

# Select Board Meeting Packet

February 28, 2022

*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 OF GROTON

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

## Select Board

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

**Town Manager**  
Mark W. Haddad

**SELECT BOARD MEETING  
MONDAY, FEBRUARY 28, 2022  
AGENDA  
VIRTUALLY ON ZOOM AND THE GROTON CHANNEL  
PURSUANT TO THE OPEN MEETING LAW  
ZOOM ID: 878 6108 1016**

- 7:00 P.M.            Announcements and Review Agenda for the Public
- 7:05 P.M.            Public Comment Period
- I.            7:06 P.M.            Town Manager's Report
1. Town Manager's Explanation of Agenda Items
  2. Update from Town Manager on COVID Protocols
  3. Consider Ratifying the Following Appointments of the Town Manager:  
  
Rachael Bielecki – Deputy Police Chief  
Robert Wayne – Police Officer  
Dezerae Rodriguez – Communications Officer  
Christopher Maloney – Cable Production Assistant  
Michael Kalil – Per Diem Van Driver for the COA
  4. Review First Draft of the 2022 Spring Town Meeting Warrant
  5. Update on Fiscal Year 2023 Proposed Operating Budget
  6. Update on Select Board Meeting Schedule Through Spring Town Meeting
- II.            7:10 P.M.            Items for Select Board Consideration and Action
1. Consider Approving One Day All Alcohol License for the Taste of Nashoba Event to be held on Tuesday, March 22, 2022 at Lawrence Academy from 5:30 p.m. to 8:00 p.m.
- III.            7:15 P.M.            Land Use Director Takashi Tada – Update on MBTA Multi-Family District Zoning Bylaw
- IV.            8:00 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 the chair so declares” – Purposes – Collective Bargaining Update

### OTHER BUSINESS

#### ON-GOING ISSUES – Review and Informational Purposes – Brief Comments - Items May or May Not Be Discussed

- A. Water Department – Manganese Issue – PFAS Issue
- B. Green Communities Application and Implementation
- C. Florence Roche Elementary School Construction Project
- D. Bystander Training (Feb. 8<sup>th</sup>, Feb. 24<sup>th</sup> & March 16<sup>th</sup>)
- E. Mask Mandate
- F. Electric Car Charging Stations

### SELECT BOARD LIAISON REPORTS

- V.            Minutes:            Regularly Scheduled Meeting of February 7, 2022  
                                 Regularly Scheduled Meeting of February 14, 2022

### 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 Agenda Update/Report*

**Date:** *February 28, 2022*

### TOWN MANAGER'S REPORT

1. In addition to the Town Manager's Report, Items for Select Board Consideration and Action and a review of the On-going Issues, there are two items scheduled on Monday's Agenda. First, Land Use Director Takashi Tada will be in to update the Board on the MBTA Multi-Family District Zoning Bylaw and where the Town is relative to compliance with this new State Law. Second, as discussed at your last meeting, I have scheduled an Executive Session at the end of the meeting for the Board to continue its review of the various Collective Bargaining Tentative Agreements with our various Unions.
2. The Board needs to determine whether or not to open Town Hall to the public without an appointment. In addition, the Board needs to determine whether or not to return to in person meetings, or continue meeting virtually. I will have updated COVID Data for the Board to review at the Meeting. We can discuss all of this in more detail at the Meeting.
3. I have made the following appointments and would respectfully request that the Board ratify these appointments at Monday's meeting:  
  
Rachael Bielecki – Deputy Police Chief – Effective April 1, 2022  
Robert Wayne – Police Officer – Effective April 8, 2022  
Dezerae Rodriguez – Communications Officer – Effective Immediately  
Christopher Maloney – Cable Production Assistant – Effective Immediately  
Michael Kalil – Per Diem Van Driver for the COA– Effective Immediately
4. The Warrant for the 2022 Spring Town Meeting closed on Friday, February 25<sup>th</sup>. Enclosed with this report is the First Draft of the Warrant. I would like to take a few minutes at Monday's meeting reviewing this draft with the Board.
5. With regard to the Proposed Fiscal Year 2023 Operating Budget, I have no update as of the writing of this report. I will provide the Board with any update at Monday's meeting.

**Select Board  
Weekly Agenda Update/Report  
February 28, 2022  
page two**

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

Monday, March 7, 2022	-Liquor License Violation Hearing – Boston Road Liquors
Monday, March 14, 2022	-Public Hearing on Spring Town Meeting Warrant
Monday, March 21, 2022	No Meeting
Monday, March 28, 2022	-Consider Appointments for the Town's Representative and Alternate Representative to the Nashoba Tech School Committee
Monday, April 4, 2022	Regularly Scheduled Meeting
Monday, April 11, 2022	-Finalize Warrant for 2022 Spring Town Meeting
Monday, April 18, 2022 Saturday, April 30, 2022	No Meeting (Holiday) 2022 Spring Town Meeting

**ITEMS FOR SELECT BOARD CONSIDERATION AND ACTION**

1. After a two-year hiatus due to COVID, the Nashoba Valley Chamber of Commerce is bringing back the Taste of Nashoba Event on Tuesday, March 22, 2022 to be held at Lawrence Academy from 5:30 p.m. to 8:00 p.m. They are requesting a One Day All Alcohol License for the Event. I would respectfully request that the Board consider approving this license.

MWH/rjb  
enclosures

January 26, 2022

Dear Chief Luth,

This letter is to inform you of my interest in the Deputy Chief position that will open upon Deputy Chief Sheridan's retirement in March 2022. I believe that I have the skills and personality to fill this vacancy in your leadership team.

I have been a Sergeant since March of 2018. As a Patrol Sergeant, I have been supervising not only the officers assigned to my shift, but also the Detective Unit, School Resource Officers, and the K9 Unit. I check in with these officers daily, see what their needs are, help them problem solve anything they are working on by listening to what they have to say and working together to come up with a solution. I believe that as a leader, it is important to lead from the front, taking calls for service and not being a supervisor who points to their rank and says, "do as I say not as I do".

I have also overseen the Internship program since 2020, helping to educate the future generation of police officers in 21<sup>st</sup> century policing. Since 2020, I have had 5 interns, 4 from the Fitchburg State University 4+1 criminal justice program, and 1 from GDRHS. I strive to teach these young men and women what it means to be a police officer in these times, showing them everything from investigations, to court, to school-based policing, and patrolling in a small town.

Another responsibility I have had as a Sergeant has been the department Public Information Officer. During major incidents, I have worked directly with the Chief and the DA's office to come up with press releases, so we can notify citizens of major events. I also write a weekly Police Log for the Groton Herald, which according to the Editor, it is the most viewed content for his online subscribers. I also run our social media pages and have created a voice for the department. Prior to my taking over, we were not very active on social media. Now we provide timely information, post multiple times a week, and even have an Instagram account. We have lots of engagement, and even when we have a snafus, like having to apologize for misspeaking in the police log, we still have lots of support from our followers.

When I worked for the Town of Hampton, I was also trained to be a Police Dispatcher. Multiple times a week, I would work the desk, dispatching officers to calls for service, answering radio traffic, and other tasks required of a dispatcher. Due to this unique experience, I have firsthand knowledge of the needs of the Communications Center and know that I can assist them in making sure they continue to run smoothly, and work on getting them the equipment they need to continue to provide the high level of service they provide to both Groton and Dunstable Police & Fire.

Prior to becoming a Sergeant, I was assigned to Detectives. As a detective, I handled all the department's sexual assault crimes, did several background investigations for potential employees, and was also assigned to the schools as the first School Resource Officer in over a decade. As part of my responsibilities, I also was the Emergency Management Team Leader for the school districts crisis planning team. I worked alongside GDRSD's Director of Security and Safety, where together we brought the school district's safety planning to modern best practices.

In 2016, I decided to return to school to get my Master's degree in Public Administration. As part of my education, we took a class on municipal budgeting. During this semester, I spoke with the Chief of Police

at the time, Donald Palma Jr. and asked if I could sit in on budget meetings so I could learn firsthand what the budget process entailed. He agreed and not only allowed me to sit in but gave me tasks to complete. I assisted the Deputy Chief at the time, James Cullen III, with his budget presentation and completed a staffing analysis for the department. From that year, until Chief Palma retired, I was a member of the budget planning committee.

In 2019, I moved to the Town of Groton. I ran for, and was elected as a Trust Commissioner, and have served in the capacity since. As a Trust Commissioner, I am one of 3 elected officials who oversee the budget and spending of the Groton Trust Funds; these are 24 trust funds and 2 gift funds, which have a total balance of over \$22 million.

Lastly, since coming to the Town of Groton, I have always worked hard to increase community engagement with our citizens, bridging the gap between the department and the citizens we serve. In 2012, Sergeant Henehan and I established the Groton Police Athletic League. We wanted to reach the youth who lived in the Lost Lake area and give them something to do. We ran monthly activities and had lots of engagement with the community. Through circumstances beyond our control, PAL was disbanded in 2016.

As a citizen, and a member of the police department, I have naturally become liaisons to different local organizations. I continue to work with members of GDRSD and am currently working with their wellness coordinator to plan a bike rodeo for April 2022. During this event, Mass Bikes will come and teach elementary students how to ride a bike, and we have helmets available for students who need helmets. With creative grant writing, I was able to fully fund this fun family activity. I have also partnered with the Prescott School and have offered our Citizen's Police Academy every year for the last few years. And last year, the event I am probably the proudest of, we ran our first ever Student Police Academy. It was so successful, that this year I am planning on having 2 sessions, since there are so many parents who would like to have their children attend.

I look forward to speaking with you and the panel more about why I believe that I am the best fit for this position. Thank you for taking the time to read my dissertation.

Respectfully,

Rachael Bielecki

# Robert Wayne

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2 Merilda Ave. North Chelmsford, MA, 01863  
Home: 774-291-1736 -- rwayne9246@gmail.com

## **Objective**

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To advance my career in Law Enforcement where I can utilize my skills and ability gained through an extensive work history and education. As a detail oriented individual I am able to handle stressful situations and have experience in policy creation and implementation.

## **Experience**

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### **Patrol Sergeant**

August 2017 to Current

**Boston College** – Chestnut Hill, MA

- Overall supervision for all Patrol Officers, Security Officers and Dispatchers working a given shift.
- Work with senior staff to ensure that the department's vision, mission and goals are being driven forward by all employees.
- Continue to support efforts with regards to maintaining Accreditation and Community Policing initiatives.
- Responsibilities include; creating shift assignments, report approval, conducting roll call, completing payroll and trainings.
- Attend weekly meetings with other campus partners to ensure their public safety needs are being met as well as assisting with coordination and planning of large events.
- Management of the civilian security department as well as student worker program.
- Responsible for creating operations plans for various large and small scale events on campus.
- ICS-300 trained.
- Experience in assisting creating and implementing multi-jurisdictional scenario based training.
- Certified Background Investigator.
- Fair and Impartial Policing Instructor.
- Certified Field Training Officer.
- Certified C.O.B.W.E.B. Mountain Bike Officer.
- M.P.T.C. CPR/First Responder Level I Instructor.
- R.A.D. Instructor.
- Graduate of Roger Williams First Line Supervisor Training.

