

**MINUTES  
ANNUAL TOWN MEETING  
APRIL 24, 2006**

The first session of the April 24, 2006 Annual Town Meeting was called to order by Moderator Robert Gosselin at 7:01 pm. There is no quorum requirement for an Annual Town Meeting. Michael Manugian made an announcement that the chowder band will march at the Memorial Day Parade and everyone is welcome to participate. Retired Lt. Col. Frank Belitsky led the Pledge of Allegiance. The Chair announced that the Annual Town Meeting will recess at 8pm in order to call to order the Special Town Meeting. The Chair determined that the warrant was duly posted and entertained a motion to waive the reading of the warrant. The motion was seconded and the reading of the warrant was waived.

**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.

**Article 1 carried**

There were no reports.

**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 by unanimous vote.**

**ARTICLE 3:**

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

Selectmen	\$ 950	Town Clerk	\$55,600
Board of Selectmen, Chrm.	\$ 1,100	Town Moderator	\$ 65
Assessors	\$ 850	Highway Surveyor	\$64,688
Board of Assessors, Chrm.	\$ 1,000	Tree Warden	\$ 1,377

for the ensuing year.

**Article 3 carried by unanimous vote.**

**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 this Town Meeting.

**Article 4 carried by carried by majority vote.**

**ARTICLE 5:**

Moved and seconded that the Town vote to make the following appropriations from the Community Preservation Fund:

Appropriate \$ 46,000 for the Community Preservation Committee Operating Expenses  
Appropriate \$ 92,000 for Open Space Reserve

Appropriate \$ 92,000 for Historic Resource Reserve  
Appropriate \$ 92,000 for Community Housing Reserve  
Appropriate \$598,000 FY06 Budget Reserve  
Total Appropriation \$920,000

Rich Hughson, Community Preservation Committee Chairman, made a motion to amend. *FY06 should be FY07.*

**Article 5 carried by unanimous vote.**

**ARTICLE 6:**

Moved and seconded that the Town vote to raise and appropriate and transfer from available funds such sums of money as may be necessary to defray the expenses of the Town for the next fiscal year (2007) and act on the budget of the Finance Committee.

George "Fran" Dillon thanked Steven Webber and Town Accountant Valerie Jenkins for their fine work on the budget.

**1) GENERAL GOVERNMENT**

Moved and seconded that the Town vote to raise and appropriate the sum of \$1,749,359 **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.

**Motion was carried majority vote.**

**2) PROTECTION OF PERSONS AND PROPERTY**

Moved and seconded that the Town vote to appropriate from Emergency Medical Services Receipts Reserved the sum of \$90,000 to Fire & Emergency Medical Services and to raise and appropriate the sum of \$2,634,907 for a total of \$2,724,907 **for** Protection of Persons and Property as represented by lines 2000 through 2222 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Motion carried by unanimous vote.**

**3) SCHOOLS**

**a) Nashoba Valley Technical School**

Moved and seconded that the Town vote to raise and appropriate the sum of \$341,515 **for** Nashoba Valley Regional Technical School as represented by line 3000 in the Budget.

**Motion carried by unanimous vote.**

**b) Groton Dunstable Regional School District**

Moved and seconded that the Town vote to raise and appropriate the sum of \$14,505,197 **for** Groton Dunstable Regional School District as represented by Lines 3020 through 3022 in the budget.

Charles McKinney made a comment that there is an informational sheet available. Mr. McKinney informed the voters that Craig Young, Business Administrator, will be retiring. There was a round of applause. The Chair also thanked Alan Vervaeke for his seven years of service to the Groton-Dunstable Regional School District.

**Main motion carried by majority vote.**

#### **4) HIGHWAY AND HEALTH**

Moved and seconded that the Town vote to raise and appropriate the sum of \$1,650,687 for Highway and Health as represented by lines 5000 through 5145 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Motion carried by unanimous vote.**

#### **5) SEWER ASSESSMENT**

Moved and seconded that the Town vote to raise and appropriate the sum of \$27,518 for Sewer Assessment as represented by line 6000 in the Budget.

