

TOWN OF GROTON FINANCE COMMITTEE

Tuesday, March 31, 2015, Selectmen's Meeting Rm

Groton Town Hall, 173 Main St. Groton, MA, 7:00 p.m.

Present for Finance Committee: R. Hargraves (Vice Chair), G. Green (Chair), B. Robertson, Barry Pease, Art Prest, M. Bacon, D. Manugian, P. DuFresne (Town Accountant, Recording)

Absent: None

Also Present: M. Haddad (Town Manager), G. Haberlin (CPC), M. Roberts (HDC), R. DeGroot (Historical Commission), M. Frary (Parks Commission), D. Melpignano (Cable Advisory Committee), R. Harris (Groton Herald), P. Comptois (Lowell Sun), S. Lieman, J. Johnson, G. Baker (Old Meetinghouse Advisory Committee), T. Tada (ConsComm Admin Asst.), P. Funch (Trails Committee.)

Documents available at the meeting: FY16 Town Operating & Capital Budget Proposals
2015 Spring Town Meeting Warrant – Draft of 3/31/15
Line Item/Reserve Fund Transfer Proposal Spreadsheet
Old Meetinghouse CPA Application Highlights
DOR CPA Opinion Letter of 2/9/07
CPA Fund Balance Estimate Spreadsheet
Draft FinCom Report to Town Meeting Voters
Preliminary Response to Benchmark Analysis

Mr. Green called the Finance Committee meeting to order at 7:02 p.m.

CPA Fund Update – Ms. Haberlin informed the Committee members that the CPC Coalition has released its estimate for an 18% state match for FY16. This relatively low estimation reflects decreased revenue posting to the state's registry of deeds fund. Given this information, the CPC is projecting bucket balances (after funding of all recommended projects) as follows: Housing = \$325,066, Historic = \$67,166, Open Space = \$17,085, and Unallocated = \$112,033. Ms. Haberlin noted that given the current bleak revenue projections, the CPA Fund will need some time to recover after the FY16 projects are completed.

Milestone Engraving Project (\$17,000) – Mr. DeGroot spoke on behalf of the Historic Commission regarding the proposed restoration of Groton milestone markers. The purpose of this project is to analyze the condition of, and determine how best to restore and conserve some of the oldest colonial era slate milestone markers in town. Additionally, attention will be paid to finish previously started restoration work on approximately 20 granite mile markers. Once this project is successfully completed, the commission will focus its future efforts on boulder-type event markers.

Groton Old Meetinghouse Rehabilitation (\$203,333) – Mr. Lieman drew the group’s attention to the summary application package that he had previously supplied to the Finance Committee (please see attached Application Highlights 3/19/15 document). This is an active church building that has served its congregation and the community for 259 years. He noted that while this is a well-preserved historic building, a recent structural assessment performed by the Spencer & Vogt Group indicates that special attention is clearly needed. The total project costs have been estimated at \$500,000 with Phase 1 projected to be \$300,000. The current funding plan is as follows: \$50,000 to come from private fundraising, \$50,000 will be sought from state grant programs, and \$203,000 requested from the CPC Fund. Mr. Robertson complimented the Old Meetinghouse Advisory Committee on the clarity of its electronic application/presentation.

Groton Basketball Court Renovations (\$109,000) – Mr. Frary explained that funding is currently being requested to restore two basketball courts in Groton. The court at the Library field will be entirely replaced and will feature new blacktop to overlay a larger playing surface, a retaining wall, new fencing, light poles and an accessibility ramp. The court at Cutler Field in West Groton will receive more modest renovations to include patching of cracks, and sealing/painting of the playing surface. The Parks Commission feels the fencing at Cutler Field can be saved. Of the \$109,000 requested from CPC for this effort, approximately \$65,000 will be spent on the Library court, and \$35,000 at Cutler Field. Mr. Frary noted that the Groton-Dunstable Youth Activity League will contribute to this renovation (poles and backboards). Mr. Robertson said that the basketball courts in Groton were once a great resource in the community and it is a shame that they were allowed to deteriorate in this fashion. Mr. Frary agreed, saying that while both locations are still utilized, they are completely unplayable for basketball as well as an enormous eyesore.

Accessible Trail Project (\$24,932) – Mr. Funch said that the Trails Committee is seeking funding to construct a fully ADA compliant trail along the Nashua River (in the Harry Rich State Forest off Nod Rd.). This will consist of a compacted crushed rock surface and will feature rest areas with benches along the way and at the terminus. Parking will be available to accommodate 2 handicap accessible vans as well as 2 cars. The Department of Conservation & Recreation has indicated its willingness to fund additional parking at the site should this become necessary in the years to come. Once completed, this will be the only accessible trail along the Nashua River. Mr. Green asked whether it would be possible for DCR to fund a larger portion of the project. Mr. Funch replied that DCR is unable to commit any further financial resources at this time. He added that he has every hope of receiving state grant funds for this project, and if such a grant is received, CPC will only be asked to provide the 20% match requirement (\$5,845). Volunteer labor will be utilized as much as possible for clearing land for the benches, etc.

ADA Open Space Study (\$6,000)– Ms. Haberlin said that \$6,000 is being requested from CPC to fund a study which will analyze the 40 common use sites in town to help the Parks Commission identify where to prioritize their renovation efforts. This study will help prevent spending tax dollars in the wrong places, and will offer a degree of litigation indemnification as well.

Conservation Commission Land Acquisition Funding (\$200,000) – Mr. Green reminded the group that this debate over whether to use CPC funds to supplement the Conservation Commission Land Acquisition Fund Balance is reenacted yearly. He understands that the ConsComm wants to hold the money in its own fund in order to be able to move quickly when desirable properties become available. However, he

feels that the town can move quickly enough to meet this need. Furthermore, he is concerned about tying these funds up in a bucket that severely limits public access. Mr. Green also felt it would be useful for the Conservation Commission to provide a listing of priority properties. Mr. Tada said that the Master Plan has set specific goals regarding open space protection. The Conservation Commission uses these guidelines to evaluate parcels and to place them in priority for conservation. They are currently working to update the list of priority properties and will share that information when it is available. The Commission is generally guided by whatever properties become available in a given year, and are committed to utilizing grant funding whenever possible. They are currently working on negotiations for one property, and have an additional property in mind that is in "inactive" status (negotiations have not been successful). Mr. Robertson expressed his concern that moving \$200,000 from CPC to the ConsComm Fund may starve other worthy Town of Groton projects also in need of funding (he reminded the group of the 40 public common sites that Ms. Haberlin had previously spoken of). He wondered whether the time had come to focus on maintaining those properties that are already owned by the town rather than continuing the pattern of new acquisitions. Mr. Bacon said this was especially true as the CPC may be looking at some lean years to come.

Mr. Hargraves asked how the ConsComm learns about properties that are for sale. Mr. Tada said that they pay attention to land court reports, but also receive direct offers from property owners looking to sell. Mr. Prest wondered whether the ConsComm could focus some energy on making some of the conserved land available for recreational purposes. Mr. Tada replied that the funding being requested at this time can only be used for land acquisition, not maintenance. There is a revolving fund that is used for maintenance purposes. Mr. Pease asked whether the Conservation Commission has a particular threshold in mind, above which they will no longer seek to acquire new properties. Mr. Tada said that the commission is largely guided by the will of Town voters in this matter; there is no specific upper limit that has been set. Mr. DeGroot added that there are 2 application cycles available for CPC funding, both scheduled to coincide with Town Meeting warrants: October through April is the standard time frame, but if a unique opportunity becomes available, an off-cycle application can be processed for the Fall Town Meeting. Mr. Funch noted that this cannot be considered a particularly quick or flexible process. He added that land owners are also encouraged to sell conservation restrictions when appropriate; this also protects greenways and wildlife paths. He stressed that the Conservation Commission has done a responsible job up till now; they should be allowed to manage those funds that they feel minimally support their needs. Mr. Prest asked about the disposition of the funds that are not approved at Town Meeting. Ms. Haberlin explained that the funds for recommended projects that are not approved simply remain in their discreet buckets within the fund balance, they will then be available for appropriation for other projects during the next application cycle. Ms. Johnson spoke about the unique nature of Groton as a wildlife habitat. She reminded the group that open space that is available now will almost certainly not be available 25 year from now. Each piece of land must be evaluated individually to determine what it can contribute. Mr. Manugian said that while he appreciated hearing these well-organized and informative arguments, the fact remains that a significant amount of money is going to be simply "set aside." Groton currently has a demolition delay bylaw as well as affordable housing funding that can help support specific needs. Mr. Prest noted that it might be useful for the Conservation Commission to pay attention to the level of storm-water run-off that is causing erosion and excessive weed growth in Groton lakes. Mr. Tada said that they are currently working on a survey to identify some of these concerns. Mr. Green said that he also appreciated the chance to have this discussion, but that for many, it is simply a

matter of philosophy. No matter what stance the Finance Commission takes on this article, Town Meeting may choose to fund it.

Housing Coordinator Salary (\$49,509) – Mr. Haddad said that this funding will be requested yearly to cover the wages and benefits for the Housing Coordinator position. It was historically funded out of the “unallocated” bucket, until the state gave their permission to take the funding from the “community housing” bucket last year.

Voted Positions on Budget & CPC Project Recommendations – Please reference attached spreadsheet “Finance Committee Positions on Spring Town Meeting Articles.” Mr. Pease noted a concern with the Police Department budget. He feels that providing the 3-year 6% wage increase up-front (during the first year of the contract rather than evenly divided over all 3 years) results in a compounding of the wage increase that results in a further expense to the Town. Mr. Haddad argued that the overtime rate is effectively frozen for 3 years which acts to offset that extra expense. Mr. Pease felt it would be useful to see an analysis of that provided. Mr. Robertson said that his own belief is that while this might be a good contract for the Town and the Police Department, the freezing of the overtime rate will not be sufficient to offset the effect of compounding the wage increase year over year. He added that as the contracts are ratified at this point, it is as well to move on. Mr. Robertson also noted that the SRO job description provided was completely satisfactory.

