose of protecting animals from cruelty, neglect or abuse.

h. **Dangerous or Vicious Animal.** Any animal that has a documented record of, or is observed by an Animal Control Officer or any police officer in the act of (a) inflicting injury on a human being without provocation; or (b) has killed another animal without provocation; or (c) any animal harbored primarily, or in part, for the purpose of fighting another animal; or (d) any animal when unprovoked, chases any person upon the public ways or on any public or private property other than the animal's owner's own premises, in any menacing fashion, or in an apparent attitude of attack, or (e) any animal with a known propensity, tendency, or disposition to attack when unprovoked, to cause injury, or to otherwise threaten the safety of human beings or other animals; or (f) any non-domesticated or wild animal that is declared by an Animal Control Officer to be
inherently dangerous, having the ability to inflict serious or life threatening injury to human beings or other domesticated animals.

Section 5. Licensing of Dogs.

a. Any person owning, keeping or having custody of any dog six (6) months of age or older shall cause it to be registered, numbered, described, and licensed annually during the licensing period. The registering, numbering, describing, and licensing of a dog shall be in the office of the Town Clerk. The owner of any dog may add descriptive words, not over ten (10) in number, upon the license form to further describe the dog. The licensing period shall begin April first of each year and terminate thereafter on the thirty-first day of March, both dates inclusive. Whoever violates the provisions of this section by failing to license his or her dog by July 1st shall be liable for a demand fine of twenty five dollars ($25.00). Whoever violates the provisions of this section by failing to license his or her dog by August 1st shall be liable for an additional noncriminal fine citation of twenty-five dollars ($25.00) issued as mention in Section 2f of this bylaw.

b. Dogs brought or shipped into the Commonwealth for commercial resale shall, as is required by Chapter 140, Section 158A-138A of the General Laws, be inoculated against distemper not more than thirty (30) nor less than seven (7) days before entry and shall be accompanied by an official health certificate signed by an accredited veterinarian and a copy sent to the Commissioner of Agriculture. If such certificate is unavailable in the state of origin, then a similar examination and certificate shall be made within fourteen (14) days of the arrival of the dog in the Commonwealth.

c. The Town Clerk shall not grant a license for any dog unless the owner provides a veterinarian's certification that the dog has been vaccinated for rabies in accordance with Chapter 140, Section 145B of the General Laws, or a certificate of exemption. A certificate from a veterinarian will be required for a spayed female or neutered male being licensed for the first time. If a certificate cannot be obtained, a notarized statement by a registered veterinarian, describing the dog and stating that he has examined the dog and that it appears to have been, and in his opinion has been, spayed or neutered, will be accepted.

d. Upon acceptance of the license application and fee, a tag shall be issued, stamped with an identification number, year of issuance, and name of Town of West Bridgewater. All applications issued must have a description of the symptoms of rabies supplied by the Department of Public Health as required by Chapter 140, Section 145 of the General Laws. If a current tag is lost, a substitute tag can be obtained from the Town Clerk.

c. No person may use any license or tag for any dog other than the dog for which it was issued. Dogs must wear identification tags and collars at all times when off the premises of the owner.

f. License fees shall not be required for certified seeing-eye dogs, hearing dogs, governmental police dogs, or other certified dogs that are trained to assist the physically handicapped.
g. No license fee, or part thereof, shall be refunded because of the subsequent death, loss, spaying/neutering, or removal from the Town or other disposal of the dog.

h. The fee for dog licenses shall be fifteen dollars ($15.00) for altered males and spayed females and sixteen dollars ($16.00) for unaltered males and unspayed females.

Section 6. Licensing of Kennels.

a. Every person maintaining a kennel shall have a kennel license issued by the Town Clerk. The licensing period shall begin April first of each year and terminate thereafter on the thirty-first day of March, both dates inclusive. Any owner or keeper of less than four dogs three months old or over who does not maintain a kennel may elect to secure a kennel license in lieu of licensing such dogs under Section 5 hereof and during such time as he does not license such dogs thereunder shall have a kennel license and shall be subject to this section and other sections and statutes pertaining to kennels to the same extent as though he were maintaining a kennel. The Animal Control Officer shall inspect such kennel prior to the issuance of the license. Whoever violates the provisions of this section by failing to obtain a kennel license by July 1st shall be liable for a demand fine of twenty-five dollars ($25.00). Whoever violates the provisions of this section by failing to obtain a kennel license by August 1st shall be liable for an additional noncriminal citation of twenty-five dollars ($25.00) issued as mention in Section 2f of this bylaw.