**Motion carried by unanimous vote.**

#### **6) LIBRARY AND CITIZEN'S SERVICES**

Moved and seconded that the Town vote to raise and appropriate the sum of \$875,269 for Library and Citizen's Services as represented by lines 7000 through 7182 in the Budget: each line item to be considered as a separate appropriation for the purposes voted.

Selectman John "Jack" Saball made a motion to amend:

*Moved and seconded to reduce line item 7060 Library Salary by \$17,545 and reduce line item 7062 library expenses by \$3,800 for a total library appropriation of \$661,840.*

Selectman Saball stated that the Board of Selectmen cannot support the Young Librarian position. David Zeiler, Library Trustee, spoke on behalf of the Library. He stated that the library is a safe place for teen-agers to go to and that it offers many programs to young adults. The library has been utilizing a 25 hour person who devotes a couple of hours per week to this program and he also stated that the Groton Public Library has the smallest library staff among towns our size.

*Motion to amend was defeated.*

**Main motion carried by majority vote.**

#### **7) DEBT SERVICE**

Moved and seconded that the Town vote to raise and appropriate the sum of \$1,731,530 for Debt Service as represented by lines 8000 through 8060 in the Budget: each line item to be considered as a separate appropriation for the purposes voted.

**Motion carried by unanimous vote.**

#### **8) EMPLOYEE BENEFITS**

Moved and seconded that the Town vote to raise and appropriate the sum of \$2,167,135 for Employee Benefits as represented by lines 9000 through 9022; each line item to be considered as a separate appropriation for the purposes voted.

**Motion carried by unanimous vote.**

#### **9) WATER ENTERPRISE**

Moved and seconded that the Town vote to transfer from Water Enterprise Excess and Deficiency the sum of \$100,000; and to appropriate from Water Rates and Fees the sum of \$1,255,816, for a total of \$1,355,816 to the Water Enterprise Fund for FY2007 to defray all operating expenses, interest charges, and principal payments on bonds outstanding as they accrue and any reimbursement to the Town.

**Motion carried by unanimous vote**

**10) SEWER ENTERPRISE**

Moved and seconded that the Town vote to transfer from Sewer Enterprise Excess and Deficiency the sum of \$181,744 and to appropriate from Sewer Rates and Fees the sum of \$670,864 for a total of \$852,608 to the Sewer Enterprise Fund for FY2007 to defray all operating expenses, interest charges, and principal payments on bonds outstanding as they accrue and any reimbursement to the Town.

**Motion carried by unanimous vote.**

**11) 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 2007 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-.

**Motion carried by unanimous vote.**

**ARTICLE 7:**

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, and Chapter 387 of the Acts of 1998, to approve the budget of the Groton Country Club and Recreation Authority as shown in the handout distributed to this Town Meeting.

**Article 7 carried by unanimous vote.**

**ARTICLE 8:**

Moved and seconded the Town vote to petition the Legislature to amend the Groton Country Club Authority legislation as printed in the warrant.

**Article 8 carried by unanimous vote.**

**ARTICLE 9:**

Moved and seconded that the Town vote to appropriate funds for capital purposes as follows: transfer from the Capital Stabilization Fund the sum of \$350,000 for the purchase of a Fire Department fire engine; raise and appropriate the sum of \$2,000 and transfer from the Capital Stabilization Fund the sum of \$50,000 for the purchase of a transfer station baler; and raise and appropriate the sum of \$100,000 for the purchase of a highway dump truck.

**Article 9 carried by 2/3 vote as declared by the Chair.**

At 7:56 pm the Chair declared a recess from the Annual Town Meeting.

**MINUTES  
SPECIAL TOWN MEETING  
APRIL 24, 2006**

The first session of the April 24, 2006 Special Town Meeting was called to order at 7:58 pm by Moderator Robert Gosselin. There were 592 registered voters in attendance. The quorum requirement for a Special Town Meeting is 133 voters. The chair declared a quorum present and

the meeting came to order. A motion was made and seconded to waive the reading of the warrant.