Articles 12 – 15: Four Corners Economic Development Initiative- Mr. Haddad said that the Town was still waiting to hear what Shaw’s position would be relative to this project (and the associated betterment costs). He suggested seeking authorization for the entire project cost at the Spring Town Meeting, but making any borrowing for construction costs contingent on receiving state grant funding. The only risk to the tax payers if the grant is not awarded would be the engineering expenses (estimated at \$285,000). Mr. Green felt that he was not ready to take a position on this article. Mr. Bacon asked whether the engineering study would become obsolete after a certain number of years. Mr. Manugian replied that he had previously participated in projects that were funded through these type of grants. In one case where it took several years to finally win the grant money, the original engineering studies were still valid and required only minor additional expenditures to update permitting information, etc. Mr. Haddad explained that even if the Town decides not to pursue the sewer project, he would recommend voting to establish the Four Corners as an Economic Opportunity Area. This designation would make state tax credits available (for those businesses deemed eligible) at no cost to the Town. Mr. Prest mentioned that establishing Economic Opportunity Areas has been very successful in Billerica; the tax credits can help businesses pay for necessary renovations.

Article 17: Additional Parking on Main St. – Mr. Haddad is working with Bank of America and Citizens Bank to create a combined parking lot behind those two buildings. He plans to fund this with \$100,000 that has been set aside in a gift fund established during the construction of Groton Residential Gardens. At this point, an agreement is in place but the permits are not yet in hand. Mr. Hargraves was not convinced that a parking problem actually exists in Groton. Mr. Haddad replied that the need has been established in the Master Plan and is supported by the Planning Board. Mr. Bacon noted that the new Inn will put further pressure on Main Street parking. Mr. Green said that while there may not necessarily be a parking problem, the creation of a designated parking lot will certainly make Main Street safer.

Article 18: Additional Parking Station Ave. – The Town is currently negotiating with Steve Webber to purchase the piece of land between the Town Hall and the Old Fire Station on Station Avenue. An agreement is being worked out such that the new owner of the Old Fire Station (Mr. Dan McElroy) will donate the purchase price to the Town. The Town will then purchase the land using these donated funds, and then assign the rights to Mr. McElroy. Mr. McElroy will construct the parking lot (the Town will provide some DPW labor to support this effort), and grant a permanent easement back to the Town. In this way, the Town can get the use of the land without burdening the tax rate for the purchase and upgrade of the land. The Town may be asked to pay an annual lease to cover the real estate taxes on that parcel. The article must be presented at Town Meeting because of the long-term lease arrangement. Mr. Green asked whether the DPW would be able to absorb the extra labor costs into their budget. Mr. Haddad replied that no additional budget support would be required for this work. Mr. Pease said that a debt of gratitude is owed to both Mr. Webber and to Mr. McElroy for being willing to make this investment on behalf of the Town.

Proposed Line Item & Reserve Fund Transfers – Mr. Haddad summarized the updates to the Reserve Fund and Line Item Transfer requests (please reference the Line Item Transfer spreadsheet attached). Mr. Green suggested deferring a vote on these as they are still subject to change. Ms. Dufresne said that as they represent previously appropriated amounts that are merely being reclassified between budgets to prevent deficits and provide for continuation of operations, there was no exposure to the taxpayers on this vote. Mr. Pease was uncomfortable with using the County Retirement budget surplus to offset costs in other departments. He would rather see the Town voting to appropriate the discounted assessment and then doing short-term borrowing to make up any cash flow shortage. He feels that this surplus should be returned to Free Cash this year. The group briefly discussed the generation of the annual Free Cash certification. Mr. Hargraves noted that as the Town votes very strict line items, this results in some inflexibility at year end when closing out budgets. Mr. Robertson said that in a perfect world, all budgets could be voted to exact specifications, but since we cannot predict the future, and given the relative consistency of the Free Cash figure, it is acceptable to leave that appropriation at its current level. Mr. Green said that he is confident that the operational budget is not being padded to build Free Cash. Furthermore, it is often the case that a portion of Free Cash is appropriated specifically to offset the next year's tax rate.

General Government Budget Positions – Mr. Green asked whether additional discussion was warranted on the General Government budget as there was one Finance Committee member who chose to abstain from voting on this category. Mr. Hargraves said that a vote to abstain was a valid position, and should be allowed to stand. Mr. Pease would like additional analyses of the IT budget for next year to ensure that the long-term vision was synonymous with increasing efficiencies and automation and keeping overall all operating costs down. Additionally, the wage and salary increases have to be studied to determine how to keep these costs from escalating. Mr. Robertson agreed saying that changes will be carefully tracked going forward; the Finance Committee can always recommend cutting staff when costs increase beyond what is viewed as sustainable. He added that he has developed an alternate analysis of this issue and offered to continue to work on this together with Mr. Pease.

Preliminary Response to Benchmark Analysis – Mr. Haddad read the document created in response to the Budget Benchmark Analysis previously presented by Mr. Lindemer (please see letter attached). He

reiterated his view that the job of municipal government is to develop and maintain efficiencies while delivering the best possible service to residents.

Mr. Hargraves asked for an update on the \$400,000 investment made by the Town in the 134 Main Street project. Mr. Haddad replied that he will provide this information to the Finance Committee. At the moment, the main building is complete and four townhouses have been built.

Reserve Fund Transfer Requests – Mr. Haddad explained that the Fire Department is requesting \$17,000 from the Reserve Fund for FY15 Expenses relating to replacement nozzles and to make repairs to the ladder truck. Additionally, they are requesting \$30,500 to support their FY15 Wage budget due to winter storm activities and ongoing litigation.

On a motion made by Mr. Hargraves, seconded by Mr. Manugian, the Finance Committee voted unanimously to transfer \$17,000 from the Reserve Fund to Fire Department General Expenses for FY15. The Vote: 7-0-0.

On a motion by Mr. Pease seconded by Mr. Hargraves, the Finance Committee voted unanimously to transfer \$30,500 from the Reserve Fund to Fire Department Wages for FY15. The Vote: 7-0-0.

Lost Lake Fire Protection- Mr. Robertson asked whether a vehicle had been found to allow the Town to retain connection fees if residents use the proposed Fire Protection infrastructure for delivery of potable drinking water. Mr. Haddad replied that the Water Commissioners are currently considering a plan to allow the Town to retain the license to the water mains for up to 5 years. If during those 5 years, any resident chooses to hook up for drinking water, the Town would be allowed to keep the connection fees. He cautioned that the total revenue is not particularly significant given the scale of the water main construction costs, and that the Water Commissioners have not yet had a chance to discuss, much less, approve this plan. The precedent for this plan was set several years ago when AL Prime extended the water main from Shaw's back to their site.

Finance Committee's Report to Town Meeting Voters – Mr. Green said that he would like to have the report ready for inclusion in the printed warrant by April 6th. This will allow the FinCom to be completely compliant with all requirements of the Charter. He agreed to complete his draft and then asked for each member to review the copy when it is sent to them. Any changes or suggestion should be red-lined and sent to the Town Accountant. She will send the proposed changes to Mr. Green for inclusion with his final draft. The Committee can vote the final version on Monday, April 6th, and deliver it to the Town Manager before the warrant goes to print.

Charter Review Committee Update – The Finance Committee has received four letters of interest from individuals wishing to act as designee to the Charter Review Committee. Mr. Green suggested that the candidates be contacted to attend the meeting on April 6th, when the Finance Committee will interview each of them and vote their final choice.

Mr. Russ Harris said that one of the most appealing facets of Groton as a town is the fact that there is a diverse population spanning many different socio-economic groups. He would like future budget discussions to reflect the fact that increasing tax rates may limit the residential population to higher

income families as the years go on. He urges the Finance Committee to carefully consider how services are being funded and to look to GELD as an example of budgeting excellence.

Approval of Meeting Minutes – Approval of minutes was deferred for a subsequent meeting.

Mr. Green officially adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Patricia Dufresne, Recording Secretary



GROTON
- Massachusetts



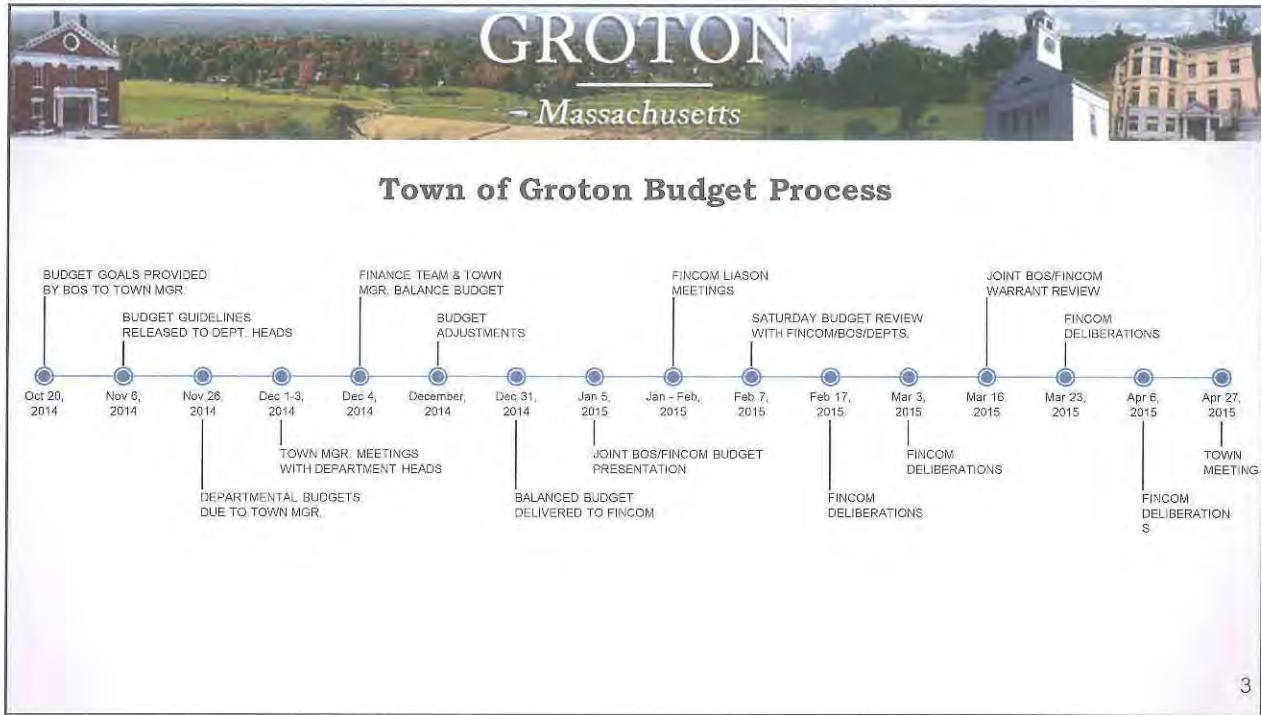
Fiscal Year 2016
Town Meeting Budget Presentation
Gary Green - Finance Committee Chairman



