

# ANNUAL TOWN MEETING WARRANT

**APRIL 26, 2004**

Middlesex:

Commonwealth of Massachusetts

To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn said inhabitants of said Town qualified to vote on Town affairs to assemble in the Groton-Dunstable Middle School Auditorium in said Town on Monday, the Twenty-Sixth day of April next, at Seven-thirty in the evening, to consider all business other than the election of Town officers and on the Eighteenth day of May next at an adjourned session there to give their ballots for:

Vote for One	Board of Assessors	3 years
Vote for One	Board of Health	3 years
Vote for Two	Board of Selectmen	3 years
Vote for One	Commissioner of Trust Funds	3 years
Vote for Three	Constables	3 years
Vote for One	Groton Electric Light Commission	3 years
Vote for Two	Groton-Dunstable Regional School Committee	3 years
Vote for One	Housing Authority	1 year
Vote for Two	Housing Authority	5 years
Vote for Two	Park Commission	3 years
Vote for One	Park Commission	1 year
Vote for Two	Planning Board	3 years
Vote for One	Sewer Commission	3 years
Vote for One	Town Clerk	2 years
Vote for One	Tree Warden	1 year
Vote for Two	Trustees of the Groton Public Library	3 years
Vote for One	Water Commission	3 years

And to give their ballot for the following question:

**QUESTION 1:** Shall the Town of Groton be allowed to assess an additional \$326,651 in real estate and personal property taxes for the purposes of funding the Town's share of the cost of operating the Groton Dunstable Regional Public Schools for the fiscal year beginning July first two thousand four?

**ARTICLE 1:** To see if the Town will vote to hear and act on the report of the Selectmen and other Town Officers and Committees, or take any action thereon.

**Sponsored by: BOARD OF SELECTMEN**

**Board of Selectmen: Recommendation - Support**

**Summary:** *To hear reports of Town Boards, Committees or Commissions.*

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**ARTICLE 2:** To see if the Town will 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, or take any action thereon.

**Sponsored By: BOARD OF SELECTMEN**

**Board of Selectmen: Recommendation-Support**

**Summary:** *To allow the Board of Selectmen to apply for grants*

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**ARTICLE 3:** To see if the Town will vote to allow the following compensation for the following elected officials:

Selectmen	\$ 950	Town Clerk	\$49,861
Board of Selectmen, Chrm.	\$ 1,100	Town Moderator	\$ 65
Assessors	\$ 850	Highway Surveyor	\$56,852
Board of Assessors, Chrm.	\$ 1,000	Tree Warden	\$ 1,311

for the ensuing year, or take any action thereon.

**Sponsored By: BOARD OF SELECTMEN**

**Board of Selectmen: Recommendation - 3 Support a 3% COLA; 2 Support a 2.1% COLA**

**Finance Committee: Recommendation - Support**

**Summary:** *To provide compensation for elected officials. The Selectmen and Assessor's compensation is reduced by \$250. The Highway Surveyor and Town Clerk's salary includes a 3% COLA.*

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**ARTICLE 4:** To see if the Town will vote to amend the Personnel By-Law Wage and Classification Schedule as set forth in the Schedule to be distributed at Town Meeting, or take any action thereon.

**Sponsored By: PERSONNEL BOARD**

**Board of Selectmen: Recommendation - 3 Support a 3% COLA; 2 Support a 2.1% COLA**

**Finance Committee: Recommendation - 6 Support, 1 Against**

**Summary:** *Amends the wage schedule for employees under the Personnel By Law by 3%.*

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**ARTICLE 5:** To see if the Town will 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 (2005), and act on the budget of the Finance Committee, or take any action thereon.

**Sponsored By:**                   **FINANCE COMMITTEE**

**Summary:** *Budget - See Finance Committee report which includes the Finance Committee's and Board of Selectmen's recommendations.*

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**ARTICLE 6:** To see if the Town will 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 and Recreation Authority, or take any action thereon.