### **Police Officer**

September 2015 to August 2017

**Boston College** – Chestnut Hill, MA

September 2012 to September 2015

**Bentley University** – Waltham, MA

- Graduate of the 16 week Special State Police Academy #24 held in New Braintree, MA (counts as MPTC Reserve/Internment).
- Responsible for patrolling all college owned and operated property as well as providing mutual aid as needed.
- Enforce and adhere to college policies as well as Massachusetts General Laws.
- Respond to all emergency and non-emergency situations with the ability to make quick decisions and prioritize severity of situations.
- Work with command staff to generate and review policies as co-accreditation manager to ensure industry best practices are being implanted.
- Responsible for first on scene medical and psychiatric evaluations (first responder/CPR certified).

**Dezerae Rodriguez**

19 Dahlia Drive  
Littleton, MA 01460  
(978)-501-5423  
dezeraerodriguez19@gmail.com

January 13, 2022  
The Town of Groton  
Groton MA, 01450

Dear Town of Groton,

I am extremely interested in the employment opportunity as a Full-Time Police and Fire Communications Dispatcher. After reviewing the job description, I feel very confident that my skill set, prior experience and customer service assistance both as a nanny, cashier as well as within the Fire Department setting would suggest I am an ideal candidate.

Working with Littleton Fire for two years, I had experience working as an intern as well as being part of the Littleton Fire Explorers program. Within those two years I have developed the skills that complement the dispatcher position. This includes critical thinking and problem solving techniques. With working as a firefighter on the Harvard Fire Department for the past three years I believe my familiarity with a dispatch system has improved tremendously as well as my skills. If I were to be considered for this position I believe I would be an asset to your organization by extending my strong interpersonal skills, communication skills, multi-tasking and social services.

I feel I would be able to perform the roles and responsibilities, confidently, as a Communications Dispatcher. After reviewing my resume, I feel that I have the skills necessary to perform the role, I consider myself a committed hard working young adult and take pride in working to the best of my ability.

I want to thank you in advance for considering me for the Dispatcher position. I look forward to hearing from you.

Sincerely,

Dezerae Rodriguez

## **Objective**

obtain a job in the state of Massachusetts.

## **Education**

*Diploma* | June 2017 | Littleton High School MA

- Littleton Fire Department Internship Senior Year

## **Skills & Abilities**

Littleton Police Explorers | Littleton MA | March 2013 – March 2015

- Classes on the role of a police officer

Littleton Fire Explorers | Littleton MA | March 2015 – May 2017

- Fire field training

Massachusetts State Fire Academy | Leicester MA | November 2019 – February 2020

- Fire field training

Massachusetts State 911 | Maynard MA | September 2021- October 2021

- NG 911 & APCO class

## **Experience**

High School Assistant | Tiger's Den | Littleton MA | October 2014 – June 2016

- Assist in preparation of children's snacks
- Assisted in children's homework
- Assisted in the kindergarten room

Intern | Littleton Fire Department | Littleton MA | September 2016 – May 2017

- Ride alongs, responding to medicals, responding to motor vehicle accidents, hazardous material spills, fire alarms or any other call to help assist the community of Littleton
- Assisting the Fire Prevention Officer with fire inspections
- Filing
- Participated in various trainings

Donelans Supermarket | Supervisor | Lincoln MA | May 2019 – November 2020

- Help manage the front end
- AM/PM opener/Closer
- good customer service skills

Harvard Fire Department | Firefighter | Harvard MA | February 2019 – Current

- FireFighter I/II certified
- Respond to emergency calls
- helping the public when in need

- CPR certified
- First Responder certified

Nanny | Home Child Care | Littleton MA | September 2016 – Current

- Provide transportation for children from school
- Provide transportation for all athletic activities
- Prepare and cook meals
- Assist with homework, reading, writing

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# Christopher A. Maloney

## Media Producer / Arts Educator

Greater Boston, MA

christopher.maloney@lbgc.org

Accomplished digital production professional and educator with a proven track record of creating original multimedia content. Skills include workshop facilitation, non-linear video editing, advanced photography, and effectively implementing lesson plans.

## EXPERIENCE

### **Boys and Girls Club of Greater Lowell** - *Tech Lab Lead*

MARCH 2021 - PRESENT

- Creates and implements a wide range of lessons meant to develop media literacy in local at-risk youth population.
- Collaborated with colleagues to reopen a fully-equipped computer lab that caters to all club members.
- Participated in formal mentorship program as a mentor to two individuals within the Boys and Girls Club youth population.

### **O'Gene Films** - *Producer / Director*

SEPTEMBER 2008 - PRESENT

- Produces non-fiction content focused on social commentary and addiction recovery.
- Original content broadcast on PBS and the Discovery Channel.
- Develops and presents educational curriculum in workshop settings.

### **Ayer Public Access Corporation** - *Public Access Manager*

AUGUST 2019 - JUNE 2021

- Increased community membership by 75% from 2019-2020.
- Produced and created multiple separate original programs alongside community producers.

### **Granite Recovery Centers** - *Senior Video Producer*

JUNE 2018 - JUNE 2019

- Established company style and approach for all original content.
- Created multimedia content that drove admissions by 25%.

### **The Hope Collaborative** - *Producer / Facilitator*

FEBRUARY 2017 - MAY 2018

- 
- Facilitated media-based curriculum for local at-risk youth.
  - Produced video content for all marketing and informational materials.

### **Community Family Church - *Video Producer***

JANUARY 2011 - SEPTEMBER 2013

- Established and developed closed captioning operations for all original programming.
- Directed weekly multi-camera live broadcasts.

## **EDUCATION**

**New York Film Academy**

**E.W. Scripps School of Journalism (Ohio University)**

# MICHAEL KALIL

3 Scotch Pine Farm Way #1 Pepperell, MA 01463 · 617 417 2920  
[mike@reconstructioninc.com](mailto:mike@reconstructioninc.com)

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## EXPERIENCE

1987 - 2015

**BUSINESS MANAGER – RECONSTRUCTIONS, INC., ARLINGTON, MA**

Responsible for all non-construction facets of a high end residential construction and renovation company

1984 - 1987

**SELF EMPLOYED – KALIL TREE – ARLINGTON, MA**

Operated tree service business, providing tree pruning and removal for residential accounts

1976 - 1983

**PARKING LOT MANAGER – ORSON WELLES CINEMA, CAMBRIDGE, MA**

Ran the parking lot. Developed a system for monthly accounting maintenance,

1974 - 1976

**CREW FOREMAN – KOELB ASSOCIATES – WESTON, MA**

Responsible for a crew of workers for this nurse and tree/landscape company

## EDUCATION

1964 - 1968

**PENN STATE UNIVERSITY**

Bachelor of Science, General Science

Revised: February 24, 2022

## Warrant, Summary, and Recommendations

# TOWN OF GROTON



## 2022 SPRING TOWN MEETING

Groton-Dunstable Middle School Auditorium  
344 Main Street, Groton, Massachusetts 01450

Beginning Saturday, April 30, 2022 @ 9:00 AM

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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.*

## **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. There is a ramp providing access from the parking lot to the front door of the Middle School.

**Wheelchair Accessible & Companion Seating** – Wheelchair spaces, seating for people with mobility issues and companion seats are available in the center aisle on both sides of the auditorium.

**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 are available near the entrance to the auditorium.

**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.



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\*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

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**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:  
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:  
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 \$\_\_\_\_,\_\_\_\_ in FY 2023 and the Moderator is proposed to receive a salary of \$65 in FY 2023.*

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**ARTICLE 3: WAGE AND CLASSIFICATION SCHEDULE**

To see if the Town will vote to amend and adopt for Fiscal Year 2023 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:  
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 receive a \_\_.\_% cost-of-living adjustment in Fiscal Year 2023.*

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**ARTICLE 4: APPROPRIATE FY 2023 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:  
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 2023, the anticipated amount necessary for this purpose is estimated to be \$187,553. This Article will seek an appropriation of \$187,553 from Free Cash to add to the OPEB Liability Trust Fund.*

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**ARTICLE 5: FISCAL YEAR 2023 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 (2023), 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 2023 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 2023 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 2023:*

**Item #1 – Pick-Up Truck** **\$40,000** **Highway**

**Summary:** *This is a scheduled replacement. The average life of a pick-up truck is approximately 7 years. Replacing one vehicle every couple of years will allow the fleet to stay in good shape. This is a front-line pick-up used for day-to-day operations as well as snow plowing.*

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

**Item #2 – Intermediate Truck** **\$75,000** **Highway**

**Summary:** *This size truck was introduced into the Town's fleet to save wear and tear on the dump trucks and pickup trucks by not overloading them. This has worked out very well. They are used almost daily for tasks such as patching and road construction projects right up to plowing roads. They do not have sanders on them, just plows. They take up less room and eliminate the need for a large vehicle which makes it safer for the employees as well as the motoring public. The scheduled replacement vehicle will be 15 years old at the time of replacement.*

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

**Item #3A – Dump Truck** **\$22,000** **Highway**

**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:**  
**Finance Committee:**

**Item #3B – Dump Truck**

**\$40,000**

**Highway**

**Summary:** *Last year's Annual Town Meeting appropriated \$185,000 to replace one of our older Dump Trucks. The Town borrowed these funds through a State House Note and will pay it off over five years. Fiscal Year 2023 will be the first of five payments.*

**Select Board:**

**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 the Town's building infrastructure. Priorities continue to change when it comes to the minor repairs and upgrades in the municipal buildings. With a set line item which is separate from minor capital allows for flexibility. Furnaces, a/c units, flooring and painting are some of the small items this capital program handles.*

**Select Board:**

**Finance Committee:**

**Item #5 – IT Infrastructure**

**\$40,000**

**Town Facilities**

**Summary:** *This item in the Capital Budget was established six years ago and has been very successful. In Fiscal Year 2023, 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:**

**Finance Committee:**

**Item #6 – Fork Lift/Mini Loader**

**\$60,000**

**Transfer Station**

**Summary:** *This is a vital piece of equipment at the transfer station. It is used to load the two balers located at the facility. In addition, it is used to move the various recyclables around the facility. This piece of equipment is a work horse and this should be considered a scheduled replacement.*