GROTON
- Massachusetts

- Budget Timeline
- Revenues
- Expenditures
- Highlighted Budget Areas
- Analysis of Budget Growth
- 2016 Tax Rate Calculation
- Town of Groton's Financial Management
- Looking Forward

2




GROTON - Massachusetts

TOWN OF GROTON - 2016 Proposed Budget

<u>Revenues</u>	<u>FY 2015</u> <i>(Actuals)</i>	<u>FY 2016</u> <i>(Proposed)</i>	<u>Incl/(Dec) \$</u> <i>2015-2016</i>	<u>Incl/(Dec) %</u> <i>2015-2016</i>
Property Tax	\$26,002,556	\$26,926,670	\$924,114	3.6%
State Aid	\$828,915	\$856,252	\$27,337	3.3%
Local Receipts	\$3,564,000	\$3,633,192	\$69,192	1.9%
Free Cash	\$150,000	\$-	\$(150,000)	(100.0%)
Other Available Funds	\$455,000	\$200,000	\$(255,000)	(56.0%)
Sub-Total Available Revenues	\$31,000,471	\$31,616,114	\$615,643	2.0%
Unexpended Tax Capacity	\$(464,488)	\$(100,000)	\$364,488	(78.5%)
Sub-Total Revenues	\$30,535,983	\$31,516,114	\$980,131	3.2%
Excluded Debt	\$2,433,390	\$2,290,932	\$(142,458)	(5.9%)
Stabilization Fund	\$-	\$-	\$-	0.0%
Capital Stabilization Fund	\$355,190	\$404,145	\$48,955	13.8%
Enterprise Funds	\$1,924,762	\$1,925,157	\$395	0.0%
Total Available Revenues	\$35,249,325	\$36,136,348	\$887,023	2.5%

4




<u>Expenditures</u>	<u>FY 2015</u> <i>(Actuals)</i>	<u>FY 2016</u> <i>(Proposed)</i>	<u>Incl/(Dec) \$</u> <i>2015-2016</i>	<u>Incl/(Dec) %</u> <i>2015-2016</i>
General Government	\$1,791,130	\$1,926,434	\$135,304	7.6%
Land Use Departments	\$407,038	\$422,912	\$15,874	3.9%
Protection of Persons and Property	\$3,341,010	\$3,561,983	\$220,973	6.6%
Department of Public Works	\$2,042,784	\$2,094,007	\$51,223	2.5%
Library and Citizen Services	\$1,633,141	\$1,539,710	\$(93,431)	(5.7%)
Debt	\$1,418,721	\$1,383,590	\$(35,131)	(2.5%)
Employee Benefits	\$3,171,724	\$3,507,389	\$335,665	10.6%
Sub-Total (Not Including Debt)	\$12,386,827	\$13,052,435	\$665,608	5.4%
Sub-Total Municipal Spending	\$13,805,548	\$14,436,025	\$630,477	4.6%
GDRSD	\$16,521,807	\$17,097,405	\$575,598	3.5%
GDRSD Debt	\$1,234,216	\$1,168,791	\$(65,425)	(5.3%)
NVTHS	\$572,775	\$596,609	\$23,834	4.2%
Sub-Total School Expenses	\$18,328,798	\$18,862,805	\$534,007	2.9%
Total Municipal Operating Budget	\$32,134,346	\$33,298,830	\$1,164,484	3.6%
Additional Appropriations				
Capital Budget Request	\$635,190	\$404,145	\$(231,045)	(36.4%)
Enterprise Funds	\$1,924,762	\$1,925,157	\$395	0.0%
Other	\$555,027	\$508,216	\$(46,811)	(8.4%)
Sub-Total Additional Appropriations	\$3,114,979	\$2,837,518	\$(277,461)	(8.9%)
Grand Total Appropriations	\$35,249,325	\$36,136,348	\$887,023	2.5%

5



<u>Budget Area</u>	<u>Increase (\$)</u>	<u>Increase (%)</u>
Town Health Insurance	\$142,799	9.98%
Middlesex County Pension Assessment	\$180,066	11.3%
Wages and Salaries: School Resource Officer	\$71,000	1.1%
Wages and Salaries: Contractual Obligations	\$165,672	2.5%
Sargisson Beach	\$34,620	3,644.2%
Groton Country Club	(\$135,411)	(51.6%)
Debt Payment: Lost Lake Fire Protection	\$42,750	
Debt Payment: Police and Fire Radio Upgrade	\$14,625	
GDRSD	\$575,598	3.5%
Debt Payment: GDRSD	(\$65,425)	(5.3%)
NVTHS	\$23,834	4.2%

6

				
<u>Expenditures - 2016 Budget Increases</u>	<u>FY 2015</u> <i>(Actuals)</i>	<u>FY 2016</u> <i>(Proposed)</i>	<u>Incl/(Dec) \$</u> <i>2015-2016</i>	<u>Incl/(Dec) %</u> <i>2015-2016</i>
Wages and Salaries	\$6,500,891	\$6,500,891		
Union Contracts		\$165,672	\$165,672	2.5%
New Hire (School Resource Officer)		\$71,000	\$71,000	1.1%
Other Increases		\$100,002	\$100,002	1.5%
Total Wages and Salaries	\$6,500,891	\$6,837,565	\$336,674	5.2%
Health/Life/Unemp. Insurance	\$1,580,701	\$1,736,300	\$155,599	9.8%
County Retirement	\$1,591,023	\$1,771,089	\$180,066	11.3%
Total Employee Benefits	\$3,171,724	\$3,507,389	\$335,665	10.6%
Total Wages, Salaries and Benefits	\$9,672,615	\$10,344,954	\$672,339	7.0%
Percentage of Municipal Budget	78.1%	79.3%		
Other				
Country Club	\$262,650	\$127,239	\$(135,411)	(51.6%)
Sargisson Beach	\$950	\$35,570	\$34,620	3644.2%
Other	\$2,450,612	\$2,544,672	\$94,060	3.8%
Total Other	\$2,714,212	\$2,707,481	\$(6,731)	(0.2%)
Total Municipal Expenses (Excl. Debt)	\$12,386,827	\$13,052,435	\$665,608	5.4%

7

				
	<u>Actual</u> <u>FY 2015</u>	<u>Proposed</u> <u>FY 2016</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>
Levy Capacity Used	\$25,538,071	\$26,826,670*	\$1,288,599	5.05%*
Tax Rate On Levy Capacity	\$16.68	\$17.35	\$0.67	4.02%
Average Tax Bill	\$6,672	\$6,940	\$268	4.02%
Excluded Debt	\$2,433,390	\$2,290,932	\$(142,458)	-5.86%
Tax Rate On Excluded Debt	\$1.59	\$1.48	\$(0.11)	-6.92%
Average Tax Bill	\$636	\$592	\$(44)	-6.92%
Final Levy Used	\$27,971,461	\$29,117,602	\$1,146,141	4.10%
Final Tax Rate	\$18.27	\$18.83	\$0.56	3.07%
Average Tax Bill	\$7,308	\$7,532	\$224	3.07%

*Includes anticipated new growth of \$15 million.

8



Standard and Poor's Bond Rating Upgrades

- AA in 2010, AA+ in 2013, AAA in 2014
 - Strong budgetary performance with operating surpluses in each of the past three fiscal years;
 - Very strong liquidity, providing very strong cash to cover debt service and expenditures;
 - Very strong management conditions with "strong" financial management policies under our Financial Management Assessment (FMA) methodology;
 - Very strong debt and contingent liabilities, supported by low overall net debt as a percent of market value.

Massachusetts Department of Revenue – Division of Local Services

- March 2014 Report
 - Among the many municipalities where the DLS Technical Assistance Section has provided its services, the Town of Groton stands out.
 - ...addressed critical needs by proposing new IT director and human resources director positions...
 - Finance department managers have been receptive to new ideas and have implemented change in ways that have increased efficiencies in their respective department.

9



Looking forward...

- Look at levers to reduce rate of growth in salaries, wages and benefits
- Charter Review process
 - Strengthen fiscal checks and balances
 - Better define and refine Finance Committee's role in fiscally managing town's budget

10



The Finance Committee believes this process has been thorough leading to a budget that reflects the needs as well as the priorities of the Town of Groton and we recommend the adoption of this budget to those assembled here at Town Meeting



Spring Town Meeting (April 27, 2015)

Finance Committee Positions on Articles (votes taken 3/16, 3/23, 3/31, 4/06/15, 4/27/15)

Article #	Description	Dollar Amount	Moved	Seconded	Gary G	Bob H	Dave M	Bud R	Barry P	Art P	Mark B	Total Vote	Presenter
1	Hear Reports											No Position	
2	Elected Officials Compensation	80,989	Bud	David	y		y	y	y	y	y	6-0	Barry
3	Wage & Classification Schedule		Mark	Bud	y		y	y	y	y	y	6-0	Bud
4	Citizens' Petition Town Manager Contract											No Position	
5	OPEB Trust Fund Authorization		Mark	Bud	y		y	y	y	y	y	6-0	Bud
6	OPEB FY16 Contribution	200,000	Art	David	y		y	y	y	y	y	6-0	Bud
7	Cable Enterprise Creation		Barry	David	y		y	y	y	y	y	6-0	David
8	FY16 Operating Budget	33,298,830											
8a	General Govt	1,926,434	Bud	Mark	y	y	y	y	A	y	y	6-0-1	Gary
8b	Land Use	422,912	Bob	Bud	y	y	y	y	y	y	y	7-0-0	David
8c	Protection of Persons/Ppty	3,561,983	Bob	Art	y	y	y	y	y	y	y	7-0-0	Bob
8d	Schools	18,862,805	Bud	Art	y	y	y	y	y	y	y	7-0-0	Bud
8e	Public Works	2,094,007	Bob	David	y	y	y	y	y	y	y	7-0-0	David
8f	Library & Citizens Services	1,539,710	Barry	Mark	y	y	y	y	y	y	y	7-0-0	Barry
8g	Debt Service	1,383,590	Bob	David	y	y	y	y	y	y	y	7-0-0	Gary
8h	Employee Benefits	3,507,389	David	Art	y	y	y	y	y	y	y	7-0-0	Bud
8i	Water Enterprise	997,545	David	Bob	y	y	y	y	y	y	y	7-0-0	David
8j	Sewer Enterprise	662,154	David	Barry	y	y	y	y	y	y	y	7-0-0	David
8k	Cable Enterprise	265,458	Bob	Mark	y	y	y	y	y	y	y	7-0-0	David
9	FY16 Capital Budget	716,045											
Item 1	Swap Loader	105,000	Bud	Mark	y		y	y	y	y	y	6-0	David
Item 2	Fire Chief's Vehicle	46,900	Barry	Mark	y		y	y	y	y	y	6-0	David