**Sponsored By:**                   **COUNTRY CLUB & RECREATION AUTHORITY**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - Support**

**Summary:** *The legislation creating the Country Club and Recreation Authority requires that the Authority present its annual budget to the Town for approval. Please refer to the handout at Town Meeting for budget figures*

**ARTICLE 7:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to purchase a new dump truck for the Highway Department, or take any action thereon.

**Sponsored By: HIGHWAY SURVEYOR**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - Support**

**Summary:** *\$90,000 This is a scheduled replacement of a 1986 GMC dump truck. The current vehicle will be retained and put to another use.*

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**ARTICLE 8:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be added to the sum already on deposit in the Conservation Fund, or take any action thereon.

**Sponsored By: CONSERVATION COMMISSION**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - Support**

**Summary:** *\$50,000 Maintaining the Conservation Fund allows the Town to act more quickly in acquiring or preserving open space as land becomes available. Adding to the Conservation Fund on an annual basis helps offset substantial financial impacts in any one fiscal year. The fund, prior to Town Meeting, has approximately \$215,000.*

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**ARTICLE 9:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Reserve Fund, or take any action thereon.

**Sponsored By: BOARD OF SELECTMEN**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - Support**

**Summary:** *\$65,000 For the Finance Committee Reserve Fund for unanticipated emergencies.*

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**ARTICLE 10:** To see if the Town will vote to rescind the remaining borrowing authority of \$330,000 voted under Article 20 of the warrant for the April 24, 2000, Annual Town Meeting for the capping of the Town's landfill, or take any action relating thereon.

**Sponsored By:**                      **BOARD OF SELECTMEN**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - Support**

**Summary:** *The landfill project is complete except for mandated monitoring. Article 20 authorized the Town to use \$1,000,000 from stabilization and borrow \$330,000 to cap the landfill. The town did not need the borrowing capacity authorized by Town Meeting. This article removes this borrowing capacity.*

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**ARTICLE 11:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money not to exceed \$350,000 for payment of the debt authorized by vote of the Groton Dunstable Regional School District School Committee on March 17, 2004, for constructing, reconstructing, equipping, remodeling or making extraordinary repairs to Prescott School, including architectural fees and other costs incidental and related thereto, or take any action thereon.

**Sponsored By: GROTON DUNSTABLE REGIONAL SCHOOL DISTRICT**

**Board of Selectmen: Recommendation - At Town Meeting**

**Finance Committee: Recommendation - At Town Meeting**

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**ARTICLE 12:** To see if the Town will vote to approve an amendment to the Intermunicipal Agreement between the Town of Groton and the Town of Pepperell for sewage treatment at the Pepperell Wastewater Treatment Plant changing the current language that expresses the allowable daily flow from Groton in gallons (currently 25% of plant capacity) to language that expresses the allowable flow as twenty-five percent (25%) of plant capacity without reference to gallons, or take any action thereon.

**Sponsored By: SEWER COMMISSION**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - No Position**

**Summary:** *Passage of this article will reserve the necessary capacity at the Pepperell Wastewater Treatment Plant to meet Groton's needs for the foreseeable future. Pepperell has already passed a reciprocal article.*

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**ARTICLE 13:** To see if the Town will vote to authorize the Sewer Commission to purchase, on behalf of the Town, an additional 97,500 gallons per day of treatment capacity at the Town of Pepperell Wastewater Treatment Plant, the cost thereof to be paid from the Sewer Enterprise Fund, or take any action thereon.

