

# Select Board Meeting Packet

March 29, 2021

*This is the Select Board preliminary preparation information packet. The content of this package is subject to change between when it is released and the start of the Select Board meeting. Such changes will not be posted to the web site before the meeting. If you see an item or items in the preliminary preparation package that are important to you, please attend the meeting in person.*



**Town Manager**  
Mark W. Haddad

## TOWN OF GROTON

173 Main Street  
Groton, Massachusetts 01450-1237  
Tel: (978) 448-1111  
Fax: (978) 448-1115

## Select Board

Alison S. Manugian, *Chair*  
Joshua A. Degen, *Vice Chair*  
Rebecca H. Pine, *Clerk*  
John R. Giger, *Member*  
John F. Reilly, *Member*

### SELECT BOARD MEETING

MONDAY, MARCH 29, 2021

#### AGENDA

#### VIRTUAL MEETING

BROADCAST ON ZOOM AND THE GROTON CHANNEL

PURSUANT TO GOVERNOR'S EXECUTIVE ORDER

CONCERNING THE OPEN MEETING LAW

ZOOM MEETING ID: 850 0323 2796

6:00 P.M. Executive Session – Pursuant to M.G.L., c. 30A, §21(a), Clause 3 – “To Discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and chair so declares.” – PURPOSE – Boynton Meadows

7:00 P.M. Announcements and Review Agenda for the Public

7:05 P.M. Public Comment Period

I. 7:10 P.M. Town Manager's Report

1. Select Board's Agenda Schedule
2. Address Any Changes in Emergency Protocols – Update on Town Action
3. Review Any New Information from the Commonwealth
4. Update on 2021 Spring Town Meeting Warrant – Consider Taking Positions on the Various Articles
5. Update from Town Manager on FY 2022 Proposed Budget
6. Update on Select Board Schedule through Town Meeting

II. 7:15 P.M. Public Hearing – Consider Request from Ixtapa Cantina to Alter the Premises on their All Alcohol, On Premise Liquor License

III. 7:30 P.M. Presentation from Treasurer/Collector in Training on T.R.E.A.D. Program

OTHER BUSINESS - OML Violation Acknowledgement - Remedy

ON-GOING ISSUES – For Review and Informational Purposes

- A. Water Department – Manganese Issue – PFAS Issue
- B. Polystyrene Containers
- C. Green Communities Application and Implementation
- D. Florence Roche Elementary School Feasibility Study

### SELECT BOARD LIAISON REPORTS

IV. Minutes: Virtual Meeting of March 22, 2021

### ADJOURNMENT

*Votes may be taken at any time during the meeting.* The listing of topics that the Chair reasonably anticipates will be discussed at the meeting is not intended as a guarantee of the topics that will be discussed. Not all topics listed may in fact be discussed, and other topics not listed may also be brought up for discussion to the extent permitted by law.



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**Town Manager**  
Mark W. Haddad

**To:** *Select Board*

**From:** *Mark W. Haddad – Town Manager*

**Subject:** *Weekly Report*

**Date:** *March 29, 2021*

1. Please note that Monday's meeting will begin at 6:00 p.m. with an Executive Session with the Affordable Housing Trust to discuss Boynton Meadows. The regular meeting will commence at 7:00 p.m. In addition to the Town Manager's Report and a review of the On-going Issues List, there are two items scheduled on Monday's Agenda. First, the Select Board will be conducting a public hearing to consider a request from Ixtapa Cantina to alter their premises to allow for outdoor seating. Enclosed with this report is a copy of their application and plan for your review and consideration. Second, Treasurer-In-Training Hannah Moller will be in to update the Board on the T.R.E.A.D. Program that was established a few years ago. This program allows residents to donate money to the Town that can be used to assist low-income seniors and the disabled pay their taxes. She would like to use this opportunity to get the word out to the public.
2. As of the writing of this report, I have no new updates for the Board relative to Town action on the Pandemic. We continue to operate under the protocols approved by the Board last May. If necessary, I will have an update at Monday's meeting.
3. Enclosed with this report is the latest Health Report from the Department of Public Health. We are trending higher after returning to "yellow" status last week. We have stayed at "yellow" status with 28 positive tests (out of 1089) and a 2.57% positivity rate. We will continue to monitor the health report each week and adjust any of our protocols as necessary.
4. Enclosed with this report is the latest draft of the Warrant, along with a memorandum I prepared that provides the Board with information to assist you in taking positions on the remaining Town Meeting Articles. We can discuss this in more detail at Monday's meeting.
5. As is our practice, I have set aside time on the Agenda to update the Board on any issues concerning the Proposed Fiscal Year 2022 Operating Budget. As of the writing of this report, I have no new information. I will provide the Board with any necessary update at Monday's meeting.

**Select Board  
Weekly Report  
March 29, 2021  
page two**

6. Please see the update to the Select Board's Meeting Schedule through Spring Town Meeting:

Monday, March 29, 2021	-Already posted
Monday, April 5, 2021	-Executive Session with Town Counsel -Consider Issuing an RFP for Town Counsel Services
Monday, April 12, 2021	-Finalize Warrant for Spring Town Meeting
Monday, April 19, 2021	-No Meeting – (Patriot's Day Holiday)
Monday, April 26, 2021	-Final Spring Town Meeting Prep
Saturday, May 1, 2021	2021 Spring Town Meeting

MWH/rjb  
enclosures



# Massachusetts Department of Public Health COVID-19 Dashboard – Thursday, March 25, 2021

## Count and Rate of Confirmed COVID-19 Cases and Tests Performed in MA by City/Town, January 1, 2020 – March 23, 2021

City/Town	Total Case Count	Case Count (Last 14 Days)	Average Daily Incidence Rate per 100,000 (Last 14 days) <sup>1</sup>	Relative Change in Case Counts <sup>2</sup>	Total Tests	Total Tests (Last 14 days)	Total Positive Tests (Last 14 days)	Percent Positivity (Last 14 days)	Change in Percent Positivity <sup>3</sup>
Freetown	883	31	24.5	Lower	14200	742	33	4.45%	Lower
Gardner	2129	32	11.5	Lower	35828	1562	34	2.18%	Lower
Georgetown	507	17	13.5	Lower	13970	741	17	2.29%	No Change
Gill	38	6	25.6	Higher	4601	238	7	2.94%	Higher
Gloucester	1736	102	25.6	Higher	46851	3148	116	3.68%	Higher
Goshen	24	0	0	No Change	1018	91	0	0%	No Change
Gosnold	5	0	0	No Change	127	1	0	0%	No Change
Grafton	1062	41	14.6	Lower	37574	2342	50	2.13%	Lower
Granby	326	19	22.2	Higher	11284	790	20	2.53%	Higher
Granville	72	<5	9.2	Higher	2008	112	2	1.79%	Higher
Great Barrington	407	11	11.7	Higher	25211	1426	11	0.77%	No Change
Greenfield	716	19	7.9	Lower	35374	2451	21	0.86%	Lower
Groton	439	27	16.5	Higher	24163	1089	28	2.57%	Higher
Groveland	436	16	16.7	Higher	10147	521	18	3.45%	Higher
Hadley	285	7	8.6	Lower	23194	1800	7	0.39%	No Change
Halifax	464	21	19.6	Higher	10195	543	24	4.42%	Higher
Hamilton	359	16	15.5	No Change	14898	831	17	2.05%	No Change

Data are current as of 11:59pm on 03/23/2021; For populations <50,000, <5 cases are reported as such or suppressed for confidentiality purposes. <sup>1</sup> For the calculations used to delineate Grey, Green, Yellow, and Red, please see table on page 25. <sup>2</sup>Number of new cases occurring over the current two-week period (3/7/2021 - 3/20/2021) compared to the previous two-week period (2/28/2021 - 3/13/2021). **Higher**=number of new cases in the current two-week period higher than the number of new cases during the last two-week period. **Lower**=number of new cases in the current two-week period lower than number of new cases during the last two-week period. **No change**=number of new cases in current two-week period is equal to the number of new cases during the last two-week period. <sup>3</sup>Change in percent positivity compared to the previous week's (3/18/2021) report. **No Change**= <0.10% difference in the percent positivity. DPH calculates rates per 100,000 population using denominators estimated by the University of Massachusetts Donahue Institute using a modified Hamilton-Perry model (Strate S, et al. Small Area Population Estimates for 2011 through 2020, report, Oct 2016.) As of 11/5/2020, the Massachusetts Department of Public Health is using the 2019 population estimates, the most current available data. **Please note:** Data for these tables are based on information available in the DPH surveillance database at a single point in time. Case counts for specific cities and towns change throughout the day as data cleaning occurs (removal of duplicate reports within the system) and new demographic information (assigning cases to their city or town of residence) is obtained.



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**Town Manager**  
Mark W. Haddad

**To:** *Select Board*

**From:** *Mark W. Haddad – Town Manager*

**Subject:** *Update – 2021 Spring Town Meeting Warrant*

**Date:** *March 24, 2021*

The purpose of this memorandum is to update the Select Board on the 2021 Spring Town Meeting Warrant based on discussions at your March 22, 2021 Meeting. The following is a summary of issues raised at the meeting, along with new information to help you finalize your recommendations on the various Articles contained in the Warrant.

### **Article 5 – Fiscal Year 2022 Operating Budget**

The Finance Committee will be meeting prior to the Select Board's March 29<sup>th</sup> Meeting to take their positions on the various Articles. The Proposed Operating Budget is set at \$42,276,839. I hope to have the Finance Committee's position on the Budget for you at Monday's meeting.

### **Article 6 – Fiscal Year 2022 Capital Budget – Item #8 – Golf Carts**

At your March 22, 2021 Meeting, the Select Board requested that we investigate purchasing electric carts, instead of the proposed gas-powered carts. Based on our investigation thus far, I respectfully request that the Select Board withdraw its request and allow us to purchase the gas-powered carts. While we are still working on developing a cost of construction of the necessary facilities to provide electricity, the cost of maintaining and operating electric carts exceeds the cost of maintaining and operating gas-powered carts. Please consider the following:

#### Gas vs. Electric

Estimate of Annual gas/electric cost over 8 years

Gas fleet \$20,000 (\$2,500 per year)

Electric fleet \$10,000 (\$1,250 per year)

#### Estimate of Cart Purchase

Gas cart \$6,468 x 25 carts = \$161,700

Electric cart \$6,705 x 25 carts = \$167,625

#### Estimate of standard maintenance over 8 years

Gas Carts \$9,750 (Starter Generator, Oil, Filter, Belts, Battery)

Electric Cart \$23,250 (Replace batteries)

#### Total Estimate Cost over 8 years

Gas Carts \$191,450

Electric Carts \$200,875

***Continued on next page – Over >***



**Article 6 – Fiscal Year 2022 Capital Budget – Item #8 – Golf Carts – continued:**

Once you add in the cost of construction, we will be taking on an expense that I am not comfortable pursuing. The reason for this is simple. For the last several years, I have been taken to task by members of the Finance Committee, Select Board and public on the impact of the operation of the Country Club on the taxpayers. We have been criticized that the taxpayers have had to subsidize the cost of the Club. A member of the Finance Committee once stood before the Town Meeting and put a picture of a taxpayer on the screen with a screw through his heart signifying that the Groton Country Club is screwing the taxpayers. For the last several years, Shawn Campbell and I have worked extremely hard to make the Club taxpayer neutral. Now that we have achieved this (pandemic impact aside), the Select Board, ignoring their past criticism of the expenses, have requested that we spend more money on the Club. Given the above scenario, even before we construct the facility to house and charge these Carts, we would be adding a \$10,000 expense to the operation of the Club. As far as construction of the facility, the cheapest option is to construct a "bird box" facility that would house the electric components. The carts would not be covered and exposed to the elements as they would stay there all winter as they must be left on the charger. The carts will not age as well being in the winter elements for 3-4 months each season. I will provide the Board with the construction costs as soon as we receive them. While I understand the environmental impact, I cannot justify this added expense given the charge of the Select Board and Finance Committee over the last several years to make the Club taxpayer neutral.

**Article 7 – CPA Recommendation – Middle School Track**

Select Board Member Giger had deferred his recommendation until Town Meeting at last week's meeting.

**Article 10 – Engineering Funds – Whitney Pond Well #3**

Select Board Member Degen had deferred his recommendation and requested to know the total amount to be requested. The total amount to be requested is \$300,000 for engineering services.

**Article 14 – CPA Funding Recommendations – Proposal C – Non-Point Sources of Pollution**

Select Board Member Manugian deferred her recommendation until Town Meeting at last week's meeting.

**Article 14 – CPA Funding Recommendations – Proposal J – Multi-Use Recreational Courts**

Select Board Members Degen and Giger deferred their recommendations until Town Meeting at last week's meeting.

**Article 19 – Current Year Line-Item Transfers**

At this time, the only issues are wage and payroll related. Based on this, it is likely that this Article will be withdrawn and we will handle all line-item transfer at the end of the year with the Select Board and Finance Committee.