Article #	Description	Dollar Amount	Moved	Seconded	Gary G	Bob H	Dave M	Bud R	Barry P	Art P	Mark B	Total Vote	Presenter
Item 3	Dump Truck	180,000	Barry	David	y		y	y	y	y	y	6-0	David
Item 4	IT Infrastructure	50,000	Barry	Bud	y		y	y	y	y	y	6-0	Barry
Item 5	HVAC Upgrade Town Hall	30,000	Bud	Mark	y		y	y	y	y	y	6-0	Bud
Item 6	Building Security Upgrade	30,000	Barry	David	y		y	y	y	y	y	6-0	Bud
Item 7	Bobcat/Utility Loader	35,000	David	Bud	y		y	y	y	y	y	6-0	David
Item 8	Carpet Replacement Library	22,645	David	Bud	y		y	y	y	y	y	6-0	Mark
Item 9	Field Improvements Parks	45,000	Barry	Mark	y		y	y	y	y	y	6-0	Barry
Item 10	Playground Improvements	50,000	David	Art	y		y	y	y	y	y	6-0	Barry
Item 11	Police Cruisers	85,000	David	Bud	y		y	y	y	y	y	6-0	Art
Item 12	Rough Mower - Country Club	10,000	Bud	Barry	y		y	y	y	y	y	6-0	Bud
Item 13	Golf Carts	20,000	Bud	Mark	y		y	y	y	y	y	6-0	Bud
Item 14	Boom Sprayer - Country Club	6,500	Bud	Mark	y		y	y	y	y	y	6-0	Bud
10	Joint Radio Project	650,000	Bud	David	y		y	y	y	y	y	6-0	Art
11	Lost Lake Fire Protection	1,972,200	Barry	David	N		y	y	y	y	y	5-1	Art
12	Establish 4 Corners Sewer Dist				y	N	y	y	y	y	y	6-1-0	Gary
13	Design/Construct 4 Corners Sewer	3,000,000			y	N	y	y	y	y	y	6-1-0	Gary
14	Auth IMA with Ayer				y	N	y	y	y	y	y	6-1-0	Gary
15	Est 4 Corners as an E.O.A.		Art	David	y	y	y	y	y	y	y	7-0-0	Gary
16	GDRSD Stabilization Fund Auth.		Bud	Mark	y		y	y	y	y	y	6-0	Bud
17	Add'l Parking on Main St.		Barry	Bud	y	y		y	y	y	y	7-0-0	Bob
18	Purch Sta Ave Parking Lot		Barry	Bud	y	y	y	y	y	y	y	7-0-0	Barry
19	Current Year Line Item Trfs	182,110	David	Bob	y	y	y	y	y	y	y	7-0-0	
20	Offset to Snow/Ice Deficit	175,000	Bob	Barry	y	y	y	y	y	y	y	7-0-0	Bud
21	Water Enterprise Transfer E&D		Barry	Mark	y		y	y	y	y	y	6-0	David
22	Sewer Enterprise Transfer E&D		Barry	Mark	y		y	y	y	y	y	6-0	David

Article #	Description	Dollar Amount	Moved	Seconded	Gary G	Bob H	Dave M	Bud R	Barry P	Art P	Mark B	Total Vote	Presenter
23	Prior Year Bills	715	Barry	Bob	y	y	y	y	y	y	y	7-0-0	Gary
24	Replace Voting Machines	22,000	Barry	Mark	y		y	y	y	y	y	6-0	Gary
25	Deficit Grant Balances FY13	1,884	Barry	David	y		y	y	y	y	y	6-0	Gary
CAP Item 5	HVAC Upgrade Town Hall	60,000	Bud	Mark	y		y	y	y	y	y	6-0	Bud
26	Fund Trf to LL Watershed Cmte	17,639	Art	Bud	y		y	y	y	y	y	6-0	Art
27	Rezone 73 Pepperell Rd		Art	Mark	y	y	abstain	y	y	y	y	6-0-1	Art
28	Sale or Lease of Tarbell School		Art	Mark	y	y	abstain	y	y	y	y	6-0-1	Art
29	CPA Funding Accounts	677,500	David	Bob	y	y	y	y	y	y	y	7-0-0	Gary
30	CPA Funding Recommendations:												
A	Accessible Trail Project	24,932	Art	David	y	y	y	y	y	y	y	7-0-0	Art
B	Conservation Fund Cash	200,000	Barry	Mark	N		N	N	N	N	N	0-6	David
C	Old Meetinghouse Rehab	203,333	Barry	Bob	y	y	y	y	y	y	y	7-0-0	Bob
D	Basketball Court Repairs	109,000	Art	Dave	y	y	y	y	y	y	y	7-0-0	Bud
E	ADA Park/Open Space Study	6,000	Bob	Barry	y	y	y	y	y	y	y	7-0-0	Barry
F	Housing Coordinator Salary	49,509	Mark	Barry	y	y	y	y	y	y	y	7-0-0	Gary
G	Milestone Engraving	17,000	Bob	Barry	y	y	y	y	y	y	y	7-0-0	Barry
31	Zoning Amendment 218-25											No Position	
32	Zoning Amendment 218-33C											No Position	
33	Citizens' Petition 152-158 Boston Rd Rezone											No Position	
34	Acceptance of MGL 53 sec 18B Ballot Question Summary											No Position	
35	Home Recycling Revolving Fund	10,000	Barry	David	y		y	y	y	y	y	6-0	Gary
36	Apply for Grants		David	Barry	y		y	y	y	y	y	6-0	Gary
37	Surrenden Farms Debt Svc	480,000	Barry	Mark	y		y	y	y	y	y	6-0	Gary
38	Stormwater Revolving Fund	10,000	Barry	David	y		y	y	y	y	y	6-0	Gary
39	Cons Comm Revolving Fund	50,000	Barry	David	y		y	y	y	y	y	6-0	Gary

Article #	Description	Dollar Amount	Moved	Seconded	Gary G	Bob H	Dave M	Bud R	Barry P	Art P	Mark B	Total Vote	Presenter
40	Affdbl Hsg Revolving Fund	50,000	Barry	David	y		y	y	y	y	y	6-0	Gary
41	Real Estate Tax Exemption Inc.		Mark	Barry	y		y	y	y	y	y	6-0	Gary
	Total Taxation	33,298,830											
	FY15 Free Cash Carryforward	400,358											
	Total Free Cash committed	84,599											
	FY15 Free Cash Bal. Remaining	315,759											

N=Voted Against Recommendation A= Abstained y= Voted to Recommend

Voted 3-16-15

Voted 3-31-15

Voted 4-27-15

Voted 3-23-15

Voted 4-6-15

Line Item Transfers
Spring 4/27/15 for FY15

4/21/2015

Funding Source	\$	Budgetary Use	\$	Notes
<i>Reserve Fund</i>	150,000	Fire Dept Expenses	17,000	Nozzles & Ladder Truck Repair
		Library Expenses	12,700	Window Repairs
		Accounting Expenses	3,500	Scheduled Departmental Audit
		Unemployment Comp	30,000	Unanticipated EE Terminations
		Mechanical Insp Salaries	7,000	Increased Inspection Hours/rates
		Police Wages	22,000	Pierce Retirement Vaca/OT
		Fire Wages	30,500	Storm Coverage/C.Jefferson pay
<i>RFT Subtotal</i>	150,000	<i>Subtotal</i>	122,700	
<i>Ending Reserve Fund Bal</i>	27,300			
Line Item Transfers				
Communications Wages	84,000	Mechanical Insp Expenses	1,000	Mileage for Increased Inspections
		Sealer of Weights/Meas Sal	1,000	New Scales Installed at Shaw's
		Legal Expenses	62,000	Increased Litigation Expenses
County Retirement	30,000	Medicare Matching	5,000	Misc Budget Adjustment
		IT Wages	5,000	Stipend pd during IT Dir vacancy
		Country Club Expenses	20,000	Pool Chairs
Country Club Wages	32,000	Country Club Salary	16,000	New Golf Pro
		Country Club Expenses	10,000	Tee Box Repairs
		Country Club Expenses	11,000	Repair to Locker Rooms
		Country Club Expenses	5,000	Stock Pro Shop
Transfer Station Wages	8,000			
Highway Wages	16,000	Highway Expenses	34,000	General Expenses
Library Wages	1,610	Library Salaries	1,610	Misc Budget Adjustment
HR Salary	2,500	HR Expense	2,500	Recruitment
Health Insurance Exp	8,000	Water Safety	8,000	May/June Opening Expenses
<i>Line Item Trfs GF</i>	182,110		182,110	\$0.00
<i>Free Cash Beginning Bal</i>	400,358.00	Voting Machines	22,000.00	
		Prior Year Bills	715.00	
		FY13 Grant Deficits	1,884.16	
		Town Hall HVAC	<u>60,000.00</u>	
<i>Free Cash End Balance:</i>	315,758.84		84,599.16	
Enterprise Funds				
Funding Source	\$	Budget Use	\$	
Water E&D	100,000	Water Operating Budget	100,000	
Sewer E&D	100,000	Sewer Operating Budget	100,000	
Overlay Surplus Released	175,000	Snow & Ice	175,000	

Patricia DuFresne

From: Mark Haddad
Sent: Tuesday, March 31, 2015 4:39 PM
To: Stuart Schulman
Cc: Patricia DuFresne
Subject: Review of Lindemer Report

Hi Stuart:

Based on our conversation today, Patricia and I have come up with the following statement that I can make either at FinCom tonight or at next Monday's meeting, or even as a letter to the editor. Let me know your thoughts.