**ARTICLE 1:**

Moved and seconded that the Town vote to receive the report of the Community Preservation Committee and appropriate \$5,650,000 for the acquisition by gift or purchase fee interests in and a conservation restriction interest over certain land now or formerly owned by the Marion D. Campbell Trust and the Marion Danielson Strachan Family Trust located on Shirley Road and Farmer's Row, and shown as a portion of the property on Assessors' Map 220, Parcels 32, 33 and 35 and Assessors' Map 219, Parcel 8, all as more specifically set forth in the motion handout distributed to this Town Meeting.

The Chair announced that he has not remained impartial for Article 1; therefore, he will step down and called for Bonnie Biocchi to be sworn in as Moderator by Town Clerk Onorina Maloney. Selectman Dillon commented that Town Counsel has been involved in this project and the independent Steering Committee contributed a great deal to this effort. Recognition also went to Groton School for the anticipated donation of \$5 million dollars. The Town can choose to purchase this land therefore, the Board of Selectmen respectfully requested the voters' support. Board of Selectmen voted to support 5 to 0. At 8:30pm there were 701 voters.

Arthur 'Badge' Blackett from the Trust for Public Land made a presentation. Richard Hughson from the Community Preservation Committee had a short presentation. Mr. Hughson stated that the Town will be preserving 296 acres of active agricultural land as well as over 3,000 feet of river frontage. The Town will be paying by using Community Preservation Act funds. There will be at least 42% of the Town's CPA funds for other CPA projects after debt payments are made. Mr. Webber announced that the Finance Committee voted 7 to 2 to support this article. Joshua Degen, from the Planning Board stated that this is a great opportunity. The Planning Board voted unanimously to support this effort. The Planning Board along with the Board of Health, spent 2 years with the owner reviewing this land. Bruce Easom on behalf of the Conservation Commission commented that at the regular meeting of April 11 the Conservation Commission voted to unanimously support this article. On behalf of the Greenway Committee, Marion Stoddart stated that the Committee voted unanimously to support this article and that it protects the quality of the rivers and it expands the greenway. Paul Funch from the Trails Committee added that the committee voted unanimously to support. Robert Gosselin congratulated Mr. Blackett for an excellent presentation. He stated that he thinks very highly of the Town Meeting process and has served the Town of Groton in different capacities for 47 years. He stated that tonight we will argue the merits of the purchase of the Surrenden Farms. As Town Moderator he sees the procedural irregularities leading up to this Meeting as a threat to the integrity of our town meeting form of government, therefore, he cannot support this article. If we pass this article we provide fuel to the cynicism. Representative Robert Hargraves encouraged the voters to vote yes on this article. William Miller moved the question. At 9 pm there were 745 voters in attendance.

Motion to move the question passed by 2/3 vote.

**Article 1 passed carried by 2/3 vote as declared by the Chair**

**ARTICLE 2:**

Moved and seconded that the Town vote to transfer certain sums of money within the Fiscal Year 2006 budget, as shown in the handout distributed to this Town Meeting.

**Article 2 carried by majority vote.**

**ARTICLE 3:**

Moved and seconded that the Town vote to transfer from the excess and deficiency fund (free cash) \$154.20 for Town Accountant expenses for an unpaid bill of a prior fiscal year for W.B. Mason.

**Article 3 carried by unanimous vote.**

**ARTICLE 4:**

Moved and seconded that the Town vote to transfer \$16,395.25 of the appropriation voted under Article 16 of the April 26, 1999 Annual Town Meeting, Route 119/Rte 225 design and engineering, to intersection design and engineering to be expended by the Highway Surveyor.

**Article 4 carried by majority vote.**

**ARTICLE 5:**

Moved and seconded that the Town vote to authorize the Groton Water Department to transfer \$50,000 from the Water Enterprise Fund Surplus to the FY 06 Water Department budget.

Michael Brady from the Water Commissioners made a motion to amend.

*A motion was made to strike the \$50,000 amount and insert \$100,000. Motion to amend was seconded. Any money that isn't used will be given back to the Water Enterprise Fund.*

**Motion to amend carried by majority vote.**

**Article 5 as amended carried by majority vote.**

**The chair entertained a motion to dissolve the Special Town Meeting. Motion was seconded. The April 26, 2006 Special Town Meeting was dissolved at 9:12pm.**

**ANNUAL TOWN MEETING MINUTES  
CONTINUED**

**Moderator Robert Gosselin called the April 24, 2006 Annual Town Meeting back to order at 9:13pm.**

**ARTICLE 10:**

Moved and seconded the Town vote to raise and appropriate \$100,000 for the Reserve Fund.