**Article 20 – Appropriate Money to Offset the Snow and Ice Deficit**

As of the writing of this memo, the Snow and Ice Deficit is at approximately \$17,000. It is likely that there are another \$15,000 worth of bills that will bring the final deficit to \$32,000. I would like to use this Article to eliminate the deficit by either transferring funds from Free Cash or from the Overlay Surplus. Please note that the proposed Operating Budget is carrying \$100,000 to cover the snow and ice deficit. If we eliminate the deficit, that will put the budget \$100,000 under the levy limit. We can discuss this further at Monday's meeting.

**Article 21 – Transfer Within Water Enterprise Fund**

The Water Commissioners are requesting a transfer of \$122,000 from their E&D to complete the Fiscal Year.

**Article 22 – Transfer Within Center Sewer Enterprise Fund**

The Sewer Commissioners are requesting a transfer of \$210,000 from their E&D to complete the Fiscal Year.

**Article 23 – Transfer Within Four Corners Sewer Enterprise Fund**

The Sewer Commissioners are requesting a transfer of \$35,000 from their E&D to complete the Fiscal Year.

**Article 24 – Transfer Within Cable Enterprise Fund**

The Cable Advisory Committee is requesting a transfer of \$10,000 from their E&D to complete the Fiscal Year.

**Article 25 – Prior Year Bills**

We have four bills totaling \$862.55. The bills are as follows:

Turf Unlimited	\$193.25
Tuft Unlimited	\$219.30
Turf Unlimited	\$200.00
A-1 Odd Jobs	<u>\$250.00</u>
Total	\$862.55

**Article 26 – Transfer from Free Cash**

This Article requests a transfer of \$239.08 from Free Cash to offset deficits in our 911 Grants.

**Article 27 – Transfer from Free Cash**

This Article requests a transfer of \$1,861.04 from Free Cash to offset a deficit in the Fire Details Agency Account.

**Article 28 – Debt Service for Surrenden Farms**

This is the final payoff on the Debt Service for Surrenden Farms. The amount needed is \$204,150 and it will come from CPA Funds.

**Article 29 – Assessors Quinquennial Certification**

From the Summary in the Warrant: Assessors in every city and town are responsible for developing a Revaluation program to completely analyze and revalue all property within its borders every year. Revaluation annually, is required under Massachusetts law and is regulated by the Massachusetts Department of Revenue's Bureau of Local Assessment (BLA). The rationale for revaluation is to always maintain property at fair market or fair cash value to ensure equity for all classes of property. Every fifth year the Massachusetts Department of Revenue requires a full certification with BLA oversight. The Assessors are seeking \$29,200 to cover the cost for appraisal services of Real Property to be conducted by Vision Government Solutions.



**Select Board**  
**Update – 2021 Spring Town Meeting Warrant**  
**March 24, 2021**  
**page four**

**Article 30 – Establishing Limits for the Various Revolving Funds**

From the Summary in the Warrant: This Article sets the limit of annual spending for the various revolving funds authorized by previous Town Meeting vote and currently set forth in the Town's Bylaw for said purpose.

**Article 31 – Accept Law Increasing Real Estate Tax Exemptions**

From the Summary in the Warrant: This article is geared toward 70+ seniors, surviving spouses (widows/widowers), legally blind persons and veterans with service-connected disabilities. It would increase the exemption under state statute up to 100% of the exemption. These state exemption programs all have different eligibility requirements (inquire within the Assessor's office for specific eligibility requirements) in order to receive the specific exemption and are designed to help the neediest within our community to continue to remain in their homes by helping to relieve some of the property tax burden.

**Article 32 – Accept Provisions of M.G.L., c.59, §5, clause 22F**

From the Summary in the Warrant: M.G.L.Ch. 59, s.5, clause Twenty-Second F, Last Paragraph. Notwithstanding this section, in any city or town which accepts this clause, the exemptions available pursuant to clauses Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E and Twenty-second F may be granted to otherwise eligible persons who have resided in the commonwealth for 1 year prior to the date of filing for exemptions pursuant to the applicable clause.

I look forward to discussing this in more detail with the Board at Monday's meeting.

MWH/rjb

cc: Finance Committee  
Patricia DuFresne – Town Accountant  
Megan Foster – Principal Assistant Assessor  
Michael Hartnett – Treasurer/Tax Collector  
Hannah Moller – Assistant Treasurer/Tax Collector  
Melisa Doig – Human Resources Director

**Warrant, Summary, and Recommendations**

**TOWN OF GROTON**



**2021 SPRING TOWN MEETING**

**Groton-Dunstable Middle School Track  
342 Main Street, Groton, Massachusetts 01450**

**Beginning Saturday, May 1, 2021 @ 9:00 AM**

**Rain Date – Sunday, May 2, 2021 @ 1:00 PM**

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Attention – Voters and Taxpayers

Please bring this Report to Town Meeting

**THE BUDGET HANDOUT FOR ARTICLE 5 IS AVAILABLE  
IN THE BACK OF THE WARRANT**

## **Introduction to Groton Town Meeting**

Voters are familiar with casting ballots in local and state elections, but they have another important civic duty in towns, the Town Meeting.

### **What is Town Meeting?**

The Town Meeting is the legislative body in the town form of government in Massachusetts. Town Meeting is a formal gathering of registered voters who propose, debate and vote on measures. Groton holds at least two Town Meetings per year.

### **What is a warrant?**

The warrant is the official notice to voters that a Town Meeting is scheduled. The warrant includes the date, time, location and a description of each subject to be acted on at Town Meeting. In Groton, the warrant must be posted in two public places and mailed to each household 14 days in advance of Town Meeting. "The warrant must contain a sufficient description of what is proposed so as to constitute an adequate warning to all the inhabitants of the town."<sup>1</sup> "Every action taken at the meeting must be pursuant to some article in the warrant, and must be within the scope of such article."<sup>2</sup>

### **How does Town Meeting proceed?**

Voters attending Town Meeting must first check in with the clerks and receive a voting card which is required to vote. The meeting typically acts on the articles in the order they are printed in the warrant. For each article, a main motion is made and seconded by voters and placed by the moderator on the floor for debate. Permission of the moderator is required to speak. The moderator presides and regulates the proceedings, decides all questions of order, and calls and declares all votes. After debate has ended, the moderator will call for a vote by a show of voter cards. If the vote is too close to call by sight or if seven voters immediately question the moderator's declaration of the vote, the moderator will order a hand count to confirm the vote.

### **Who can attend?**

Town Meeting is open to the public. Only Groton voters are entitled to attend, speak and vote. Non-voters may be required to sit in a separate section. Non-voters may ask the moderator to speak on the topic of the debate.

### **How long is town meeting?**

Town Meeting concludes when all articles on the warrant have been acted upon. Town Meeting may conclude in one session or adjourn for subsequent sessions.

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<sup>1</sup> *Town Meeting Time: A Handbook of Parliamentary Law* (page 12) Johnson, Trustman and Wadsworth, Third Edition, 2001.

<sup>2</sup> *Id.*

## **Pandemic Safety Procedures for Town Meeting**

Due to the pandemic, the Spring Town Meeting will be held outdoors on the field behind the Florence Roche Elementary School. Voters and non-voters attending the meeting are asked to follow these procedures:

- Attendees should wear masks, even while speaking, and observe social distancing whenever possible.
- Keep at least 6-feet of distance from others while in the voter check-in line.
- Voters should arrive early, check-in, receive a voter card, and proceed directly to a seat.
- A cart will be available for anyone who needs assistance moving from the parking lot to the field.
- Single and household-pair seating will be six or more feet apart and should not be moved. Attendees may bring their own chairs.
- Children may accompany parents and are asked to bring a seat for the child. Families with two or more children are asked to provide their own chairs.
- Voters will speak from their seats when called on by the moderator. Wireless microphones will be brought by an usher and sanitized between uses.
- Voting will be by raised voter card and not by voice.
- Anyone unable to wear a mask may sit in a reserved section with a dedicated microphone.
- There will not be a break for lunch, but Town Meeting attendees are urged to bring a bagged lunch so that the Town Meeting can be completed in one day, if possible.
- At the end of the meeting, voters are asked to observe social distancing while exiting the field.

Rain Date: In the event of inclement weather, the Town Meeting will be held the following day, May 2<sup>nd</sup> at 1 p.m. in the same location. If the Town Moderator postpones the meeting, notice will be made on the town website, posted in three public places, and through news and social media.

Please direct questions regarding the meeting procedures to Jason Kauppi, Town Moderator, at [moderator@grotonma.gov](mailto:moderator@grotonma.gov) or call 978-391-4506.

## **Explanation of a Consent Agenda**

A consent agenda is a procedure to group of multiple main motions into a single motion for voting. A consent agenda saves time by eliminating the reading of multiple motions and explanations when there are no objections or questions. In Groton, a consent agenda generally consists of articles unanimously supported by the Select Board and Finance Committee. Articles that change by-laws or introduce new spending are typically not included. In this warrant, the Select Board has grouped articles in consent agendas and labeled them for easy reference.

## **How Consent Agendas Work**

As the first step to act on a consent agenda, the moderator will read the titles of the included articles. A voter who wishes to remove an article from the consent agenda for separate debate and vote should state "hold." The held article will be set aside and acted on after the vote on the consent agenda. After the meeting agrees on the contents of the consent agenda, there will be no debate and the moderator will immediately call for a vote. Every motion included in the consent agenda will either pass or fail as a group. Voters should read the warrant and review the proposed consent agendas to identify articles they wish to remove for separate consideration.



## **Town Meeting Access for Voters with Disabilities**

**Parking** – Universally accessible parking spaces are available in the parking lot in front of the Groton Dunstable Middle School South.

**Sign Language** – A Sign Language Interpreter will be provided for the hearing impaired, upon request, at least one week prior to the meeting.

**Speaking at Town Meeting** – There will be volunteers available to bring hand-held microphones to voters who have mobility issues or cannot stand in line and wait at the microphones.

**Restrooms** – Accessible restrooms for this Town Meeting will be provided adjacent to the Florence Roche Elementary School.

**Transportation to Town Meeting** - The Council on Aging van will be available to Groton residents attending Town Meetings at no charge. All riders will be at the meeting prior to the start. The van is wheelchair accessible. Your reservation can be made by calling the Senior Center at 978-448-1170. Seats will be filled on a first come, first serve basis.

**Questions or concerns** - If you or a member of your household has questions or would like to request a sign language interpreter, please contact the Select Board's Office at Town Hall at 978 448-1111 at least one week before the Town Meeting.

## SPRING TOWN MEETING WARRANT

MAY 1, 2021

Middlesex, ss.  
Commonwealth of Massachusetts  
To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn said inhabitants of the Town of Groton qualified to vote on Town affairs to assemble in the Groton-Dunstable Middle School Track in said Town on Saturday, the first day of May, 2021 at Nine O'clock in the morning, to consider all business other than the election of Town Officers and on the twenty-fifth day of May, 2021, between the hours of 7:00 A.M. and 8:00 P.M., at an adjourned session thereof at the following locations:

Precinct 1	The Groton Center 163 West Main Street	Precincts 2 & 3	Middle School North Gymnasium 346 Main Street
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to give their ballots for:

Vote for One	Board of Assessors	3 Years
Vote for One	Board of Health	3 Years
Vote for One	Select Board	3 Years
Vote for One	Commissioner of Trust Funds	3 Years
Vote for Two	Groton-Dunstable Regional School Committee	3 Years
Vote for One	Groton Electric Light Commission	3 Years
Vote for One	Park Commission	3 Years
Vote for One	Park Commission	2 Years
Vote for Three	Planning Board	3 Years
Vote for One	Town Clerk	3 Years
Vote for One	Town Moderator	3 Years
Vote for One	Sewer Commission	3 Years
Vote for Two	Trustees of the Groton Public Library	3 Years
Vote for One	Trustees of the Groton Pubic Library	2 Years
Vote for One	Water Commission	3 Years
Vote for One	Groton Housing Authority	3 Years

### QUESTION 1:

Shall the Town of Groton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the design and construction of a new kindergarten through fourth grade elementary school with an approximate square footage of 109,855 square feet located at 342 Main Street in Groton, Massachusetts, inclusive of abatement and demolition of the existing school structures on said property, new parking lots, relocation and construction of the existing track, various other site improvements, and all other costs incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_

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		Appendix A – Fiscal Year 2022 Proposed Operating Budget	
		Appendix B – Fiscal Year 2022 Wage and Classification Schedule	

\*Will be presented as one Consent Motion

\*\*The Budget will be presented as one Motion

\*\*\*The CPA Articles will be presented as one Motion

\*\*\*\*Annual Consent Agenda. To be presented as one Motion



**ARTICLE 1: HEAR REPORTS**

To see if the Town will vote to hear and act on the report of the Select Board and other Town Officers and Committees, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**Summary:** *To hear reports of Town Boards, Committees and Commissions and to accept the annual report and other reports that may be presented to Town Meeting.*

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**ARTICLE 2: ELECTED OFFICIALS' COMPENSATION**

To see if the Town will vote to set the compensation for the elected officials of the Town for the ensuing year, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**Summary:** *To provide compensation for elected officials as proposed by the Town Manager. The Town Clerk is proposed to receive a salary of \$90,853 in FY 2022 and the Moderator is proposed to receive a salary of \$65 in FY 2022.*

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**ARTICLE 3: WAGE AND CLASSIFICATION SCHEDULE**

To see if the Town will vote to amend and adopt for Fiscal Year 2022 the Town of Groton Wage and Classification schedule as shown in Appendix B of this Warrant, or to take any other action relative thereto.