**Select Board:**

**Finance Committee:**

**Item #7 – Upgrade Fire Alarm System                      \$50,000                      Library**

**Summary:** *DPW, Fire, and Impact Fire Services conducted a thorough inspection of the library's 20+ year old fire system, with many components 25 years old in 2024. All of it needs upgrading: the main fire panel, 30 smoke detectors, 9 pull stations, 7 duct detectors, various relay modules, 20 audio/visual units, 8 visual only units, plus 32 sprinkler heads, engineering and design. Install new Keltron box and re-establish lost connection to the Groton Fire Dept., saving the library from paying for a monthly monitoring service as well as saving 1-2 minutes of time alerting the Fire Dept. in an emergency.*

**Select Board:  
Finance Committee:**

**Item #8 – Upgrade Building Alarm System                      \$15,000                      Library**

**Summary:** *The burglary alarm system was installed in 1999 and will be 25 years old in 2024. Jasonics owner said some of the Library's security detectors are "ancient" (10.1.21), with several installed too high to be useful. This project includes: replacing the control panel, both entry keypads, all 17 motion detectors, and exit door contacts (if needed). The existing wiring would be reconfigured so that each device is on a separate zone (as opposed to now, with 9 detectors on 1 "top floor" zone.) Newer panic buttons would be tied in. The Library receives numerous false alarms every year and the system needs to be upgraded.*

**Select Board:  
Finance Committee:**

**Item #9 – Envelope Repairs    \$18,000                      Library**

**Summary:** *This is the last identified need still unaddressed from the 2018 building envelope study on how to keep water from entering the building: Repair/replace sealant around every exterior door and aluminum window (up 3 stories), as well as scrape, prime, caulk, and paint all 20 wood window sashes.*

**Select Board:  
Finance Committee:**

**Item #10 – Replace Emergency Exit Doors                      \$19,000                      Library**

**Summary:** *For years, water puddled outside the west facing children's room emergency exit and water leaked in under the doors. With all new roof and water drainage, the water is no longer collecting here. Carpeting inside the door was replaced with tile, and now everything is staying dry. But years of water infiltration have rusted out the bottom of these metal doors and the bottoms are flaking off into dust. Commercial-grade metal doors, panic bars, and hardware all need to be replaced as soon as possible.*

**Select Board:  
Finance Committee:**

**Item #11 – Master Plan Update**

**\$100,000**

**Planning Board**

**Summary:** *The Town of Groton’s Master Plan expired in September 2021. The Planning Board anticipates requiring a minimum of \$150,000 for the procurement of professional planning consultants to assist with the daunting task of preparing the next 10-year Master Plan. The proposed amount of \$150,000 is based on recent examples from Littleton and Millbury. The Plan is to appropriate \$100,000 in FY 2023 and any needed funds (approximately \$50,000) in FY 2024. It is anticipated that the final stages of the Master Plan update will be completed in the early part of FY 2025.*

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

**Item #12 – 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:**  
**Finance Committee:**

**Item #13 – Police Cruisers**

**\$104,000**

**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:**  
**Finance Committee:**

**Item #14 – Cameras/Key Card Access**

**\$25,000**

**Police Department**

**Summary:** *Cameras will be installed in Cell Block Hall "blind spots". An exterior security camera for the back of the building and the communications tower. Hardwired Card Key reader for a Cell Block/Sallyport to replace failing battery units. New readers in each of the cell holding areas from Cell Check documentation and the records room.*

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

**Item #15 – Golf Carts**

**\$25,000**

**Country Club**

**Summary:** *Nine years ago, the Country Club 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. Last year, the Club replaced the Carts. In an effort to support the Town’s move to “green” energy, the Club began a trial of electric carts by replacing the current fleet with 21 gas powered carts and 4 electric carts. The Club will take the next few years testing out electric carts on the course, while looking to construct the infrastructure necessary to convert to an all-electric cart fleet. This is the first of five payments for these new carts.*

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

**Item #16 – Pool Improvements**

**\$60,000**

**Country Club**

**Summary:** *This funding will be used to replace the deck at the Country Club Pool.*

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

**TOWN MANAGER**

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**ARTICLE 7: PURCHASE FIRE ENGINE TO REPLACE ENGINE 5**

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 expended by the Town Manager, to purchase and equip a new Engine 5 for the Fire Department, and all costs associated and related thereto, or to take any other action relative thereto.

**TOWN MANAGER**

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

**Summary:** *Engine 5 was purchased in 2007 and was slated to be replaced in 2028. Unfortunately, during an ice storm this past winter, Engine 5 was involved in an accident causing over \$95,000 worth of damage that would be covered by insurance. Based on the age and wear and tear on the Engine 5, it does not make sense to invest the \$95,000 in an engine with 5 years of useful life left. The Town Manager and Fire Chief have recommended using the insurance funds and investing it in a new Fire Engine for the Fire Department. The estimated cost of the new vehicle is approximately \$800,000 (cost to the Town of approximately \$700,000 to paid back over 20 years (estimated life of a new Fire Truck).*

**ARTICLE 8: PURCHASE VOTING MACHINE**

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 purchasing a voting tabulator to be used by the Town to tabulate votes during all elections, and all costs associated and related thereto, or to take any other action relative thereto.

**TOWN CLERK**

**Select Board:  
Finance Committee:**

**Summary:** *This request for a minor capital item is to purchase a new voting tabulator to tabulate votes cast in Groton’s newly created Sub-Precinct 3A. Sub-Precinct 3A was created by the Massachusetts House of Representatives during decennial redistricting in December, 2021. Under State election regulations, the sub-precinct’s votes must be counted separately, and on a unique tabulator (if tabulators are used). Groton currently uses Imagecast Precinct (ICP) vote tabulators. This request is to authorize the purchase of an additional Imagecast Precinct Tabulator. Please note that the use of this machine may be considered to be a local mandate by the State Auditor, and if so declared, the cost will be reimbursed to the Town.*

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**ARTICLE 9: CPA RECOMMENDATION – ADDITIONAL FUNDING 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, for additional funds to supplement funds previously appropriated 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:  
Finance Committee:  
Community Preservation Committee:**

**Summary:** *The 2021 Spring Town Meeting appropriated funds to relocate the Middle School Track in conjunction with the construction of a new Florence Roche Elementary School. The original estimate of \$1.4 million will not be sufficient based on the most recent review of the project. Construction costs have risen at an unprecedented rate. Supply and demand challenges, global shipping, labor shortages, and a high volume of work are all having an impact on construction costs, and all projects and sectors are being affected. While the Project included design, estimating, and escalation contingencies in December 2020, these contingencies cannot absorb the recent estimated costs received. The purpose of this Article will be to appropriate the additional funds needed to complete the project.*

**ARTICLE 10: 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:	\$
Open Space Reserve:	\$
Historic Resource Reserve:	\$
Community Housing Reserve:	\$
Unallocated Reserve:	\$

or to take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

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

**Summary:** *This is an accounting procedure that is necessary so that the Community Preservation Committee will have access to the funds raised during Fiscal Year 2023. Except for the CPC Operating Expenses, none of these funds will be spent without additional approval at Town Meeting.*

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**ARTICLE 11: 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 2023, 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: Conservation Fund – FY 2023 \$400,000**

**Summary:** *The Conservation Commission is requesting \$400,000 to be added to the Conservation Fund to preserve open space, protect water resources and wildlife habitat, and preserve land for agricultural, recreational, and forestry activities. This Fund allows the Town to move quickly in the event a priority parcel becomes available. This Fund has been used to purchase Conservation Restrictions, Agricultural Preservation Restrictions, and fee ownership of conservation land. The goal is to maintain an amount between \$750K and \$1 million in the Fund. As of 1/12/22, the Conservation Fund balance was at \$651,184. The full amount to be paid from the Unallocated Reserve.*

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

**CPC Proposal B: Prescott Stone Project \$6,000**

**Summary:** *The Groton History Center and the Historic Commission is requesting \$6,000 in CPA funds to provide a secure and stable setting for the historical Prescott Stone. It will be located at the Governor George Boutwell House in the side yard, protected from weather and available for viewing by Groton's citizens. The full amount to be paid from the Historic Reserve.*

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

**CPC Proposal C: Nashua River Walk \$60,154**

**Summary:** *The Groton Trails Committee is requesting \$60,154 in CPA funds for a proposed riverwalk. This will include a fully accessible trail that will go along the Nashua River in the J. Harry Rich State Forest for a distance of about 0.25 miles and will connect with the similar John Tinker Trail. The trail will provide a wonderful forest experience along one of the most beautiful stretches of the Nashua River for people of all ages and abilities, including children in strollers, those using walkers, and bikers. It will include two rest areas with benches and a larger observation area at the terminus. The observation area will have two handicap tables and four benches as well as high quality educational signs. The full amount to be paid from the Open Space Reserve.*

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

**CPC Proposal D: Prescott Elevator Design and Engineering \$80,000**

**Summary:** *Friends of Prescott is requesting \$80,000 in CPA funds for the architectural and engineering work that needs to be done upfront in order to be able to qualify for a Municipal Americans with Disabilities Act Improvement grant to install a passenger elevator in the town's historic Prescott School. The elevator will provide handicap access to all three floors within the building. The full amount to be paid from the Historic Reserve.*

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

**CPC Proposal E: Housing Coordinator \$53,543**

**Summary:** *This application is requesting \$53,543 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:**  
**Finance Committee:**  
**Community Preservation Committee:**

**CPC Proposal F: Bates/Blackman Improvement/Accessible Path \$39,545**

**Summary:** *The Groton Conservation Trust is requesting \$39,545 in CPA funds to use towards improving community access and safety at its flagship Bates-Blackman conservation land in Groton. The unique area consists of approximately 55 acres that include a remarkable diversity of ecosystems, serves as a gateway to a large, interconnected area of over 600 acres of protected land, and is one of the GCT's most heavily visited properties. The property requires substantial upgrades to enhance safety, accessibility, and ecological integrity. The full amount to be paid from the Open Space Reserve.*

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

**CPC Proposal G: Groton Country Club Recreation Courts Project \$197,287**

**Summary:** *This application is requesting \$197,287 in CPA funds to serve as additional funding to restore the existing footprint of four tennis courts and transform the space into eight dedicated pickleball courts and one tennis court. This CPA project was voted on and passed at the 2021 Spring Town Meeting. The Engineering Study was completed in July 2021. The sealed bid process resulted in one closed bid that returned at \$268,000 higher than the initial projected budget. The full amount to be paid from the Unallocated Reserve.*

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

**COMMUNITY PRESERVATION COMMITTEE**

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**ARTICLE 12: AMEND THE TOWN SEAL**

