

WARRANT, MINUTES AND VOTES

TOWN OF GROTON



2011 SPRING TOWN MEETING

**Groton-Dunstable Middle School Auditorium
344 Main Street, Groton, Massachusetts 01450**

Beginning Monday, April 25, 2011 @ 7:00 PM

Attention – Voters and Taxpayers
Please bring this Report to Town Meeting

***THE BUDGET HANDOUT FOR ARTICLE 5 IS AVAILABLE
IN THE BACK OF THE WARRANT***

**SPRING TOWN MEETING WARRANT
APRIL 25, 2011**

Town Moderator:

Robert L. Gosselin, Sr.

Town Clerk:

Michael F. Bouchard

Deputy Town Moderator

Jason Kauppi

Finance Committee:

Jay M. Prager, Chairman

Joseph Crowley

Gary Green

Peter J. DiFranco

Michael F. Flynn

Steven Webber, Vice Chair

Robert Hargraves

Board of Selectmen:

Peter S. Cunningham, Member

George F. Dillon, Jr., Clerk

Anna Eliot, Vice Chairman

Joshua A. Degen, Member

Stuart M. Schulman, Chairman

Town Manager:

Mark W. Haddad

Patrice Garvin, Executive Assistant

Proceedings:

The meeting was called to order at 7:02 PM on April 25, 2011. Moderator Robert Gosselin presided.

Announcements and opening business:

- **Candidates Night for contested seats at the Annual Town Election will be held Tuesday, May 10, 2011 7:30 PM at the Groton Senior Center.**
- **The Chair sought unanimous consent to appoint Jason Kauppi as Deputy Moderator, according to the provisions of the Groton Town Charter Chapter 2 Section 2. Unanimous consent of the meeting was given. The Clerk administered the oath to Mr. Kauppi.**
- **Mr. Charles Elwood, a Purple Heart Recipient from World War II, led the meeting in the Pledge of Allegiance.**

It was determined that the warrant was duly posted. The reading of the warrant was waived by unanimous vote.

Middlesex, ss.

Commonwealth of Massachusetts

To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn said inhabitants of the Town of Groton qualified to vote on Town affairs to assemble in the Groton-Dunstable Middle School Auditorium in said Town on Monday, the twenty-fifth day of April, 2011 at Seven O'clock in the evening, to consider all business other than the election of Town Officers and on the seventeenth day of May, 2011 at an adjourned session thereof 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 One	Groton-Dunstable Regional School Committee	3 Years
Vote for One	Groton Electric Light Commission	3 Years
Vote for Two	Park Commission	3 Years
Vote for Two	Planning Board	3 Years
Vote for One	Sewer Commission	3 Years
Vote for Two	Trustees of the Groton Public Library	3 Years
Vote for One	Water Commission	3 Years

ARTICLE 1: HEAR REPORTS

To see if the Town will vote to hear and act on the report of the Board of Selectmen and other Town Officers and Committees, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No position*

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

Mover: Stuart Schulman

MOTION: I move that the Town vote to hear and act on the report of the Board of Selectmen and other Town Officers and Committees.

Quantum of Town Meeting Vote: Majority

Scheduled to Give Reports: Planning Board
Community Preservation Committee
Center Fire Station Location Committee
West Groton Sewer Committee

Moved and Seconded

Minutes:

- This meeting was proclaimed as the Chase Duffy Spring Town Meeting in recognition of her many contributions to the town.
- Planning Board Chair, Ray Capes, provided an update of the Town's Master Plan activities.
- Carolyn Perkins, CPC Chair, provided an update associated with Articles 14 and 15. The complete report is in the Information Packet appendix to these minutes.
- George Barringer, West Groton Sewer Study Committee, announced that the Committee recommends that the Town discontinue this study and disband the committee. The full report is an appendix to these minutes.

- The Central Fire Station Location Study Committee is deferring its report until an adjourned session of this Town Meeting, in conjunction with the Special Town Meeting Article 6.

Vote: No Vote was necessary on Article 1.