**SELECT BOARD  
TOWN MANAGER**

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**Summary:** *The purpose of this Article is to set the wage and classification schedule for the three (3) employees (Executive Assistant to the Town Manager, Human Resources Director and IT Director) covered by the Personnel Bylaw. Under the policy of the Select Board, these employees receive the same benefits as contained in the Town Supervisors' Union Contract. These employees will not receive a cost-of-living adjustment in Fiscal Year 2022.*

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**ARTICLE 4:                    APPROPRIATE FY 2022 CONTRIBUTION TO THE OPEB TRUST**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, to be added to the Other Post-Employment Benefits Liability Trust Fund as authorized by Massachusetts General Laws, Chapter 32B, Section 20, or to take any other action relative thereto.

**SELECT BOARD  
TOWN MANAGER**

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**Summary:**    *The purpose of this article is to fund the Town's OPEB Liability. The Select Board and Finance Committee have adopted a funding policy for this purpose. One of the funding goals is to commit to an annual appropriation to the Trust that would keep the Net Present Value Liability from growing until such time as the Town can begin to pay down the liability. In Fiscal Year 2022, the anticipated amount necessary for this purpose is estimated to be \$177,094. This Article will seek an appropriation of \$177,094 from Free Cash to add to the OPEB Liability Trust Fund.*

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**ARTICLE 5:                    FISCAL YEAR 2022 ANNUAL OPERATING BUDGET**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money as may be necessary to defray the expenses of the Town for the next Fiscal Year (2022), and act upon the budget of the Finance Committee, or to take any other action relative thereto.

**FINANCE COMMITTEE  
SELECT BOARD  
TOWN MANAGER**

**Select Board:**  
**Finance Committee:**

**Summary:**    *In accordance with Section 6 of the Town Charter, the Finance Committee conducts its annual budget process by receiving the Town Manager's proposed balanced budget on or before December 31<sup>st</sup>; meeting with department heads and boards; holding public budget hearings in preparation for issuing its recommendations to Town Meeting; and presenting its budget recommendations at the Spring Town Meeting. The budget handout for this Article is contained in Appendix A of this Warrant. Please also see the Finance Committee's and Town Manager's Report which includes the Finance Committee's and Select Board's recommendations.*

**ARTICLE 6: FISCAL YEAR 2022 CAPITAL BUDGET**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, for the purpose of funding the Fiscal Year 2022 Capital Budget, or to take another other action relative thereto.

**TOWN MANAGER**

**Summary:** *The following is the proposed Town Manager's Capital Budget for Fiscal Year 2022:*

<b>Item #1 – Engine 1 Refurbishment</b>	<b>\$225,000</b>	<b>Fire/EMS</b>
-----------------------------------------	------------------	-----------------

**Summary:** *Engine 1 is a truck that is currently in good condition thus making it a prime candidate for a refurbishment to extend its life. Proactive refurbishment before major issues occur can save significant money on major unexpected repairs and lengthen the life of the Truck. Due to its level of use, the refurbishment of Engine 1 would be best served in FY 2022 to minimize corrosion caused by salt and weather.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**

<b>Item #2A – Dump Truck</b>	<b>\$60,000</b>	<b>Highway</b>
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**Summary:** *In Fiscal Year 2018, Town Meeting approved a bond for \$185,000 to purchase a new Dump Truck for the Highway Department, with the intent to pay it back over five years. The appropriation this year is the fourth of five payments for this truck.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**

<b>Item #2B – Dump Truck</b>	<b>\$185,000</b>	<b>Highway</b>
------------------------------	------------------	----------------

**Summary:** *This vehicle is a scheduled replacement of a front-line truck responsible for plowing and sanding as well as normal construction duties. The anticipated cost of replacement of this truck is \$185,000. It is proposed that the Town borrow the funds through State House notes and pay off the debt over five years. The Town will begin repaying the bond on this Truck in Fiscal Year 2023.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**

**Item #3 – IT Infrastructure** **\$40,000** **Town Facilities**

**Summary:** *This item in the Capital Budget was established ten years ago and has been very successful. In Fiscal Year 2022, the following items will be purchased/upgraded with this allocation: 10 replacement computers; replace aging servers and storage arrays; investment to expand the network and keep equipment and maintenance costs current; and network switch upgrades and increased wireless coverage.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**

**Item #4 – Municipal Building Repairs** **\$25,000** **Town Facilities**

**Summary:** *This appropriation will be used to continue to maintain all municipal buildings by performing various maintenance activities to prevent major breakdowns in our municipal building infrastructure. In FY 2022, these funds will be used to perform brick pointing on Town Hall by the back door as well at Legion Hall.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**

**Item #5 – Tractor Trailer Unit** **\$20,000** **Transfer Station**

**Summary:** *At the 2018 Spring Town Meeting, the Meeting authorized the acquisition of a new Tractor Trailer Unit for the Transfer Station by borrowing the necessary funds (\$140,000) through the Commonwealth's State House Notes method and pay off the debt over four years. This will be the final payment for the Unit.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**

**Item #6 – Reconstruct Library Parking Lot** **\$45,000** **Library**

**Summary:** *The parking lot behind the Library has been patched and repaired, but in FY 2022 it will be 23 years old. It is worn, tired, cracking, not draining water properly, and becoming uneven in spots. It will need a full and complete reconstruction.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**

**Item #7 – Property Improvements                      \$25,000                      Park Department**

**Summary:**    *The Park Commission has been working over the past several years developing a strategy to address deficiencies in the various Park Department Properties located throughout Groton. By appropriating \$25,000 each year, the Park Commission can develop a capital improvement program that will allow them to keep our various park locations in good shape and avoid a major construction project.*

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**Item #8 – Golf Carts                      \$25,000                      Country Club**

**Summary:**    *Seven years ago, we replaced the fleet of twenty-five golf carts with new 2012 Club Car DS gas powered carts using a five-year lease to purchase agreement at an annual cost of approximately \$25,000. Beginning in FY 2022, the Club will need to replace the Carts in the same manner.*

**Select Board: *Recommendation Deferred Until Town Meeting***  
**Finance Committee:**

**Item #9 – Cart Path/Tee Box Repairs                      \$10,000                      Country Club**

**Summary:**    *This funding will be used to extend the Cart Path from the fourth hole green to the fifth hole forward tee. In addition, it will pay for repairs to the second hole tee box.*

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**Item #10 – Country Club Roof                      \$50,000                      Town Facilities**

**Summary:**    *This is a needed replacement of the roof on the main building. The Tavern Building's roof was repaired four years ago. The back of the main building is in reasonable shape, but the front of the building is need of replacement.*

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**Item #11 – Police Cruisers**

**\$100,000**

**Police Department**

**Summary:** *Purchase of two police cruisers and related equipment to replace cruisers that are no longer cost effective to maintain. This allows for lesser mileage per year, better maintenance scheduling, assignment of cars to officers and for a programmed replacement schedule that ensures line cars are rotated out at reasonable mileage and wear. Un-marked cars are rotated in the same fashion.*

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**TOWN MANAGER**

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**ARTICLE 7: CPA RECOMMENDATION – MIDDLE SCHOOL TRACK**

To see if the Town will vote to adopt and approve the recommendation of the Community Preservation Committee established pursuant to Chapter 44B of the General Laws, to construct a new Middle School Track, and all costs associated and related thereto, and to implement such recommendation, borrow pursuant to any applicable statute and/or appropriate a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, said funds to be expended by the Town Manager, or to take other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

**Select Board: *Recommended (4 In Favor, 1 Deferred – Giger)***  
**Finance Committee:**

**Summary:** *The sitework expenses associated with the Florence Roche Elementary School Project campus track relocation are not eligible for reimbursement through the Massachusetts School Building Authority (MSBA). Approval of this Article will authorize the track relocation expenses to be paid for with Community Preservation Funds. These funds include an annual state match to local dollars; construction costs for residents will be reduced by over half a million dollars. Relocation of the track will only occur if the Florence Roche Elementary School Project is approved at Town Meeting and at the Ballot.*

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**ARTICLE 8: FLORENCE ROCHE ELEMENTARY SCHOOL CONSTRUCTION**

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of Florence Roche Elementary School Building Committee, for the design and construction of a new kindergarten through fourth grade elementary school, known as the Florence Roche Elementary School, with an approximate square footage of 109,855 square feet located at 342 Main Street in Groton, Massachusetts, inclusive of abatement and demolition of the existing school structures on said property, new parking lots, relocation and construction of the existing track, various other site improvements, and all other costs incidental and related thereto, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town

acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-three and thirty-nine hundredths' percent (53.39%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or to take any other action relative thereto.

#### **FLORENCE ROCHE SCHOOL BUILDING COMMITTEE**

**Select Board: *Recommended Unanimously***

**Finance Committee:**

**Summary:** *An extensive Feasibility Study of K-4 education of Groton students has determined that the most cost effective and educationally beneficially solution is to rebuild the Florence Roche Elementary School on the current parcel. The relocation of the Middle School Track is an incidental cost to the Florence Roche Elementary School Building Project. As outlined in the GDRSD Regional Agreement, capital expenses are assessed to each member town based on the five-year rolling enrollment average per building. Because no Dunstable students have attended Florence Roche in recent years the cost of the Florence Roche Elementary School construction is the sole responsibility of the Town of Groton. Approval of this Article allows for short-term borrowing of funds for construction. The Massachusetts School Building Authority (MSBA) reimbursements will be made during the construction phase. Approval of this Article allows for long term consolidation of borrowed funds once construction has been completed; which is estimated to be in 2025. As stated in the Article, a Debt Exclusion of Proposition 2½ at the Annual Town Election will also be required.*

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#### **ARTICLE 9:           ENGINEERING FUNDS – WHITNEY POND TREATMENT FACILITY**

To see if the Town will vote to appropriate a sum or sums of money, to be expended under the direction of the Board of Water Commissioners, to pay costs of engineering design services and owners project manager services related to improving the Whitney Pond Water Treatment Facility, commencing in fiscal year 2021, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

#### **BOARD OF WATER COMMISSIONERS**

**Select Board: *Recommended Unanimously***

**Finance Committee:**

**Water Commissioners:**

**Summary:** *This article allows the Board of Water Commissioners to expend the sum of \$722,300, to be raised through water rates, for the Design Engineering Services and the Owners Project Manager Services related to the new Manganese Treatment Facility at the Whitney Pond Well Site.*

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**ARTICLE 10:           ENGINEERING FUNDS – WHITNEY POND WELL #3**

To see if the Town will vote to appropriate a sum or sums of money, to be expended under the direction of the Board of Water Commissioners, to pay costs of engineering design services and owners project manager services related to developing the new Whitney Pond Well #3, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

**BOARD OF WATER COMMISSIONERS**

**Select Board:** *Recommended (4 In Favor, 1 Deferred – Degen)*

**Finance Committee:**

**Water Commissioners:**

**Summary:** *This article allows the Board of Water Commissioners to expend funds, to be raised through water rates, for the Design Engineering Services and the Owners Project Manager Services related to the new source well at the Whitney Pond Well Field (Whitney Pond Well #3).*

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**ARTICLE 11:           EXTEND GROTON CENTER SEWER DISTRICT**

To see if the Town will vote to extend the "Groton Center Sewer District" as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, and as shown most recently on the plan approved under Article 14 of the Annual Town Meeting of April 25, 2005, to include the property shown on Assessors' Map 109, Lot 43-0 (108 Pleasant Street) but only for the exclusive use of 108 Pleasant Street, and its successors or assigns, and provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments or otherwise, or to take any other action relative thereto.

**BOARD OF SEWER COMMISSIONERS**

**Select Board:** *Recommendation Deferred Until Town Meeting*

**Finance Committee:**

**Summary:** *This article requests authorization from the Town Meeting to expand the Center Sewer District to include 108 Pleasant Street, Groton.*

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**ARTICLE 12: GRANT EASEMENT FOR SEWER CONNECTION – 227 BOSTON ROAD**

To see if the Town will vote to authorize the Select Board to grant an easement to Christine R. and Kevin J. Lindemer, and their successors and assigns, for the purpose of placing and maintaining a subsurface sewage disposal line to service 227 Boston Road below existing grade surface and under the surface of Town owned property under the control of the Select Board located at 94 Lovers Lane, shown on Assessors Map 115, Parcel 34, Recorded Deed Book 20265, Page 302 at the South Middlesex Registry of Deeds, as shown on the plan on file with the Office of the Town Clerk, on terms and conditions deemed by the Select Board to be in the best interest of the Town, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board: *No Recommendation (4 Deferred, 1 In Favor – Pine)***  
**Finance Committee:**

**Summary:** *The 2018 Fall Town Meeting approved the extension of the Groton Central Sewer District to 227 Boston Rd. The extension will allow for the development of one additional house lot, connection of the existing house, and conversion of the barn to residential use. The extension will be a private connection and will not extend beyond the confines of what is currently 227 Boston Rd. The work will be done using directional drilling from the site of the new house lot and is not expected to result in surface disturbance except for a small area at the point of connection to the town sewer at the edge of the golf course across from Johnson's Restaurant. The owners of 227 Boston Rd. (Kevin and Christine Lindemer) will pay for the cost of construction and connecting to the existing sewer line. It is anticipated there will be no cost to the Town of Groton for the connection and maintenance. In addition, if the work is completed as envisioned, property tax revenue to the Town of Groton will increase in addition to the added town sewerage fees.*

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**ARTICLE 13: COMMUNITY PRESERVATION FUNDING ACCOUNTS**

To see if the Town will vote to make the following appropriations from the Community Preservation Fund: Allocation of Community Preservation Funds to the following sub accounts:

CPC Operating Expenses:	\$ 20,500
Open Space Reserve:	\$ 78,490
Historic Resource Reserve:	\$ 78,490
Community Housing Reserve:	\$ 78,490
Unallocated Reserve:	\$528,930

or to take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

**Select Board: *Recommended Unanimously***  
**Finance Committee:**  
**Community Preservation Committee:**

**Summary:** *This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during Fiscal Year 2022. Except for the CPC Operating Expenses, none of these funds will be spent without additional approval at Town Meeting.*

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**ARTICLE 14: COMMUNITY PRESERVATION FUNDING RECOMMENDATIONS**

To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2022, and vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and by authorizing the Select Board, with the approval of the Community Preservation Committee, to acquire, by purchase, gift or eminent domain, such real property interests in the name of the Town, or enforceable by the Town, including real property interests in the form of permanent affordable housing restrictions and historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing, or to take any other action relative thereto.