To see if the Town will vote to change the Seal of the Town of Groton by removing the words "Holy Bible" from the book in the center of the Seal, leaving the book blank, and to authorize the Town Clerk to take any action necessary to carry out the changes to the Town Seal authorized under this Article, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:  
Finance Committee:**

**Summary:** *The Diversity Task Force was created by the Select Board in July, 2020 to provide observations and give recommendations to the Select Board and suggest ideas to help to educate the residents of Groton and make it a more welcoming community. The Diversity Task Force believes that an important step in making Groton a more welcoming community is ensuring that the Town Seal effectively represents all Groton residents. The Task Force understands the historical importance of the Seal, and as such, decided to recommend striking the phrase “Holy Bible”, leaving the Seal otherwise unchanged. This ensures that the book on the Seal can represent the diverse faiths of all of Groton’s residents, while maintaining its historic character. The purpose of this Article is to approve the removal of the words “Holy Bible” from the Town Seal.*

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**ARTICLE 13: ZONING AMENDMENT – MARIJUANA ESTABLISHMENTS**

To see if the Town will vote to amend the Zoning Bylaw by deleting Section 218-10.4(C)(3) in its entirety and replacing it with a new Section 218-10.4(C)(3) as follows:

(3) No marijuana establishment entrance shall be located closer than 500 feet from the entrance of a preexisting public or private preschool, school providing education in kindergarten or any grades 1 through 12, junior college, college, licensed day-care center, church, library, park, playground, or other marijuana establishment. Distance shall be measured in a straight line from the geometric center of the marijuana establishment’s entrance door to the geometric center of the entrance door or primary public entrance location of the nearest facility listed in the previous sentence, unless there is an impassable barrier within those 500 feet that renders any part of the 500-foot straight-line distance inaccessible by a pedestrian or automobile, in which case the 500-foot distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the marijuana establishment’s entrance door to the geometric center of the entrance door or primary public entrance location of the nearest facility listed in the previous sentence.

or to take any other action relative thereto.

**SELECT BOARD**

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

**Summary:** *The intent of this Zoning Amendment is to bring the Town’s Marijuana Zoning Bylaw in compliance with State Law and State Regulations relative to distance between various establishments.*

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**ARTICLE 14: ZONING AMENDMENT – PERFORMANCE STANDARDS**

To see if the Town will vote to amend the Groton Zoning By-Laws as follows:

1. Delete Section 218-5.5 Special Use Considerations in the R-B, VCG, NB, GB, and I Districts in its entirety and replace it with the following:

218-5.5 Zoning Map Amendment Considerations in VCB, NB, GB and I Districts.

- A. Objectives. The objectives of these special use regulations are to provide entrepreneurial and employment opportunities for area residents; to focus development at locations occasioning relatively small environmental or community cost; to protect the Town's rural character and natural environment; to promote harmonious future development; and to provide convenient services for Groton residents.
- B. Rezoning to VCB, NB, GB or I. The Planning Board shall neither sponsor nor favorably recommend any rezoning of land into a Business or Industrial District unless a concept plan (see Subsection **B**) for the area proposed for rezoning has been submitted to the Planning Board for review at the public hearing on the rezoning and is presented at the Town Meeting. In its report to the Town Meeting, the Planning Board shall report its determinations regarding the consistency of the proposed rezoning with the Business or Industrial District intention stated in § **218-4.2** and regarding the consistency of the concept plan with the objectives stated in Subsection **A**.
- C. Submittal requirements. A concept plan shall consist of the following:
  - (1) A schematic development plan, indicating the location of the boundaries of the lot, buildings, roads, drives, parking, reserved open space, wells, on-site disposal facilities, drainage system, topography and grading, areas of retained vegetation and planting areas.
  - (2) Analysis of the consequence of the proposed development, evaluating the following impacts at a level of detail appropriate to the scale of the development proposed:
    - (a) Natural environment: groundwater and surface water quality, groundwater level, stream flow, erosion and siltation, vegetation removal (especially unusual species and mature trees) and wildlife habitats.
    - (b) Public services: traffic safety and congestion, need for water system improvements, need for additional public recreational facilities and need for additional school facilities.
    - (c) Economics: municipal costs and revenues, local business activity and local jobs.
    - (d) Visual environment: visibility of buildings and parking and visual consistency with existing development in the area.

2. Insert a new Section 218-5.6 to read as follows and renumber subsequent Sections accordingly:

218-5.6 Performance Standards for Business and Industrial Special Permit Uses.

- A. Special permits for business or industrial uses, if consistent with this chapter in all other respects, shall be granted only if the special permit granting authority determines that the proposal's benefits to the Town or vicinity will outweigh any adverse effects, after consideration of the following:
- B. Location.
- [1] The proposal will be located near uses which are similar to the proposed use or, if not, the nearby uses will be ones likely to benefit from rather than be damaged by having the proposed activity nearby.
  - [2] Public water supply will be available or will be made available without increased cost to the Town, the Water Department or its current rate payers, and serving this use at this location will pose no problems which are unusual.
  - [3] The proposal will not cause environmental stress from erosion, siltation, groundwater or surface water contamination or disturbance to wildlife habitat on the site if the wildlife is officially listed by the Massachusetts Division of Fisheries and Wildlife pursuant to 321 CMR 8.00 as endangered, threatened or of special concern.
- C. Activity type and mix.
- [1] The proposed activity will contribute to the diversity of services available to the Town.
  - [2] Any retail services will be designed to serve the Town's population rather than a larger region.
  - [3] The proposal will add little to traffic congestion, considering the location, the number of trips likely to be attracted and any special access provisions committed (e.g., bike storage facilities or employee ridesharing).
  - [4] The proposal will pose no environmental hazard because of use or storage of explosive, flammable, toxic or radioactive materials.
  - [5] The proposal will not result in air pollution or excessive noise.
- D. Site design.
- [1] Scenic views from public ways and other developed properties will be considerably treated in the design of the site.
  - [2] Topographic change will not result in cuts or fills exceeding seven feet.
  - [3] Removal of existing trees or other important natural features will be avoided.
  - [4] Pedestrian movement within the site and to other places will be well provided for.
  - [5] Vehicular movement within the site will be safe and convenient and arranged so as to not disturb abutting properties.
  - [6] Visibility of parking and service areas from public streets will be minimized through facility location and the use of topography and vegetation.
  - [7] Potential disturbances such as noise, glare and odors will be effectively confined to the premises through buffering or other means.
  - [8] Water quality will be protected through appropriate location and design of disposal facilities in relation to water bodies and site geology.
- E. Facility design.
- [1] Scenic views from public ways and other developed properties will be considerably treated in the design of the buildings.
  - [2] Primary exterior materials will match the appearance of materials commonly found on existing buildings within the Town.

[3] Domestic scale will be maintained in the building's design through massing devices such as breaks in walls and roof planes and through the design of architectural features.

F. Overall planning. The proposed plan will be consistent with:

[1] The intentions stated in § 218-4.2, Intention of districts, and in § 218-1.2, Purposes.”

3.. Amend Section 218-5.2 Schedule of Use Regulations by deleting Lines 43 and 82 in their entirety and replacing them with the following:

Please see Section 218-5.6 Performance Standards, for the following special permit uses in the R-B, VCB, NB, GB, and I Districts.

or to take any other action relative thereto.

### ***PLANNING BOARD***

**Select Board:**

**Finance Committee:**

**Planning Board:**

**Summary:**

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### ***ARTICLE 15: EXTEND 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 116, Lot 101 (Undeveloped Lot Taylor Street) but only for the exclusive use of said lot, 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:**

**Finance Committee:**

**Summary:** *This article requests authorization from the Town Meeting to expand the Center Sewer District to include Lot 116-101, Groton. This article, if approved, will provide Sewer Capacity for the exclusive use of said Lot.*

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**ARTICLE 16A: ELECTRONIC VOTING STUDY COMMITTEE**

To see if the Town will vote to create an Electronic Voting Study Committee appointed by the Town Moderator consisting of the Town Clerk and four (4) voters of the Town for the purpose of exploring the option of implementing electronic voting at Town Meeting; said Committee to receive support from Town Officials as required, and, further, said Committee to provide a report to the 2022 Fall Town Meeting addressing all issues associated with such a change including but not limited to cost, bylaws and administrative procedures, or to take any other action relative thereto.

**TOWN MANAGER**

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

**Summary:** *The use of electronic voting at Town Meeting has been reviewed as offering a level of anonymity that would yield a better reflection of voter response to Articles proposed at Town Meeting. A considerable number of towns in Massachusetts and across the country now use electronic voting. The 2015 Spring Town Meeting received a report from the Electronic Voting Study Committee suggesting that electronic voting at Town Meeting may be worthy of adopting, but that costs were prohibitive and that questions around implementation remained unanswered. It recommended that the question be revisited in the future. In the years since, many other towns in Massachusetts have accumulated significant experience with electronic voting, experience that may address many of the 2015 Committee's unanswered questions. The costs may have declined, and there may be grant monies available to pay for required equipment. Bylaws may need to be amended to adopt electronic voting. This article asks Town Meeting to direct the Moderator to appoint a committee to update the work done in 2015 and to provide back to the 2022 Fall Town Meeting a comprehensive report on the implementation of electronic voting at Town Meeting including thoroughly researched information on costs, funding, bylaw amendments and implementation details. An accompanying Warrant Article will allow voters to determine whether or not to adopt electronic voting and accompanying bylaw changes.*

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**ARTICLE 16B: ELECTRONIC VOTING AT TOWN MEETING**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow, pursuant to any applicable statute, a sums or sums of money, to be expended by the Town Manager, to institute electronic voting at Town Meeting and to take all necessary action to implement electronic voting at the 2022 Fall Town Meeting, including preparing rules and regulations for said implementation, or to take any other action relative thereto.

**TOWN MANAGER**

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

**Summary:** Approval of this Article will provide the necessary funding to purchase electronic voting equipment for use at Town Meeting. It will also allow for the Town Moderator to establish rules and regulations for the implementation of electronic voting at Town Meeting.

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**ARTICLE 17: CITIZENS' PETITION – AGE RESTRICTED HOUSING DEFINITION**

To see if the Town will vote to Amend Section 218-3, Definitions of the Groton Zoning By-Law by deleting the definition of Age-Restricted Housing and replacing it with the following:

**AGE-RESTRICTED HOUSING** — Housing for persons 55 years of age or older which shall be in conformance with federal and state laws and regulations, including the Fair Housing Act and the Housing for Older Persons Act. All dwelling units in an Age-Restricted Housing development shall be subject to an age restriction described in a deed, deed rider, restrictive covenant, or other document that complies with all applicable federal and state laws and which shall be recorded at the Registry of Deeds or the Land Court. The age restriction shall limit all the dwelling units in the development to occupancy of at least one individual of age 55 or older or their spouses of any age and to authorize special exceptions that would allow specific persons of any age to live in a dwelling unit together with an over 55 residents with individual approval of the Planning Board. The age restriction shall run with the land in perpetuity and shall be enforceable by the Town of Groton or any or all of the owners of the development.

or to take any other action relative thereto.