b. Animal Control Officer may inspect or cause to be inspected any kennel within the Town. If unsanitary or inhumane conditions are found, or if records are not properly kept as required by law, the Animal Control Officer shall recommend to the Board of Selectmen the revocation or suspension of the kennel license.

c. The owner of a kennel shall submit to the Town Clerk a certification that all adult dogs on the premises have been properly inoculated.

d. The holder of a kennel license shall cause each dog kept therein to wear, while it is at large, a collar or harness of leather, or other suitable material, to which shall be securely attached a tag upon which shall appear the number of such kennel license, the name of the Town of West Bridgewater, and the year of issue.

e. Upon the transfer of a dog from a kennel to an owner, the owner may use a certificate and tag from the kennel in lieu of a license for a period of two (2) weeks. The certificate shall contain the kennel number, date of purchase, and description of the dog. Upon the licensing of the dog, the Town Clerk will sign and return the certificate to the kennel.

f. If the license of any kennel is suspended or revoked, no fee can be recovered. Anyone maintaining a kennel after the license is revoked or during a suspension period shall be fined fifty dollars ($50.00).
g. Any person found guilty of cruelty to animals shall forfeit his license and will be ineligible for another license until two (2) years from the date of being found guilty. No fee can be recovered.

h. Kennel license fees shall not be required for domestic charitable corporations that are incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse and for the relief of suffering among animals.

i. The fee for a kennel license shall be forty-five sixty dollars ($45.00-60.00) if not more than four-five dogs are kept in the kennel, ninety one hundred and five dollars ($90.00 105.00) if more than four-five but not more than ten dogs are kept therein, and two hundred twenty-five forty dollars ($225.00 240.00) if more than ten dogs are kept therein.

j. Any person wishing to open or maintain a kennel can only do so with a special permit granted by the Board of Appeals as mention in the West Bridgewater Zoning By-Laws section 4.4 TABLE OF USE REGULATIONS 13a and 13b.

Section 7. Abatement of Noise Nuisance.

a. It shall be unlawful for the owner or keeper of a dog or other animal to disrupt another person's right to peace or privacy by making loud or continuous noise.

b. Upon a complaint received by the Police Department of barking, howling or other objectionable noise made by an animal that is creating a noise nuisance, an Animal Control Officer or any police officer shall investigate said complaint. If after the investigation it is found that an animal is creating a noise nuisance for not less than ten continuous minutes, where said noise is plainly audible at a distance of one hundred fifty (150) feet from the building or premises, the Animal Control Officer or police officer may issue a warning notice or a civil citation to the owner or keeper of the animal causing the noise nuisance.

c. If the owner or keeper of an animal that has been found to be creating a noise nuisance fails to immediately abate the nuisance, the Animal Control Officer or any police officer shall issue a civil citation in accordance with Article 46 of these by-laws.

d. The failure to permanently abate a noise nuisance, as described in subparagraph b and c immediately above, may result in penalties and other actions as voted by the Board of Selectmen in accordance with General Laws Chapter 140. Such actions may be an order to muzzle the animal, an order to banish it from the Town, or an order to destroy the animal.

e. Within ten (10) days after any such order, the owner or keeper of such dog may bring a petition in the Brockton District Court asking for a review of the order by the Court. The Court shall review the order and shall affirm it unless it shall appear that the
order was made without proper cause or in bad faith, in which case the order shall be reversed. The decision of the Court shall be final and binding upon the parties.

Section 8. Abatement of Noise at Kennel. Upon the petition of twenty-five (25) citizens filed with the Board stating that they are aggrieved or annoyed, to an unreasonable extent, by one or more dogs at a kennel because of the excessive barking or vicious disposition of said dogs or other conditions connected with such kennel constituting a public nuisance, the Board, within seven (7) days after the filing of such petition, shall give notice to all parties interested of a public hearing to be held within fourteen (14) days after the date of such notice. Within seven (7) days after such public hearing, the Board shall make an order either revoking or suspending such kennel license or otherwise regulating such kennel, or by dismissing the petition. Written notice of any such order shall be mailed forthwith to the Town Clerk and to the holder of such license.

Within ten (10) days after such order, the holder of such license may bring a petition in the Brockton District Court asking for a review of the order by the Court. The Court shall review the order and shall affirm it unless it shall appear that the order was made without proper cause or in bad faith, in which case the order shall be reversed. The decision of the Court shall be final and binding upon the parties.