**CPC Proposal A: Maintenance and Mausoleum Restoration \$65,000**

**Summary:** *The Groton Cemetery Association is requesting \$65,000 in CPA funds to repair and restore both the Maintenance Building and the Mausoleum located at the Groton Cemetery. The full amount to be paid from the Historic Reserve.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**  
**Community Preservation Committee:**

**CPC Proposal B: Field and Recreation Feasibility Study \$20,000**

**Summary:** *The Park Commission is requesting \$20,000 in CPA funds to carry out a Feasibility Study that would include Cow Pond Fields, Waitowicz Field, and Cutler Memorial Field, to determine that they are providing maximum and safe playing surfaces on their acreage while correcting the issue of parking and travel on their properties. The full amount to be paid from the Unallocated Reserve.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**  
**Community Preservation Committee:**

**CPC Proposal C:      Non-Point Sources of Pollution      \$40,000**

**Summary:**    *As part of the continuation of the Lost Lake/Knops Pond Long-Term Lake Management Plan, the Great Pond Advisory Committee and the Groton Lakes Association is seeking \$43,000 in CPA funds to complete a major component of this plan namely the dataset identifying the non-point sources of pollution entering Lost Lake and the development of a mitigation plan to correct these problems. The full amount to be paid from the Unallocated Reserve.*

**Select Board: Recommended (4 In Favor, 1 Deferred – Manugian)**

**Finance Committee:**

**Community Preservation Committee:**

**CPC Proposal D:      Site Assessment Study      \$150,000**

**Summary:**    *The Affordable Housing Trust (AHT) is exploring possible locations for the development of affordable housing. As part of this process, the AHT is seeking \$150,000 in CPA funds to pay for investigatory pre-development and engineering work and/or expert advice in order to assess the costs and feasibility of any potential site for development. Funds may also be used to prepare grant applications to support the creation of affordable housing. Either town-owned or privately-owned parcels may be considered and evaluated. The full amount to be paid from the Community Housing Reserve.*

**Select Board: Not Recommended (4 Against, 1 In Favor – Pine)**

**Finance Committee:**

**Community Preservation Committee:**

**CPC Proposal E:      Squannacook River Rail Trail      \$30,000**

**Summary:**    *Squannacook Greenways is requesting \$30,000 in CPA funds for construction of the Squannacook River Rail Trail (SRRT) from the Bertozzi Wildlife Management Area to the northern Crosswinds Drive crossing for a total distance of .65 miles. The construction of the entire SRRT is being conducted in phases due to environmental requirements which limit construction activity to a period of between November 15<sup>th</sup> and March 15<sup>th</sup>. Squannacook Greenways is also relying on DCR Trails grants to underwrite a large portion of construction costs and has been the successful recipient in the last two rounds of grant cycles. Squannacook Greenways will be applying for a DCR MassTrails grant for FY 2022 and will be relying on CPA funds as the local match requirement. If successful, it is their intention to commence construction in November, 2022. The amount of \$2,000 to be paid from the Open Space Reserve and the amount of \$28,000 to be paid from the Unallocated Reserve.*

**Select Board: Recommended Unanimously**

**Finance Committee:**

**Community Preservation Committee:**

**CPC Proposal F:      Duck Pond Restoration, Phase 2      \$19,800**

**Summary:**    *The Great Pond Advisory Committee is requesting \$20,000 in CPA funds to help with the continuation of the restoration and preservation work completed during Phase 1 of the previously approved Duck Pond Restoration project. Phase 2 of this project will provide three years of funds for electricity to operate the Compressor (8 months / year), three water quality tests per year, periodic muck-depth measurements ("polling"), and a written final report. The full amount to be paid from the Unallocated Reserve.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**  
**Community Preservation Committee:**

**CPC Proposal G:      Housing Coordinator      \$51,617**

**Summary:**    *This application is requesting \$51,617 in CPA funding from the Community Housing category to fund the wages and benefits of the Housing Coordinator position (25-hours/week). The full amount to be paid from the Community Housing Reserve.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**  
**Community Preservation Committee:**

**CPC Proposal H:      Groton Dunstable Field Restoration Plan      \$230,232**

**Summary:**    *The Groton Dunstable Regional School Committee is requesting \$230,232 in CPA funds to use towards the renovations of the GDRHS Stadium Field and GDRHS Softball Field. After assessing the conditions of the 25 acres of athletic fields in the district, these two field restoration projects have been identified as needing to be completed in order for the fields to be considered safe and usable for the student athletes and community usage. This project will include total replacement and restoration of the stadium high school natural turf field and resolve tree overgrowth at the high school softball field to address the wet field preventing the use of the field. The Dunstable Community Preservation Committee is in support of funding Dunstable's proportionate share of this project at \$74,268. GD@Play generously donated \$100,000 to offset the cost of this initiative. The purchase of equipment not included in the CPC request of a utility tractor, aerator attachments and top dresser will be purchased with this donation with the balance of \$18,500 to be applied to support the cost of the renovation of the stadium field. The amount of \$98,232 to be paid from the Unallocated Reserve and the amount of \$132,000 to be paid through a five-year Bond.*

**Select Board: Recommended Unanimously**  
**Finance Committee:**  
**Community Preservation Committee:**

**CPC Proposal I: Conservation Fund FY 2022**

**\$350,000**

**Summary:** *The Conservation Commission is requesting \$350,000 in CPA funds to be added to the Town's Conservation Fund to help preserve open space, protect water resources and wildlife habitat, and preserve land for agricultural, recreational, and forestry activities. The Conservation Fund allows the Town to move quickly in the event a priority parcel becomes available. In the past, the Conservation Fund has been used to purchase Conservation Restrictions, Agricultural Preservation Restrictions, and fee ownership of conservation land in the Town. The Commission's goal is to maintain an amount between \$750,000 and \$1,000,000 in the Conservation Fund. The Conservation Fund balance is \$320,129. The full amount to be paid from the Unallocated Reserve.*

**Select Board: Recommended (4 In Favor, 1 Against – Manugian)**

**Finance Committee:**

**Community Preservation Committee:**

**CPC Proposal J: Multi-Use Recreational Courts**

**\$157,480**

**Summary:** *Friends of Groton Pickleball is requesting \$157,480 in CPA funds to help fund the restoration project at the Groton Country Club that will create new multi-use recreational courts, consisting of 8 pickleball courts, 1 tennis court and a half of a basketball court. The full amount to be paid from the Unallocated Reserve.*

**Select Board: Recommended (3 In Favor, 2 Deferred – Degen, Giger)**

**Finance Committee:**

**Community Preservation Committee:**

**CPC Proposal K: Original Interior Skylight Restoration**

**\$3,000**

**Summary:** *The Groton Public Library is requesting \$3,000 in CPA funds to restore and fortify the original piece of the building fabric that is part of the Library's original interior skylight. The full amount to be paid from the Historic Reserve.*

**Select Board: Recommended Unanimously**

**Finance Committee:**

**Community Preservation Committee:**

**COMMUNITY PRESERVATION COMMITTEE**

**ARTICLE 15: AMEND ZONING BYLAW – MEDICAL MARIJUANA**

To see if the Town will vote to amend the Zoning Bylaw as follows:

1. Amend Section 218-5.2 Schedule of Use Regulations by deleting the following titled rows in their entirety and renumber subsequent Sections accordingly:

"96 Registered medical marijuana dispensary, up to 25,000 square feet gross floor area, see § 218-10.4"

"97 Off-site registered medical marijuana dispensary, up to 2,500 square feet gross floor area, see § 218-10.4"

2. Amend Section 218-3 Definitions by deleting the following definitions:

**OFF-SITE REGISTERED MEDICAL MARIJUANA DISPENSARY (ORMMD)**

A registered medical marijuana dispensary that is located off site from the cultivation/processing facility (and controlled and operated by the same registered and approved not-for-profit entity which operates an affiliated RMMD) but which serves only to dispense the processed marijuana, related supplies and educational materials to registered qualifying patients or their personal caregivers in accordance with the provisions of 105 CMR 725.00.

**[Added 4-24-2017 ATM, Art. 22]**

**REGISTERED MEDICAL MARIJUANA DISPENSARY (RMMD)**

A not-for-profit entity registered and approved by the Massachusetts Department of Public Health in accordance with 105 CMR 725.100, and pursuant to all other applicable state laws and regulations, also to be known as a "medical marijuana treatment center," that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. A RMMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

**[Added 4-24-2017 ATM, Art. 22]**

or to take any other action relative thereto.

**PLANNING BOARD**

**Select Board: *Recommendation Deferred Until Town Meeting***

**Finance Committee:**

**Planning Board:**

**Summary:** *The purpose of this Article is to delete obsolete references to registered medical marijuana dispensaries in the Zoning Bylaw Table of Uses and Definitions. The land use permitting for Medical Marijuana became absorbed into Non-Medical Marijuana following the adoption of MGL 94G. The deletion of the references to Registered Medical Marijuana Dispensaries will eliminate future regulatory confusion and conflict over retail marijuana sales.*

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## **ARTICLE 16: AMEND ZONING BYLAW – CLARIFICATIONS**

To see if the Town will vote to amend the Zoning Bylaw as follows:

1. Amend Section 218-9.4 Attached Accessory Apartment by deleting the word "Attached" so it reads as follows:

"Section 218-9.4 Accessory Apartment"

2. Amend the Schedule of Use Regulations by deleting Row 103 in its entirety and replacing it with the following:

Schedule of Use Regulations								
	R-A	R-B	NB	VB	GB	I	P	O
103. Accessory Apartments as regulated under Section 218-9.4								
A. Attached accessory apartment	Y	Y	N	N	N	N	N	N
B. Detached accessory apartment	PB	PB	N	N	N	N	N	N

or to take any other action relative thereto.

### **PLANNING BOARD**

**Select Board: *Recommendation Deferred Until Town Meeting***

**Finance Committee:**

**Planning Board:**

**Summary:** *The purpose of this Article is to cleanup and clarify various sections of the Zoning Bylaw.*

## **ARTICLE 17: BYLAW PROHIBITING USE OF POLYSTYRENE CONTAINERS**

To see if the Town will vote to amend the General Bylaws by adding a new Chapter 199 of the Code of the Town of Groton, entitled Polystyrene Container Restrictions for Food Service Establishments as follows:

### **Chapter 199: Polystyrene Container Restriction for Food Service Establishments**

#### **§ 199-1. Findings and Intent.**

- Whereas, the Town has a duty to protect the health of its citizens and the natural environment.
- Whereas, Polystyrene sometimes known by Dow Chemical Co. brand name of Styrofoam is a synthetic plastic that biodegrades so slowly (hundreds of years) it is considered to be non-biodegradable.
- Whereas, expanded polystyrene containers are not part of the Town's regular recycling program.

- Whereas, styrene, the key ingredient in expanded polystyrene, was recently added to the National Toxicology Program's list of carcinogens (U.S. Department of Health and Human Services) and can leach from containers into food and beverages.
- Whereas, polystyrene has become a significant component of plastic debris in the environment, is sometimes mistaken for food by animals including marine life, and thereby transfers toxic chemicals into the food chain.
- Whereas, appropriate alternative products are readily available from vendors and are already being used by many local businesses

## **§199-2. Effective Date.**

This bylaw shall take effect January 1, 2022.

## **§199-3. Definitions.**

**Disposable food service container** shall mean single-use disposable products for serving or transporting prepared, ready-to-consume food or beverages, including, without limitation, take-out foods and/or leftovers from partially consumed meals prepared by a food establishment. This includes, but is not limited to plates, cups, bowls, trays, hinged or lidded containers, cups, lids, straws, and utensils. It does not include single-use disposable packaging for unprepared foods.

**Polystyrene** shall mean blown polystyrene (polystyrene that has been expanded or blown using a gaseous blowing agent into a solid foam) and expanded and extruded forms, which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene).