**CITIZENS' PETITION**

<u>NAME</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>ADDRESS</u>
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**Select Board:**  
**Finance Committee:**

**Summary:** No summary was provided

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**ARTICLES 18 THROUGH 28 WILL BE PART OF THE CONSENT AGENDA. PLEASE SEE EXPLANATION PROVIDED ON PAGE 2 OF THIS WARRANT.**

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**ARTICLE 18: CURRENT YEAR LINE-ITEM TRANSFERS**

To see if the Town will vote to transfer certain sums of money within the Fiscal Year 2022 budget, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:  
Finance Committee:**

**Summary:** *To transfer money within the Fiscal Year 2022 Budget should the need arise. A handout explaining any necessary transfers will be available at Town Meeting.*

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**ARTICLE 19: 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 2022 Snow and Ice Budget, as approved under Article 5 of the 2021 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 22.*

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**ARTICLE 20: 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 2022 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 2022 Water Department's Operational Expenses. As of the printing of the Warrant, it is anticipated that \$\_\_\_\_,\_\_\_\_ will be transferred for this purpose.*

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**ARTICLE 21: 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 2022 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 2022 Center Sewer Budget. As of the printing of the Warrant, it is anticipated that \$\_\_\_\_,\_\_\_\_ will be transferred for this purpose.*

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**ARTICLE 22: 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 2022 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 2022 Four Corners Sewer Budget. As of the printing of the Warrant, it is anticipated that \$\_\_\_\_,\_\_\_\_ will be transferred for this purpose.*

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**ARTICLE 23: 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 2022 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 2022 budget. As of the Printing of the Warrant, it is anticipated that \$\_\_\_\_,\_\_\_\_ will be transferred for this purpose.*

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**ARTICLE 24: 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.*

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**ARTICLE 25: ESTABLISHMENT OF REVOLVING FUND**

To see if the Town will vote to amend Section 71-1 of the Town of Groton Bylaws (entitled "Funds Established", by inserting the following amendment establishing a new revolving fund, to follow after the "Access for Persons with Disabilities" revolving fund:

<b><u>Program or Purpose</u></b>	<b><u>Representative or Board Authorized to Spend</u></b>	<b><u>Departmental Receipts</u></b>
COA Program Fund	Council on Aging Director	User fees received from users of COA Programs

and, further, to amend Section 71-2 (entitled "Limitation on or increase in expenditures) by adding the following text to the end of the existing text: "The second paragraph of Massachusetts General Law Chapter 40, §3 is accepted to allow any balance in the COA Program Revolving Account at the close of each fiscal year to remain available for expenditure, without appropriation for such purposes in future years."

or to take any other action relative thereto.

**COUNCIL ON AGING DIRECTOR**

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

**Summary:** *This Article creates a new revolving fund for the Council on Aging. It will allow for the collection of fees for participants of the various programs offered by the COA and then use those collected fees to pay the various Instructors of the programs.*

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**ARTICLE 26: 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 2023 spending limits for the various revolving funds as follows:

<b>Program or Purpose</b>	<b>FY 2023 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
Council on Aging Program Fund	\$50,000
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.*

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**ARTICLE 27: 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 28: 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.*

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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 11<sup>th</sup> Day of April in the year of our Lord Two Thousand Twenty-Two.

Rebecca H. Pine

Rebecca H. Pine, Chair

Alison S. Manugian

Alison S. Manugian, Vice Chair

Peter S. Cunningham

Peter S. Cunningham, Clerk

Joshua A. Degen

Joshua A. Degen, 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

**BUDGET MESSAGE FROM THE  
TOWN MANAGER  
AND  
FINANCE COMMITTEE**

**TOWN OF GROTON  
FISCAL YEAR 2023**

Town of Groton  
Select Board  
173 Main Street  
Groton, MA 01450

PRSRT STD  
U.S. Postage  
PAID  
Groton, MA 01450  
PERMIT #3

# RESIDENTIAL POSTAL PATRON GROTON, MA

January 4, 2022

**MULTI-FAMILY ZONING REQUIREMENT FOR MBTA COMMUNITIES**

Pursuant to the new section 3A of c.40A (the Zoning Act)

**Timetable**

<b>DEADLINE</b>	<b>ACTION REQUIRED</b>
March 31, 2022	Submit comments on draft guidelines to DHCD (optional).
May 2, 2022	Select Board hold a briefing on the Draft Compliance Guidance and attest to that on the MBTA Community Information Form.
May 2, 2022	Submit the MBTA Community Information Form by 5:00 p.m.
December 31, 2022	a. Submit a complete request for a determination of compliance; <u>or</u> b. Notify DHCD that there is no existing multi-family district that fully complies with these guidelines, and submit a proposed action plan.
July 1, 2023	Obtain DHCD approval of a timeline and action plan.
December 31, 2024	Adopt the zoning amendment by the date specified in the action plan and timeline approved by DHCD, no later than this date.

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Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

**DRAFT Compliance Guidelines for Multi-family Districts**  
**Under Section 3A of the Zoning Act**

**1. Overview of Section 3A of the Zoning Act**

Section 18 of chapter 358 of the Acts of 2020 added a new section 3A to chapter 40A of the General Laws (the Zoning Act) applicable to MBTA communities (referred to herein as “Section 3A”). Subsection (a) of Section 3A provides:

*An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.*

The purpose of Section 3A is to encourage MBTA communities to adopt zoning districts where multi-family zoning is permitted as of right, and that meet other requirements set forth in the statute.

The Department of Housing and Community Development, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, is required to promulgate guidelines to determine if an MBTA community is in compliance with Section 3A. DHCD promulgated preliminary guidance on January 29, 2021. DHCD updated that preliminary guidance on December 15, 2021. These guidelines provide further information on how MBTA communities may achieve compliance with Section 3A.

**2. Definitions**

“Adjacent community” means an MBTA community with no transit station within its border or within 0.5 mile of its border.

“Age-restricted housing” means any housing unit encumbered by a title restriction requiring occupancy by at least one person age 55 or older. ..

“Bus service community” means an MBTA community with a bus station within its borders or within 0.5 miles of its border, or an MBTA bus stop within its borders, and no subway station or commuter rail station within its border, or within 0.5 mile of its border.

“Bus station” means a building located at the intersection of two or more public bus lines, within which services are available to bus passengers; provided that a bus station does not include a shelter or other structure without walls and a foundation.

“Chief executive officer” means the mayor in a city, and the board of selectmen in a town, unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

“Commonwealth’s sustainable development principles” means the principles set forth at <https://www.mass.gov/files/documents/2017/11/01/sustainable%20development%20principles.pdf> as such principles may be modified and updated from time to time.

“Commuter rail community” means an MBTA community with a commuter rail station within its borders, or within 0.5 mile of its border, and no subway station within its borders, or within 0.5 mile of its border.

“Developable land” means land on which multi-family housing units have been or can be permitted and constructed. Developable land shall not include land under water, wetland resource areas, areas lacking adequate water or wastewater infrastructure or capacity, publicly owned land that is dedicated to existing public uses, or privately owned land encumbered by any kind of use restriction that prohibits residential use.

“Gross density” means a units-per-acre density measurement that includes land occupied by public rights-of-way and any recreational, civic, commercial, and other nonresidential uses.

“Housing suitable for families” means housing comprised of residential dwelling units that are not age-restricted housing, and for which there are no legal restriction on the number of bedrooms, the size of bedrooms, or the number of occupants.

“MBTA community” means a city or town that is: (i) one of the 51 cities and towns as defined in section 1 of chapter 161A; (ii) one of the 14 cities and towns as defined in said section 1 of said chapter 161A; (iii) other served communities as defined in said section 1 of said chapter 161A; or (iv) a municipality that has been added to the Massachusetts Bay Transportation Authority under section 6 of chapter 161A or in accordance with any special law relative to the area constituting the authority.” A list of MBTA communities is attached, including the designation of each MBTA community as a rapid transit community, a bus service community, a commuter rail community or an adjacent community for purposes of these compliance guidelines.

“Multi-family housing” means a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

“Multi-family district” means a zoning district, including an overlay district, in which multi-family uses are allowed by right.

“Rapid transit community” means an MBTA community with a subway station within its borders, or within 0.5 mile of its border. An MBTA community with a subway station within its borders, or within 0.5 mile of its border, shall be deemed to be a rapid transit community even if there is one or more commuter rail stations or MBTA bus lines located in that community.

“Reasonable size” means not less than 50 contiguous acres of land with a unit capacity equal to or greater than the unit capacity specified in section 5 below.

“Residential dwelling unit” means a dwelling unit equipped with a full kitchen and bathroom.

“Unit capacity” means an estimate of the total number of multi-family housing units that can be developed as of right within the multi-family district, made in accordance with the requirements of section 5.b below.

### **3. General Principles of Compliance**

a. These compliance guidelines describe how an MBTA community can comply with the requirements of Section 3A. The guidelines specifically address:

- What it means to permit multi-family housing “as of right”;
- The metrics that determine if a multi-family district is “of reasonable size”;
- How to determine if a multi-family district has a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code;
- The meaning of Section 3A’s mandate that “such multi-family housing shall be without age restrictions and shall be suitable for families with children”; and
- The extent to which MBTA communities have flexibility to choose the location of a multi-family district.

b. The following general principles have informed the more specific compliance criteria that follow:

- All MBTA communities should contribute to the production of new housing stock.
- MBTA communities with subway stations, commuter rail stations and other transit stations benefit from having these assets located within their boundaries and should provide opportunity for multi-family housing development around these assets. MBTA communities with no transit stations within their boundaries nonetheless benefit from being close to transit stations in nearby communities.
- MBTA communities should adopt multi-family districts that will lead to development of multi-family housing projects of a scale, density and character that are consistent with a community’s long-term planning goals.

- “Reasonable size” is a relative rather than an absolute determination. Because of the diversity of MBTA communities, a multi-family district that is “reasonable” in one city or town may not be reasonable in another city or town. Objective differences in community characteristics must be considered in determining what is “reasonable” for each community.
- To the maximum extent possible, multi-family districts should be in areas that have safe and convenient access to transit stations for pedestrians and bicyclists.