Section 9. Vicious, or Other Dangerous Animals.

a. It shall be unlawful for the owner or keeper of an animal which is dangerous or vicious to fail to safeguard humans or other animals from attack or threat of attack from said animal.

b. Upon a complaint received by the Police Department of a vicious or dangerous animal, an Animal Control Officer or any police officer shall investigate said complaint. If after the investigation the animal is declared to be dangerous or vicious, the owner or keeper may be issued a written notice to confine the animal so it is no longer a threat to human beings or other animals. A violation of a failure to comply with such confine order shall result in the owner or keeper being issued a civil citation in accordance with Article 46 of these by-laws. If the owner or keeper fails to comply with the notice or fails to remedy the situation, the Board of Selectmen, on complaint from an Animal Control Officer or any police officer, shall hold a hearing to determine the fate of said animal. Nothing in this section shall limit an Animal Control Officer or any police officer from immediately destroying any vicious or dangerous animal in the process of, or momentarily interrupted in, the attacking of any human being, domestic or farm animal.

c. Within ten (10) days after any such order, the owner or keeper of such dog may bring a petition in the Brockton District Court asking for a review of the order by the Court. The Court shall review the order and shall affirm it unless it shall appear that the order was made without proper cause or in bad faith, in which case the order shall be reversed. The decision of the Court shall be final and binding upon the parties.
Section 10. Fines and Penalties. Whoever violates any provision of Section 7 and Section 8 of this by-law pertaining to the abatement of noise nuisances shall be subject to a fine of twenty-five dollars ($25.00) for the first offense, fifty-dollars ($50.00) and for the second offense, and Fifty one-hundred dollars ($100.00) ($50.00) for the third offense and every-fourth offense thereafter; and one hundred dollars ($100.00) for every offense thereafter. Whoever violates any provision of Section 9 of this by-law pertaining to vicious or other dangerous animals shall be subject to a fine of one hundred dollars ($100.00) for the first offense and two hundred dollars ($200.00) for the second offense and every offense thereafter. The fines and penalties provided for in this Article shall be assessed in accordance with the provisions for non-criminal disposition of Violations contained in General Laws Chapter 40, Section 21D and in Article 46 of these by-laws. This by-law shall be enforced by an Animal Control Officer or by a police officer.

Or take any action relative thereto.

Article 42: To see if the Town will vote to amend Article 18 DOG LEASH of the Town’s General By-Laws as follows:

ARTICLE 18

DOG LEASH

Section 1. No owner or keeper of a dog shall cause or permit such dog, whether licensed or unlicensed, to run at large or be a public nuisance within the Town of West Bridgewater. No owner or keeper of a dog shall, except as otherwise provided herein, take or permit such dog to be taken from his premises unless the dog is restrained and controlled by means of a leash which is made of suitable material and is not more than six feet (6') in length. A dog shall not be allowed to be on the private property of others without the express consent of the owner of such property.

Section 2. Any dog found to be at large in violation of this by-law shall be caught and confined by an Animal Control Officer, who shall notify forthwith the licensed owner or keeper of such dog. The owner or keeper of said dog shall have seven (7) days from the receipt of notice thereof to reclaim said dog from the Animal Control Officer. Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog, the assumption of responsibility thereof, and the payment of any fee or charges due for such confinement as provided by this by-law.

Section 3. The owner or keeper of any dog so confined by the Animal Control Officer under the provisions of this by-law shall be responsible for the cost of confinement of dog at a local shelter or kennel-a fee of twenty-dollars ($20.00) per day for each day of confinement and for the costs incurred by the Town for the care and maintenance of such dog.
Section 4. Any dog under the confinement of the Animal Control Officer that shall not have been claimed by the owner or keeper as provided for in this By-law shall be disposed of by the Animal Control Officers as provided for by General Laws Chapter 140, Section 151A.

Section 5. Owners or keepers found to be in violation of this by-laws shall be liable to a fine of twenty five dollars ($25.00) for the first violation, thirty dollars ($30.00) for the second violation, forty dollars ($40.00) for the third or subsequent violation, and fifty dollars ($50.00) for each violation resulting in personal injury or property damage. These fines shall be assessed in accordance with the provisions for the non-criminal disposition of violations contained in General Laws Chapter 40, Section 21D and in Article 46 of these by-laws. The enforcing persons for this by-law shall be an Animal Control Officer or a police officer.

Or take any action relative thereto.