Mark

The Town Accountant and I have begun a thorough review of the Financial Report developed by Light Commissioner Kevin Lindemer, Selectman Jack Petropoulos and Finance Committee Member Bud Robertson. We found the report very enlightening and provides us with important information as we continue to refine and look at the Town's financial picture. While the report can be seen in many different lights, we found the following information to be very helpful:

1. The Town uses a substantial amount of unbenefited employees to keep benefit costs and head count as stable as possible.
2. The Town's benefit costs are a substantial part of the budget and we appreciate that this has been raised. We will continue to keep our focus on maintaining or reducing our benefited workforce to stabilize the growing cost of benefits, including the impact this has on OPEB and our unfunded pension liability.
3. The Town has seen a large increase in our Information Technology Expenditures. This shows the Town is attempting to stay modern and use efficiencies in IT to keep the pressure off labor growth. This has been proven by the fact that we have the same amount of benefited employees in FY 2016 as we did in FY 2010. The Division of Local Services has applauded the Town's efforts in IT. Our new IT Director, who starts on April 6th will help us to continue to keep our focus on this.
4. The Report shows that our per capita education expenditures are actually higher than surrounding Towns, which shows our focus has been in support of the prevailing public sentiment on increasing educational spending.
5. The Report pointed out that our education expenditures did not compare favorably to similar Towns through FY 2014. However, we have substantially increased our education expenditures in FY 15 and FY 16 which should improve our comparison with these communities. We appreciate the fact that this report has highlighted this and called it to our attention.
6. The Report also points out that our over 65 population could double by 2025, however, the report indicates that our spending in the areas of Health and Human Services, which includes the Council on Aging and Senior Van Services, and Public Safety, which includes both Ambulance and Police services, has increased in an effort to begin to address the needs of our over 65 population.

We will continue to review this report with a focus on developing efficiencies as we strive to provide the best level of services to our residents and tax payers.

Mark W. Haddad
Town Manager

Mark W. Haddad
Town Manager
Town of Groton
173 Main Street
Groton, MA 01450
(978) 448-1111
FAX: (978) 448-1115
mhaddad@townofgroton.org

CPA Fund Balance Estimate for Town Meeting 4/27/15
 Presented to FinCom 3/31/15

	Community Housing	Historic	Open Space	Unallocated
<i>Proposed Projects FY16:</i>				
Bin balance forecast on 30 June 2016	\$374,575	\$287,499	\$17,085	\$451,965
Milestones		\$17,000		
Housing Coordinator	\$49,509			
Basketball				\$109,000
Recreational trail				\$24,932
ADA				\$6,000
ConsCom				\$200,000
First Parish		\$203,333		
Balance if all applications are approved by CPC and Town Meeting	\$325,066	\$67,166	\$17,085	\$112,033

**Community Preservation Act Application
Phase 1 Rehabilitation of the Old Groton Meetinghouse**

Application Highlights

March 19, 2015





CPA PROJECT APPLICATION FORM

[CPC Use Only: Date Received _____ By: _____
Assigned CPC #2015 - _____]

Use word processor to fill out form. Answer all questions, use "N/A" if not applicable.

1. Applicant Name and Organization: Last **Baker** First **Gregg**

Organization(s) (if appropriate) **First Parish Church of Groton**

2. Submission Date: **March 19, 2015**

3. Applicant Address: St. **1 Powderhouse Road, PO Box 457, Groton, MA 01450**

4. Ph. # **978-302-1301** Email: steve.lieman@gmail.com

5. CPA Purpose. Check all that apply:

Community Housing (Affordable Housing:) **Historic Preservation** Open Space:
Recreation

6. Town Committee or boards participating: _____

7. Project Location/Address: **1 Powderhouse Road, Groton, MA 01450**

8. Project Name: **Rehabilitation of Old Groton Meetinghouse**

9 Additional Responsible Parties (If applicable):

Role (specify)	Name	Address	Ph. (w) (cell)	
Property/Site Owner	First Parish Church, UU Gregg Baker, Chair – Board of Trustees	P.O. Box 457 Groton, MA 01450	(cell) 978-580-0127	gba
Property/Site Owner	First Parish Church, UU James Moisson, Chair – Buildings & Grounds	P.O. Box 457 Groton, MA 01450	(cell) 617-448-0477	james
Property/Site Owner	First Parish Church, UU Steve Lieman, Chair Old Groton Meetinghouse Advisory Committee	P.O. Box 457 Groton, MA 01450	(cell) 978-302-1301	steve
Project Manager	Owner's Representative - TBD			

Groton Community Preservation Plan

2

13. Historic Commission Approval signoff (when required): X Date: TBD

14. Funding:

a.) Requested from CPC: **\$203,333 or 2/3rds of Total Project Cost**

b.) Committed from other sources: **\$101,667 or 1/3rd of Total Project Cost** – committed by Old Meetinghouse Advisory Committee to be raised through private donations and grants.

c.) Annual anticipated total income: \$ _____ d.) Annual anticipated total expense: \$ _____

d.) Anticipated net income (loss): \$ _____

e) Estimator name/company: **Murray Brothers – see Spencer & Vogt Group report pages 65**

15. CCP Objectives – use codes from **Section 5** to indicate all that apply –

Section 5.1.2 – Protect Cultural and Historic Resources

To be more specific, this project provides public benefit by satisfying the following Historic Preservation

... and project processes provide benefits by satisfying the following Historic Preservation Objectives listed in the Groton Community Preservation Plan 2010:

- Hist.4. To protect the historic resources of the Groton Center, Hollis Street and Farmers Row historic district.
- Hist. 5. To protect the historic, archeological and cultural resources of the entire Town.
- Hist. 11. To preserve and restore significant historic buildings throughout the Town

16. Project Timelines: Proposed Start Date: **May 2015** Projected Complete Date: **August 2016**

17. Estimated Delivery Date of Completion Report to CPC: **October 2016**

18. Project description and explanation (attach additional sheets as needed):

For 259 years, the Old Groton Meetinghouse has functioned in both a sacred and secular role history. It is now the oldest continually functioning public building in the Town of Groton and from at the head of Minuteman Common, poised across from the library, it serves as gatekeeper to Main S

The Meetinghouse has been an integral part of Groton's town fabric since it was built in 1755 gathering place for town meetings and other important political and social events. This iconic building on the [Town of Groton's list of historical structures](#) and on [our town's Wikipedia page](#), was a focal point for both Town government and religious observances until 1859 when Town Hall was built.

Groton Community Preservation Plan

20

First Parish has executed its stewardship with diligence. Over the years, the congregation has a record of accomplishments, funding and completing major maintenance and improvement projects for the Meetinghouse. In 1972, the spire was found to be in dangerous condition and was removed and replaced. The belfry was reinforced. In 1986, a section of failing foundation was repaired. In 2001, a fire suppression system was added to protect the Meetinghouse; an elevator was installed to improve accessibility; and a stylistically-compatible, historically-appropriate addition was constructed on the east side with the approval of the Massachusetts Historical Commission. Thanks to the ongoing stewardship by First Parish, the Meetinghouse is in good sound condition today, despite its age. However, caring for a two-and-one-half-centuries-old structure is a significant and costly responsibility.

In 2013, in light of the financial burden associated with ensuring the preservation of this historic building, with the understanding that the building was overdue for critical rehabilitation, First Parish initiated a plan. The congregation appointed The Old Groton Meetinghouse Advisory Committee, comprised of

plan. The congregation appointed the Old Groton Meetinghouse Advisory Committee comprised of Parish members and dedicated community citizens. This committee is deeply interested in preserving the historic Meetinghouse. Under its charter to shepherd the rehabilitation effort, it raised \$17,000 in private donations and hired Spencer & Vogt Group architects to complete a comprehensive assessment of the physical condition of the Meetinghouse and to provide recommendations for rehabilitation, restoration, and long-term preservation of the Town icon.

Among the most pressing concerns, the Spencer & Vogt Group report identified serious structural issues in the attic and steeple framing, exterior paint failure, deteriorated and missing wood framing and siding, and the condition of asphalt shingles at the junctions of the tower base and the belfry roof. Also the exterior of the Meetinghouse has heavy paint build-up, evidenced by "alligatoring" and poor adhesion, with significant rot and deteriorated cladding and trim. The most recent Spencer & Vogt Group estimate of the total recommended rehabilitation, including these most pressing concerns, adds up to more than \$534,000.

With the further assistance of Spencer & Vogt Group and estimator, Murray Brothers Construction, the Old Groton Meetinghouse Advisory Committee has carved out a \$305,000 Phase I Project that focuses on the most urgent and visible elements in need of restoration. Phase I will address the pressing structural needs to rehabilitate the steeple, bell tower, and attic. This phase also aims at correcting exterior paint failure on the façade, the bell tower and the steeple, and repairing the brick masonry at the front entrance. This project is a planned multi-year, multi-phase effort to rehabilitate the entire Meetinghouse and to implement the Spencer & Vogt Group recommendations.

First Parish is requesting CPA funding for \$203,333 or 2/3rds of the total estimated cost of the Phase I Project. Through a combination of private donations and a Massachusetts Historical Commission grant, the Old Groton Meetinghouse Advisory Committee is committed to providing the remaining 1/3rd (\$101,667) through a second funding effort to follow their success at raising the \$17,000 to commission the Spencer & Vogt Group assessment report. To date, over \$50,000 in additional private donations has been collected.

Groton Community Preservation Plan

20

19. Feasibility:

First Parish has had a long and successful history as steward of the Old Groton Meetinghouse. In many years, it has successfully financed and managed many major preservation projects, including the replacement of the steeple in 1972, the repair of the foundation in 1986, and the addition of sprinkler protection for the Meetinghouse in 2002. See the Project Feasibility Exhibit for more details on the feasibility of the Phase I Project.

20. List of attachments:

20. LIST OF ATTACHMENTS:

See the full Table of Contents for the many Exhibits attached to this application. Please make note of the many letters of support, the public benefit, the detailed management plan, the project schedule, the project budget, the scope of work showing the specific items to be rehabilitated during Phase I, and the Spencer & Vogt Group Conditions Assessment and Maintenance Planning Report.

21. Additional Information:

a. Public Benefit of this Project. See Exhibit 14 – Public Benefit

b. Chapter 44B, Section 12. Additional permanent restriction on the use of the land is not required. Town Counsel David Doneski advised us (in an email dated February 23, 2015, cc: Town Manager) that the Groton Meetinghouse Rehabilitation Project would not be subject to the Chapter 44, Section 12 requirement because no real property interest would be acquired with monies from the Community Preservation Fund.