#### 4. **Allowing Multi-Family Housing “As of Right”**

To comply with Section 3A, a multi-family district must allow multi-family housing “as of right,” meaning that the construction and occupancy of multi-family housing is allowed in that district without the need to obtain any discretionary permit or approval. Site plan review and approval may be required for multi-family uses allowed as of right. Site plan review is a process by which a local board reviews a project’s site layout to ensure public safety and convenience. Site plan approval may regulate matters such as vehicular access and circulation on a site, architectural design of a building, and screening of adjacent properties. Site plan review may not be used to deny a project that is allowed as of right, nor may it impose conditions that make it infeasible or impractical to proceed with a multi-family use that is allowed as of right.

#### 5. **Determining “Reasonable Size”**

In making determinations of “reasonable size,” DHCD will take into consideration both the area of the district and the district’s multi-family unit capacity (that is, the number of units of multi-family housing that can be developed as of right within the district).

##### a. *Minimum land area*

Section 3A’s requirement that a multi-family district be a “reasonable size” indicates that the purpose of the statute is to encourage zoning that allows for the development of a reasonable amount of multi-family housing in each MBTA community. A zoning district is a specifically delineated land area with uniform regulations and requirements governing the use of land and the placement, spacing, and size of buildings. A district should not be a single development site on which the municipality is willing to permit a particular multi-family project. To comply with Section 3A’s “reasonable size” requirement, multi-family districts must comprise at least 50 acres of land—or approximately one-tenth of the land area within 0.5 mile of a transit station.

An overlay district is an acceptable way to achieve compliance with Section 3A, provided that such an overlay district should not consist of a collection of small, non-contiguous parcels. At least one portion of the overlay district land areas must include at least 25 contiguous acres of land. No portion of the district that is less than 5 contiguous acres land will count toward the minimum size requirement.

##### b. *Minimum multi-family unit capacity*

A reasonably sized multi-family district must also be able to accommodate a reasonable number of multi-family housing units as of right. MBTA communities seeking a determination of compliance with Section 3A must provide to DHCD an accurate assessment of the number of multi-family housing units that can be developed as of right within the multi-family district, referred to as the district’s unit capacity.

A compliant district’s multi-family unit capacity must be equal to or greater than a specified percentage of the total number of housing units within the community. The required percentage will depend on the type of transit service in the community, as follows:

<b>Category</b>	<b>Minimum multi-family units as a percentage of total housing stock</b>
Rapid transit community	25%
Bus service community	20%
Commuter rail community	15%
Adjacent community	10%

The minimum unit capacity applicable to each MBTA community is determined by multiplying the number of housing units in that community by 0.25, 0.20, 0.15 or 0.10, depending on the type of service in that community. For example, a rapid transit community with 7,500 housing units is required to have a multi-family district with a multi-family unit capacity of  $7,500 \times 0.25 = 1,875$  multi-family units. When calculating the minimum unit capacity, each MBTA community should use 2020 census data to determine the number of total housing units, unless another data source has been approved by DHCD.

When determining the unit capacity for a specific multi-family district, each MBTA community must estimate how many units of multi-family housing could be constructed on each parcel of developable land within the district. The estimate should take into account the amount of developable land in the district, as well as the height limitations, lot coverage limitations, maximum floor area ratio, set back requirements and parking space requirements applicable in that district under the zoning ordinance or bylaw. The estimate must also take into account the restrictions and limitations set forth in any other municipal bylaws or ordinances; limitations on development resulting from inadequate water or wastewater infrastructure, and, in areas not served by public sewer, any applicable limitations under Title 5 of the state environmental code or local septic regulations; known title restrictions on use of the land within the district; and known limitations, if any, on the development of new multi-family housing within the district based on physical conditions such the presence of waterbodies, and wetlands.

If the estimate of the number of multi-family units that can be constructed in the multi-family district is less than the minimum unit capacity, then the MBTA community must change the boundaries of the multi-family district or make changes to dimensional regulations applicable to that district (or to other local ordinances or bylaws) to allow for the development of a greater number of multi-family units as of right.

It is important to understand that a multi-family district’s unit capacity is not a mandate to construct a specified number of housing units, nor is it a housing production target. Section 3A requires only that each MBTA community has a multi-family zoning district of reasonable size. The law does not require the production of new multi-family housing units within that district. There is no requirement nor expectation that a multi-family district will be built out to its full unit capacity.

In some communities, there may be a significant number of multi-family units already existing in the multi-family district; those communities should generally expect fewer new units to be produced in the district, because it is more fully built out. Conversely, there may be some communities with relatively little multi-family housing in its multi-family district; there generally will be more opportunity for new

housing production in those districts in which there is a large gap between unit capacity and the number of existing multi-family units.

## **6. Minimum Gross Density**

Section 3A states that a compliant multi-family district must have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A. DHCD will deem a zoning district to be compliant with Section 3A's minimum gross density requirement if the following criteria are met.

### *a. District-wide gross density*

Section 3A expressly requires that a multi-family district—not just the individual parcels of land within the district—must have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A. To comply with this requirement, the zoning must legally and practically allow for a district-wide gross density of 15 units per acre. The Zoning Act defines “gross density” as “a units-per-acre density measurement that includes land occupied by public rights-of-way and any recreational, civic, commercial and other nonresidential uses.”

To meet the district-wide gross density the municipality must demonstrate that the zoning for the district permits a gross density of 15 units per acre of land within the district, “include[ing] land occupied by public rights-of-way and any recreational, civic, commercial and other nonresidential uses.” By way of example, to meet that requirement for a 50-acre multi-family district, the municipality must show at least 15 existing or potential new multi-family units per acre, or a total of at least 750 existing or potential new multi-family units.

### *b. Achieving district-wide gross density by sub-districts*

Zoning ordinances and bylaws typically limit the unit density on individual parcels of land. To comply with the statute's density requirement, an MBTA community may establish sub-districts within a multi-family district, with different density requirements and limitations for each sub-district, provided that the gross density for the district as a whole meets the statutory requirement of not less than 15 multi-family units per acre.

## **7. Determining Suitability for Families with Children**

Section 3A states that a compliant multi-family district must be without age restrictions and must be suitable for families with children. DHCD will deem a multi-family district to comply with these requirements as long as the zoning does not require multi-family uses to include units with age restrictions and does not place any limits or restrictions on the size of the units, the number of bedrooms, the size of bedrooms, or the number of occupants.

## 8. Location of Districts

Section 3A states that a compliant multi-family district shall “be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.” DHCD will interpret that requirement consistent with the following guidelines.

### *a. General rule for measuring distance from a transit station.*

To maximize flexibility for all MBTA communities, the distance from a transit station may be measured from the boundary of any parcel of land owned by a public entity and used for purposes related to the transit station, such as an access roadway or parking lot.

### *b. MBTA communities with some land area within 0.5 miles of a transit station*

An MBTA community that has a transit station within its boundaries, or some land area within 0.5 mile of a transit station located in another MBTA community, shall comply with the statutory location requirement if a substantial portion of the multi-family district is located within the prescribed distance. Absent compelling circumstances, at least [one half] of the land area of the multi-family district should be located within 0.5 mile of the transit station. The multi-family district may include land areas that are further than 0.5 mile from the transit station, provided that such areas are easily accessible to the transit station based on existing street patterns and pedestrian connections.

In unusual cases, the most appropriate location for a multi-family district may be in a land area that is further than 0.5 miles of a transit station. Where none of the land area within 0.5 mile of transit station is appropriate for development of multi-family housing—for example, because it comprises wetlands or land publicly owned for recreation or conservation purposes—the MBTA community may propose a multi-family use district that has less than one-half of its land area within 0.5 miles of a transit station. To the maximum extent feasible, the land areas within such a district should be easily accessible to the transit station based on existing street patterns, pedestrian connections, and bicycle lanes.

### *c. MBTA communities with no land area within 0.5 miles of a transit station*

When an MBTA community has no land area within 0.5 mile of a transit station, the multi-family district should, if feasible, be located in an area with reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes, or in an area that otherwise is consistent with the Commonwealth’s sustainable development principles—for example, near an existing downtown or village center, near an RTA bus stop or line, or in a location with existing under-utilized facilities that can be redeveloped into new multi-family housing.

## 9. Determinations of Compliance

DHCD will make determinations of compliance with Section 3A upon request from an MBTA community, in accordance with the following criteria and schedule. An MBTA community may receive a determination of full compliance when it has a multi-family district that meets all of the requirements of Section 3A. An MBTA community may receive a determination of interim compliance for a limited duration to allow time to enact a new multi-family district or amend an existing zoning district in order to achieve full compliance with Section 3A.

*a. Requests for determination of compliance*

When an MBTA community believes it has a multi-family district that complies with the requirements for Section 3A, as set forth in these guidelines, it may request a determination of compliance from DHCD. Such a request may be made for a multi-family district that was in existence on the date that Section 3A became law, or for a multi-family district that was created or amended after the enactment of Section 3A. In either case, such request shall be made on a form required by DHCD and shall include, at a minimum, the following information, which shall be provided in a format or on a template prescribed by DHCD:

General district information

- i. A map showing the municipal boundaries and the boundaries of the multi-family district;
- ii. A copy of those provisions in the municipal zoning code necessary to determine the uses permitted as of right in the multi-family district and the dimensional limitation and requirements applicable in the multi-family district;
- iii. A plan showing the boundaries of each parcel of land located within the district, and the area and ownership of each parcel as indicated on current assessor records;

Location of districts

- iv. A map showing the location of the nearest transit station and how much of the multi-family district is within 0.5 miles of that transit station;
- v. In cases where no portion of the multi-family district is located within 0.5 miles of a transit station, a statement describing how the development of new multi-family housing within the district would be consistent with the Commonwealth's sustainable development principles;

Reasonable size metrics

- vi. A calculation of the total land area within the multi-family district;
- vii. A calculation of the multi-family district's unit capacity, along with a statement describing the methodology by which unit capacity was determined, together with:
  - a. A description of the water and wastewater infrastructure serving the district, and whether that infrastructure is sufficient to serve any new multi-family units included in the unit capacity;
  - b. A description of any known physical conditions, legal restrictions or regulatory requirements that would restrict or limit the development of multi-family housing within the district;
  - c. The number and age of multi-family housing units already existing within the multi-family district, if any.

District gross density

- viii. The gross density for the multi-family district, calculated in accordance with section 6 of these guidelines.

## Housing suitable for families

- ix. An attestation that the zoning bylaw or ordinance does not place any limits or restrictions on the size of the units, the number of bedrooms, the size of bedrooms, or the number of occupants in multi-family housing units within the multi-family district.

## Attestation

- x. An attestation that the application is accurate and complete, signed by the MBTA community's chief executive officer.