**Sponsored By: SEWER COMMISSION**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - No Position**

**Summary:** *This article will authorize the Sewer Enterprise Funds to pay for the additional capacity.*

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**ARTICLE 14:** To see if the Town will vote to accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, which establishes a special "Community Preservation Fund" for the purposes permitted by said Act, including the acquisition, creation and preservation of open space; the acquisition and preservation of historic resources; the acquisition, creation and preservation of land for recreational use; the creation, preservation and support of affordable housing; and the rehabilitation and restoration of such open space, historic resources, land for recreational use and affordable housing that is acquired or created as provided under said Act; to approve a property tax surcharge in the amount of three percent of the taxes assessed annually on real property to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2005, and to exempt from the surcharge all of the following: (1.) \$100,000 of the assessed valuation of Class One, Residential, parcels and (2.) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the Town; or take any action thereon.

**Sponsored By: COMMUNITY PRESERVATION RESEARCH COMMITTEE**

**Board of Selectmen: Recommendation - At Town Meeting**

**Finance Committee: Recommendation - Not Support**

**Summary:** *Passage of this article would allow the Town to adopt a property tax surcharge. Revenues from this surcharge (plus additional state matching funds) would be used for open space preservation, creation of affordable housing, preservation of historic buildings and landscapes, and creation of recreation opportunities. If adopted a Community Preservation Committee (CPC) must be formed for evaluation of proposed projects falling within the scope of the Community Preservation Act (CPA). The Community Preservation Committee must include representatives from the Town's Conservation Commission, Historical Commission, Planning Board, Park and Recreation Commission and Housing Authority. Typically, a CPC also includes two to four at-large citizen members. If this article passes, a by law to create the CPC and its makeup will be presented at the Fall Town Meeting. The soonest a question could be put on a ballot regarding acceptance of Community Preservation Act would be November Election, 2004.*

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**ARTICLE 15:** To see if the Town will vote to renew the revolving account under Chapter 44, § 53E½ 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, 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 2005, or take any action thereon.

**Sponsored By: EARTH REMOVAL ADVISORY COMMITTEE**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - No Position**

**Summary:** *The Earth Removal Advisory Committee deposits application fees in a revolving account to pay for technical review of plans submitted under the Soil Erosion and Sediment Control By-law.*



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**ARTICLE 16:** To see if the Town will vote to amend the Code of the Town of Groton, Chapter 196, Signs, as follows:

*By deleting the following :*

**§196-7 Illumination and movement**

- A. Signs may be illuminated by steady white light which does not cause a traffic hazard and shall not affect neighboring premises. Interior illumination will not be permitted.
  
- B. A lighted sign on an intermittent or flashing circuit or the movement of any light used in connection with any sign, such as blinking, traveling, flaring or changing degree of intensity, will not be permitted, with the exception of barber poles.
  
- C. No neon lighting will be permitted.
  
- D. Movement of a sign body or any segment thereof, such as rotating, revolving, moving up or down, or any other type of action involving a change of position of a sign body or segment thereof, whether caused by mechanical or other means, will not be permitted.
  
- E. No streamers, banners, flags, spinners, balloons or strings of lights are permitted on permanent signs for purposes of advertising.
- F.
  - 1. One (1) “open” flag will be permitted for businesses.
  - 2. Decorative flags will be permitted on residences.
- G. Illuminated vending machine signs are not permitted.
  
- F.

*And inserting in its place:*

**§196-7 Illumination and movement**

- A. Signs shall be externally illuminated by steady white light that does not cause a traffic hazard and does not illuminate neighboring premises.

1. Signs shall be illuminated from above with light focused on sign area so as to create minimum ambient light. Upward illumination will not be permitted.
  2. Illumination intensity shall be kept at the minimum level necessary to illuminate signs for nighttime visibility from road.
  3. Lighting shall be shielded so that light bulbs are not visible.
  4. Interior illuminated signs will not be permitted.
  5. All new and replacement signs shall be required to comply with these regulations. Signs not currently meeting the above illumination regulations will be given until January 1, 2006 to come into compliance.
- B. Intermittent, flashing or moving illumination such as blinking, traveling, flaring or changing degree of intensity will not be permitted.
- C. Neon lighting will not be permitted.
- D. With the exception of barber poles on barber shops, any movement or change of position of a sign body or segment thereof, whether caused by mechanical or other means, will not be permitted.
- E. No streamers, banners, promotional flags, spinners, balloons or strings of lights will be permitted.
1. One (1) "open" flag will be permitted for businesses.
  2. Decorative flags will be permitted on residences.