Further, the Meetinghouse, as noted above, is already subject to a Historic Preservation Restriction in perpetuity.

22. Management Plan: See detailed Management Plan in attached exhibits.

23. Applicant Signature: _____



Date: _____

3/17

Exhibit 2

Spencer & Vogt Group Assessment:

A Guide to the 203-Page Report

As part of our ongoing role as principal steward of the Old Groton Meetinghouse, First Parish raised \$17,000 in private funds and commissioned the Spencer & Vogt Group to conduct a thorough audit of the condition of the historic Meetinghouse. The result was a detailed 203 page *Conditions Assessment & Maintenance Planning Report*. This report is now an essential resource that informs our all our efforts at rehabilitation, restoration, and preservation.

A bound copy of this report is included in our application. For those reading the electronic version of our grant application, you can find a PDF version online at: [OGM Conditions Assessment](#). We will be asking everyone involved in executing our phase I efforts (contractors, project manager, architect, engineer) to thoroughly familiarize themselves with the detailed contents and recommendations of this document.

The report includes dozens of color photos, some showing the church in all of its iconic beauty and others detailing each of the areas requiring careful rehabilitation efforts.

The report also satisfies many of the requests for additional information requested in the instructions for Line 20 of the Grant Application as follows (page numbers refer to PDF version):

Many attachments requested in the instructions for Line 20 were already included in the Spencer & Vogt Group (SVG) Conditions Assessment and Maintenance Planning (CAMP) Report. The listings below reference specific page numbers in that report that satisfy each requested item.

- Photographs of site (land, building, structure, etc.) pages 11-30 and 87-137
- Zoning analysis (Building Code Analysis): page 33

Page 7

EXHIBIT 3

Line 19 - Feasibility

Built 260 years ago in 1755, The Old Groton Meetinghouse has long served as a meeting place for m sacred and secular town needs. This distinctive building is an essential part of the Groton Center Historic District and a quintessential example of "the delicately spired New England meeting houses its period," as *Life Magazine* noted when the building was featured on the cover of the November 2 1942 issue that exhorted a wartime populace to remember "The Puritan Spirit."

Time has taken its toll on various components of the Meetinghouse, now the town's oldest continu functioning public building. These are documented in detail in Spencer & Vogt Group's Conditions Assessment and Maintenance Planning Report. Despite its age, the building is in sound shape and c be maintained and structurally improved by following the recommendations of that report.

For the Phase I Rehabilitation of the Old Groton Meetinghouse Project, the focus is first on structure repairs needed in the attic, bell tower, and steeple and then on the iconic façade. While there is a l list of individual projects to be completed, the current assessment as documented in the Conditions Assessment report is that each step can be handled by experienced contractors supervised by an experienced Project Manager with plans and specifications prepared by an historic architect and engineer.

Given our Management Plan to deploy a strong Project Manager, it appears well within our reach to tackle the work outlined in the scope of work. This approach is buttressed by Spencer & Vogt Grou involvement and leadership, as well as by knowledgeable leadership individuals within First Parish a the wider community (see the **Phase I Project team Exhibit** which lists key individuals and project consultants). First Parish has been the lone steward of the Meetinghouse since 1859. As steward, it provided both financial resources and project management to oversee many separate large-scale

Exhibit 4

Line 22 - Management Plan

As an essential ingredient to ensure successful project completion, First Parish will employ an experienced Project Manager for the Phase I Rehabilitation of The Old Groton Meetinghouse. The Project Manager will work closely with the Architect, with the Contractor selected by a competitive process, with project representatives from First Parish, and with the CPC Project Liaison. The Project Manager will have day-to-day oversight of the project, as detailed below.

A. Project Notebook: The Project Manager will prepare a Project Notebook to include:

1. project plan and schedule;
2. contact list for all contractors selected for the project, including addresses, phone numbers, email addresses, fax numbers, mobile phone numbers, etc.;
3. project library (compilation of project references, including all contractor bid documents)
4. copy of the proposal and executed contract with the Community Preservation Committee;
5. list of all project milestones with the approximate dates for each milestone.

The project plan and schedule shall detail work activities, sequence of events, milestones, starting and completion dates, and personnel allocations for all work elements within the project.

B. Work Plan. The schedule shall be presented in hard copy and digital format as a Gantt chart, using Microsoft Project or similar project management Windows-compatible software. With the Project Manager in an oversight role, the project will be executed according to the agreed-upon project schedule, to deliver the project to a successful on-time completion. If issues arise, the Project Manager

will sound alarms as necessary and bring the issues back to the responsible parties for further discussion and action. The work schedule will identify milestones which will act as triggers for payment of contractor invoices. These milestones will be tied to physical products such as work inspections done

Meetinghouse Advisory Committee to discuss pending work, schedule updates, budget, specification vendor/subtrade and material selection.

F. Communicating with the General Public. Based on inputs from and discussion with the Project Manager, the Old Groton Meetinghouse Advisory Committee will prepare three articles for the *Groton Herald and Landmark* in the course of the project: the first at project Notice to Proceed, the second midway through the project, and the final immediately prior to project completion and acceptance by the CPC and by First Parish. These articles will describe the project, identify goals, progress and other items of interest to the general public, and will be distributed to the media by the Old Groton Meetinghouse Advisory Committee.

G. Documenting Work Progress. The Project Manager will document and report on work progress through both detailed written reports and digital pictures of the work in progress. Both forms of documentation will be provided on a regular basis in digital format to the CPC and to First Parish. At conclusion of the project a full set of all such documentation shall be provided in digital format to both parties.

H. Standards of Work. Along with the Architect, the Project Manager will be responsible for overseeing that the Contractor's work complies with the Massachusetts State Building Code and with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

I. Written Specifications. The Architect selected by First Parish to provide Architectural and

Engineering Services for this project will produce detailed plans and specifications for all work to be performed. These will be incorporated into the final contract documents sent out to bid.

J. Material Selection and Approval. The selected Project Contractor and the Architect, with assistance from the Project Manager, will research materials and present material selections to First Parish Representatives for approval.

K. Contract Documents. The Project Manager will incorporate the detailed plans and specifications into final detailed versions of the contract documents (CDs). Once the CDs have been written, the Project Manager will distribute them to identified subtrades, soliciting bids for the various tasks.

Exhibit 5

Phase I Project Team

In order to insure a successful Phase I project, First Parish has assembled a team of contributors and consultants to assist us at each step along the way. These include:

Old Groton Meetinghouse Advisory Committee:

- John Ott
- Laura Moore
- Michael Roberts
- David Gordon
- Eric Fisher
- Steve Lieman, Chair

The Old Groton Meetinghouse Advisory Committee works hand in hand with the **First Parish**

Building & Grounds Committee, chaired by Jim Moisson, with a growing team of consultant and advisors, and with Spencer and Vogt Group.

As part of the Management Plan, First Parish will designate one or more representatives to work closely with the Project Manager as the project evolves.

Consultants and Advisors that we have called upon as we have ramped up for Phase I.

- Allen King
- Rick Sheridan
- Al Collins
- Steve Burne
- Pat Lawrence
- Greg Premru
- Earl Carter
- Owen Shuman
- Karen Johnson

Exhibit 6

Groups and Organizations that Benefit from the Meetinghouse

First Parish warmly welcomes the use of both the Meetinghouse and the Parish House by community groups and organizations and by individuals for weddings. In many cases, the fees for use by non-profit organizations are waived.

Over the course of each year, many community groups take advantage of this welcome including the following Meetinghouse users:

- Monthly Groton Community Dinners
- Monthly AA Meetings

- weekly AA meetings
- Twice annual Remembrance Services led by Nashoba Nursing and Hospice
- Daily Sunshine School pre-school and pre-K programs
- Approximately 8 weddings each year for couples who are not members of First Parish.
- Occasional Lawrence Academy events.
- Weekly sessions of Friendly Yoga
- Once per year Groton Dunstable Regional Middle School Historical Debate
- Monthly 4H meetings
- Girl Scouts meetings
- Nashoba Arts meetings

The Parish House hosts the following groups:

- Weekly AA Women’s Discussion
- Weekly AA Mixed Discussion
- Weekly AA Men’s Step Meeting
- Weekly Meditation Group
- Teenage Anxiety and Depression Solutions (TADS)
- Monthly Carrying On Group for those who have lost loved one through suicide
- Weekly Debtors Anonymous
- Weekly Families Anonymous
- Monthly LaLeche League
- ...

Exhibit 7 - Proposed Phase I Budget

Old Groton Meetinghouse: Phase I Steeple & Façade Rehabilitation Project				
Based on Murray Brothers Estimates. See Spencer & Vogt Group Assessment Report pages 63-65 for Details				
		Description -- Scope of Work	Cost	Remarks/ Comments
Structural Repairs: Roof Framing & Steeple				
	Roof Framing & Steeple	Repairs to timber frame per January 2014 recommendations by Structures North engineers	\$60,000	
	Masonry	Resetting brick at portico with drainage underlayment so sub base won't erode away as quickly. Re-siding steeple.	\$17,000	