As soon as practical after receipt of a request for determination of compliance, DHCD will either send the requesting MBTA community a notice that it has provided all of the required information, or identify the additional information that is required to process the request. Upon reviewing a complete application, DHCD will provide the MBTA community a written determination either stating that the existing multi-family use district complies with Section 3A, or identifying the reasons why the multi-family use district fails to comply with Section 3A and the steps that must be taken to achieve compliance.

An MBTA community shall be deemed to be in compliance with Section 3A for the period of time during which a request for determination of compliance, with all required information, is pending at DHCD.

### *b. Action plans and interim compliance—New or amended district*

Many MBTA communities do not currently have a multi-family district of reasonable size that complies with all of the requirements set out in Section 3A and these guidelines. These MBTA communities must take affirmative steps towards the creation of a compliant multi-family district within a reasonable time. To achieve interim compliance, the MBTA community must, by no later than the dates specified in section 9.c, send to DHCD written notice that a new multi-family district, or amendment of an existing multi-family district, must be adopted to come into compliance with Section 3A. The MBTA community must then take the following actions to maintain interim compliance:

- i. *Creation of an action plan.* Each MBTA community must provide DHCD with a proposed action plan and timeline for any planning studies or community outreach activities it intends to undertake in order to adopt a multi-family district that complies with Section 3A. DHCD may approve or require changes to the proposed action plan and timeline by sending the MBTA community written notice of such approval or changes. Rapid transit communities and bus service communities must obtain DHCD approval of an action plan by no later than March 31, 2023. Commuter rail communities and adjacent communities must obtain DHCD approval of a timeline and action plan by no later than July 1, 2023.
- ii. *Implementation of the action plan.* The MBTA community must timely achieve each of the milestones set forth in the DHCD-approved action plan, including but not limited to the drafting of the proposed zoning amendment and the commencement of public hearings on the proposed zoning amendment.

- iii. *Adoption of zoning amendment.* An MBTA community must adopt the zoning amendment by the date specified in the action plan and timeline approved by DHCD. For rapid transit communities and bus service communities, DHCD will not approve an action plan with an adoption date later than December 31, 2023. For commuter rail communities and adjacent communities, DHCD will not approve an action plan with an adoption date later than December 31, 2024.
- iv. *Determination of full compliance.* Within [90] days after adoption of the zoning amendment, the MBTA community must submit to DHCD a complete application requesting a determination of full compliance. The application must include data and analysis demonstrating that a district complies with all of the compliance criteria set forth in these guidelines, including without limitation the district's land area, unit capacity, gross density and location.

During the period that an MBTA community is creating and implementing its action plan, DHCD will endeavor to respond to inquiries about whether a proposed zoning amendment will create a multi-family district that complies with Section 3A. However, DHCD will issue a determination of full compliance only after final adoption of the proposed zoning amendment and receipt of a complete application demonstrating the unit capacity.

*c. Timeframes for submissions by MBTA communities*

To remain in interim compliance with Section 3A, an MBTA community must take one of the following actions by no later than December 31, 2022:

- i. Submit a complete request for a determination of compliance as set forth in section 9.a above; or
- ii. Notify DHCD that there is no existing multi-family district that fully complies with these guidelines, and submit a proposed action plan as described in section 9.b above.

**10. Renewals and Rescission of a Determination of Compliance**

*a. Term and renewal of a determination of compliance*

A determination of compliance shall have a term of 10 years. Each MBTA community shall apply to renew its certificate of compliance at least 6 months prior to its expiration. DHCD may require, as a condition of renewal, that the MBTA community report on the production of new housing within MBTA community, and in the multi-family district that was the basis for compliance. Applications for renewal shall be made on a form proscribed by DHCD.

*b. Rescission of a determination of compliance*

DHCD reserves the right to rescind a determination of compliance if DHCD determines that (i) the MBTA community submitted inaccurate information in its application for a determination of compliance, (ii) the MBTA community amended its zoning or enacted a general bylaw or other rule or regulation that materially alters the Unit capacity in the applicable multi-family use district.

**11. Effect of Noncompliance**

If at any point DHCD determines that an MBTA community is not in compliance with Section 3A, that MBTA community will not be eligible for funds from the following grant programs: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2E of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A. DHCD may, in its discretion, take non-compliance into consideration when making other discretionary grant awards.

**SELECT BOARD MEETING MINUTES  
VIRTUAL MEETING  
MONDAY, FEBRUARY 7, 2022  
UN-APPROVED**

**SB Members Present:** Rebecca H. Pine, Chair; Alison S. Manugian, Vice Chair; Peter S. Cunningham, Clerk; Joshua A. Degen, Member; John F. Reilly, Member

**Also Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant to the Town Manager; Melisa Doig, HR Director; Megan Foster, Principal Assistant Assessor, Patricia Dufresne, Town Accountant; Hannah Moller, Tax Collector/Treasurer; Michael Bouchard, Town Clerk

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

**ANNOUNCEMENTS**

Mr. Cunningham commended the DPW on maintaining the roads during the recent snowstorms.

Ms. Pine informed the Board that the Bystander Training Program is scheduled for tomorrow night at 6:30 PM. The topic is implicit bias. She briefly described the program as an interactive training that will teach people to understand their own implicit biases in order to begin to undo them. The program is free and any additional information can be found on the Town Website.

**PUBLIC COMMENT PERIOD**

Rebecca Tabasky thanked the Select Board members for setting up the Bystander Training and expressed that it is deeply important to learn how to intervene when there is hate. She thanked the Groton Public Library for hosting an event on anti-bias in early childhood education on February 1st. 60 neighbors had attended with curiosity and open minds to learn positive ways to celebrate differences. She was disheartened when three neighbors decided to intentionally introduce racist comments. Ms. Tabasky was grateful for the moderator and the participants to recognize intrusion and was able to steer the conversation back to learning. She urged all Groton residents to attend the programs.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad stated that Groton continues to be low in positive Covid cases and there were approximately 100 positive cases in the last week. The numbers will continue to be monitored and the Town Hall is still on target to open at the end of the month and be able to return to in person meetings.
2. Mr. Haddad said that in regards to the FY2022 second quarter finance update the numbers are doing well in collections. Motor vehicle excise taxes continue to be equal with the total collections of last year. Mr. Haddad was pleased with the local meal tax and the local occupancy tax which has already exceeded the estimate. Mr. Haddad informed the Board that the following information would not be found on this quarters report. In January the Country Club took in over \$120,000 in revenue, last year they were at \$10,000. Mr. Haddad said the sales were generated from golf memberships and summer programs which are almost sold out. Mr. Haddad was pleased with the results within the Country Club. In terms of expenses they are as expected at 56% of the budget. Mr. Haddad said employee benefits are paid up front and the numbers are slightly off. 79% of the benefits are paid to Middlesex County at the beginning of the year. The General Government, Public Safety, and the DPW are performing well and the departments are continuing to be very frugal with their expenses. Mr. Haddad stated that the overall budget is doing well. Mr. Robertson was concerned with last year's dispatch budget of \$416,000 compared to this year's total of \$423,000. Mr. Haddad explained that the 65% is due to receiving a grant in January instead of December. \$110,000 of the granted funds is used to offset salaries and the budget may be slightly short from an increase in overtime. Ms. Dufresne replied that in this instance the timing is different, expenditures of the SI Grant generally commence in October through April. The delay in the grant will affect the spending from January through June. \$113,000 in personnel cost was promised by the State and only \$110,000 would be utilized for the offset. Ms. Dufresne was not worried about any additional costs.
3. Update on FY 2022 Goals and Objectives
  - A. Environmental (Contamination) Issues- Mr. Haddad said that a workshop has not been scheduled. The Sportsmen's club continues to be monitored and a notification was received on January 5th stating that the EPA is waiting on a draft site investigation report from the contractor. At that time they will make a decision to take remedial or removal action and the EPA will cover the costs. Mr. Cunningham commented that the report has been provided to the EPA. Regarding the PFAS the Water Department is continuing to monitor the levels and the Town is well below the states federal standards. There were elevated levels found at the Groton Dunstable

High School and Mr. Orcutt will be speaking with the school officials. Mr. Haddad had questioned if the elevated levels would impact the Whitney Well and Mr. Orcutt assured that there would be no issues. Mr. Degen commented that it is important to schedule a joint meeting with the Water Department and the BOH. He discussed the alarming statistics coming out of Maine regarding the contamination caused by the use of a sludge base fertilizer being offered by the States free of charge. The major concern is that the water stream and food streams are being affected. Mr. Degen wanted to ensure that the fertilizer is not being used on the Country Club or the Town Field. He recommended that the general public should be informed. Mr. Haddad said that when the Green Community presented their annual report they discussed the old Nod Road landfill and questioned if it should be monitored. Mr. Haddad asked the Town Planner to reach out to the engineer and perform a study to see if there are any projected issues. The report will be provided to the Board within the next few weeks.

- B. Taxpayer Burden/Costs of Government- Mr. Haddad said that two HCA's have been signed for recreational marijuana and there are two proposed establishments one located at the Four Corners and the other at the Mill Run. The Select Board has placed a Warrant Article on the Spring Town Meeting to amend the Town's Zoning Bylaw to change the 500 foot requirement from property line to door to door. The item is on the Planning Board's agenda for February 24, 2022 at 7:00PM and Mr. Cunningham would be accompanying Mr. Haddad. Mr. Haddad said that 6 out of the 7 collective bargaining units have tentatively reached agreements. The Board would be moving into executive session after the public hearing to discuss the agreements further. Mr. Haddad stated that the PILOT working group includes Mr. Degen and Mr. Whitefield and they have developed a plan to approach the nonprofits. There are meetings scheduled within the next couple weeks to discuss their ideas. Ms. Manugian requested an update on the PILOT ideas prior those meetings. Mr. Haddad replied that he is concerned with having a public conversation before having the opportunity to meet with the nonprofit, it would put the group in a difficult situation and their goal is to become a partnership. Mr. Degen agreed with Mr. Haddad, and commented that the Select Board would be pleased with the proposal and that the PILOT money should increase significantly. Ms. Manugian expressed that without speaking to the Select Board prior to the final agreement that is reached between non-profits would lead to conflict internally. Ms. Pine recommended that any concerns should be addressed to the Town Manager. Ms. Pine then commented that the tax burden goal included taxing short term rentals and questioned if the Board would be interested in doing so. If there is an interest she recommended researching the surrounding towns. Ms. Pine stated that the Legislature passed a law a few years ago allowing the Town to collect a room tax on Airbnb type rentals. With the arrival of the Indian Hill Music the idea may want to be reconsidered. Ms. Manugian commented that there are not viable mechanisms of identifying all the rental properties available. Mr. Haddad said that he and Ms. Dunbar researched properties that were available a couple of years ago and there was not a sufficient number to make it worth the while for expenditures of staff time and collecting a minimal amount. Ms. Pine requested that Mr. Haddad reach out to the surrounding towns and ask if they are collecting the tax. Mr. Haddad stated he would work with Ms. Dunbar and explore the records that the assessors obtain.
- C. Affordable Housing and Housing Diversity- Mr. Haddad said that there is a 40B development under review at the Cow Pond Brook Road. A site walk will be conducted tomorrow and on Monday night's agenda the Select Board would be discussing any comments regarding the project. The Deluxe property is in the process of being permitted and will also contain affordable housing. Mr. Haddad had a conversation with the Chair and the Affordable Housing Trust has done an extensive search of Town owned properties where they could make a difference. An update should be provided if that search has been successful. Ms. Pine stated that she could not report on anything at this time. Mr. Degen questioned if the warrant that he signed today for an expenditure of \$3400 for the Affordable Housing Trust was the same property for the site analysis on Cow Pond Brook Pond. Ms. Pine assured that it was not the same property.
- D. Promote Economic Development- Mr. Haddad said that walkability would be improved throughout the Town. The Complete Street Committee received a grant for the installation of sidewalks on West Main Street and Lowell Road. An Earmark was received from the States ARPA Funds for the installation of a sidewalk on Old Ayer Road from Boston Road to the Music Center. Mr. Haddad said that the Destination Groton Committee was appointed members and they are off to a great start and have a lot of ideas. They meet every other Wednesday and will keep the Board updated. Ms. Manugian questioned if there are any plans to repair or upgrade the sidewalks on Main Street. Mr. Haddad replied no, the DPW will be focusing on using the grant money and if they do have the availability to fix any sidewalks they will address the issues.
4. Mr. Haddad informed the board that Mr. Woodin is the grandson of one of the founding members of the Williams Barn Committee. Mr. Haddad requested that the Board consider accepting the nomination of Stephen Woodin for appointment to the Williams Barn Committee.

*Mr. Cunningham moved that the Board appoints Stephen Woodin to the Williams Barn Committee with the term to expire June 30, 2022. Ms. Manugian seconded the motion. Roll Call: Cunningham-Aye; Manugian- aye; Degen-aye; Reilly- aye, Pine- aye*

5. Mr. Haddad requested that the Board consider accepting the nomination of Rick Salon for appointment to the Great Ponds Advisory Committee.

*Ms. Manugian moved that the Board appoints Rick Salon to the Great Ponds Advisory Committee with the term to expire June 30, 2022. Mr. Cunningham seconded the motion. Roll Call: Cunningham-Aye; Manugian- aye; Degen-aye; Reilly- aye, Pine- aye*

6. Mr. Haddad said that the Finance Committee is scheduled to meet on February 15, 2022 to review the budget along with the capital plan. Mr. Haddad said he would provide an update on the status of the budget. The Board was informed that the Groton Dunstable operating assessment is higher than the amount set aside. The main reason is due to the Governor's proposed state aid for Chapter 70 and Chapter 71. Mr. Haddad expressed that the number is not adequate. Other factors that contributed to the issues were the minimal contribution for the Town of Groton has increased to 5.29%. There was a slight increase in the five year spread of the populations between the two communities. To meet the operating expenses the school district needs to increase the Town's operating assessment by \$303,000. Mr. Haddad has been working with both Sherri and Laura and requested that the school budget be \$100,000 less. They are currently reviewing the numbers. The Finance Team has made adjustments to the state aid based on the governor's number and the assessments. There was a slight increase in motor vehicle excise and fees and there would be more money required out of the capital stabilization fund. Mr. Haddad was very leery on increasing the estimated receipts totaling \$383,000 and increased the amount by \$55,000. Reductions were required to balance the budget and were made within the health insurance based on the reduction of full time positions, collective bargaining, and the 8.5% rate offered by the Minuteman Health. The Fire Department's request for a full time firefighter was eliminated along with the part time dispatcher and the part time clerk for the Council on Aging. Mr. Haddad explained eliminating those positions removed all new expenditures and left a level service budget on the municipal side and only accounted for collective bargaining with the unions. Mr. Haddad was reluctant to reduce the additional \$100,000, if Groton Dunstable is unable to accommodate the amount then the \$100,000 that is being carried in snow and deficit can be used out of free cash and the operating needs would be satisfied. Mr. Haddad had a conversation with Mr. Degen regarding the recent ice storms and the DPW is utilizing more materials. Mr. Cunningham recalled the Finance Meeting held on Saturday and stated that the most compelling presentation on Saturday came from Chief Luth requesting an additional dispatcher position and he hoped that need could be met.

7. Update on Select Board Meeting Schedule Through Spring Town Meeting  
Mr. Haddad said that the 40B Cow Pond Brook Road Development would need to be addressed and added to the next agenda. Comments need to be submitted to the State by February 22, 2022 and he suggested that next week could be utilized to see if there is any input from the departments. Mr. Haddad stated that he would be inviting Mr. Tada to the February 28th meeting to update the Board on the NBTA housing law to ensure that everyone is familiar and up to date. The Board is required to vote by May 2nd and Mr. Tada will provide an update on the status of the Planning Board and what actions need to be taken. The Board will receive a first draft of the warrant on February 28th. Mr. Haddad reminded the public that the warrant closes on Friday, February 25th and must be submitted prior to the Select Board. On Monday, March 14, 2022 there will be a public hearing with the Finance Committee regarding the warrants. Ms. Pine questioned if members of the public can submit comments directly to the State regarding the 40B proposal. Ms. Manugian replied that the State's preference is that comments are only submitted by the Town and explained once the comprehensive permit application is received by the ZBA that is when the public is allowed to address their concerns. Ms. Pine stated if the public has any questions to please notify the Select Board by the next meeting.

Mr. Cunningham informed the Board that Fran Stanley forwarded a communication regarding a webinar that was being held on February 16, 2022 at 12:00pm on NBTA Community Zoning. More information can be found on the Town Website.

8. Mr. Haddad said that a bond was issued and requested an approval from the Select Board.  
Ms. Moller said that the \$8.142 Million note was approved and was very successful. It came in at 8.5% net interest with a \$93,000 premium after issuance fees. The amount will cover the police radios, the Whitney Pond Well, and the Highway Department equipment that was previously borrowed last year. The amount also includes new borrowing for the Whitney Pond Well, water treatment facility, and the middle school track. Mr. Haddad said that the \$8.1 Million would be coming from the Enterprise Fund and the CPC, only a minimum amount would come out of

the General Fund. Mr. Haddad expressed this shows a triple a rating and reaches great benefits for the taxpayers. The premium of \$93,000 is outstanding and allows the Town to borrow less. Mr. Degen questioned the second and third place options and noted that the bond premium was higher than the other two. Ms. Moller stated that the net interest was considered and it was the least expensive to the Town. Mr. Degen questioned if the best interest of the Town was considered. Ms. Moller explained that all factors are considered and the Financial Advisers recommended the most financially responsible decision. Mr. Pine questioned if a vote is still necessary regarding the track. Mr. Haddad replied that the bond issue was scheduled prior to knowing the issue of the cost overrun. The planning had been occurring for over the last month and a half, if the amounts needed to be rescinded then it can be performed. There was clarification that the amount is for the rebuild of the middle school track and not the high school which would be funded by CPA funds. Ms. Pine questioned what would occur if the track was postponed or not built. Mr. Haddad said that the \$1.4 Million would be paid off and not rolled over.

*Mr. Degen moved to approve the motion for the bonding issue as written and as presented. Ms. Manugian seconded the motion. Roll Call: Cunningham-aye; Manugian-aye, Degen-aye; Reilly-aye; Pine-aye*

### **SELECT BOARD ITEMS FOR CONSIDERATION**

1. Mr. Haddad said the annual review has been conducted of the Towns Financial Policies and there have been recommendations for minor changes to three of the supplemental plans (OPED Investment, General Funds and the Long Term Funds, and the Investment Policy Fund) to the main policy. The word shall is being replaced with the word may and the title Town Treasurer will be replaced with Town Accountant. Ms. Pine questioned the reasoning behind the minor changes. Ms. Moller replied that the Town has not been consistently receiving the information and that it was more responsible in the event that the information "may" be requested from the investor. The word shall holds the Town more liable if the documents were not asked for. Ms. Moller explained that Towns are not requesting these documents regularly and they are not necessarily needed on an annual basis. When the policies were originally composed they were not directly formatted for the Town of Groton and adjustments were required to make them more applicable to the Town.

Mr. Robertson informed the Board that the main Financial Policy was also reviewed and there were no changes made.

*Mr. Degen moved to approve that the Select Board adopt the changes as proposed and approved by the Finance Committee. Mr. Cunningham seconded the motion. Roll Call: Cunningham-aye; Manugian-aye, Degen-aye; Reilly-aye; Pine-aye*

*Mr. Degen moved that the Select Board reaffirm the previous vote of the main Financial Policies of the Town of Groton. Ms. Manugian seconded the motion. Roll Call: Cunningham-aye; Manugian-aye, Degen-aye; Reilly-aye; Pine-aye*

### **OTHER BUSINESS**

- A. Mr. Haddad said that the Florence Roche Building Committee would be meeting on Thursday, February 10, 2022 at 6:00PM to discuss the value engineering report and review the budget. The meeting is open to the public and will be held on zoom.

Mr. Degen commented if anyone has any questions for the Town Manager concerning any of the Select Boards proposals before moving forward to please reach out prior to the scheduled meeting on Thursday, February 10, 2022.

### **MINUTES**

None

Ms. Pine adjourned the meeting at 7:56 pm and requested to move into executive session.

*Mr. Cunningham moved that the Board adjourns the public meeting and move into executive session. Ms. Manugian seconded the motion. Roll Call: Cunningham-Aye; Manugian- aye; Degen-aye; Reilly- aye; Pine- aye*

Approved: \_\_\_\_\_  
Peter S. Cunningham, Clerk

\_\_\_\_\_ respectfully submitted:  
Kristine Fox, Minute Taker

Date Approved:

## VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Groton, Massachusetts, certify that at a meeting of the board held February 7, 2022, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of a \$8,142,659 2.00 percent General Obligation Bond Anticipation Note (the "Note") of the Town dated February 18, 2022, and payable February 17, 2023, to Oppenheimer & Co., Inc., at par and accrued interest, if any, plus a premium of \$92,907.74.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 26, 2022, and a final Official Statement dated February 2, 2022, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the and Note and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Note (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: February 7, 2022

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Clerk of the Select Board

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