The term also includes clear or solid polystyrene, which is also known as "oriented," or referenced in this bylaw as "Rigid Polystyrene." Rigid Polystyrene is generally used to make clear clamshell containers, lids, and cutlery.

The term also includes products with a Polystyrene coating.

**Fineable Offense** is defined as a knowing or common use of item or items restricted by the by-law. Common use refers to item or items that are part of one's daily use.

**Food establishment** shall mean any food service operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002 located within the Town of Groton. Any establishment requiring a permit to operate in accordance with the Minimum Sanitation Standards for Food Establishment, 105 CMR 590.000, et seq., shall be considered a food establishment for purposes of this bylaw.

**PFAS/PFOA** shall mean per- and polyfluoroalkyl substances, a group of man-made chemicals that includes PFOA, PFOS, GenX, and many other chemicals.

**Prepared food** shall mean any food or beverage prepared on the food establishment's premises using any cooking or food preparation technique. Prepared food does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation. Prepared food may be eaten on or off the food establishment's premises.

**Acceptable replacement product** shall mean any food container, disposable cutlery, or other limited use item provided with food meeting all functional and safety requirements and not containing Polystyrene or other known or emerging environmental contaminants such as PFAS/PFOA.

**Town Facility** shall mean any building, structure, land, or recreational area owned, leased, or operated by the Town of Groton.

#### **§199-4. Prohibitions.**

1. Except as provided herein, food establishments are prohibited from dispensing prepared food and drink in disposable food service containers made from polystyrene. All food establishments are required to use acceptable replacement products for such purposes. All food establishments are strongly encouraged to use reusable food service containers and cutlery, and when possible biodegradable, compostable alternatives. Compostable materials must meet ASTM (American Society of the International Association for Testing and Materials) Standards for compostability.
2. Town departments or agencies shall not purchase or use disposable food service containers and / or utensils made from polystyrene while in the performance of official Town duties within the Town of Groton.
3. Individuals, contractors, vendors, or other entities shall not use disposable food service containers and / or utensils made from polystyrene in a Town facility or Town property while acting or performing under a Town contract, lease, license, permit, grant, or other agreement.

#### **§199-5. Variance.**

1. Any food establishment or Town Department and its agencies may make a written application to the Board of Health for a variance from this bylaw.
2. Every application for a variance is subject to a public hearing. Notice of the hearing shall be posted as part of a public notice of the Board of Health meeting at which the application will be considered. Notice shall be posted no less than two weeks (14 calendar days) before the meeting.
3. By vote of a majority of its full authorized membership, the Board of Health may grant a variance in cases where a suitable biodegradable, compostable, reusable or recyclable alternative does not exist for a specific usage, and/ or enforcement of this bylaw would cause undue hardship to that food establishment or Town Department.
4. A variance may be granted for up to six months and extended for like periods upon submission of a renewal application.
5. Any variance granted by the Board shall be in writing.

6. A copy of the variance granted under this Section shall be available for public inspection on the premises for which it is issued.

#### **§199-6. Enforcement, Penalties and Fines.**

1. The Board of Health or its designee shall have primary responsibility for enforcement of this bylaw. This shall include establishment of regulations or administrative procedures, inspections, and issuance of citations for violations.
2. The Board of Health, after a hearing conducted in accordance with the procedures set forth in 105 CMR 590.14 and CMR 590.15, may suspend or revoke the license or permit issued by the Board of Health for any establishment failing to comply with this bylaw.
3. A person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by a noncriminal disposition pursuant to MGL C. 40, § 21D, and the Town's noncriminal disposition bylaw. The following penalties apply:
  1. First offense -- a written warning specifying the violations and appropriate penalties for future violations
  2. Second offense -- \$100
  3. Third Offense -- \$200
  4. Fourth and subsequent Offense -- \$300

Fines for repeated violations in a one-year period are cumulative as provided in Chapter 1, Section 1-4B, of the bylaws.

#### **§199-7. Severability.**

If any provision of this bylaw or any application thereof is held to be invalid by a court of competent jurisdiction, the invalidity shall be limited to said provision(s) and the remainder of the bylaw shall remain valid and effective.

or take any action relative thereto.

### **BOARD OF HEALTH**

**Select Board: *Recommended Unanimously***  
**Finance Committee:**

**Summary:** *The purpose of this by-law is to establish restrictions on the use of polystyrene in food containers. Polystyrene has been added to the US Department of Health and Human Services list of known carcinogens and may leach from food containers into food. Restricting the use of polystyrene food containers will have an immediate, positive impact on public health. Doing so will also benefit our environment by reducing solid waste because polystyrene cannot be recycled.*

## ARTICLE 18: CITIZENS' PETITION - TRANSFER CONTROL OF LAND

To see if the Town will vote to amend the vote taken under Article 1 of the April 24, 2006 Special Town Meeting that authorized a fee interest in 14 acres, more or less, of land to be owned by the Town and managed and controlled by the Select Board for all uses allowed by statute under the Community Preservation Act, said parcel located in the southwest corner of Lot 7 as shown on a Plan of Land entitled Community Preservation Act Acquisition by the Town of Groton, Massachusetts, prepared by Beals Associates, Inc. and dated April 21, 2006, and transfer said control to the Conservation Commission for open space and recreation purposes, or to take any other action relative thereto.

### CITIZENS' PETITION

<u>NAME</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>ADDRESS</u>
Nathan Shapiro	133 Shirley Road	Melanie O'Leary	21 Old Orchard Road
Mark Martel	10 Whiting Avenue	Dan O'Leary	21 Old Orchard Road
Ken Kolodzies	44 Farmers Row	Joshua Stark	9 Old Orchard Road
John Smigelski	150 Mill Street	Erin Stark	9 Old Orchard Road
Laurie Smigelski	150 Mill Street	Stacey Vow	43 Joy Lane

**Select Board: Recommended (3 In Favor, 2 Against – Manugian, Pine)**  
**Finance Committee:**

**Summary:** The following summary was prepared by the petitioners and represents their view on the Article: *This Article proposes to place the Surrenden Farm Reserve Parcel under the control of the Groton Conservation Commission and to restrict its use to open space or recreation. This will more permanently preserve the land, akin to its surrounding ~345 acres. In 2006 the Town of Groton, Groton School, the Groton Conservation Trust, the Trust for Public Land and others, raised \$19 million to rescue 360 acres of Surrenden Farm from building development. Conservation restrictions were placed on all of Surrenden Farm with the exception of a 14-acre parcel known as the Reserve Parcel. The Reserve Parcel is owned by the Town and is currently open space used for passive recreation. The Reserve Parcel is on the East side of Shirley Road, adjoining the Ayer town line to the South and the General Field to the East and North. Importantly, as part of the 2006 arrangements, the Town of Groton and Groton School entered into an agreement which provides that if the town allows the use of the Reserve Parcel for a use other than undeveloped land, then the Town would give the current Joy Lane to Groton School. To access the Reserve Parcel, the Town would then have to relocate Joy Lane to the General Field and upgrade the existing partially paved and partially dirt and gravel "way" that winds through the General Field into a widened two-lane road that meets Town Subdivision Road Standards, greatly altering the park-like feel and inhibiting the recreational use of the General Field. Since 2006, the General Field has become a much-used public space. The proponents of this Article believe that relocating Joy Lane to the General Field would have a significantly adverse effect on it. The proposed Article would transfer management and control of the Reserve Parcel to the Conservation Commission and restrict its use in order to preserve the Reserve Parcel and to make any use of the land that would trigger the construction of a road across the General Field unlikely.*

**ARTICLES 19 THROUGH 32 WILL BE PART OF THE CONSENT AGENDA. PLEASE SEE EXPLANATION PROVIDED ON PAGE 2 OF THIS WARRANT.**

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**ARTICLE 19: CURRENT YEAR LINE-ITEM TRANSFERS**

To see if the Town will vote to transfer certain sums of money within the Fiscal Year 2021 budget, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:**  
**Finance Committee:**

**Summary:** *To transfer money within the Fiscal Year 2021 Budget should the need arise. A handout explaining any necessary transfers will be available at Town Meeting.*

---

**ARTICLE 20: APPROPRIATE MONEY TO OFFSET SNOW AND ICE DEFICIT**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum or sums of money, to be expended by the Town Manager, to reduce the deficit in the Fiscal Year 2021 Snow and Ice Budget, as approved under Article 4 of the 2020 Spring Town Meeting, or to take any other action relative thereto.

**TOWN MANAGER**

**Select Board:**  
**Finance Committee:**

**Summary:** *This article will allow the Town to fund any deficit in the Snow and Ice Account in FY 21.*

---

**ARTICLE 21: TRANSFER WITHIN WATER ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Water Enterprise Fund Surplus to the Fiscal Year 2021 Water Department Operating Budget, or to take any other action relative thereto.

**BOARD OF WATER COMMISSIONERS**

**Select Board:**  
**Finance Committee:**

**Summary:** *This article will request a transfer of funds from Water Surplus to help fund the Fiscal Year 2021 Water Department's Operational Expenses. More information will be provided at Town Meeting to explain any transfer requested under this article.*

---

**ARTICLE 22:           TRANSFER WITHIN CENTER SEWER ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Center Sewer Enterprise Fund Surplus to the Fiscal Year 2021 Center Sewer Enterprise Department Budget, or to take any other action relative thereto.

**BOARD OF SEWER COMMISSIONERS**

**Select Board:**  
**Finance Committee:**

**Summary:** *This article allows the Sewer Department to transfer money from its surplus account to cover any deficit in the Fiscal Year 2021 Center Sewer Budget. More information will be provided at Town Meeting to explain any transfer requested under this article.*

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**ARTICLE 23:           TRANSFER WITHIN FOUR CORNERS SEWER ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Four Corners Sewer Enterprise Fund Surplus to the Fiscal Year 2021 Four Corners Sewer Enterprise Department budget, or to take any other action relative thereto.

**BOARD OF SEWER COMMISSIONERS**

**Select Board:**  
**Finance Committee:**

**Summary:** *This article allows the Sewer Department to transfer money from its surplus account to cover any deficit in the Fiscal Year 2021 Four Corners Sewer Budget. More information will be provided at Town Meeting to explain any transfer requested under this article.*

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**ARTICLE 24:           TRANSFER WITHIN CABLE ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Cable Enterprise Fund Surplus to the Fiscal Year 2021 Cable Enterprise Department budget, or to take any other action relative thereto.

**CABLE ADVISORY COMMITTEE**

**Select Board:**  
**Finance Committee:**



**Summary:** *This article allows the Cable Advisory Committee to transfer money from its surplus account to cover any deficit in the Fiscal Year 2021 budget. More information will be provided at Town Meeting to explain any transfer requested under this article.*

---

**ARTICLE 25: PRIOR YEAR BILLS**

To see if the Town will vote to transfer from available funds a sum or sums of money for the payment of unpaid bills from prior fiscal years, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:**  
**Finance Committee:**

**Summary:** *Town Meeting approval is required to pay bills from a prior fiscal year. A list of unpaid bills will be provided at Town Meeting.*

---

**ARTICLE 26: AUTHORIZATION TO TRANSFER MONEY FROM FREE CASH**

To see if the Town will vote to transfer the sum of \$71.92 from Free Cash to offset a deficit balance in the FY20, 911 EMD Grant and furthermore, to see if the Town will vote to transfer the sum of \$167.16 from Free Cash to offset a deficit balance in the FY20 911 Training Grant. The total to be charged to Free Cash for this purpose is \$239.08, or to take any other action relative thereto.

**TOWN ACCOUNTANT**

**Select Board:**  
**Finance Committee:**

**Summary:** *The Commonwealth of Massachusetts routinely awards the Town of Groton grant money to be used for 911 Dispatch operations. These are reimbursable grants; the award is not forwarded to the Town until after the expense has been made. In regards to the grants noted above, the Commonwealth disallowed a small portion of the Town's reimbursement request after the vendors had been paid. These deficits must be cleared to close out these accounts for Fiscal Year 2021-year end.*

---

**ARTICLE 27: AUTHORIZATION TO TRANSFER MONEY FROM FREE CASH:**

To see if the Town will vote to transfer the sum of \$1,861.04 from Free Cash to offset a deficit balance in the Fire Details Agency Account, or to take any other action relative thereto.

**TOWN ACCOUNTANT**

**Select Board:**  
**Finance Committee:**

**Summary:** *The Town of Groton Firefighters routinely work private details when construction projects in Town involve blasting activities. These officers are compensated for their time through the Town's payroll, and the vendor requesting the detail is billed to recover those funds. Occasionally, one of these vendors is unable to pay for the service provided (for instance in the event of a business failure) and after attempts to work with that vendor prove unsuccessful, the receivable is judged uncollectible and must be written off.*

---

**ARTICLE 28: DEBT SERVICE FOR SURRENDEN FARMS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum or sums of money, pursuant to Massachusetts General Laws, Chapter 44B, Section 5 for debt service for Fiscal Year 2022 for the Surrenden Farm Land Acquisition, as authorized under Article 1 of the April 24, 2006 Special Town Meeting, or to take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

**Select Board:**  
**Finance Committee:**  
**Community Preservation Committee:**

**Summary:** *This article appropriates the debt payments for the Surrenden Farm Land Purchase. Funding for this article will come from Community Preservation Funds. This is the final year for paying off the Debt. The anticipated debt service for Fiscal Year 2022 is \$204,150. To fund this \$145,000 would be paid from the Open Space Reserve and \$59,150 would be paid from the Unallocated Reserve.*

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**ARTICLE 29:                    ASSESSORS QUINQUENNIAL CERTIFICATION**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum or sums of money, to be expended by the Board of Assessors, for the purpose of completing the five-year full certification program necessary to achieve full and fair cash value in accordance with the requirements of G.L. c. 40, § 56 and c. 58, §§1, 1A and 3 and the Massachusetts Department of Revenue, or to take any other action relative thereto.