**Article 10 carried by unanimous vote.**

**ARTICLE 11:**

Moved and seconded that the Town vote to authorize the Groton Water Department to transfer \$100,000 from the Water Enterprise Fund Surplus to the FY07 Water Department budget.

**Moved and seconded that this article be indefinitely postponed.**

**Article 11 is postponed indefinitely.**

**ARTICLE 12:**

Moved and seconded that the Town vote to authorize the Sewer Commission to transfer \$181,744 from the Sewer Enterprise Fund Surplus to the FY07 Sewer Enterprise Department budget.

**Moved and seconded that this article be indefinitely postponed.**

**Article 12 is indefinitely postponed.**

**ARTICLE 13:**

Moved and seconded that the Town vote to amend the Code of the Town of Groton, by deleting Chapter 48, Personnel, Section 3, Personnel Administrator, in its entirety.

This position no longer exists. The position has been changed to Personnel Manager.

**Article 13 carried by majority vote.**

**ARTICLE 14:**

Moved and seconded that the Town vote to accept the provisions of Massachusetts General Laws Chapter 32B, Section 18, Transfer of retirees to Medicare Extension Plan.

**Article 14 carried by majority vote.**

**ARTICLE 15:**

Moved and seconded that the Town vote to amend the Code of the Town of Groton by adopting a Demolition Delay By-Law, a copy of which is on file with the Town Clerk and has been distributed to this meeting.

The intent of this law is to allow a period of time before a structure is demolished to determine its historical value. Alvin Collins from the Historical Commission commented that the demolition delay by-law will create a process where a structure can be reviewed. Surrounding towns have adopted such a by-law and that over 100 towns in Massachusetts have a demolition by-law. The older homes on prime lots become prime candidates to become house lots. Groton has a unique character and has a lot of history. The Historical Commission encourages the voters to support this article. There were many comments from voters. William Eger made a motion to move the question.

**The chair declared a 2/3 vote to move the question.**

**Article 15 carried by majority vote.**

**ARTICLE 16:**

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 2007 for certain persons who qualify for a property tax exemption under Massachusetts General Laws Chapter 59, Section 5.

**Article 16 carried by unanimous vote.**

**ARTICLE 17:**

Moved and seconded that the Town vote to remove from the Town’s tax possession rolls and dedicate as conservation land under the care and custody of the Conservation Commission in accordance with General Laws Chapter 40, Section 8C, the following three parcels:

<b>Parcel #</b>	<b>Map #</b>	<b>Street</b>	<b>Value</b>	<b>Size</b>
1	129-220	Boathouse Rd.	\$69.45	2,000 SF
2	129-138	Redskin Trail	\$237.08	6,200 SF
3	250-23	Lowell Road	\$1,811.58	5.2 acres

A resident from Redskin Trail asked as to what kind of care these parcels will receive. Bruce Easom responded that the Conservation Commission has a management plan for parcels and this is a process that can involve the neighbors.

**Article 17 carried by 2/3 vote as declared the Chair.**

**ARTICLE 18:**

Moved and seconded that the Town vote to designate the following parcels of land as conservation land under the care and custody of the Conservation Commission in accordance with General Laws Chapter 40, Section 8C:

Parcel #	Map #	Street	Acreage
1	247-42	Old Dunstable Rd.	1.17 acres
2	231-4	Reedy Meadow Rd.	1.88 acres
3	213-67	Wallace Rd.	.73 acres

**Article 18 carried by unanimous vote.**

**ARTICLE 19:**

Moved and seconded that the Town vote to amend the Code of the Town of Groton, Chapter 196, Signs, Section 12, Exemptions, as printed in the warrant.

**Article 19 carried by unanimous vote.**

**ARTICLE 20:**

Moved and seconded that the Town vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, Section 218-30, Water Resource Protection Districts, as shown on the annotated copy of Section 218-30 which is on file in the Office of the Town Clerk, and in the handout distributed to this town meeting.

George Barringer from Planning Board made an amendment.

*It was moved and seconded to amend the main motion by adding the word 'commercial' before the 'automobile storage facilities'.*

**Motion to amend carried.**

**Article 20 carried by 2/3 vote as declared by the Chair.**

**ARTICLE 21:**

Moved and seconded that the Town vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, Section 218-23, Off-Street Parking and Loading, Subsections A, B, and C, as shown on the annotated copy of Section 218-23 which is on file in the Office of the Town Clerk, and in the handout distributed to this town meeting.

Carolyn Perkins from the Planning Board commented that changes have been made. A differentiation was made between a sit down and take out restaurant. Currently zoning allows ten parking spaces for new businesses that have now been reduced to five spaces. Selectman Cunningham commented that reducing to five parking spaces will be detrimental to businesses. Walter Platt asked if the Planning Board will have the ability to alter this requirement. Michelle Collette, Town Planner, responded that the Planning Board does have the authority to grant



waivers of the parking requirements during the site plan review and can make those decisions on a case by case basis depending on the applicant's plan.

**Article 21 carried by 2/3 vote as declared by the Chair.**

**ARTICLE 22:**

Moved and seconded that the Town vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, Section 218-25, Site Plan Review, as shown on the annotated copy of Section 218-25 which is on file in the Office of the Town Clerk, and in the handout distributed to this Town Meeting.

Joshua Degen from Planning Board spoke and explained this article. John Giger commented that the voters/taxpayers need to empower the Planning Board to be able to deal on a level playing field with developers and those with commercial interest coming into Groton. By doing this we can find the right balance between the conservation activities that we all appreciate having and the commercial development. Mr. Giger urged voters to support this article.

**Article 22 carried by 2/3 vote.**

**ARTICLE 23:**

Moved and seconded that the Town vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, Section 218-26, Flexible Development, subsection I, Affordable Component, as printed in the warrant.

**Article 23 carried by 2/3 vote.**

**ARTICLE 24:**

Moved and seconded that the Town vote to amend Chapter 198, Soil Erosion and Sediment Control, of the Code of the Town of Groton by deleting it in its entirety, and substituting therefore a new Chapter 198, Stormwater Management – Low Impact Development, the text of which is on file in the Office of the Town Clerk, and shown in the handout distributed to this Town Meeting.

Michelle Collette, Town Planner, explained that this by-law will replace the existing Erosion Control by-law which was adopted in 1998. This storm water by-law is required for compliance and it was based upon a model that was generated by the Attorney General's Office. The biggest change in the new by-law is that it includes a provision to require long term operating and maintenance requirements. These requirements will be managed at the local level for any projects that disturb more than 40,000 square feet of land. This by-law will also be used to encourage low impact development which is a much more natural way of treating stormwater.

**Article 24 carried by majority vote.**

**ARTICLE 25:**

Moved and seconded that the Town 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, 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 2007.

**Article 25 carried by unanimous vote.**

**ARTICLE 26:**

Moved and seconded that the Town vote to accept as a public way the following private way as laid out by the Board of Selectmen:

Rockwood Lane: as shown on an As-Built Plan dated January, 2002, entitled "Road As-Built/Street Acceptance Plan, Groton, Massachusetts" prepared for Rick Stanachuck by Dillis and Mische, Inc., a copy of which is on file in Town Clerk's office.

**Article 26 carried by unanimous vote.**

**ARTICLE 27:**

Moved and seconded that the Town vote to release, relinquish and extinguish a drainage easement, shown and described on Plan of Land entitled "Plot of Land in Groton, Mass dated February 2, 1999, R. Wilson and Associates, Surveyor," Lot 8 and further shown on Assessors Map 232 Map 5, 25 Sawtell Drive to transfer the custody and control of said easement area to the Board of Selectmen for such release, and to authorize and empower the Board of Selectmen to execute and record the necessary instruments to accomplish this purpose.

**Article 27 carried by unanimous vote.**

**The Chair entertained a motion to dissolve the Annual Town Meeting. Motion was seconded. The April 24, 2006 Annual Town Meeting was dissolved at 10:40 pm.**

**Respectfully submitted,**

**Onorina Z. Maloney  
Town Clerk**