

**MINUTES
SPECIAL TOWN MEETING
OCTOBER 23, 2006**

The October 23, 2006 Special Town Meeting was called to order by Moderator Robert Gosselin at 7:08pm. There were 141 voters in attendance which satisfied the quorum requirement of 133 voters. The Chair made an announcement regarding the candidates' night for the vacated seat on the Board of Selectmen. Announcements were also made about the Special Town Election and State Election on November 7, 2006. Frank Belitsky led the Pledge of Allegiance. The Chair determined that the warrant was duly posted and entertained a motion to waive the reading of the warrant. Motion to waive the reading of the warrant was passed by unanimous vote.

ARTICLE 1:

Moved and seconded that the Town vote to pay prior fiscal year bills and transfer from the Excess and Deficiency Fund (Free Cash) the sum of \$2,937.06 as shown in the handout distributed at this Town Meeting.

Article 1 is carried by unanimous vote.

ARTICLE 2:

Moved and seconded that the Town vote to transfer certain sums of money within the Fiscal Year 2007 budget as shown in the handout distributed at this town meeting.

Finance Committee voted unanimously to support

Article 1 is carried by unanimous vote.

ARTICLE 3:

Moved and seconded that the Town vote to authorize the Board of Selectmen and/or the Board of Health to enter into Inter-Municipal agreements pursuant to Section 4A of Chapter 40 of the General Laws for the performance of public health services.

Article 3 carried by unanimous vote.

ARTICLE 4:

Moved and seconded that the Town vote to transfer from the Excess and Deficiency (Free Cash) the sum of \$8,500 for the purchase of a new copier for use at Town Hall.

Finance Committee voted in majority to support

Article 4 carried by majority vote as declared by Chair.

ARTICLE 5:

Moved and seconded that the Town vote to authorize the Board of Selectmen and/or the Conservation Commission to grant an easement over land located a 134 Maple Avenue, which land is to be acquired in the name of the Town by the Conservation Commission, and to authorize the Conservation Commission and the Board of Selectmen to execute all documents necessary in relation thereto.

Motion was made to indefinitely postpone this article.

Article 5 is indefinitely postponed.

ARTICLE 6:

Moved and seconded that the Town vote to transfer from the Excess and Deficiency (Free Cash) the sum of \$52,000 to purchase and equip a new intermediate truck for use by the Highway Department.

Finance Committee voted unanimously to support
Article 6 is carried by majority vote

ARTICLE 7:

Moved and seconded that the Town vote to transfer from the Excess and Deficiency (Free Cash) the sum of \$20,000 to purchase and equip two (2) new lawn mowers to maintain various town owned athletic fields and public properties.

Motion was made to indefinitely postpone this article.
Motion under Article 7 is indefinitely postponed.

ARTICLE 8:

Moved and seconded that the Town vote to transfer \$16,833 from the Excess and Deficiency (Free Cash) to line item 2021 (Police Wages) for the purpose of funding the first year of the Groton Police Patrolmen's Association collective bargaining agreement with the Town.

Finance Committee voted unanimously to support
Article 8 carried by unanimous vote

ARTICLE 9:

Moved and seconded that the Town vote to transfer \$87,750 from the Excess and Deficiency (Free Cash) to line item 2021 (Police Wages) for the purpose of funding the second year of the Groton Police Patrolmen's Association collective bargaining agreement with the Town.

Finance Committee voted unanimously to support
Article 9 carried by majority vote.
As of 7:30 pm there were 170 voters in attendance

ARTICLE 10:

Moved and seconded that the Town vote to transfer \$57,541 from line item 9020 of the Fiscal Year 2007 budget (health insurance) to the line items as shown in the handout distributed at this town meeting for the purpose of funding the first year of the Groton Town Hall & Library Employees collective bargaining agreement with the Town.

Article 10 carried by unanimous vote

ARTICLE 11:

Moved and seconded that the Town vote to transfer from the Excess and Deficiency (Free Cash) the amount of \$2,500 to be expended by the Town Clerk for the purpose of updating the Groton Code Book.

Finance Committee voted unanimously to support
Article 11 carried by unanimous vote

ARTICLE 12:

Moved and seconded that the Town vote to increase the maximum qualifying gross receipts for persons applying for a property tax deferral under M.G.L. Chapter 59, Section 5, Clause 41A from \$20,000 to \$40,000.

Finance Committee voted unanimously to support
Article 12 carried by unanimous vote.

ARTICLE 13:

Moved and seconded that the Town vote to transfer from the Excess and Deficiency Fund (Free Cash) the amount of \$3,500 to be expended by the Board of Selectmen to pay for engineering and related costs for the Groton Residential Gardens Project.

Finance Committee voted by majority vote to support
Article 13 carried by majority vote

ARTICLE 14:

Moved and seconded that the Town vote to transfer from the Excess and Deficiency Fund (Free Cash) the amount of \$50,000 to be expended by the Planning Board to prepare design guidelines, a feasibility study, and proposed zoning changes for the possible redevelopment of the Station Avenue area in the Town Center.

Finance Committee voted unanimously to support
Board of Selectmen voted 4 to 0 to support

Scott Wilson spoke on behalf of the Planning Board. Mr. Wilson informed voters that these funds would be used to pay for the engineering studies that are required now in order to understand what can be accomplished on this land; once the data is obtained then a comprehensive master plan can be constructed. He stated that this is a very important project for the town and urged voters to support this article. Selectman Cunningham commented that whoever will do a development on Station Avenue will want a master plan. The benefit of a master plan will benefit anyone who will be working in that area. Catherine Di Grazia made a motion to amend Article 14. Scott Wilson responded that the motion was not necessary and that the Planning Board cannot exceed \$50,000. As of 8 pm there were 203 voters in attendance.

Motion to amend: to add at the end of the main motion *“to apply any and all funds received from any Smart Growth Grant for Station Avenue Master Plan to offset said expenses”*

Motion was seconded

Motion to amend carried by majority vote as declared by the Chair. The Chair asked if there were seven voters who wished to contest the ruling. There were only two voters who were willing to contest the ruling. The Chair did declare that the motion to amend did pass by majority vote.

Article 14 is carried by majority vote.

ARTICLE 15:

Moved and seconded that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the amount of \$18,500 from the Community Preservation Historic Resource Reserve to fund the Community Preservation Application 2006-02, "Chicopee School #7 Rehabilitation."

Richard Hughson Chair for the Community Preservation Committee delivered a status report. Highlights were: the Sargisson Beach Docks have been completed, the initial engineering design for Fitch's Bridge is complete and the closing for Surrenden Farms will occur on Dec. 19, 2006.

Board of Selectmen voted 2 to 2 on this article.

Finance Committee voted unanimously to oppose Article 15.

Richard Chilcoat, Trustee of Chicopee School spoke on this article. The current Chicopee School was constructed in 1833 and it's the only school that has retained its original features. The goal is to return the school to its educational function. A question was asked as to why two Selectmen voted against this article. Mihran Keosian responded that the cost was excessive and it outweighed the benefit. Donald Black, Trustee for the School and State Representative Robert Hargraves commented this restoration is important and asked for support. Paula Martin made a motion to move the question. Motion was seconded.

Article 15 carried by majority vote.

ARTICLE 16:

Moved and seconded that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the amount of \$16,400 from the Community Preservation Historic Resource Reserve to fund the Community Preservation Application 2006-03, "Historic Documents Preservation Project."

Board of Selectmen voted unanimously to support

Finance Committee voted unanimously to support

Article 16 carried by unanimous vote

ARTICLE 17:

Moved and seconded that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the amount of \$18,000 from the Community Preservation Historic Resource Reserve to fund the Community Preservation Application 2006-05, "Groton Community Wide Preservation Project."

Finance Committee voted 5 opposed with 1 abstention

Article 17 carried by majority vote

ARTICLE 18:

Moved and seconded that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the amount of \$25,000 from the Community Preservation Open Space Reserve to fund the Community Preservation Application 2006-06, "Norris Property."

Finance Committee voted unanimously to support

Article 18 carried by majority vote

ARTICLE 19:

Moved and seconded that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the amount of \$1,500 from the Community Preservation Open Space Reserve to fund the Community Preservation Application 2006-09, "Wharton Plantation Foot Bridges."

Finance Committee voted unanimously to support

Article 19 carried by unanimous vote

ARTICLE 20:

Moved and seconded that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the amount of \$3,500 from the Community Preservation Historic Resource Reserve to fund the Community Preservation Application 2006-10, "Prescott School Application for National Historic Register Designation."

Finance Committee voted 1 favor 2 opposed with 3 abstentions.

Heather Bee spoke on this article on behalf of several parent volunteers. The committee came together about a year ago and had the idea of a five year plan for Prescott School to rehabilitate the facility. Unfortunately there is no clear plan as to what the building will be used in the future so the efforts were redirected for a shorter term. The \$3,500 covers the costs for a professional consultant. Alvin Collins commented that once the building is placed on the Historic Register, the Historic District Commission has the authority as to what gets done to the building. More discussion followed.

Article 20 carried by majority vote

ARTICLE 21:

Moved and seconded that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the amount of \$50,000 from the Community Preservation FY07 Budget Reserve to fund Community Preservation Application 2006-11, "Lost Lake Fire Station Basketball Court."

Finance Committee voted by majority vote to support (5 in favor 1 opposed)

Board of Selectmen voted 3 to 1 to support.

Donald Black, Parks Commissioner, spoke on behalf of this article. He stated that the original basketball court was dedicated in memory of George and Agnes Ryder. George Ryder was the founding father of little league baseball in Groton. Agnes was a friend, social worker and confidante to many. There are approximately 211 families within walking distance to this facility. He asked for the voters' support on this article. Richard Hewitt commented that there should be some limitations on where Community Preservation Act funds go. As of 9:25 pm there were 148 voters in attendance. The Building Committee voted unanimously to support this article. Jeffrey Wilson commented that CPA funds should not be utilized for a project such as this. It was reiterated that recreation is part of the CPA.

Article 21 carried by majority vote

ARTICLE 22:

Moved and seconded that the Town vote to transfer from the Excess and Deficiency (Free Cash) \$450,000 to be added to the sum already on deposit in the Capital Stabilization Fund.

Finance Committee voted unanimous support

Article 22 carried by unanimous vote

ARTICLE 23:

Moved and seconded that the Town vote to transfer a sum of money from the Excess and Deficiency (Free Cash) to be added to the sum already on deposit in the Town Stabilization Fund.

Motion was made to indefinitely postpone this article.

Article 23 is indefinitely postponed

ARTICLE 24:

Moved and seconded that the Town 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 July 1, 2006, and ending June 30, 2007.

Motion was made to indefinitely postpone this article.

Article 24 is postponed indefinitely.

ARTICLE 25:

Moved and seconded that the Town vote to authorize the Board of Selectmen to create an agricultural commission consisting of five (5) members to advocate and promote agriculture interests in the Town of Groton including the preparation of a Right to Farm Bylaw to be considered at a future town meeting.

George Moore commented that the citizens who brought this article forward agreed that there should have been more information disseminated on the Right-to-Farm-By-law and that they will come back in the Spring. Town Counsel commented that the motion is to appoint a commission. Elliot Blood spoke in favor of this article and suggested that the Board of Selectmen be selective in choosing members for the commission since interested parties should be interested in farming. Stephen Moulton commented that the commission would be an advisory board and that there are requirements as to how the commission would operate.

Article 25 is carried by majority vote.

A motion was moved and seconded that the meeting be dissolved.

The October 23, 2006 Special Town Meeting was dissolved at 10:07 pm

Respectfully submitted,

**Onorina Z. Maloney
Town Clerk**