**BOARD OF ASSESSORS**

**Select Board:**  
**Finance Committee:**

**Summary:**        *Assessors in every city and town are responsible for developing a Revaluation program to completely analyze and revalue all property within its borders every year. Revaluation annually, is required under Massachusetts law and is regulated by the Massachusetts Department of Revenue's Bureau of Local Assessment (BLA). The rationale for revaluation is to always maintain property at fair market or fair cash value to ensure equity for all classes of property. Every fifth year the Massachusetts Department of Revenue requires a full certification with BLA oversight. The Assessors are seeking \$29,200 to cover the cost for appraisal services of Real Property to be conducted by Vision Government Solutions.*

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**ARTICLE 30:                    ESTABLISHING LIMITS FOR THE VARIOUS REVOLVING FUNDS**

To see if the Town will vote, pursuant to the provisions of G.L. c. 44 sec 53E½ and the Revolving Fund Bylaw, to amend the Revolving Fund Bylaw to add or delete any revolving account and/or to set the FY 2022 spending limits for the various revolving funds as follows:

<b>Program or Purpose</b>	<b>FY 2022 Spending Limit</b>
Stormwater Management	\$20,000
Conservation Commission	\$50,000
Building Rental Fund	\$50,000
Affordable Housing Marketing	\$20,000
Home Recycling Equipment	\$10,000
Access for Persons with Disabilities	\$10,000
Boat Excise Tax Fund	\$ 5,000
Transfer Station Glass	\$10,000
Senior Center Fitness Equipment	\$10,000

or take any other action relative thereto.

**TOWN MANAGER**

**Select Board:**  
**Finance Committee:**

**Summary:** *This Article sets the limit of annual spending for the various revolving funds authorized by previous Town Meeting vote and currently set forth in the Town's Bylaw for said purpose.*

---

**ARTICLE 31: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTIONS**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 59, §5C1/2, inserted by Section 14 of Chapter 62 of the Acts of 2014, for the purpose of increasing the real estate tax exemptions by 100 percent to all persons who qualify for property tax exemptions under Clauses 17, 17C, 17C1/2, 17D, 22, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 37, 37A, 41, 41B, 41C, 41C½, 42, 43, 56 or 57 of G.L. c. 59, §5, or to take any other action relative thereto.

**BOARD OF ASSESSORS**

**Select Board:**  
**Finance Committee:**

**Summary:** *This article is geared toward 70+ seniors, surviving spouses (widows/widowers), legally blind persons and veterans with service-connected disabilities. It would increase the exemption under state statute up to 100% of the exemption. These state exemption programs all have different eligibility requirements (inquire within the Assessor's office for specific eligibility requirements) in order to receive the specific exemption and are designed to help the neediest within our community to continue to remain in their homes by helping to relieve some of the property tax burden.*

---

**ARTICLE 32: ACCEPT PROVISIONS OF M.G.L., CHAPTER 59, §5, CLAUSE 22F**

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 59, §5, clause 22F last paragraph, which, for clauses 22, 22A, 22B, 22C, 22D, 22E and 22F of section 5, allows the Town to reduce from five consecutive years to one year the residency requirement for, making certain veterans and their surviving spouses or parents, to be eligible for the property tax exemptions of said clauses 22 through 22F under Massachusetts General Laws, or to take any other action relative thereto.

**BOARD OF ASSESSORS**

**Select Board:**  
**Finance Committee:**

**Summary:** *M.G.L.Ch. 59, s.5, clause Twenty-Second F, Last Paragraph. Notwithstanding this section, in any city or town which accepts this clause, the exemptions available pursuant to clauses Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E and Twenty-second F may be granted to otherwise eligible persons who have resided in the commonwealth for 1 year prior to the date of filing for exemptions pursuant to the applicable clause.*

---

Hereof fail not and make return of your doings to the Town Clerk on or before time of said meeting.

Given under our hands this 12<sup>th</sup> Day of April in the year of our Lord Two Thousand Twenty-One.

Alison S. Manugian

Alison S. Manugian, Chair

Joshua A. Degen

Joshua A. Degen, Vice Chair

Rebecca H. Pine

Rebecca H. Pine, Clerk

John R. Giger

John R. Giger, Member

John F. Reilly

John F. Reilly, Member

#### OFFICERS RETURN

Groton, Middlesex

Pursuant to the within Warrant, I have this day notified the Inhabitants to assemble at the time, place, and for the purpose mentioned as within directed. Personally posted by Constable.

\_\_\_\_\_  
Constable

\_\_\_\_\_  
Date Duly Posted



**Town Manager**  
Mark W. Haddad

## **TOWN OF GROTON**

173 Main Street  
Groton, Massachusetts 01450-1237  
Tel: (978) 448-1111  
Fax: (978) 448-1115

## **Select Board**

Alison S. Manugian, *Chair*  
Joshua A. Degen, *Vice Chair*  
Rebecca H. Pine, *Clerk*  
John R. Giger, *Member*  
John F. Reilly, *Member*

March 12, 2021

### **LEGAL NOTICE TOWN OF GROTON PUBLIC HEARING**

The Groton Select Board will hold a public hearing on Monday, March 29, 2021 at 7:15 P.M. virtually, via Zoom (link to meeting can be found on the final posted agenda located at [www.grotonma.gov](http://www.grotonma.gov), at least 48 hours before the meeting), to discuss and consider a request for an alteration to the current all alcohol, on premise liquor license at 765 Boston Road, Groton, MA to include consumption at a permanent outdoor seating area adjacent to the main building. The application has been submitted by Masa, LLC, dba Ixtapa Cantina, with Eric Brambila named as Manager.

All interested parties are encouraged to attend.

### **SELECT BOARD**

Alison S. Manugian, Chair  
Joshua A. Degen, Vice Chair  
Rebecca H. Pine, Clerk  
John R. Giger, Member  
John F. Reilly, Member

Groton Herald  
March 19, 2021  
March 26, 2021

cc: Assessor's List of all abutters within a 300 Foot Radius



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**AMENDMENT-Change or Alteration of Premises Information**

☐ **Change of Location**

- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

☒ **Alteration of Premises**

- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

**1. BUSINESS ENTITY INFORMATION**

Entity Name	Municipality	ABCC License Number
Masa, Inc. d/b/a Ixtapa Cantina	Groton	

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

--

**APPLICATION CONTACT**

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Nicholas A. Felici	Attorney	nfelici@feinbergfelicilaw.com	7812701150

**2. ALTERATION OF PREMISES**

**2A. DESCRIPTION OF ALTERATIONS**

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

The Applicant will install cement patio pavers to the outdoor area abutting the licensed premises for the purpose of accomodating six tables and twenty eight chairs in order to provide outdoor dining and liquor services.

**2B. PROPOSED DESCRIPTION OF PREMISES**

Please provide a complete description of the proposed premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

The proposed premises would include the same description of premises provided in the original license application with the addition of an outdoor seating area consisting of six serving tables and twenty eight chairs.

Total Sq. Footage	20,000 sf	Seating Capacity	85	Occupancy Number	110
Number of Entrances	2	Number of Exits	2	Number of Floors	1

## AMENDMENT-Change or Alteration of Premises Information

### 3. CHANGE OF LOCATION

#### 3A. PREMISES LOCATION

Last-Approved Street Address

Proposed Street Address

#### 3B. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Sq. Footage

Seating Capacity

Occupancy Number

Number of Entrances

Number of Exits

Number of Floors

#### 3C. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises. (E.g. Deed, lease, letter of intent)

Please indicate by what means the applicant has to occupy the premises

Lease

Landlord Name

Pondside, LLC

Landlord Phone

(978) 448-3511

Landlord Email

N/A

Landlord Address

35 Wiley Road, Groton, MA

Lease Beginning Date

September 1, 2016

Rent per Month

\$4,000.00

Lease Ending Date

August 31, 2017

Rent per Year

\$48,000.00

Will the Landlord receive revenue based on percentage of alcohol sales?

☐ Yes ☒ No



#### 4. FINANCIAL DISCLOSURE

Associated Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):

Associated Cost(s):

--

#### SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Eric Brambila, President of Masa, Inc.	\$7,500.00
Total:	\$7,500.00

#### SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

## APPLICANT'S STATEMENT

I, Eric Brambila the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager  
Authorized Signatory

of Masa, Inc.  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:

Eric Brambila

Date:

February 12, 2021

Title:

President

**CORPORATE VOTE**

The Board of Directors or LLC Managers of

Masa, Inc.

Entity Name

duly voted to apply to the Licensing Authority of

Groton

City/Town

and the

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

February 12, 2021

Date of Meeting

For the following transactions (Check all that apply):

☒ Alteration of Licensed Premises

☐ Change of Location

☐ Other

"VOTED: To authorize

Eric Brambila

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

For Corporations ONLY

A true copy attest,

A true copy attest,

\_\_\_\_\_  
Corporate Officer /LLC Manager Signature

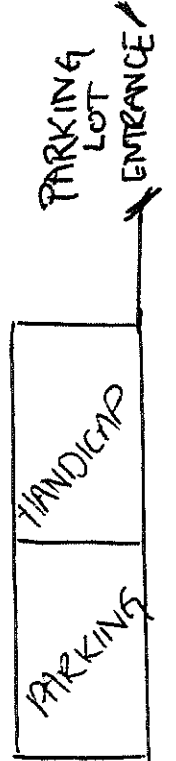
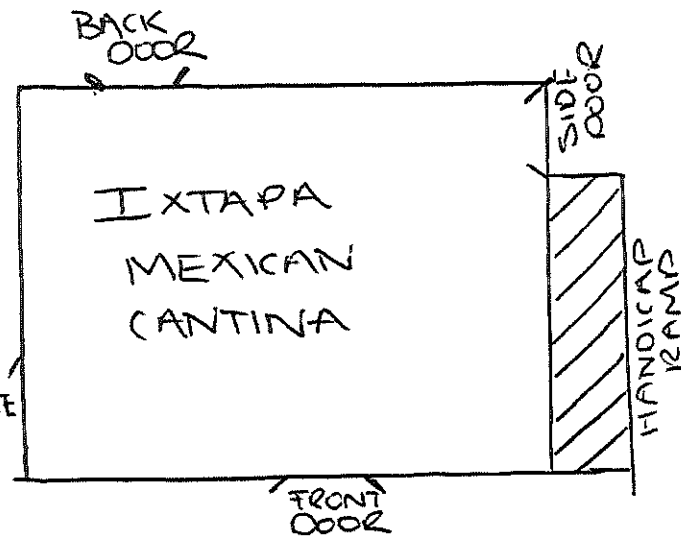
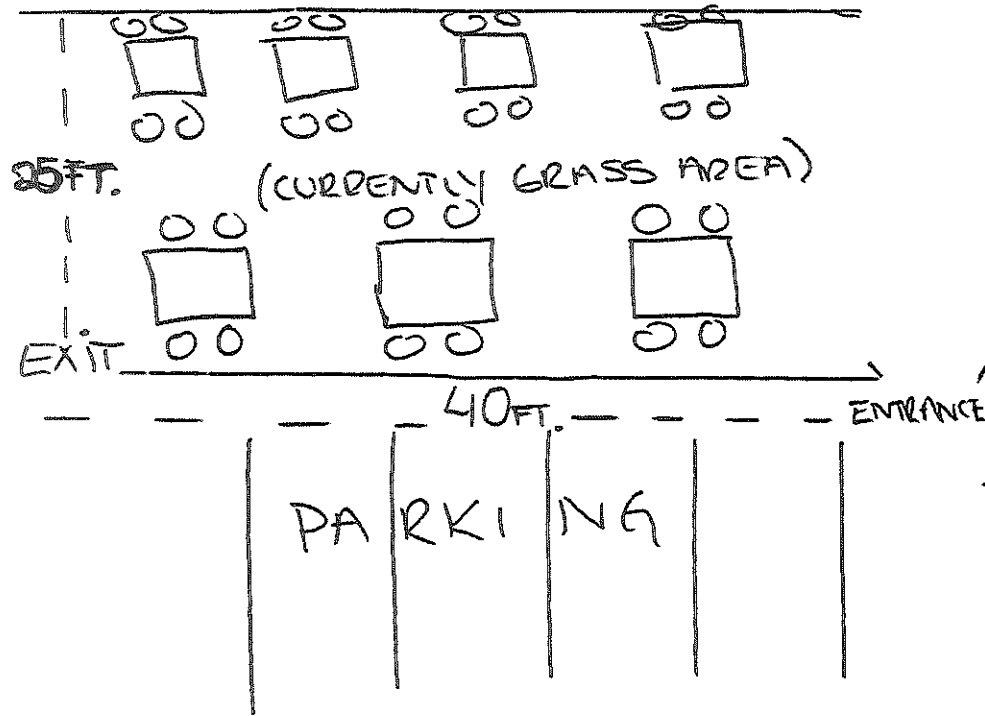
  
Corporation Clerk's Signature

\_\_\_\_\_  
(Print Name)

Eric Brambila  
(Print Name)

PROPOSED PATIO

SEATING CAPACITY = 28 (OUTDOOR)



WHILEY RD

PARKING  
LOT  
ENTRANCE

BOSTON RD

## **T.R.E.A.D. Program**

Tax Relief for Elders and the Disabled (T.R.E.A.D.)