3. Municipal, state and national flags will be permitted. Night lighting of the national flag is permitted.

F. Illuminated vending machine signs will be not permitted.

G. Police, Fire and Emergency Medical Services departments may have a marker light on their directional signs.

Or take any action thereon.

**Sponsored By: SIGN COMMITTEE**

**Board of Selectmen: Recommendation-3 Support, 1 Not Support, 1 At Town Meeting**

**Finance Committee: Recommendation- No Position**

**Summary:** *The increasing number of illuminated business signs is raising the level of nighttime ambient light in Groton. It can be a nuisance to neighbors, a safety hazard to passing cars and can wash out the beauty of the night sky. This change to the Sign Bylaw would require all signs to be illuminated from above by January 1, 2006, and require the lighting to be directed onto the sign. Display and illumination of national flags will be unaffected by this change.*

**ARTICLE 17:** To see if the Town will vote to amend the Code of the Town of Groton, Chapter 196, Signs, Section 4, Subsection A. (2), by adding a new paragraph (c) as follows:

Signs for agricultural products and goods raised or processed on the premises of residential district sites will not exceed twelve (12) square feet in total area.

Or take any action thereon.

**Sponsored By: SIGN COMMITTEE**

**Board of Selectmen: Recommendation-4 Support, 1 Not Support**

**Finance Committee: Recommendation- No Position**

**Summary:** *To encourage agriculture and preservation of open land in Groton, this change to the Sign Bylaw would increase the allowed size of signs for agricultural businesses in residential districts from six square feet to twelve square feet.*

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**ARTICLE 18:** To see if the Town will vote to amend the Code of the Town of Groton, Chapter 196, Signs, Section 2, General guidelines; definitions, by adding the following

C. Definitions for agricultural businesses

**AGRICULTURE OR FARMING** — includes the cultivation and tillage of the soil, dairying, growing and harvesting of any agricultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock and/or fur-bearing animals, beekeeping, and any operations performed by anyone engaged in agriculture or farming as herein defined or on a farm as a part of a farming operation.

**FARMSTAND OPERATIONS** — includes wholesale and retail sale including packing, shipping and preparation for sale of products 75% of which are grown or produced in Groton.

Or take any action thereon.

**Sponsored By:                         SIGN COMMITTEE**

**Board of Selectmen: Recommendation - At Town Meeting**

**Finance Committee: Recommendation - No Position**

**Summary:** *In support of the previous article, this amendment would add agricultural business definitions to the Sign Bylaw.*

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**ARTICLE 19:** To see if the Town will vote to amend the Zoning By-law by deleting existing section 218-28, Development Rate Limitation, and substituting the following new sections 218-28, Rate of Development, and 218-28.1, Subdivision Phasing, therefor:

## **SECTION                         218-28                         RATE                         OF DEVELOPMENT**

- A. Purpose. The purpose of this section, "Rate of Development," is to promote orderly growth in the Town, consistent with the average rate of residential growth for dwelling units with three or more bedrooms on nonexempt lots over the period 1999-2003, to phase growth so that it will not unduly strain the community's ability to provide basic public facilities and services, to provide the Town, its boards and its agencies information, time, and capacity to incorporate such growth into the Master Plan for the community, and to preserve and enhance existing community character and the value of property.