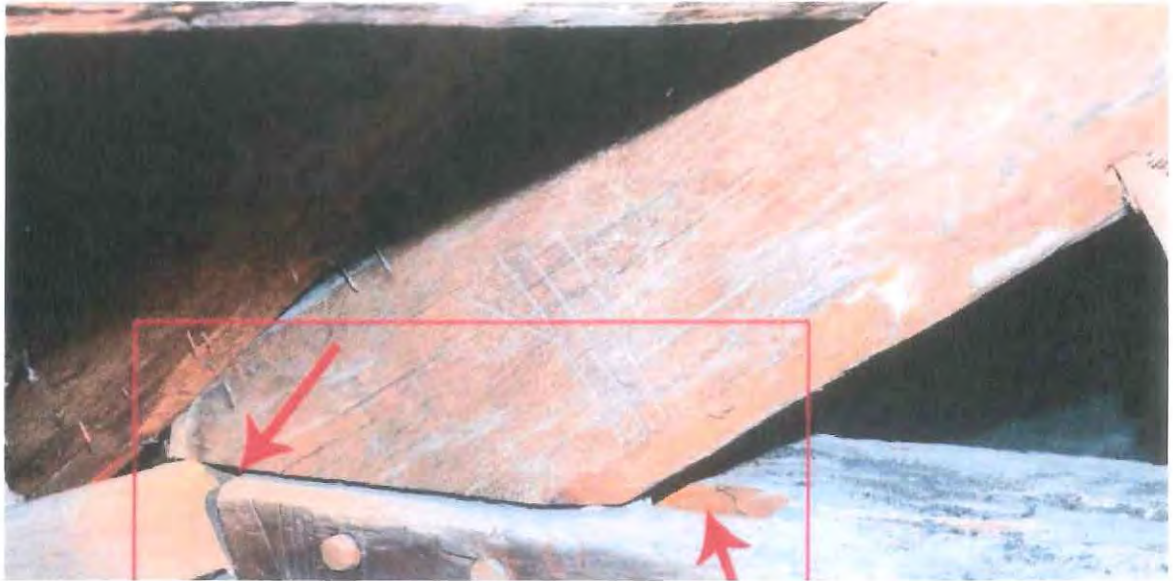
ALL ELEVATIONS		away as quickly. Repairing granite mortar joints to retard water infiltration	\$27,000	
	Carpentry	Repair deteriorated wood & siding. Repair & reinstall acroteria at steeple	\$30,000	
	Roof Tower	Remove asphalt shingles on bell cast roof and install yellow cedar stained white	\$18,500	
	Paint Strip (30% of 110,000)	Use chemical strippers and careful scraping to expose bare wood. Repair exposed damage. Confirm stripping agent is fully neutralized	\$33,000	
	Paint Steeple and façade	Primer and two finish coats of acrylic latex paint	\$18,000	
	Construction Budget:		\$176,500	
	General Conditions	10% of construction budget	\$17,650	
	General Requirements	Scaffolding, shoring, dumpsters (10%)	\$17,650	
	Subtotal 1		\$35,300	(Repair Cost + General Condi
	Contingency	20% of construction budget	\$35,300	
	Total Construction Budget		\$247,100	
	Services:			
	Architectural/engineering services	Includes structural engineer and assistance with grant preparation	\$40,000	Includes reimbursable expense as printing & travel
	Owner's Project Manager	Represents the First Parish during design, bidding and construction	\$18,000	Includes reimbursable expense as printing & travel
Total Phase I Budget		\$305,100		

Exhibit 9

Draft Scope of Work Outline

This is a work in progress. Once complete with additional detail, including engine specifications, it will be sent out to contractors to bid.

The scope of work section gives a convenient summary of the extent of the work to be accomplished with the Phase I Rehabilitation of the Old Groton Meetinghouse.



Contractor shall ensure that all employees and sub-contractors conduct themselves with appropriate professional behavior at all times while on the project premises.

Scope of Work: Structural, Exterior and Interior Carpentry

All interior replacement wood will be a species approved by the Architect and dried to acceptable moisture content according to approved practices for each species. All fasteners and other critical hardware will be approved by the Architect and will be consistent with best engineering practices as detailed in the Spencer & Vogt Group Conditions Assessment Rep

Attic level

CA1 - Many purlins have beetle damage and are sagging; sister all sagging or damaged purlins.

CA2 - The exterior end of the easternmost purlin under the south slope dead-ends where there had once been a chimney. Add extended sisters on each side of this purlin.

CA3 - North side, third truss from the east - add gussets and restraining rods to arrest the outward sliding of the top chord.

CA4 - Reinforce the king post connection at the bottom of the second and third truss. Pins have deformed.

CA5 - Repair the two large rotted holes in the eave level girt that runs past the interior side of the tower. Execute a Dutchman repair on these holes. The bottom Edge of the lower girt has beetle damage, sister or Dutchman repair. The principle rafters running over these girts are rotted on the tops; sister these with 2x6 or bigger rafters.

Tower

T11 The west wall girt at the attic level has a check on the top of its north end; reinforce the tensioned connection.

T12 - Reinforce the connection between the dimensional lumber girts that ring the tower at the roof intersection to timber posts above.

T13 - The west wall dimensional lumber girt will be replaced with solid lumber girt to prevent

Repair or replace boards, trim, moldings & other woods as needed on the clock facings and surrounding sidewall. Close all open seams at corners and trim with glue and stainless steel screws. See elevation drawings for details.

Repair interior louver frames as needed in the belfry.

Repair all damaged frame & louver slats at the belfry.

Restore historic balustrade and acroteria to their original locations at the tower.

Meetinghouse Façade (west only)

Remove louver; repair louver as needed; clean out bird nest and other debris; install screen; oil prime all bare wood then reinstall with stainless steel screws.

Replace all rotted missing wood casings, trims, or corners with mahogany or cedar to original thicknesses and details.

Replace all cracked, rotted, or missing clapboards with custom-milled cedar or mahogany clapboards with 45 degree, back bevel scarf joints.

Repair damaged column bases utilizing wood hardeners such as Abatron Liquid Wood or equal and wood epoxy, new wood, and appropriate epoxy fillers.

Roofing

Steeple

Replace asphalt shingles at the tower base over ice and water barrier.

Replace belfry roof shingles with synthetic rubber "wood look" shingles, such as Enviroshake or equal, over ice and water barrier.

Reattach the dangling lightning cable; hide as much as possible.

Masonry

abatement rules and methods must be strictly followed. A Lead Renovator's license is required as are correctly trained personnel.

All surfaces of the front façade and steeple shall receive oil primer and 2 coats of finish.

Steeple – all elevations

Paint the weathervane post and regild ball and the rooster.

Paint entire clock, all components; properly apply schmaltz to background surface.

Strip to bare wood and repaint the entire steeple with Benjamin Moore Fresh Start oil primer
2 coats of Benjamin Moore latex finish or equal.

Exhibit 11

1986 Historical Preservation Restriction and MGL 44B

In 1986, the Massachusetts Historical Commission (MHC) provided a grant that helped fund a major project repairing the failing foundation of the Old Groton Meetinghouse. As a result of the grant, First Parish agreed to a Historical Preservation Restriction.

As a result of this restriction, First Parish will give notice to, and obtain the necessary approval from, the MHC for the work we intend to carry out on the building as part of the Phase I Meetinghouse Rehabilitation Project.

On a related note, at the CPC hearing in October we were asked whether the provisions of MGL 44B might apply to the Phase I project and our grant request to CPC.

Compliance with MGL 44 B, Section 12

Section 12 of 44B reads that a permanent restriction needs to be executed only when a "real property interest" is being acquired, i.e. ownership in fee interest, easement, mortgage, or option to purchase.

It is our opinion that 44B does not apply here. The purpose of the CPA grant sought by the First Parish Church of Groton, Unitarian Universalist is to rehabilitate the historic Meetinghouse's structural integrity and façade appearance.

This opinion was confirmed by Groton Town Counsel David Doneski in an email dated February 23, 2015, cc: Mark Haddad.

The Meetinghouse is currently under a Historical Preservation Restriction granted to the Commonwealth of Massachusetts through the Massachusetts Historical Commission (see...

Exhibit 13

Certificate of Title to the Old Groton Meetinghouse

Clarification of Legal Status of Ownership of the Old Groton Meetinghouse

In a process begun in the 1960s and concluded on March 20, 1986, First Parish and the Town of Groton formalized its relationship. By the Land Court of the Commonwealth land registration process First Parish was granted the fee or ownership of the Old Groton Meetinghouse and the land surrounding Certificate of Title No. 176094 recorded in Book 1010 page 144. The title to the Meetinghouse contains a condition clause requiring that the building be used for religious or educational purposes. If the property were not so used, the ownership would revert to the Town of Groton.

The attached Certificate of Title in this Exhibit shows that:

“First Parish of Groton, Unitarian, an unincorporated religious organization ... is the owner in simple [of the Old Groton Meetinghouse] so long as the premises hereby registered are used for religious or educational purposes, and upon the cessation of such use title shall vest in the Town of Groton subject to all mortgages and other encumbrances then affecting the title thereto”

In the same proceeding the title to the Common (known in the governing document as the “Play Area” in front of the Meetinghouse) was granted to the Town, with the First Parish congregation being able to use and enjoy the Common as its members had in the past.

The title to the building known as the Parish House was granted to First Parish with no conditions by Land Court Certificate of Title No. 176095 recorded in Book 1010 page 145.

Exhibit 14

Public Benefit of the Old Groton Meetinghouse Project

PROJECT GOAL: to ensure the preservation of the Old Groton Meetinghouse, an essential and iconic element of Groton’s historic landscape.



Wide Support Around Town: The idea that substantial public benefit can be achieved through preservation of the Meetinghouse has wide support around town, as evidenced by the...

2. Throughout its 260 year history, the building has served and continues to serve the community by making its meeting spaces available for public use and public benefit. Many local groups already make use of meeting rooms in the building, as detailed in Exhibit 6, and First Parish warmly encourages other community groups to take advantage of all the Meetinghouse has to offer. Preservation of this structure will allow these benefits to continue to accrue.

A More Technical Look at Public Benefit

A MORE TECHNICAL LOOK AT PUBLIC BENEFIT

On a more technical note, we have been asked to address several questions.

1. Can CPA funds be used for rehabilitation of a privately owned structure?
2. Can CPA funds be awarded to a rehabilitation project such as this when the applicant is a religious society?

In administering the CPA grant across the state, these questions have arisen quite frequently, providing helpful precedent to draw on in answering them for this specific case. In the remaining more technical portion of this Exhibit, we will make the case as to why both of these questions can be answered in the affirmative.

MGL Chapter 44B Section 5. (b) (2) states, "the community preservation committee shall make recommendations to the legislative body ... for the acquisition, preservation, rehabilitation and restoration of historic resources." The term "historic resources" is defined as "a building ... that is on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town."

The Old Groton Meetinghouse has been listed on the state register of historic places since 1986, qualifying it as an historic resource. The Phase 1 Rehabilitation Project for the Meetinghouse, as described in this grant application, aims exactly at rehabilitating, restoring, and preserving this historic structure (including addressing urgent structural repairs and paint failure on the historic façade facade in common). The costs of this project are, therefore, potentially eligible to receive funding from CPA grants. Since the Meetinghouse is privately owned, such grants are subject to demonstrating that grant monies would be used for public benefit.

In a Massachusetts Department of Revenue (DOR) letter (File # 2006-230 dated February 9, 2007), in a situation similar to this grant request, the DOR reviewed a case of a non-profit organization looking

In their CPA funding deliberations, many towns across the Commonwealth of Massachusetts have come to this same conclusion: that preservation of privately owned historic assets (including numerous meetinghouses and church buildings owned by religious societies) has a legitimate public purpose and provides a tangible public benefit.

The Community Preservation Coalition (the Coalition) plays a leading role in working with the state and local governments and key partner organizations to help preserve Massachusetts communities' unique characters. The Coalition helps municipalities understand, adopt, and implement CPA, and advocates for CPA at the state level, thereby advancing smart growth and sustainable development in communities across Massachusetts.

The Coalition has also weighed in on this question of public benefit, and they echo the message from DOR:

"The preservation of historic assets [is] generally understood to have legitimate public purposes."

They go on to say:

"A variety of federal and state programs provide historic preservation grants to private non-profit organizations. ... Many houses of worship continue to serve broad community needs, providing space for public uses and activities such as daycare centers ... and the like.

"CPA funds can be a critical factor in successfully preserving and restoring these important historic community assets. ... Historic churches are often community icons, used as points of orientation and centerpieces of illustrations and photographs. ... Public funds can be used for private property as long as the funds are being used to advance a public purpose.

"Many state and federal grants have been awarded to church preservation projects. For example, [Massachusetts Historic Commission] routinely funds historic church preservation projects through the Massachusetts Preservation Projects Fund.

"Anti-Aid Amendment – Provided that Community Preservation Act grants for religious structures are for a public purpose (i.e. historic preservation), rather than seeking to advance the private purposes of a religious organization, such grants do not violate the Anti-Aid Amendment of the Massachusetts

Some Examples of Public Funding for Similar Projects

Below is a short list of examples from around the Commonwealth, in which public funding, via the Community Preservation Act (CPA) and the Massachusetts Preservation Project Fund (MPPF), was provided to historic buildings that are privately owned by religious societies.

Easton Unity Church -- \$380K of CPA funds to restore the church building

North Andover's North Parish Church -- \$141K of CPA funds to restore the steeple and foundation of historic church building

Boston Church of The Covenant, \$50K MPPF grant for exterior preservation

First Church of Lancaster -- three MPPF grants of \$50K, \$60K, and \$55K for exterior preservation

A search of the Community Preservation Coalition database of all CPA grants reveals upwards of one hundred CPA grants going towards the rehabilitation, restoration, or preservation of meetinghouse: church buildings that are privately owned by a religious society.

See Exhibit 16 for a longer listing of CPA funding cases that show some similarity to the Old Groton Meetinghouse funding request.

Exhibit 15

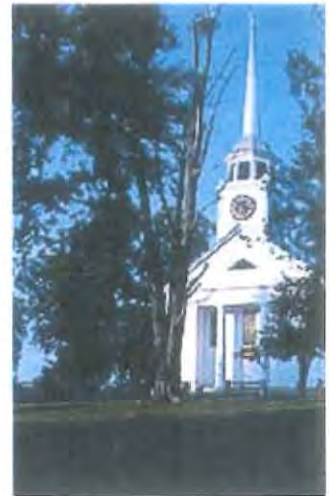
Exterior Preservation of Ancient Wooden Structures: An Inside Look

What happens to painted wooden structures over several centuries of use? After 260 years, the answer for the Old Groton Meetinghouse is “paint failure” as documented in detail in the Spencer and Vogel Group (SVG) Condition Assessment Report.

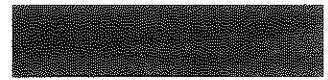
On the iconic steeple, tower, and façade of the Meetinghouse, SVG found “a heavy paint build-up, evidenced by alligatoring and loose adhesion, ... significant wood rot and deteriorated cladding and trim. At the facade, damaged cladding and trim is concentrated at the south corner and is seen at the wall, the entablature, and the flush boards at the pediment.”

In order to rehabilitate, restore, and preserve the exterior of the steeple, tower, and façade, SVG has recommended the following exterior preservation steps that are all included in our Phase 1 project:

- Strip all paint to bare wood using appropriate techniques to deal with the many layers of lead paint. This exposes the wood and allows remedial repairs, such as replacement of



deteriorated and damaged clapboards and trim, and in some areas, allows the use of epoxy consolidant and patching



The legislation includes the following definitions to help further clarify this question.

“Preservation -- protection of personal or real property from injury, harm or destruction.”

“Maintenance -- incidental repairs which neither materially add to the value of the proper appreciably prolong the property’s life, but keep the property in a condition of fitness, efficiency or readiness.”

“Rehabilitation -- capital improvements, or the making of extraordinary repairs, to historic resources ... for the purpose of making such historic resources ... functional for their intended uses ... [R]ehabilitation shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior’s Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68”

“Capital improvement -- reconstruction or alteration of real property that: (1) materially adds to the value of the real property, or appreciably prolongs the useful life of the real property; becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.”

From the SVG report, we learn as noted above that the exterior wooden surfaces of the steeple, to

and façade are not now in "a condition of fitness, efficiency or readiness." Rather, all three have experienced significant paint failure and are badly in need of the sequence of rehabilitation steps (including extraordinary steps such as removal of lead paint) that Spencer and Vogt group recomm

Given both the findings of the SVG report and the wording of CPA legislation, we propose that this exterior preservation work is best classified as "Preservation, Rehabilitation, and Capital Improver rather than as "Maintenance."

We concur that, once the wooden surfaces of the steeple, tower, and façade have been rehabilitat and restored, as recommended above, further repainting would be classified as maintenance.



February 9, 2007

[REDACTED]

Re: Community Preservation Act
Our File No. 2006-230

Dear [REDACTED]

This is in reply to your letter questioning certain appropriations from the Community Preservation Fund that were voted by the Town of Norfolk at its 2006 annual meeting. You question whether Community Preservation Act (CPA) monies may be used to fund these projects. G.L. c. 44B. We apologize for the delay in responding.

The CPA is relatively new and as is usually the case, there are many issues regarding its interpretation and application with respect to particular projects. Many of the questions are very fact specific so we generally defer to municipal counsel to advise about the appropriateness of any given expenditures. The reason is that under the law, all CPA spending decisions are made locally and we do not have the power to invalidate any municipal appropriations from CPA fund monies (or any other municipal financing source). From the general information presented, however, the projects in question would appear to come within the purposes of the statute.

Monies in the Community Preservation Fund may be used "for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, land for recreational use and community housing that is acquired or created" under the act. (Emphasis added). G.L. c. 44B, §5(b)(2).

The first appropriation you question is to assist town residents and employees make a down payment on a home within the town. We understand there are various programs that provide such financial support to low and moderate-income persons seeking to own a home and in exchange, the municipality acquires an affordable housing restriction on the unit. As a result, the home becomes part of the community's affordable housing stock. This type of program would appear to be eligible for CPA funding since acquisition of property interests for affordable housing – in this case an affordable housing restriction – is clearly an allowable

purpose. Even if a restriction is not being acquired under this program, the statute allows monies to be used in support of affordable housing. Support is not defined in the statute, but it could include a broad range of programs to provide affordable housing. We think the statute contemplates that these programs result in additional affordable housing units in the community, but some have interpreted it to allow support or assistance to individuals needing affordable housing as well.

The second appropriation is for the restoration of an historic building owned by the Norfolk Grange, which is a private, non-profit organization. Rehabilitation or restoration of historic properties is an allowable purpose. There is nothing in the CPA that prohibits the use of funds for this project simply because the property is privately owned. However, under the Anti-aid Amendment to the Massachusetts Constitution, public funds cannot be given or loaned to private individuals or organizations for their private purposes. Mass. Const. Amend. Article 46 §2, as amended by Article 103. Any expenditure must be to advance a public purpose. The preservation of historic assets is generally understood to have legitimate public purposes. Both the federal and state governments, for example, have various historic grant programs, which include grants to non-profit organizations. www.sec.state.ma.us/mhc/mhcidx.htm. Typically, these programs result in the public acquiring an historic preservation restriction or receiving some other benefit to ensure that the grant is for public rather than private purposes. For example, in an anti-aid case involving state monies given to a non-profit group to rehabilitate the U.S.S. Massachusetts for use as a memorial and museum, the Supreme Judicial Court found the expenditure was for a public purpose because the property would be open to the public as a place to contemplate and honor those who died in the service of their country and to educate school children, who were admitted free of charge, about history. *Helmes v. Commonwealth*, 406 Mass. 873. In the case of the Grange property, we understand the town will acquire an historic preservation restriction and the organization must use the funds received in exchange to finance the rehabilitation. In other words, it appears the town is receiving an interest in the property to ensure that its investment of public funds benefits the public through the preservation of a piece of the town's history.

The last appropriation was to create and preserve recreational facilities at a town owned pond. From information provided, the Community Preservation Committee and Recreation Department sought the monies to restore the pond and beach area and to make it suitable for recreational purposes, such as swimming, picnicking and boating. Apparently, the pond was once used for swimming and fishing, but it was closed many years ago due to contamination from poor drainage in the area. You claim that the monies will actually be used to build a water treatment plant near the pond. We are obviously not in a position to evaluate that claim, although the \$85,000 appropriated would not seem sufficient to build such a facility. In any event, given that the site is not currently used for recreational purposes, any expenditure to restore the pond and beach area would probably qualify as creation of a recreational asset.

[REDACTED]
Page Three

Creation is not defined in the act, but its ordinary and generally understood meaning is bringing into being, causing to exist or production. American Heritage Dictionary 338 (2nd New College Edition 1985); Black's Law Dictionary 440 (4th ed. 1968). Creation could include a number of activities, such as a wholly new use, conversion from one use to another, or restriction of future use, that effectively cause property not used for recreational purposes to become a recreational asset. Even if the appropriation were for some sort of treatment facility or other improvement designed to prevent further contamination of the pond, it might possibly qualify as preservation, which the act defines as protection of property from injury, harm, or destruction.

If ten taxpayers believe particular expenditures are unlawful, they can bring suit to enjoin the municipality from spending those funds. G.L. c. 40, §53. Ultimately, the voters may consider whether they believe local officials are acting appropriately with respect to implementing the CPA, or carrying out any municipal responsibility.

I hope this information is helpful.

Very truly yours,



Kathleen Colleary, Chief
Bureau of Municipal Finance Law

KC