**Are you concerned about Groton's low-income elderly population?**

**Would you like to directly aid these residents in paying their property taxes?**

Donate now to the TREAD Fund.

The money goes directly into a special account and every dollar will be used for tax relief. Town meeting voted to adopt Massachusetts state law Chapter 60, Section 3D, which allows a fund to be created to collect donations and disburse them to low-income elderly property owners and qualifying disabled owners.

Send a check payable to the Town of Groton, "TREAD Program" or donate through the on-line property tax payment program accessible from the [Online Payment Page](#) on the town website. Either way, you will receive a receipt for your Tax-Deductible contribution.

Know someone who needs help?

**Applicants must meet the following criteria:**

- Must own and occupy the property
- Must be 65+ or have a state recognized disability
- Must file an application disclosing exemptions and household income and expenses for all household members age 18+

Chapter 60 Section 3C City or town scholarship fund; donation; deposits; distribution

Section 3C. Any city or town which accepts the provisions of this section or has previously accepted chapter one hundred and ninety-four of the acts of nineteen hundred and eighty-six is hereby authorized, subject to the approval of the commissioner, to design and designate a place on its municipal tax bills, or the motor vehicle excise tax bills, or to mail with such tax bills a separate form, whereby the taxpayers of said city or town can voluntarily check off, donate and pledge an amount not less than one dollar or such other designated amount which shall increase the amount otherwise due, and vote to establish a city or town scholarship fund, the purpose of which shall be to provide educational financial aid to deserving city and town residents in accordance with this section or to establish a city or town educational fund, the purpose of which shall be to provide supplemental educational funding for local educational needs or to provide funding for existing adult literacy programs.

Any amounts donated to the scholarship fund or educational fund shall be deposited into a special account in the general treasury and shall be in the custody of the treasurer. The treasurer shall invest said funds at the direction of the officer, board, commission, committee or other agency of the city or town who or which is otherwise authorized and required to invest trust funds of the city or town and subject to the same limitations applicable to trust fund investments, except as otherwise specified herein. Interest earned upon such fund shall remain therewith and shall be used for the purpose of said fund without further appropriation.

In any city or town establishing a scholarship fund or educational fund, there shall be a scholarship committee or educational fund committee to consist of the superintendent of the city or town schools or designee, and no fewer than 4 residents of the city or town appointed by the mayor or board of selectmen to a term of 3 years. The scholarship committee or educational fund committee shall select the recipients of and amounts of financial aid from the scholarship fund and educational fund and shall be guided by any criteria established by the scholarship committee or educational fund committee subject to any ordinance or by-law and further subject to the following criteria:

(a) The recipients of financial aid must be residents of the city or town at the time the financial aid is first awarded and have been accepted to pursue education beyond the secondary school level at an institution deemed accredited by the committee.

(b) The committee shall take into consideration each recipient's financial need, character, scholastic record and involvement in community work as well as extracurricular school activities.

The scholarship committee may distribute financial aid, or the educational committee may distribute supplemental educational funds for the school, from both interest and principal of the fund without further appropriation. The scholarship committee or education committee shall establish a procedure for determining the amounts or percentage of the funds that shall be authorized for distribution and for notifying the investing officer or agency so that the funds may be made available in a timely manner and with a minimum of penalties.

**Commented [HM1]:** This section of the law has already been adopted. The existing procedure for scholarship collections would serve as our template for all other donations should we adopt them.

Chapter 60 Section 3D City or town aid to elderly and disabled taxation fund; voluntary check off donations

Section 3D. A city or town which accepts the provisions of this section is hereby authorized, subject to the approval of the commissioner, to design and designate a place on its municipal tax bills, or the motor vehicle excise tax bills, or to mail with such tax bills a separate form, whereby the taxpayers of

**Commented [HM2]:** Section 3D was adopted at Spring Town Meeting in 2016, however the committee to oversee the donations has not been formed. Please see the highlighted section in the final paragraph for the list of members needed.



said city or town may voluntarily check off, donate and pledge an amount not less than \$1 or such other designated amount which shall increase the amount otherwise due, and to establish a city or town aid to the elderly and disabled taxation fund for the purpose of defraying the real estate taxes of elderly and disabled persons of low income.

Any amounts donated to said fund shall be deposited into a special account in the general treasury and shall be in the custody of the treasurer. The treasurer shall invest said funds at the direction of the officer, board, commission, committee or other agency of the city or town who or which is otherwise authorized and required to invest trust funds of the city or town and subject to the same limitations applicable to trust fund investments, except as otherwise specified herein. The fund, together with the interest earned thereon shall be used for the purpose specified in this section without further appropriation.

In any city or town establishing an aid to the elderly and disabled taxation fund, there shall be a taxation aid committee to consist of the chairman of the board of assessors, the city or town treasurer and three residents of the city or town to be appointed by the mayor or board of selectmen as the case may be. Said board shall adopt rules and regulations to carry out the provisions of this section and to identify the recipients of such aid.

**Chapter 60 Section 3F:** Voluntary donation to municipal veteran's assistance fund by designation on municipal property tax or motor vehicle excise bills

Section 3F. A city, town or district that accepts this section may designate a place on its municipal property tax bills or motor vehicle excise bills or mail with such bills a separate form whereby taxpayers of the city, town or district may voluntarily check off, donate and pledge an amount of money which shall increase the amount already due to establish and fund a municipal veterans assistance fund which shall be under the supervision of the local veterans agent, the board or officer in charge of the collection of the municipal charge, fee or fine or the town collector of taxes.

Any amounts donated to the fund shall be deposited into a special account in the general treasury and shall be in the custody of the treasurer. The treasurer shall invest the funds at the direction of the officer, board, commission, committee or other agency of the city or town who or which is otherwise authorized and required to invest trust funds of the city or town and subject to the same limitations applicable to trust fund investments except as otherwise specified in this section. The fund and any interest thereon shall be used for the purposes of this section without further appropriation.

Money in the fund shall be used to provide support for veterans and their dependents in need of immediate assistance with food, transportation, heat and oil expenses. The city, town or district's veterans' services department shall: (i) establish an application process for veterans and their dependents to obtain assistance; (ii) establish standards for acceptable documentation of veteran status or dependent status; and (iii) establish financial eligibility criteria for determining need and amount of assistance for eligible applicants. The veterans' services department shall be responsible for reviewing each applicant and fairly applying the eligibility and level-of-need standards.

**Commented [HM3]:** Section 3F has not been adopted by Town Meeting Vote to date. This section would need to be adopted prior to July 1<sup>st</sup> of the fiscal year that we intend to establish the fund.

**Chapter 59 Section 5N:** Reduction of property tax obligation of veteran in exchange for volunteer services

Section 5N. In any city or town which accepts this section, the board of selectmen of a town, or in a municipality having a town council form of government, the town council or the mayor, with the approval of the city council in a city, may establish a program to allow veterans, as defined in clause Forty-third of section 7 of chapter 4, or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, to volunteer to provide services to that city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of that veteran on the veteran's tax bills and that reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled; provided, however, that person shall not receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for the services provided pursuant to that reduction; and provided further, that the reduction of the real property tax bill shall not exceed \$1,500 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of that record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of that record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. The cities and towns shall have the power to create local rules and procedures for implementing this section in a way that is consistent with the intent of this section. Nothing in this section shall be construed to permit the reduction of workforce or otherwise replace existing staff.

The amount by which a person's property tax liability is reduced in exchange for the volunteer services shall not be considered income, wages or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws. While providing such volunteer services, that person shall be considered a public employee for the purposes of chapter 258 and those services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

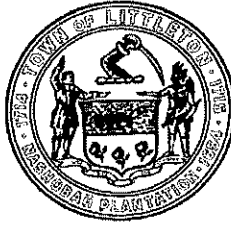
A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (i) allowing an approved representative for persons physically unable to provide such services to the city or town; or (ii) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

**Commented [HM4]:** Thank goodness for the Veteran's Agents!  
Chapter 4, Section 7 Clause 43:  
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleI/Chapter4/Section7>

**Commented [HM5]:** Chapter 258  
<https://malegislature.gov/Laws/GeneralLaws/PartIII/TitleIV/Chapter258>

**Commented [HM6]:** Chapter 151A Section 14A  
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter151A/Section14A>





Tax Relief for the Elder and Disabled  
(TREAD)

Fiscal Year Application 2021

CONFIDENTIAL – NOT OPEN FOR PUBLIC INSPECTION

Owner(s) of Record \_\_\_\_\_ Age \_\_\_\_\_ Disabled \_\_\_\_\_  
\_\_\_\_\_ Age \_\_\_\_\_ Disabled \_\_\_\_\_

Phone # \_\_\_\_\_ Email \_\_\_\_\_

*Someone from the committee may contact if there are additional questions.*

Other adult residents in household, if any:

\_\_\_\_\_ Age \_\_\_\_\_ Relationship \_\_\_\_\_  
\_\_\_\_\_ Age \_\_\_\_\_ Relationship \_\_\_\_\_

Comments:

\_\_\_\_\_  
\_\_\_\_\_

Property Address \_\_\_\_\_ Year bought \_\_\_\_\_

## Financial Resources

Assets	Amount	Comments
--------	--------	----------

Savings accounts		
CDs		
IRAs		
Stocks, Bonds, Mutual Funds		
Other real estate		
Other assets, please specify		
Other		
Total Assets		

Income	Monthly	Annual
--------	---------	--------

Wages or Salary		
Business Income		
Pension		
Social Security		
Disability		
Interest/dividends		
Retirement Fund Disbursements		
Fuel Assistance		
Clause 17D or 41C (circle which)		
Tax Deferral		
Senior Tax Work off Program		
Circuit Breaker Credit		
Veteran's Exemption		
Blind Exemption		
Other Assistance (e.g.: family)		
Other Income		
Total Income		

Expenses

Monthly

Annual

Property Taxes		
Mortgage		
Utilities (heat, power, phone)		
Home and Car Insurance		
Medical Insurance		
Prescriptions		
Other (please specify)		
Other (please specify)		
Total Expenses		

Signature(s) \_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_\_\_ Date \_\_\_\_\_

*Please attach a copy of your Federal or State Income Tax form, and any additional documentation you would like the Committee to consider.*

**SELECT BOARD MEETING MINUTES  
VIRTUAL MEETING  
MONDAY, MARCH 22, 2021  
UN-APPROVED**

**SB Members Virtually Present:** Alison S. Manugian, Chair; Joshua A. Degen, Vice Chair; Rebecca H. Pine, Clerk; John R. Giger, Member; John F. Reilly, Member  
**Also Virtually Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Patricia Dufresne, Town Accountant; Michael Hartnett, Tax Collector/Treasurer; Hannah Moller, Assistant Tax Collector/Treasurer; Bud Robertson; Jim Gmeiner, Water & Sewer Commissioner; Jason Kauppi, Town Moderator; Olin Lathrop, Conservation Commission; Susan Bryan; Al Futterman, NRWA; Paul DeRensis, Town Counsel; Bob Collins

Ms. Manugian called the meeting to order at 7:00pm and reviewed the agenda.

**TOWN MANAGER'S REPORT**

1. Mr. Lathrop said that the Forest Legacy Program was run by the Federal Government and was there to preserve forested lands. He said that in order to qualify for the program, 75% of the land must be forested, it must be at risk, there must be a management plan, and that a CR or fee be held/owned by a government entity. He said that they were eligibility for reimbursement was 75% which was more than a Land Grant. Mr. Lathrop said that they had just completed an application to be submitted to the State to start the process. He said that they were focusing on the Nashua River adding that 13 towns were coming together on this application.

Mr. Lathrop said that the Surrenden Farm Reserve Parcel was purchased with CPA money but that 14.5 acres had been set aside for a potential use other than open space. He said that if they used the reserve parcel, Joy Lane would be discontinued and access would have to be through General Field. Mr. Lathrop said that the right thing, long term to do was give the reserve parcel to the Conservation Commission. He said that they could leverage this land against other land they have and get reimbursement from the Forest Legacy program. He recommended that the Board recommend against the citizen's petition now. He said that if it was transferred now, the land would not be eligible for the Forest Legacy program. Mr. Lathrop said that land under the control of the Conservation Commission would no longer be considered at risk.

Ms. Pine said she didn't think there was actual risk to turning down the citizen's petition at this point adding there was a benefit to hold off as explained by Mr. Lathrop. Ms. Manugian thanked Mr. Lathrop for the information and presentation.

