

**MINUTES  
ANNUAL TOWN MEETING  
APRIL 29, 2002**

The Annual Town Meeting was called to order at 7:37pm. There was no quorum requirement but at 7:35 there were 184 voters in attendance. It was moved and seconded to waive the reading of the warrant. At 7:50 there were 305 voters in attendance.

**ARTICLE 1:** Moved and seconded that the Town vote to hear and act on the report of the Selectmen and other Town Officers and Committees.

Selectman Cunningham presented a proclamation to Ann Lally for her service as an EMT.

Tony Debruyne, on behalf of the Town Government Study Committee, spoke regarding a new form designed to make amending articles easier.

Fincom representative Jeff Wilson spoke regarding the current fiscal crisis now facing the town as well as the Commonwealth.

Growth Management Advisory Committee Chair Chuck McKinney gave a report regarding population trends, growth impact, etc.

Dave Hill, on behalf of the web site committee, spoke regarding the growth in usage of the Town's website and gave information regarding posting notices on the web.

**Article 1 carried unanimously.**

**ARTICLE 2:** Moved and seconded that the Town vote to authorize the Board of Selectmen to apply for Federal and State Grants for which the Town is or may be eligible and to expend the funds received thereunder.

**Article 2 carried unanimously.**

**ARTICLE 3:** Moved and seconded that the Town vote to allow the following compensation for the following elected officials:

Selectmen \$ 1,200 Tax Collector \$24,190  
Board of Selectmen, Chrm. 1,350 Town Treasurer 34,865  
Assessors 1,100 Highway Surveyor 54,114  
Board of Assessors, Chrm. 1,250 Tree Warden 1,311  
Town Clerk 47,460 Town Moderator 65

for the ensuing year.

Virginia Wood questioned why the Assessor's office would be cutting its hours of operation for the public. Assessor Ed Kopec said they needed more help to meet the requirements of the office. Mr. McLaughlin wanted to clarify that the hours of operation would be M-F 7:30-12noon. Ms. Wood made an amendment to change compensation for the Board of Assessors to be changed from \$1,100 to zero. Ms. Wood withdrew the amendment and offered a new amendment in its place to read:

To change compensation for assessors from \$1,100. to zero and that the Board of Assessors Chair compensation to change from \$1,250 to zero.

Mr. Kopec spoke about the time-consuming task of creating abutter's lists. Garrett Boles spoke regarding getting the support the Assessor's need to do the job they are required to do.

Motion to amend is defeated.

**Article 3: carried by majority.**

**ARTICLE 4:** Moved and seconded that the Town vote to amend the Personnel By-Law Wage and Classification Schedule as set forth in the Schedule distributed at Town Meeting (as follows) (see attached)

Fiscal 2003

Grade		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
1	<b>Salary</b>	15,028	15,484	15,942	16,421	16,924	17,431	17,953	18,493
	<b>Wages</b> Library Shelver	7.23	7.44	7.66	7.89	8.13	8.38	8.64	8.89
2	<b>Salary</b>	18,339	18,889	19,457	20,040	20,642	21,261	21,899	22,556
	<b>Wages</b>	8.82	9.08	9.35	9.64	9.93	10.23	10.53	10.85
3	<b>Salary</b>	23,844	24,560	25,296	26,055	26,837	27,642	28,471	29,325
	<b>Wages</b> Building Dept Clerical Assistant Custodian I Historic District Comm Clerical Asst Library Administrative Assistant Library Assistant I Transfer Station Clerk	11.46	11.80	12.16	12.52	12.89	13.28	13.67	14.08
4	<b>Salary</b>	25,283	26,041	26,823	27,628	28,457	29,310	30,189	31,095
	<b>Wages</b> Council on Aging Food Assistant Custodian II Land Use Depts Office Assistant Library Assistant II Park Department Office Assistant Personnel Board Clerical Assistant Police Department Office Asst Sewer Dept Office Assistant Tax Collector Office Assistant Town Clerk Clerical Assistant Town Hall Office Assistant Water Department Office Assistant	12.16	12.52	12.89	13.28	13.68	14.08	14.50	14.93
5	<b>Salary</b>	27,818	28,652	29,512	30,398	31,309	32,249	33,217	34,212
	<b>Wages</b> Administrative Officer Office Assistant	13.37	13.78	14.19	14.63	15.06	15.52	15.98	16.46

	Building Dept Office Assistant Tax Coll OA/Sr Work Program Admin								
<b>6</b>	<b>Salary</b>	28,367	29,218	30,094	30,996	31,926	32,884	33,871	34,887
	<b>Wages</b>	13.64	14.04	14.46	14.89	15.35	15.81	16.29	16.77
	Assistant to Town Accountant Assistant to Town Clerk Assistant to Town Treasurer Board of Assessor's Office Assistant Board of Health Office Assistant  Circulation Librarian Council on Aging Outreach Coordinator Fire Department Office Asst  Local Inspector  Recreation Director								
<b>7</b>	<b>Salary</b>	34,030	35,051	36,102	37,186	38,302	39,450	40,634	41,853
	Conservation Commission Assistant Director Child Services  Reference Librarian Technical Services Librarian Water & Sewer Business Manager  <b>Wages</b>	16.36	16.85	17.36	17.88	18.41	18.96	19.53	20.12
	Administrative Secretary to Adm Officer Administrative Assistant to Police Chief Assistant Town Accountant  GIS Administrator								
<b>8</b>	<b>Salary</b>	34,715	35,756	36,829	37,935	39,072	40,245	41,452	42,696
	<b>Wages</b>	16.69	17.20	17.71	18.24	18.79	19.35	19.93	20.53
	Building Maintenance Supervisor Cable TV Access Programming Director Council on Aging Director								

9	<b>Salary</b>	35,401	36,462	37,556	38,684	39,843	41,039	42,270	43,538
	<b>Wages</b> Assistant Tax Collector/Treasurer	17.02	17.54	18.06	18.60	19.16	19.73	20.32	20.94
10	<b>Salary</b>	38,941	40,109	41,312	42,551	43,828	45,142	46,497	47,892
	<b>Wages</b> Assistant Assessor Planning Administrator	18.72	19.28	19.86	20.46	21.07	21.71	22.36	23.03
11	<b>Salary</b>	39,717	40,908	42,136	43,400	44,702	46,043	47,424	48,847
	<b>Wages</b> Transfer Station Supervisor	19.09	19.67	20.26	20.86	21.49	22.14	22.80	23.48
12	<b>Salary</b>	41,704	42,955	44,244	45,572	46,939	48,346	49,797	51,291
	<b>Wages</b> Water Department Manager	20.05	20.65	21.27	21.91	22.56	23.25	23.95	24.66
13	<b>Salary</b>	44,217	45,543	46,909	48,317	49,766	51,259	52,797	54,381
	<b>Wages</b> Library Director Town Accountant	21.26	21.89	22.55	23.23	23.93	24.65	25.38	26.13
14	<b>Salary</b>	47,757	49,190	50,665	52,185	53,751	55,363	57,024	58,735
	<b>Wages</b> Building Inspector/Zoning Officer	22.96	23.65	24.37	25.10	25.86	26.64	27.44	28.26
15	<b>Salary</b>	49,195	50,671	52,192	53,757	55,369	57,031	58,741	60,504
	<b>Wages</b> Police Lieutenant	23.65	24.37	25.10	25.86	26.64	27.44	28.26	29.11
16	<b>Salary</b>	50,178	51,683	53,234	54,830	56,475	58,169	59,914	61,712
	<b>Wages</b> Police Captain	24.12	24.85	25.60	26.36	27.15	27.97	28.80	29.67
17	<b>Salary</b>	52,690	54,270	55,899	57,575	59,302	61,081	62,914	64,801
	<b>Wages</b> Fire Chief	25.33	26.09	26.87	27.67	28.50	29.36	30.24	31.15
18	<b>Salary</b>	60,592	62,410	64,282	66,210	68,197	70,243	72,350	74,520
	<b>Wages</b> Administrative Officer Police Chief	29.13	30.01	30.91	31.83	32.79	33.78	34.79	35.83
19	<b>Salary</b>	66,210	68,197	70,243	72,350	74,520	76,756	79,058	81,430

	<b>Wages</b>	31.71	32.66	33.64	34.65	35.69	36.76	37.86	39.00
<b>20</b>	<b>Salary</b>	72,350	74,520	76,756	79,058	81,430	83,873	86,389	88,981
	<b>Wages</b>	34.65	35.69	36.76	37.86	39.00	40.17	41.38	42.62

**Non-step and Stipend Positions**

Police Captain 32.04

**Fire Department**

Deputy Chief 15,450 Voted October 18, 1999:  
 On-call Stipend \$4.00 per day  
 Captain 19.10 On-call Stipend \$4.00 per day  
 Lieutenant 18.72 On-call Stipend \$4.00 per day  
 Firefighter 16.37 On-call Stipend \$4.00 per day  
 Probationary Firefighter 13.64 On-call Stipend \$4.00 per day

**Emergency Medical Service**

Director 9,062  
 Assistant Director 4,477  
 Emergency Medical Technician 16.37  
 Rescue Personnel 16.37

**Recreation**

Head Lifeguard 12.15  
 Lifeguard 9.35

**Water Department**

Engineering Consulting 7,444

**Miscellaneous**

Veterans' Agent 1,506  
 Director Veterans' Services 1,506  
 Assistant Building Inspector 8,240  
 Earth Removal Inspector 1,545  
 Dog Officer 12,079  
 Animal Inspector 1,799  
 Animal Control Officer 1,799  
 Town Diarist 435  
 Keeper of Town Clock 1  
 Conservation Land Manager 12.15  
 Parking Attendant 8.82

Graves Registration  
 Officer 216  
 Emergency  
 Management  
 Director 1,098

Mr. Flynn, on behalf of the Fincom made an amendment which read as follows:

Moved and seconded to amend the wage and classification schedule as follows: By deleting “Administrative Officer” under grade 18 and returning it to current grade 16 classification.”

Selectman Cunningham spoke on behalf of placing the Administrative officer’s classification at a grade 18. Mr. Manugian on behalf of the Trustees of Public Library, spoke against the Administrators officer’s salary being raised by 20%. Chairman Cunningham spoke regarding the comparables and that the position would in fact only be receiving a 14% increase. Mrs. White spoke regarding procedure and a management problem within the Town Hall. Mr. McCuin stated that the Board of Selectmen were unanimously in favor of this increase.

Tellers were called and sworn as follows:

Doris Chojnowski Diana Keaney  
 Warren Humphrey Constance Sartini  
 Mary Hutchinson Virginia Wood

**The motion to amend article 4 carried 155 in favor, 148 opposed.**

**Article 4, as amended, carried by majority.**

The amended portion of the Wage and Classification Plan will now read:

15	<b>Salary</b>	49,195	50,671	52,192	53,757	55,369	57,031	58,741	60,504
	<b>Wages</b>	23.65	24.37	25.10	25.86	26.64	27.44	28.26	29.11
Police Lieutenant									
16	<b>Salary</b>	50,178	51,683	53,234	54,830	56,475	58,169	59,914	61,712
	<b>Wages</b>	24.12	24.85	25.60	26.36	27.15	27.97	28.80	29.67
Administrative Officer Police Captain									
17	<b>Salary</b>	52,690	54,270	55,899	57,575	59,302	61,081	62,914	64,801
	<b>Wages</b>	25.33	26.09	26.87	27.67	28.50	29.36	30.24	31.15
Fire Chief									
18	<b>Salary</b>	60,592	62,410	64,282	66,210	68,197	70,243	72,350	74,520
	<b>Wages</b>	29.13	30.01	30.91	31.83	32.79	33.78	34.79	35.83
Police Chief									
19	<b>Salary</b>	66,210	68,197	70,243	72,350	74,520	76,756	79,058	81,430
	<b>Wages</b>	31.71	32.66	33.64	34.65	35.69	36.76	37.86	39.00
20	<b>Salary</b>	72,350	74,520	76,756	79,058	81,430	83,873	86,389	88,981

**ARTICLE 5:** Moved and seconded that the Town vote to raise and appropriate such sums of money as may be necessary to defray the expenses of the Town for the next fiscal year (2003), and act on the budget of the Finance Committee

**1) GENERAL GOVERNMENT**

Moved and seconded that the Town vote to appropriate from Conservation Fees Receipts Reserved the sum of \$15,000 to the Conservation Commission and to raise and appropriate the

sum of \$1,360,496 for a total of \$1,375,496 for General Government as represented by lines 1000 through 1600 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Carried Unanimously.**

**2) PROTECTION OF PERSONS AND PROPERTY**

Moved and seconded that the Town vote to raise and appropriate the sum of \$2,217,959 for Protection of Persons and Property as represented by lines 2000 through 2242 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Carried by majority.**

**3) SCHOOLS**

Moved and seconded that the Town vote to raise and appropriate the sum of \$12,548,100 for Schools as represented by lines 3000 through 3022 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Carried by majority.**

**4) HIGHWAY AND HEALTH**

Moved and seconded that the Town vote to raise and appropriate the sum of \$1,345,454 for Highway and Health as represented by lines 4000 through 4145 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Carried unanimously**

**5) LIBRARY AND CITIZEN'S SERVICES**

Moved and seconded that the Town vote to raise and appropriate the sum of \$785,067 for Library and Citizen's Services as represented by lines 5000 through 5161 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Carried unanimously.**

**6) DEBT SERVICE**

Moved and seconded that the Town vote to raise and appropriate the sum of \$1,732,330 for Debt Service as represented by lines 6000 through 6040 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Carried unanimously.**

**7) EMPLOYEE BENEFITS**

Moved and seconded that the Town vote to raise and appropriate the sum of \$1,036,602 for Employee Benefits as represented by lines 7000 through 7041; each line item to be considered as a separate appropriation for the purposes voted.

**Carried unanimously.**

**8) WATER ENTERPRISE**

Moved and seconded that the Town vote to appropriate from Water Rates and Fees the sum of \$830,572 to the Water Enterprise Fund for FY2003 to defray all operating expenses, interest charges, and principal payments on bonds outstanding as they accrue and any reimbursement to the Town.

**Carried unanimously.**

**9) SEWER ENTERPRISE**

Moved and seconded that the Town vote to transfer from Sewer Surplus the sum of \$77,913, and to appropriate from Sewer Rates and Fees the sum of \$551,617, for a total of \$629,530 to the Sewer Enterprise Fund for FY2003 to defray all operating expenses, interest charges, and principal payments on bonds outstanding as they accrue and any reimbursement to the Town.

**Carried unanimously.**

## **10) ELECTRIC LIGHT**

Moved and seconded that the Town vote to appropriate the income from the sale of electricity to private consumers or for electricity supplied to municipal buildings or from municipal power and from the sale of jobbing during Fiscal 2003 for the Groton Electric Light Department; the whole to be expended by the Manager of that department under the direction and control of the Board of Electric Light Commissioners for the expenses of the ensuing fiscal year as defined in Section 57 of Chapter 164 of the General Laws of the Commonwealth. The total fund to be appropriated is -0-, line item 8040 of the Budget.