- B. **Applicability; Subject Dwellings.** This Rate of Development By-law shall apply to the issuance of a building permit for any dwelling unit with three or more bedrooms (hereinafter, a Subject Dwelling). Beginning on the date of adoption of this section, the Town shall issue only fifty (50) building permits for the construction of Subject Dwellings in any calendar year (hereinafter, the annual rate of development), prorated for the remainder of calendar year 2004. Thirty-six (36) of such permits shall be reserved for Subject Dwellings located within any Major Residential Development granted a special permit after the effective date of this by-law. The remaining fourteen (14) such permits shall be reserved for Subject Dwellings not located within a Major Residential Development granted a special permit after the effective date of this by-law.
- C. **Interpretation.** For the purposes of this section, where otherwise applicable a duplex shall constitute two Subject Dwellings and a multifamily dwelling shall constitute the number of Subject Dwellings contained therein; the conversion of a single-family to a two-family dwelling shall be deemed the creation of one Subject Dwelling.
- D. **Exemptions.** The issuance of a building permit for a dwelling unit in any of the following circumstances, regardless of the number of bedrooms in the dwelling, is exempt from the annual rate of development and the issuance of such building permit shall not be used in any computation of the annual rate of development:
1. The alteration, enlargement, restoration, or reconstruction of a dwelling existing on a lot as of the date of adoption of this section.
  2. The construction of one (1) new dwelling on a lot in existence as of the date of adoption of this section where such lot was held in separate ownership from any adjacent land. The burden of proof shall be upon the applicant for such permit to demonstrate that the lot in question (a) was in existence as of such date, and (b) that no adjacent land was held in common ownership or control.
  3. Any dwelling unit restricted by deed for persons or households over the age of fifty-five (55).
  4. Any dwelling unit restricted by deed to persons or households of low or moderate income, as defined by the Commonwealth's Department of Housing and Community Development.

5. Any dwelling unit for sale or for rent containing one or two bedrooms only;
  6. Any dwelling unit in a Flexible Development established pursuant to the provisions of Section 218-4, governing "Transfer Lots".
- E. Special Permit Exemption. The Planning Board may, by the grant of a special permit, determine that the issuance of building permits for any tract of land divided or subdivided pursuant to any provision of G.L. c. 41, ss. 81K - 81GG, the Subdivision Control Law, is exempt from the annual rate of development and the issuance of such building permits shall not be used in the computation of the annual rate of development. Such special permit shall be granted only if the Board determines that the probable benefits to the community outweigh the probable adverse effects resulting from granting such permit, considering the impact on
1. schools and other public facilities;
  2. traffic and pedestrian safety;
  3. recreational facilities, open spaces, agricultural resources, and unique natural features; and
  4. conformance with Master Plan or Growth Management Plans prepared by the Planning Board pursuant to G.L. c. 41, s. 81D.

Particular consideration shall be given to special permit applications that demonstrate a reduction in allowable density of twenty-five percent (25%) or more. The Planning Board may engage a qualified economic analyst, at the expense of the applicant, to assist the Board in making its required finding.

F. Procedures. Building permits shall be issued in accordance with the following procedures:

1. The Building Inspector shall act on each permit application in order of submittal. Any permit application that is that is denied because the Town has reached the annual rate of

development shall be denied in writing for that reason, with the date of such denial clearly marked thereupon.

class=Section2>

2. The Planning Board shall maintain a list of such denied permit applications, in the order of such denials. An applicant denied a building permit because the Town has reached the annual rate of development may request, in writing, that such denial be registered with the Planning Board.
3. On or before January 5<sup>th</sup>, the Planning Board shall transmit to the Building Inspector its list of permits denied because the Town reached the annual rate of development.
4. The Building Inspector shall first issue building permits to otherwise qualified applicants from the Planning Board's list.
5. Any building permits not issued in any calendar year shall not be available for issuance in any subsequent year.

G. Time Limitation and Extension. This section shall expire on January 1, 2010; provided, however, that this section may be extended without lapse of its provisions and limitations, by vote of the Town Meeting prior to such date.

#### **SECTION 218-28.1. SUBDIVISION PHASING**

- A. Purpose. The purpose of this section, "Subdivision Phasing," is to ensure that the development of dwelling units with three or more bedrooms within a division or subdivision of land created after the effective date of this Section shall be phased so as not to unduly strain the Town's ability to provide public facilities and services; to avoid disturbance of the social fabric of the community; to maintain the community's desired rate of growth; and to provide the Town an opportunity to study growth and plan accordingly.

- B. **Applicability.** Any tract of land divided or subdivided pursuant to any provision of G.L. c. 41, ss. 81K - 81GG, the Subdivision Control Law, after the effective date of this Section shall be subject to the provisions of this Section (hereinafter, a "Subject Property"). Any proposed division or subdivision of a single tract or a combination of adjacent tracts which were in the same ownership as of the date of the adoption of this section shall be deemed a Subject Property.
- C. **Phasing.** The issuance of building permits in any calendar year for a dwelling containing three or more bedrooms on a Subject Property shall not exceed ten (10%) percent of the total number of building permits to be issued in that year as established in the annual rate of development set forth in Section 218.18.B (hereinafter, the "annual phasing quota").
- D. **Exemptions.** Dwelling units set forth as exempt in Section 218-28.D shall also be exempt from the provisions of this Section.
- E. **Special Permit for Relief from Annual Phasing Quota.** The Planning Board, by grant of a special permit, may authorize the issuance of building permits for dwelling units with three or more bedrooms within a division or subdivision of land created after the effective date of this Section on a Subject Property in excess of the annual phasing quota, or, in the alternative, exempt the Subject Property from the annual phasing quota. The Planning Board may grant such special permit only if the Board determines that the probable benefits to the community outweigh the probable adverse effects resulting from granting such permit, considering the impact on
1. schools and other public facilities;
  2. traffic and pedestrian safety;
  3. recreational facilities, open spaces, agricultural resources, and unique natural features;
  4. conformance with Master Plan or Growth Management Plans prepared by the Planning Board pursuant to G.L. c. 41, s. 81D.



Particular consideration shall be given to special permit applications that demonstrate a reduction in allowable density of twenty-five percent (25%) or more. The Planning Board may engage a qualified economic analyst, at the expense of the applicant, to assist the Board in making its required finding.

F. Special Permit for Larger Land Divisions. Where the tract of land will be divided into more than the number of lots in the annual rate of development, the Planning Board may, by special

class=Section3>

permit, authorize development at a rate not to exceed ten percent (10%) of the units per year.

G. Zoning Change Protection. The protection against subsequent zoning change granted by G.L. c. 40A, §6 to land in a subdivision shall, in the case of a development whose completion has been constrained by this section beyond eight (8) years, be extended to ten years.

**Sponsored By: PLANNING BOARD**

**Board of Selectmen: Recommendation - At Town Meeting**

**Finance Committee: Recommendation - No Position**

**Summary:** *This article replaces the existing Development Rate Limitation provisions, adopted in 1980, with new Rate of Development and Subdivision Phasing provisions. The new provisions will limit the number of building permits issued town wide in a calendar year.*

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**ARTICLE 20:**To see if the Town will vote to amend the Code of the Town of Groton, Chapter 9, Capital Planning Committee, Section 9.3, Definitions, by:

deleting the following portion of the definition of Capital Asset: An appropriation or expenditure of at least \$10,000 for a tangible asset with a life expectancy of at least three years;

and inserting in its place the following:

An appropriation or expenditure of at least \$25,000 for a tangible asset with a life expectancy of at least three years.

or take any action thereon.

**Sponsored By: CAPITAL PLANNING**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - Support**

**Summary:** *To change the definition of a capital item from \$10,000 to \$25,000.*

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**ARTICLE 21:** To see if the Town will vote to create a Capital Asset Stabilization Fund to reserve monies to fund capital items costing at least \$25,000, as defined by Chapter 9 of the Code of the Town of Groton, Capital Planning Committee, Section 3, Definitions.

**Sponsored By: CAPITAL PLANNING**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - Support**

**Summary:** *Passage of this article will allow the Town to create a Capital Asset Stabilization Fund, from which to fund capital items that cost at least \$25,000. Money will be transferred (or appropriated) to this fund at a subsequent Town Meeting.*

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**ARTICLE 22:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to the sum already on deposit in the Town Stabilization Fund, or take any action thereon.

**Sponsored By: BOARD OF SELECTMEN**

**Board of Selectmen: Recommendation - At Town Meeting**

**Finance Committee: Recommendation - No Position**

**Summary:** *Prior to Town Meeting, the fund had a balance of approximately \$1,200,000 . The amount to be added to this fund will be determined at Town Meeting. For good financial management, it is recommended to have between 5% - 10% of the town's operating budget in the Stabilization Fund.*

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**ARTICLE 23:** To see if the Town will vote to transfer a sum of money from the Excess and Deficiency Fund (free cash) for the purpose of affecting the tax rate for the period beginning July 1, 2004, and ending June 30, 2005, or take any action thereon.

**Sponsored By: BOARD OF ASSESSORS**

**Board of Selectmen: Recommendation - At Town Meeting**

**Finance Committee: Recommendation - No Position**

**Summary:** *Prior to Town Meeting, the balance in Unreserved Fund Balance was approximately \$122,000. The purpose of this article is to transfer a sum of money to be determined at Town Meeting from Free Cash to reduce the tax rate.*

**ARTICLE 24:** To see if the Town of Groton will urge its elected representatives in the U.S. House and Senate to monitor the implementation of the USA Patriot Act and related executive orders, and to actively work for the repeal of those portions of the Act that threaten civil liberties as guaranteed by the Bill of Rights of the United States Constitution, particularly the rights to freedom of speech and assembly (sections 215, 216, 802), due process of law (section 412), freedom from unreasonable searches and seizures whether such searches and seizures take place in homes libraries, schools, or elsewhere, (sections 203, 213, 215, 216, and 901) and the right to counsel and to confront accusers (section 412); and ask the Town Clerk and Board of Selectmen to post and publish this resolution prominently and to send a copy of it to all Town departments, all public and private institutions of learning located within the town, the Middlesex County District Attorney, the Massachusetts State Police, the Massachusetts General Court, the Attorney General and Governor of the Commonwealth of Massachusetts, the United States Attorney for Massachusetts, the United States Attorney General, our elected representatives in Congress, and the President of the United States, for their action thereon.

**Sponsored By: PETITION BY TOM CALLAHAN AND OTHERS**

**Board of Selectmen: Recommendation - Support**

**Finance Committee: Recommendation - No Position**

**Summary:** *Just 45 days after the September 11 attacks, with virtually no debate, Congress passed the USA Patriot Act. Many parts of this sweeping legislation take away checks on law enforcement and threaten the very rights and freedoms that we are struggling to protect. For example, without a warrant and without probable cause, the FBI now has to power to access your most private medical records, your library records, and your student records...and can prevent anyone from telling you it was done. Since its passage, millions of people in at least 250 cities and towns have passed resolutions affirming those constitutional rights threatened by articles of the Act. Included is New York City, the very site of the devastating 9/11 attacks, whose resolution seeks to affirm and uphold civil rights and civil liberties.*

And you will serve this warrant by posting a true and attested copy of the same in at least two public places in said Groton, fourteen days before the day appointed for said meeting.

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 5<sup>th</sup> day of **April** in the year of our Lord, Two Thousand Four.

OFFICER'S RETURN

Groton Middlesex

\_\_\_\_\_

Thomas D. Hartnett, Chairman

Pursuant to the within Warrant,

I have this day notified the

\_\_\_\_\_

INHABITANTS to assemble at the

George F. Dillon Jr., Vice Chair

Time, Place and for the purpose

within mentioned as within directed.

Personally posted by constable.

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John L. Saball, Clerk

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Virginia C. Wood, Member

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Peter S. Cunningham, Member