**TRAFFIC RULES AND ORDERS PUBLIC HEARING CONTINUATION**

*Ms. Pine moved to re-open the public hearing on the Traffic Rules and Orders. Ms. Manugian seconded the motion. Roll Call: Degen-aye; Pine-aye; Giger-aye; Reilly-aye; Manugian-aye*

Mr. Haddad said that they held a public hearing on March 8, 2020 and continued to provide some additional information. He said that they adopted all changes the Board accepted already and red-lined the document with concerns and questions raised by the Board at the meeting of March 8th.

Mr. Haddad reviewed changes to the document. There was a discussion on whether public and private roads should be listed separately. Mr. Giger suggested adding language that for questions about private roads, they could be directed to the DPW Director.

*Ms. Pine moved to close the public hearing. Ms. Manugian seconded the motion. Roll Call: Degen-nay; Manugian-aye; Pine-aye; Giger-aye; Reilly-aye*

Mr. Degen said that the 30-mph speed limit on all non-posted small streets should be clarified before they close the public hearing. Mr. Haddad said that in order to do anything on unposted roads, it required a speed study and compliance with Mass

Highway regulations. He said that this process would take some time and wasn't sure it would behoove them to hold up approving the regulations for this.

*Ms. Pine made a motion to approve the Traffic Rules and Orders as presented with the addition of language as suggested by Mr. Giger. Ms. Manugian seconded the motion. Roll Call: Degen-abstain; Manugian-aye; Pine-aye; Giger-aye; Reilly-aye*

#### **2020 SPRING TOWN MEETING WARRANT PUBLIC HEARING CONTINUATION**

*Ms. Pine moved to re-open the public hearing to discuss the spring town meeting warrant. Mr. Reilly seconded the motion. Roll Call: Degen-aye; Pine-aye; Giger-aye; Reilly-aye; Manugian-aye*

Mr. Haddad said that he provided the Board with an updated warrant earlier in the day. He reviewed some potential changes that would be forthcoming to the layout of the warrant. Mr. Haddad reviewed the potential consent agenda groupings.

Mr. Collins said he was present on behalf of 108 Pleasant Street. He said that they were looking to connect the existing house and carriage house to municipal sewer. He said that there was a line that extended down West Street already which abutted the property. He said that the district would need to be extended to allow for this house to connect at the owner's expense. He said that they had a failed septic system and needed to connect. Ms. Manugian asked if a septic was viable or practical. Mr. Collins said that the Title 5 failed inspection last year and made some sense to connect to sewer adding the property could support a new system. He said that the owner, Ms. Bryan, would like to disrupt the landscape as least as possible adding this option would be the least disruptive. Ms. Manugian said that a septic system could limit future development whereas a sewer connection would not. Mr. Collins said that the property was a seven-bedroom dwelling and would be presenting that same number of bedrooms to the Sewer Commission next week. Mr. Reilly asked if the existing septic would be torn out. Mr. Collins said it would need to be decommissioned. Ms. Pine said that this property was a whole in between the existing sewer limits and wasn't sure it made sense to not support this.

Mr. Haddad said that the land transfer to the Housing Authority article was withdrawn but that Mr. Black asked that the property, which was owned by the Town, be granted a right of first refusal to the Housing Authority. He said that he thought the request was reasonable adding they were working on a plan and asked the Board to consider taking that vote that night. Ms. Pine said that the property has some obstacles to conquer and thought that if there was a plan to develop affordable housing, she wasn't sure why the right of first refusal would be necessary.

Mr. Haddad said he didn't have anything to add to the public hearing and unless there were any other issues, he suggested closing the public hearing.

*Mr. Degen moved to close the public hearing. Ms. Manugian seconded the motion. Roll Call: Manugian-aye; Pine-aye; Degen-aye; Reilly-aye; Giger-aye*

Mr. Haddad said he had also set aside time for the Board to start to take positions now if they wished. The Board took the following positions:

Article 1 – Unanimous Support

Article 2 – Unanimous Support

Article 3 – Unanimous Support

Article 4 – Unanimous Support

Article 5 – the Board asked to wait to hear from the Finance Committee.

Article 6 – Capital Items:

Item 1 – Unanimous Support

Item 2 – Unanimous Support - It was discussed that breaking out the 2 dump trucks would make it less confusing.

Item 3 – Unanimous Support

Item 4 – Unanimous Support

Item 5 – Unanimous Support

Item 6 – Unanimous Support

Item 7 – Unanimous Support

Item 8 – Mr. Haddad said that he had spoken to Mr. Campbell about the golf carts. He said that his plan was to someday convert the golf cart fleet to electric carts. He said that the only issue with doing this now was that the Club did not have the infrastructure to house/charge an electric fleet. Mr. Haddad said that Mr. Campbell was recommending that the Club move forward with a gas-powered fleet this summer and hire a company to come up with a site plan and cost to construct a building to house not only the golf cart fleet, but also the greens equipment, as they are currently stored in the basements of other Country Club buildings which was not ideal. Mr. Haddad said it was Mr. Campbell's intention to individually auction the carts off at whatever trade-in value is provided to the Town by the company the Club would purchase the new carts from. He said that any remaining carts not sold at auction, would be traded-in. Ms. Manugian asked if they could hold off on this for a little bit.

Item 9 – Unanimous Support

Item 10 – Unanimous Support

Item 11 – Unanimous Support

Article 7 – Mr. Giger-at Town Meeting; Pine, Manugian, Reilly, Degen-support

Article 8 – Unanimous Support

Article 9 – Unanimous Support

Article 10 – Mr. Degen-at Town Meeting; Pine, Manugian, Reilly, Giger-support

Article 11 – Defer to Town Meeting

Article 12 – Manugian-defer; Pine-aye; Degen-defer; Reilly-defer; Giger-defer – There was a discussion amongst board members about the value of the easement (request from Kevin Lindemer for an easement under the golf course so he could extend the sewer system to his property) and needing to agree upon a number before town meeting if they were to consider supporting this article. Mr. Robertson agreed with Ms. Manugian that there was nothing out there that said what an easement of this type would be valued at. Discussion ensued about who would benefit from the value of the easement. Mr. Degen asked how many linear feet they were talking about. Mr. Haddad said he recalled 300 feet. Mr. Degen suggested that they figure out how many buildings lots could be put on that section of the golf course. Ms. Manugian said that there were professionals out there that could determine all this.

Article 13 – Mr. Degen asked about the extra money being put into CPA operational expenses. Mr. Haddad explained why they requested the increase (to cover the CPA Admin's time). The Board unanimously supported this.

Article 14

A – Unanimous Support

B – Unanimous Support

C – Manugian-defer; Pine, Degen, Reilly, Giger - Support

D – Manugian/Degen/Reilly/Giger-defer. Ms. Pine said that a lot of other towns pass on money to be used for affordable housing as opportunities arise which might require site assessment studies to occur. She said she wanted to understand more what the resistance was. Ms. Manugian said that they had 3 different committees for affordable housing all of which didn't have a cohesive direction as far as she was concerned. Ms. Pine explained some distinctions between the Affordable Housing Trust and Housing Authority. Mr. Degen said he didn't want to be painted as not being an advocate for affordable housing. He said he was not in favor of an application for \$150K which was predicated on looking at Surrenden Farm and other properties that had been removed from lists and reports. Mr. Degen said he agreed that there wasn't a cohesive plan for moving forward with affordable housing. Ms. Pine said that if this article passed, they couldn't spend this money until after July 1. She said that that there was an upcoming housing summit in which potential ideas for plans would be discussed. She thought they needed to have money available to them should something come up. She said that nothing precluded the Trust from allocating some of the money for the Authority should they have an opportunity arise. Ms. Manugian said she didn't agree. Mr. Degen said he would love to see the Trust pull this article. Mr. Giger agreed with what had been said. He said he was hesitant to see the CPC basically write a blank check for \$150k. He said there was no model on how land was going to be evaluated. Ms. Pine said that the process they took to look at the Surrenden Farm property was to wait for the Housing Production Plan which they did which prompted them to look at the land.

Degen, Giger, Manugian, Reilly-no; Pine-support

Item E – Unanimous Support

Item F – Unanimous Support

Item G – Unanimous Support

Item H – Unanimous Support

Item I – Manugian – no. She said that they had other priorities they should be leaving this money for. Mr. Degen said that the Commission had been good stewards of this money. He said that if they didn't have their money, they would have to wait for town meeting for approval and could lose out on grants. Pine, Giger, Degen, Reilly - support.

Item J – Degen, Giger-at Town Meeting; Pine, Manugian, Reilly - support

Item K – Unanimous Support

Article 15 – Defer to Town Meeting

Article 16 – Defer to Town Meeting

Article 17 – Unanimous Support

Article 18 – Pine, Manugian-no; Giger, Reilly, Degen-support

Articles Contained in Consent Agenda – Defer to next week.

Ms. Manugian said she felt in this state of age that electric vehicles, even golf carts, were proven and should be going in that direction. Mr. Haddad said that as discussed last week, they had an issue with a lack of infrastructure and would cost money to construct a building for them as well as separate charging stations. He said that the current carts were left outside because they didn't have a place to house them. Mr. Haddad said that the cars were in bad shape and needed to be replaced. Mr. Giger said that they figured out how to obtain charging stations for vehicles in Groton and could try to purchase some electric ones and put in charging stations. Mr. Haddad said he didn't have a budget to add any charging stations at the Country Club. Mr. Reilly said that the timing was not ideal on this discussion adding they needed the carts. He thought it was a good idea to continue to research this but added they needed the carts. Mr. Degen said that when they purchased the golf carts 8 years ago, they considered electric carts. He said that electric carts would not work as well on the hilly terrain as it was determined at that time adding that maybe the carts had improved since then. He suggested that they try to get another year out of the best carts and use some free cash to look at building infrastructure. Mr. Haddad said that they didn't have money for electricity or infrastructure.

Golf carts – defer to Town Meeting. Degen said he was in favor of a hybrid plan but would defer for now. Ms. Manugian was good to defer. Mr. Giger said he was good to defer until they understood the construction cost estimates.

### **TOWN MANAGERS REPORT – CONT.**

2. Mr. Haddad said that unfortunately, the Town reverted to "yellow" status after being "green" last week. He said that it was their policy that once they achieved "green" status for two consecutive weeks, they would re-open the Town Hall and end their appointment only policy. Mr. Haddad said that they continued to operate under all other protocols adopted by the Select Board last summer. He said that they had trended higher for the first time in two months with 17 positive tests (out of 1386) and a 1.23% positivity rate. He said they would continue to monitor the health report each week and adjust any of their protocols as necessary.
3. Mr. Haddad respectfully requested that the Select Board authorize him to issue an RFP for Town Counsel Services. He said that he had discussed this in detail individually with several members of the Board and believed it was important to find out what other firms were available and what kinds of services were provided. Ms. Manugian said that if there was desire to do so, they could meet in executive session to discuss current concerns and counsel's response to that.

Attorney DeRensis said that this weekend was the first he had heard this was going to be on the agenda adding it was a complete surprise to him. Mr. DeRensis said he wrote to Mr. Haddad over the weekend to apologize that the ball had been dropped on a legal opinion, and received no reply. He said he thought he and the Town Manager had been

working well together and was requesting an Executive Session to hear why this was coming up. He said he thought there was some equity and fairness to allow him an opportunity to hear what the issues or concerns are.

Ms. Manugian said she wasn't sure there was a particular new or single impotence for this coming up but more so a continuation of conversations they had had in past months. Mr. Haddad said that the Select Board did not hear from department heads and other boards and committees about wanting to go out to RFP to see what is out there for Counsel. He said that when KP Law was counsel, they went out to RFP twice where the second time they changed counsel. He said he wasn't sure what another Executive Session was going to achieve and asked that he be allowed to issue an RFP. He said KP Law was not afforded the opportunity to an Executive Session and wasn't sure why this was different here. Mr. Giger said he didn't support throwing an RFP out there that night. He said it wasn't clear what the issues with current counsel were. He said that Mr. Degen volunteered last time to conduct some mediation and wasn't sure where that was. Mr. Degen said that he developed a large list of issues department heads, etc. had with Counsel. He said that Counsel also had a list of issues he had dealing with the town. Mr. Degen said that Mr. Haddad and Counsel worked well together for the last 6 months. He said it wasn't worth putting everyone in a room as the issues had been hashed out. He said that Mr. Haddad had not seen an improvement in concerns. He said he asked the Chair to remove this from the agenda and go into another executive session before deciding on another RFP or not. Ms. Pine said it was respectful to allow for an executive session. Mr. Haddad insisted that department heads and boards and committees be invited to be heard.

4. Mr. Haddad reviewed the Board's upcoming schedule.

#### **ON-GOING ISSUES**

Mr. Haddad said that they received a phone call from the Green Communities Coordinator about a site visit next Wednesday which was the final step in closing out the grant.

#### **MINUTES**

*Ms. Pine moved to approve the meeting minutes of March 15, 2021 as presented. Mr. Reilly seconded the motion. Roll Call: Degen-aye; Pine-aye; Giger-aye; Reilly-aye; Manugian-abstain*

Mr. Manugian adjourned the meeting at 9:30pm.

Approved: \_\_\_\_\_  
Rebecca H. Pine, Clerk

\_\_\_\_\_ respectfully submitted:  
Dawn Dunbar, Executive Assistant

Date Approved: