

**MINUTES
SPECIAL TOWN MEETING
MAY 6, 2002**

The Special Town Meeting was called to order at 8:10pm. The quorum requirement was 125 voters. At 8:00pm there were 326 voters in attendance. At 8:11pm the STM was recessed in order that discussion of article 28 of the ATM be concluded. At 9:02 pm the STM reconvened.

ARTICLE 1: Moved and seconded that the Town vote to transfer certain sums of money within the Fiscal Year 2002 budget as printed in the handout distributed at town meeting.

ARTICLE 1

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<u>Line #</u>	<u>Department Budget</u>	<u>Requested Transfer</u>	<u>Line #</u>	<u>Amount</u>	<u>Source</u>
1101	Assistant Assessor Salary	3028.00	1104	3028.00	Assessors Consultant
1122	Treasurer Expense	2500.00	1125	2500.00	Treasurer Bond Costs
1123	Treasurer Tax Title Expense	2500.00	1125	2500.00	Treasurer Bond Costs
1360	Board of Appeals Expense	3200.00	1125	3200.00	Treasurer Bond Costs
2062	EMS Expense	5000.00	2061	5000.00	EMS Wages
2221	Dog Officer Expense	500.00	1125	500.00	Treasurer Bond Costs
1245	Update Bylaws	2000.00	1261	1000.00 1000.00	Election Wages Election Minor Capital
1343	Planning Board Engineering	4000.00	1344	4000.00	Planning Board Consultant
1481	Historic Districts Expense	500.00	6040	500.00	Short-term Interest
1520	Postage & Office Supplies	7000.00	1400	7000.00	Insurance & Bonding
4006	Highway Crack Sealing/RM	4445.00	1400	4445.00	Insurance & Bonding

4002	Highway Expense	41000.00	4001	41000.00	Highway Wages
4040	Snow & Ice Expense	12577.00	4040	12577.00	Snow & Ice Hired Equipment
4142	Bd of Health Nursing Assmt	114.00	4141	114.00	Board of Health Expense
7041	Medicare	4725.00	7040	4725.00	Health Insurance
5000	Council on Aging Wages	500.00	6040	500.00	Short-term Interest
5041	Library Salaries	4314.00	7040	4314.00	Health Insurance

Article 1 carried unanimously.

ARTICLE 2: Moved and seconded that the Town vote to raise and appropriate \$11,000 to purchase 7.1+/- acres (seven point one) off West Main Street property known as the Squannacook Sportsmans Club shown on the old Assessors Map M Parcel 100-E and on the new Assessors Map 106 Parcels 33 and 34.

Moved and seconded that this article be indefinitely postponed.

Article 2 was indefinitely postponed.

ARTICLE 3: Moved and seconded that the Town vote to raise and appropriate \$20,000 to design and upgrade the septic system on the property known as the Squannacook Sportsman's Club shown on the old Assessors Map M Parcel 100-E and on the new Assessors Map 106 Parcels 33 and 34.

Moved and seconded that this article be indefinitely postponed

Article 3 was indefinitely postponed.

ARTICLE 4: Moved and seconded that the Town vote to authorize the Conservation Commission to acquire, on behalf of the Town, a certain parcel of land located on Skyfield Drive, shown as parcels 14 and 19.2 on Assessors' Map 222 and containing approximately 32.7 acres; to transfer from the conservation fund \$279,000 therefor; to authorize the Conservation Commission to apply for a "self-help" grant for such acquisition pursuant to Section 11 of Chapter 132A of the General Laws and to act as the official representative for such application; and to authorize the Conservation Commission and the Board of Selectmen to execute all documents and take all actions necessary in connection with such acquisition.

Article 4 carried unanimously.

ARTICLE 5: Moved and seconded that the Town vote to transfer from overlay surplus \$25,000 to implement a Geographic Information System (GIS) plan as detailed in the "GIS Assessment and Implementation Plan for the Town of Groton, Massachusetts," prepared by Applied Geographics, Inc., dated April 2002.

The Planning Board supported. The Fincom supported. BOS supported (2-1). Mr. McNierney spoke in favor. Mr. McCuin stated that if the Board of Assessors office would commit to opening its office M-F, he would gladly support it. Ms. Swezey spoke in favor of the GIS system. Ms. Moriss spoke in favor.

A motion was made to move the question. The chair declared a 2/3 vote.

Article 5 carried by majority vote.

ARTICLE 6: Moved and seconded that the Town vote to transfer from overlay surplus \$120 to pay an unpaid bill of the Highway Department for Fiscal Year 2001.

Article 6 carried unanimously.

ARTICLE 7: Moved and seconded that the Town vote to transfer \$46,000 from the Sewer Enterprise Fund Surplus to the Fiscal 2002 Sewer Enterprise Department budget.

Article 7 carried by majority.

ARTICLE 8: Moved and seconded that the Town will vote to transfer from overlay surplus \$3,360 to pay an unpaid bill of a previous year for a non-static floor in the radio room of the Public Safety Building.

Article 8 carried unanimously.

ARTICLE 9: Moved and seconded that the Town vote to accept the provisions of Section 4, Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 to allow an additional property tax exemption for Fiscal Year 2003 for those persons who qualify for certain property tax exemptions under Massachusetts General Law Chapter 59 Section 5.

The Fincom voted to support.

Article 9 carried unanimously.

ARTICLE 10: Moved and seconded that the Town vote to adopt the Water Use Restriction By-Law as printed in the warrant and to designate the by-law as Chapter 91 of the Code of the Town of Groton. (as follows):

ARTICLE 10: To see if the Town will vote to adopt the following Water Use Restriction By-Law/Ordinance:

Section I Authority

This by-law is adopted by the Town under its police powers to protect public health and welfare and its powers under M.G.L. c.40, §21 et seq. and implements the Town's authority to regulate water use pursuant to M.G.L. c. 41, §69B. This by-law also implements the Town's authority under M.G.L. c. 40, §41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

Section 2 Purpose

The purpose of this by-law is to protect, preserve, and maintain the public health, safety, and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions, or conditions imposed by the Town or by the Department of Environmental Protection.

Section 3 Definitions

Person shall mean any individual, corporation trust, partnership or association, or other entity.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c.21G, §15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Town pursuant to section 4 of this by-law.

Water Users or Water Consumers shall mean all public and private users of the Town's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

Section 4 Declaration of a State of Water Supply Conservation

The Town, through its Board of Water Commissioners, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all

water consumers. Public notice of a State of Water Supply Conservation shall be given under section 6 of this by-law before it may be enforced.

Section 5 Restricted Water Uses

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions, or requirements shall be included in the public notice required under section 6.

- a) Odd/Even Day Outdoor Watering: Outdoor watering by water users with odd numbered addresses is restricted to odd numbered days. Outdoor watering by water users with even numbered addresses is restricted to even numbered days.
- b) Outdoor Watering Ban: Outdoor watering is prohibited.
- c) Outdoor Watering Hours: Outdoor watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.
- d) Filling Swimming Pools: Filling of swimming pools is prohibited.
- e) Automatic Sprinkler Use: The use of automatic sprinkler systems is prohibited.

Section 6 Public Notification of a State of Water Supply Conservation; Notification of the Massachusetts Department of Environmental Protection

Notification of any provision, restriction, requirement or condition imposed by the Town as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Any restriction imposed under Section 5 shall not be effective until such notification is provided. Notification of the State of Water Supply Conservation shall also be simultaneously provided to the Massachusetts Department of Environmental Protection.

Section 7 Termination of a State of Water Supply Conservation; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by Section 6.

Section 8 State of Water Supply Emergency; Compliance with the Massachusetts Department of Environmental Protection Orders

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, or condition of any order approved or issued by the Department intended to bring about an end to the State of Emergency.

Section 9 Penalties

Any person violating this by-law shall be liable to the Town in the amount of \$50 for the first violation and \$100 for each subsequent violation which shall inure to the Town for such uses as the Board of Water Commissioners may direct. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the general laws. Each day of violation shall constitute a separate offense.

Section 10 Severability

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

A motion was made to amend the article by striking subsection E containing the words “automatic sprinkler use: The use of automatic sprinkler systems is prohibited”.

Mr. McNierney and Mr. Lyman spoke against the amendment.

The amendment was defeated by majority vote.

Article 10 carried by majority vote.

A motion was made and seconded to dissolve the STM. The STM was dissolved at 10pm.