**Carried unanimously.**

**ARTICLE 6:** Moved and seconded that the Town vote in accordance with Section 8 of Chapter 533 of the Acts of 1991, as amended by Chapter 115 of the Acts of 1995, to approve the budget of the Groton Country Club Authority, and to reaccept the provisions of said Chapter 533 of the Acts of 1991, as amended, the Groton Country Club Authority Legislation, and to authorize the Board of Selectmen to petition the General Court for any legislation necessary therefor.

Gloria Fucillo questioned whether or not there was a tax lien on the property. The Authority said that it has been resolved.

**Carried unanimously.**

**ARTICLE 7:** Moved and seconded that the Town vote to transfer \$77,913 from the Sewer Enterprise Fund Surplus to the fiscal year 2003 Enterprise Department Budget

Moved and seconded to indefinitely postpone this article.

**Article 7 was indefinitely postponed.**

**ARTICLE 8:** Moved and seconded that the Town vote to raise and appropriate \$200,000 to be added to the sum already on deposit in the Conservation Fund.

**Carried unanimously.**

**ARTICLE 9:** Moved and seconded that the Town vote to raise and appropriate \$10,000 for the purpose of implementing Statement 34 as proposed by the Governmental Accounting Standards Board (GASB).

**Carried unanimously.**

**ARTICLE 10:** Moved and seconded that the Town vote to raise and appropriate \$13,500 to demolish the house located at 538 Pepperell Rd.(Norris property), shown on the old Assessors' Map H as Parcel 12 and on the new Assessors' Map 213 as parcel 60.

Moved and seconded to indefinitely postpone this article.

**Article 10 was indefinitely postponed.**

**ARTICLE 11:** Moved and seconded that the Town vote to raise and appropriate \$10,000 to help fund celebrations for the 350<sup>th</sup> anniversary of the founding of the Town.

**Carried unanimously.**

**ARTICLE 12:** Moved and seconded that the Town vote to raise and appropriate \$12,000 for the purpose of repairing the existing recycling shed at the Transfer Station.

**Carried unanimously.**

**ARTICLE 13:** Moved and seconded that the Town vote to raise and appropriate \$16,000 to purchase a wing plow for the highway department.

**Carried unanimously.**

**ARTICLE 14:** Moved and seconded that the Town vote to raise and appropriate \$25,000 to purchase a pickup truck for the Highway Department.



**Carried unanimously.**

**ARTICLE 15:** Moved and seconded that the Town vote to raise and appropriate \$120,000 to purchase a Front End Loader for the Highway Department.

Moved and seconded that this article be indefinitely postponed.

**Article 15 indefinitely postponed.**

**ARTICLE 16:** Moved and seconded that the Town vote to raise and appropriate \$50,000 for the engineering of underground utilities on Main Street.

Mr. McCuin moved to amend the article by reducing the amount from \$50,000 to \$30,000.

The motion read that the main motion be amended by striking out the amount \$50,000 and inserting in place thereof the amount \$30,000.

The motion to amend was defeated.

**Article 16 was defeated 111 in favor, 199 opposed.**

**ARTICLE 17:** Moved and seconded that the Town vote to transfer from EMS Receipts Reserved \$185,000. to purchase and equip a new Rescue Truck for Groton EMS.

**Article 17 carried unanimously.**

**ARTICLE 18:** Moved and seconded that the Town vote to raise and appropriate \$4000 as printed in the warrant.

Moved and seconded that this article be indefinitely postponed.

**Article 18 indefinitely postponed.**

**ARTICLE 19:** Moved and seconded that the Town vote to appropriate the sum of \$6,000,000 (six million dollars) to be expended on behalf of the Water Department, for the purpose of making improvements to the existing water system infrastructure, including provision for iron and manganese treatment, construction of a new water storage tank and replacement of existing water mains; by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; and to authorize the Board of Selectmen and/or the Board of Water Commissioners to apply for loans and grants for said project and to execute all documents and take all actions necessary to carry out the project.

**Article 19 carried unanimously.**

**ARTICLE 20:** Moved and seconded that the Town vote to transfer from the retained earnings account of the Water Enterprise Fund the sum of \$500,000 for engineering design and construction management services in connection with the performance of capital improvements to the existing water system infrastructure.

**Article 20 carried unanimously.**

**ARTICLE 21:** Moved and seconded that the Town vote to borrow \$1,450,000 for the purpose of remodeling, expanding, making extraordinary repairs to, equipping, and furnishing the Lost Lake Fire Station including the design thereof; and authorize the Board of Selectmen to contract for and in the name of the Town for such purpose and to do all things necessary for the accomplishment of the foregoing purpose, including the expenditure of all appropriate funds and any funds received from the Commonwealth of Massachusetts or other sources for such construction; and that to meet such appropriation the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$1,450,000 under and pursuant to Chapter 44, Section 7, of the General Laws as amended and supplemented, or any other enabling authority, and to issue bonds or notes therefor; provided that the amount authorized to be borrowed hereunder shall be reduced by the amount of any grants received before the sale of such bonds or notes; and provided further, that any appropriation hereunder shall be contingent upon the vote

of the Town at a Town Election to exempt from the provisions of Proposition 2 1/2, so called, the amount required to pay for the bonds issued to meet said appropriation.

Brooks Lyman moved that this article be postponed until the first adjourned session of the Annual Town Meeting (May 6, 2002), to be the first article for consideration.

**Article 21 was postponed until a time certain.**

**ARTICLE 22:** Moved and seconded that the Town vote to raise and appropriate \$38,500 to replace rotted trim and cover with metal coil sheeting and extend roof edging on the Public Safety Building.

**Article 22 carried by majority.**

**ARTICLE 23:** Moved and seconded that the Town vote to raise and appropriate \$18,000 to re-shingle the Squannacook Hall roof.

Moved and seconded to indefinitely postpone this article.

**Article 23 indefinitely postponed.**

**ARTICLE 24:** Moved and seconded that the Town vote to raise and appropriate \$16,000 to replace the basement interior bulkhead door and caulk and seal the basement wall in the Town Hall.

**Article 24 carried by majority.**

**ARTICLE 25:** Moved and seconded that the Town will vote to raise and appropriate \$20,000 to refurbish the windows and window frames at the Legion Hall.

**Article 25 carried by majority.**

**ARTICLE 26:** Moved and seconded that the Town vote to raise and appropriate \$6,000 to the Police Detail Revolving Account.

**Article 26 carried by majority.**

**ARTICLE 27:** Moved and seconded that the Town vote to make the offices of Treasurer and Collector appointed offices, to be filled by appointment of the Board of Selectmen, in accordance with General Laws Chapter 41, Section 1B, and to combine said offices into one office of Treasurer/Collector pursuant to Section 1 of Chapter 41.

Mr. Hartnett spoke in favor of combining the positions. He stated that the position being elected versus appointed has its advantages but that the position as elected has served the town well for over 300 years. Mr. McNierney spoke in favor stating that being elected doesn't necessarily mean that you are more accountable. Mr. Fitch spoke in favor of retaining this as an elected position.

Beth McCuin moved the question.

The question was moved unanimously.

**Article 27 carried 181 in favor, 79 opposed.**

**A motion was made and seconded at 11:10pm to adjourn until May 6, 2002 at 7:30pm.**

**Motion carried unanimously.**

The 1<sup>st</sup> adjourned session of the ATM was called to order by Moderator Robert Gosselin at 7:35pm.

It was moved and seconded to postpone article 21 until after the completion of the Special Town Meeting.

**ARTICLE 28:** Moved and seconded that the Town of Groton disapprove the \$8,100,000 debt authorized by vote of the Groton-Dunstable Regional School District on March 27, 2002 as amended by its vote on April 10, 2002, to supplement the \$7,700,000 debt approved under Article 3 of the warrant for the June 15, 1998 Special Town Meeting for reconstructing, remodeling or making extraordinary repairs to the then existing high school, now known as the

Middle School North, unless and until the Town votes by ballot to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the Town's share of the bond issued by the Groton-Dunstable Regional School District therefor, in which case the debt shall be deemed approved.

The School Committee made a presentation. The Chair declared a recess in the ATM. The STM was called to order and recessed immediately in order that the ATM could continue.

Town Counsel explained the wording of the article. The word disapprove is used to comply with the wording required by the state. A yes vote would mean that you are in support of this renovation depending upon the debt exclusion question passing at the ballot. A no vote would mean that you are against the renovation.

A lengthy discussion ensued regarding the wording of the article. Town Counsel asked the Moderator to allow him to reword the motion. Selectman Cunningham suggested that discussion continue regarding the project. The Fincom and Board of Selectmen unanimously supported this project. Cap planning voted to support.

The Moderator asked to withdraw the main motion by unanimous consent which was granted by the meeting.

A new motion was then moved to the floor.

Moved and Seconded that the Town of Groton approve the \$8,100,000 debt authorized by vote of the Groton-Dunstable Regional School District on March 27, 2002 as amended by its vote on April 10, 2002 to supplement the \$7,700,000 debt approved under Article 3 of the warrant for the June 15, 1998 Special Town Meeting for reconstructing, remodeling or making extraordinary repairs to the then existing high school, now known as the Middle School North, provided however that this approval shall not be effective, and said debt shall be disapproved unless the town votes at an election in the affirmative on a question to exempt the amount required to pay for the town's share of the bond issued by the Regional School District from the provisions of proposition 2 ½ so-called.

The question was moved. The chair declared a 2/3 vote to move the question (no nays were heard) and the question was moved.

**Article 28 carried by majority.**

The ATM was recessed to reconvene the STM at 9:02pm.

The ATM was reconvened at 10:00pm and continued with article 21.

The motion was re-read:

**ARTICLE 21:** Moved and seconded that the Town vote to borrow \$1,450,000 for the purpose of remodeling, expanding, making extraordinary repairs to, equipping, and furnishing the Lost Lake Fire Station including the design thereof; and authorize the Board of Selectmen to contract for and in the name of the Town for such purpose and to do all things necessary for the accomplishment of the foregoing purpose, including the expenditure of all appropriate funds and any funds received from the Commonwealth of Massachusetts or other sources for such construction; and that to meet such appropriation the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$1,450,000 under and pursuant to Chapter 44, Section 7, of the General Laws as amended and supplemented, or any other enabling authority, and to issue bonds or notes therefor; provided that the amount authorized to be borrowed hereunder shall be reduced by the amount of any grants received before the sale of such bonds or notes; and provided further, that any appropriation hereunder shall be contingent upon the vote of the Town at a Town Election to exempt from the provisions of Proposition 2 1/2, so called, the amount required to pay for the bonds issued to meet said appropriation.

The Fincom did not support. BOS voted to support.

A motion was made to move the question.

**The question was moved unanimously.**

**Article 21 carried by a 2/3 majority: 234 in favor, 19 opposed.**

**At 10:55, the chair entertained a motion to adjourn until May 13, 2002.**

**The motion to adjourn carried unanimously.**

The 3<sup>rd</sup> adjourned session of the ATM reconvened at 7:34pm. Although there was no quorum requirement, there were 142 voters in attendance.

Moderator Robert Gosselin made the following remarks in honor of Isabel Beal.

*"It is with a profound sense of regret that we recognize the passing of Isabel Beal. Isabel served Groton in many capacities – as Town Historian and Town Diarist; former Trustee of the Public Library, an election worker for many years; member of the Historical Commission; member of the Archives Committee; an active member of the Groton Historical Society and Curator of the Gov. Boutwell house.*

*Let us hold in our memories Isabel Beal, a woman who brought a sense of fairness and justice to all that she touched. Let Isabel's life be an example to all those who would dedicate their lives to public service. She was a model citizen of Groton who helped make Groton a wonderful place in which to live.*

*We the people of Groton, extend to her husband Arthur, and to the Beal family, not only our condolences but our deepest sense of gratitude for Isabel's unselfish and lifelong devotion to the town that she loved.*

*Let us observe a moment of silence in memory of Isabel Beal."*

**ARTICLE 29:** Moved and seconded that the Town vote to accept the provisions of the Early Retirement Incentive Program.

Tax Collector/Treasurer Tom Hartnett described the program and presented a cost analysis of the program. He stated that he would not personally be taking advantage of the system. Further, he stated that there would be a cost associated, perhaps \$9,500, but it should be minimal. The Electric Light Department believes that there would be a \$60,000 savings to its department. Mr. Hartnett was in favor of this article. The Fincom supported this article. The Board of Selectmen supported unanimously.

Mrs. White queried how the town would be assured that it would hire qualified people if we can only hire at step one. She further stated that it might not be necessarily the best thing for the town if such a number of qualified people left all at the same time. She also felt that it was going to cost more than has been indicated.

**Article 29 carried by majority.**

**ARTICLE 30:** Moved and seconded that the Town vote to transfer from the stabilization fund \$90,000 to fund vacation and/or sick leave for those employees taking early retirement.

The Fincom supported. The Board of Selectman supported.

**The chair declared a 2/3 vote. No challenges were heard.**

**ARTICLE 31:** Moved and seconded that the Town vote to amend the Wetlands Bylaw, designated as Chapter 215 in the Code of the Town of Groton, as printed in the warrant. (as follows)

- a.) By adding to the fifth paragraph of Section 215.4, Application Fee, the following sentence: "The fee shall be deposited in a special account established pursuant to Chapter 64 of the Acts of 2001, from which the Commission may withdraw funds without further appropriation for use only for wetland protection activities."
- b.) By adding to the sixth paragraph of section 215.4, Consultant Fee, the following sentence: "The Commission may adopt regulations providing for the deposit of such funds in a special account established pursuant to Chapter 64 of the Acts of 2001,

which provides for the administration of the consultant fee funds in the same manner as provided in G.L. c. 44 S53G."

**Article 31 carried unanimously.**

**ARTICLE 32:** Moved and seconded that the Town vote to amend the Wetlands Bylaw, designated as Chapter 215 in the Code of the Town of Groton, as printed in the warrant. (as follows)

By adding to section 215.7, Presumptions, the following sentence as number 8 under subsection (B), Order of Conditions: "8. Limited project as defined in the Wetlands Protection Act."

**Article 32 carried unanimously.**

**ARTICLE 33:** Moved and seconded that the Town vote to relocate and accept as a public way a portion of a way known as Orchard Lane as relocated and laid out by the Board of Selectmen in accordance with the terms printed in the warrant; that the Town discontinue the portion of Orchard Lane which lies outside of the relocated layout; to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain and to accept a deed to the Inhabitants of the Town of a fee Simple interest in Orchard Lane as relocated and associated easements upon such terms and conditions as it shall be deemed appropriate for the purpose of a public way; to authorize the Board of Selectmen to release all right, title, and interest of the Town in the parcels of land described in the deeds, recorded with the Middlesex Registry of Deeds at Book 21351, Page 146 and Book 31800 Page 316 upon such terms and conditions as the Board of Selectmen shall deem appropriate; to raise and appropriate \$18,500 for the purposes stated in the warrant and for the construction and/or reconstruction of said relocated way and related work, said funds to be expended by the Board of Selectmen.

The Board of Selectmen and the Fincom supported.

Mr./Mrs. Miller and Mr./Mrs. Degen support this agreement.

**Article 33 carried by majority.**

**ARTICLE 34:** Moved and seconded that the Town vote to raise and appropriate \$65,000 for the Reserve Fund.

**Article 34 carried unanimously.**

**ARTICLE 35:** Moved and seconded that the Town vote to amend the code of the Town of Groton, Chapter 180, Article II. Opening of Town Ways, §180-6, Violations and Penalties, as printed in the warrant. (as follows)

Any person or other entity violating the provisions of this article or regulations of the Board of Selectmen adopted hereunder shall be punished by a fine of not more than two times the permit fee for each offense Thereunder, or when enforced by noncriminal disposition pursuant to G.L.C.42, §21D, the fine for digging up or obstructing a way without the permit required by § 180-5 above, shall be as follows:

First and Subsequent Offenses \$300

With each day of violation constituting a separate offense.

Any person who, having obtained such permit, fails to comply with any condition thereof, shall be subject to the following fines:

First Offense: \$100

Second Offense: \$200

Third and

Subsequent Offenses: \$300

Selectman Chamberlain made a motion which was seconded to amend the main motion by changing the number "42" to "40" in the phrase "G.L.C 42§21D" as appearing in the first paragraph.

**The motion to amend carried.**

**The main motion, as amended carried unanimously.**

The motion as amended now reads:

To amend the code of the Town of Groton, Chapter 180, Article II. Opening of Town Ways, §180-6, Violations and Penalties, as printed in the warrant. (as follows)

Any person or other entity violating the provisions of this article or regulations of the Board of Selectmen adopted hereunder shall be punished by a fine of not more than two times the permit fee for each offense Thereunder, or when enforced by non-criminal disposition pursuant to G.L.C.40, §21D, the fine for digging up or obstructing a way without the permit required by § 180-5 above, shall be as follows:

First and Subsequent Offenses \$300

With each day of violation constituting a separate offense.

Any person who, having obtained such permit, fails to comply with any condition thereof, shall be subject to the following fines:

First Offense: \$100

Second Offense: \$200

Third and

Subsequent Offenses: \$300

**ARTICLE 36:** Moved and seconded that the Town vote to accept the provisions of MGL Chapter 59 Sec. 5 (54) to allow the Town to exempt from taxation certain Personal Property and to establish a minimum value of \$10,000 for personal property subject to taxation.

**Article 36 carried by majority.**

**ARTICLE 37:** Moved and seconded that the Town vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, §218-30 Water Resource Protection Overlay District, as printed in the warrant. as follows:

By adding a new Item [8] under Subsection D(1) Primary Water Resource District (b) Prohibitions:

"[8] Facilities that generate, treat, store or dispose of hazardous waste (see 310 CMR 22.21(2)(a)(7))."

By adding a new Item [5] under Subsection D(2) Secondary Water Resource District (b) Prohibitions:

"[5] Non-sanitary treatment and disposal works (see 310 CMR 22.21(2)(a)(6))."

And by adding a new Item (5) under Subsection E Design Requirements:

"(5) Storage of animal manure, sludge and septage, commercial fertilizers and petroleum products shall comply with the criteria set forth in 310 CMR 22.21(2)(b)"

**Article 37 carried unanimously.**

**ARTICLE 38:** Moved and seconded that the Town vote to endorse the Groton Comprehensive Plan as summarized in the document entitled, "Groton 2020 Update - Planning Directions" filed in the Office of the Town Clerk on April 12, 2002.

**Article 38 carried by majority.**

**ARTICLE 39:** Moved and seconded that the Town vote to renew the revolving account under Chapter 44, §53E1/2 of the General Laws for the purpose of utilizing receipts and fees received

under Chapter 198 of the Code of the Town of Groton, Soil Erosion and Sediment Control, as printed in the warrant. (as follows)

said receipts and fees to be credited to said account and expended by the Earth Removal Advisory Committee for administration, oversight and review activities under Chapter 198, with the maximum amount to be expended in said account not to exceed \$10,000 for Fiscal Year 2003.

The Fincom and Board of Selectmen supported.

**Article 39 carried unanimously.**

**ARTICLE 40:** Moved and seconded at the Town vote to accept as public ways Autumn Leaf Drive and Bryanwood Lane as laid out by the Board of Selectmen and as printed in the warrant.

**Article 40 carried unanimously.**

**ARTICLE 41:** Moved and seconded that the Town vote to approve under Section 218-18E of the Zoning By-Law the Concept Plan for Business Development entitled "Mill Run Place" for the properties situated on Mill Street, Main Street and Arlington Street and which are shown on the Assessors Maps as Parcels 1, 2, 12, and 14 on Map 216 and Parcel 28 on Map 110 the Concept Plan being on file with the Planning Board and with the Town Clerk.

Mr. Collins described that project and the reason for coming to Town Meeting. Bob Pine made a presentation. Mr. Degan, on behalf of the Planning Board, stated that the Mill Run Place was not approved. They sited density, traffic flow, and safety as issues. The Board of Selectmen supported. The Fincom supported. The Board of Assessors supported.

Mr. Collins made an amendment which read: moved and seconded that article 41 be amended so as to eliminate the entrance into the grocery store site from Mill St. and that this entrance be replaced with a gated emergency access into the site until such time as the Planning Board and Board of Selectmen determine otherwise.

The Planning Board did not feel it was appropriate to comment on the feasibility of this amendment without the benefit of a Public meeting.

Tellers were called and sworn as follows:

Peter Carson

Raymond Lyons

Ronald Peck

**The motion to amend is defeated. 103 in favor, 147 opposed.**

Mr. Brian Alcott made a motion, which was seconded, to amend the main motion by adding the following condition:

Such approval being subject to the condition that the intersection of Mill St. and Route 119 be relocated approximately 400 feet in a northerly direction so that Mill St. intersects route 119 directly across from the present entrance and exit of the New England Business service site, and that the plan be revised accordingly.

A motion was made to move the question. The question was moved.

The motion to amend is defeated.

A great deal of debate continued regarding what alternative plans might be presented, what sewer capacity might be for a restaurant, what type of restaurant, traffic safety, etc. The article was debated for more than an hour and 35 minutes.

A motion was made to move the question. The question was moved.

**Article 41 failed to carry a 2/3 vote. 159 in favor, 119 opposed. Article 41 is defeated.**

**ARTICLE 42:** Moved and seconded that the Town vote to raise and appropriate \$399,900 to purchase or otherwise acquire a parcel of land approximately one and eighty-six hundredths

(1.86) acres located in the Town of Groton, shown on the old Assessors' Map E23 Parcel B and shown on the new Assessors Map 230 Parcel 47, currently owned by Peter A. and Lisa S. Spooner.

A presentation was made by Peter Spooner. The Fincom voted not to support. The Board of Selectmen voted not to support. Mr. Mills spoke in opposition.

**A motion was made and seconded to move the question. The question was moved unanimously.**

**Article 42 is defeated as it failed to carry a 2/3 vote. No voters challenged the decision of the chair.**

**ARTICLE 43:** Moved and seconded that the Town vote to re-zone from R-A (Residential Agricultural) to B-1 (Business District) the premises situated on Boston Road owned by Nasser S. Buisier being shown on the "old" Assessors' Map U as parcel 48-0 and upon the new Assessors' Maps as Map 121 Lot 17, consisting of 37,780 square feet more or less as described in a deed recorded with Middlesex South Registry of Deeds in Book 29337 at Page 196.

Jim Gmeiner made a motion to amend article 43 in the following manner:

By inserting the words "a portion of" after the closing parenthesis of "Business District" and prior to "the premises" and to add, at the end of the motion the following, "said portion to be re-zoned being shown on a plan entitled "Conceptual Site Plan in Groton, Massachusetts Prepared for A.L. Prime Energy", scale 1"=20', dated March 7, 2002 by David E. Ross Associates, Inc. and filed with the Town Clerk and Planning Board on March 12, 2002; provided however that said plan shall be amended to show the elimination of the proposed diesel island and canopy; that no more than six pumps for dispensing gasoline be allowed; and that the plan shall be amended to show, and there shall be required, a 45 foot wide area of retained vegetation along the Southeast boundary of said lot beginning at a point 20 feet from the layout of Boston Road and running the remaining length of said boundary."

The Planning Board voted not to approve. The Board of Selectmen voted to support.

**A motion was made and seconded to move the question. The question was moved by a declared 2/3 vote.**

**The amendment carried unanimously.**

**A motion was made and seconded to move the question.**

**The question was moved unanimously.**

**The main motion, as amended, was defeated for lack of a 2/3/ vote. No challenges were made.**

**ARTICLE 44:** Moved and seconded that the Town vote to raise and appropriate \$30,000 to be added to the sum already on deposit in the Williams Barn Restoration Fund.

The Board of Selectmen voted not to support. Fincom voted not to support.

The Planning Board voted to support.

**Article 44 carried by majority vote: 71 in favor, 60 opposed.**

**ARTICLE 45:** Moved and seconded that the Town vote to raise and appropriate \$50,000 to be added to the sum already on deposit in the Town Stabilization Fund.

The Fincom voted to support.

Mr. McNierney strenuously objected to not having the information from article 46 before making decisions regarding other financial articles.

**Article 45 carried by majority.**



**ARTICLE 46:** Moved and seconded that the Town vote to transfer \$1,170,783 from the Excess and Deficiency Fund (free cash) for the purpose of affecting the tax rate for the period beginning July 1, 2002 and ending June 30, 2003.

**Article 46 carried by majority.**

**ARTICLE 47:** Moved and seconded that the Town vote to amend Sign bylaw Section 196-8 as printed in the warrant.

Moved and seconded to indefinitely postpone this article.

**Article 47 was indefinitely postponed.**

**ARTICLE 48:** Moved and seconded that the Town vote to zone as B-1 (Business) the land owned by Robert J. Lacombe which is situated at the intersection of Boston Road and Whiley Road and is shown as Lot 133-1 and Parcel 133-2.02 on a plan entitled "Plan of Land in Groton, Massachusetts (Middlesex County) for Robert Lacombe" dated January 9, 2002, Stamski and McNary, Inc., Engineers, as printed in the warrant.

The Planning Board voted to support.

**Article 48 carried unanimously.**

**The chair entertained a motion to dissolve the ATM. The Annual town meeting was dissolved by unanimous consent at 12:15 pm.**