ARTICLE 2: APPLY FOR GRANTS

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 to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *To allow the Board of Selectmen to apply for grants that may become available during the year.*

Mover: **Stuart Schulman**

MOTION: I move 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.

Quantum of Town Meeting Vote: **Majority**
Moved and Seconded
Vote on Article 2: **Unanimous**

ARTICLE 3: ELECTED OFFICIALS' COMPENSATION

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

Selectman (four)	\$ 760	Town Clerk	\$ 63,000
Board of Selectmen, Chairman	\$ 910	Town Moderator	\$ 65
Board of Assessors, Chairman	\$ 910	Assessor (two)	\$ 760

for the ensuing year, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *To provide compensation for elected officials as proposed by the Town Manager.*

Mover: **Stuart Schulman**

MOTION: I move that the Town vote to allow the following compensation for the following elected officials:

Selectman (four)	\$ 760	Town Clerk	\$ 63,000
Board of Selectmen, Chairman	\$ 910	Town Moderator	\$ 65
Board of Assessors, Chairman	\$ 910	Assessor (two)	\$ 760

for the ensuing year.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 3: Unanimous

ARTICLE 4: WAGE AND CLASSIFICATION SCHEDULE

To see if the Town will vote to amend and adopt for Fiscal Year 2012 the Town of Groton Wage and Classification schedule as shown in Appendix B of this Warrant, or to take any other action relative thereto.

BOARD OF SELECTMEN
TOWN MANAGER

Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously

Summary: *This article proposes no wage and salary classification adjustment for FY 2012 for employees covered by the Personnel Bylaw.*

Mover: George Dillon

MOTION: I move that the Town vote to amend and adopt for Fiscal Year 2012 the Town of Groton Wage and Classification schedule as shown in Appendix B of the Warrant for the 2011 Spring Town Meeting.

Quantum of Town Meeting Vote: Majority
Moved and Seconded

Minutes:

- The Groton Pool and Golf Center General Manager and Golf Course Superintendent positions were added to the Wage and Classification schedule

Vote on Article 4: Unanimous

ARTICLE 5: FISCAL YEAR 2012 ANNUAL OPERATING BUDGET

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum or sums of money as may be necessary to defray the expenses of the Town for the next

fiscal year (2012), and act upon the budget of the Finance Committee, or to take any other action relative thereto.

**FINANCE COMMITTEE
BOARD OF SELECTMEN
TOWN MANAGER**

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *Budget – In accordance with Section 6 of the Town Charter, the Finance Committee conducts its annual budget process by receiving the Town Manager’s proposed balanced budget on or before December 31st; meeting with department heads and boards; holding public budget hearings in preparation for issuing its recommendations to Town Meeting; and presenting its budget recommendations at Spring Town Meeting. The budget handout for this Article is contained in Appendix A of this Warrant. Please also see the Town Manager’s Report which includes the Finance Committee’s and Board of Selectmen’s recommendations.)*

Mover: George Dillon

MOTION: I move 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 (2012) and act on the budget of the Finance Committee.

Quantum of Town Meeting Vote: Majority

Minutes:

- Finance Committee Report (included in Information Packet)

ARTICLE 5 - MOTION 1: GENERAL GOVERNMENT

Mover: Jay Prager

MOTION: I move that the Town vote to raise and appropriate the sum of \$1,572,840 for General Government as represented by lines 1000 through 1182 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

Quantum of Town Meeting Vote: Majority

Moved and Seconded

Vote on Article 5 – Motion 1: Unanimous

ARTICLE 5 - MOTION 2: LAND USE DEPARTMENTS
Michael Flynn

Mover:

MOTION: I move that the Town vote to raise and appropriate the sum of \$373,528 for Land Use Departments as represented by lines 1200 through 1281 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

Quantum of Town Meeting Vote: Majority

Moved and Seconded

Vote on Article 5 – Motion 2: Unanimous

ARTICLE 5 - MOTION 3: PROTECTION OF PERSONS & PROPERTY Mover:
Steven Webber

MOTION: I move that the Town vote to appropriate from Emergency Medical Services Receipts Reserved the sum of \$110,000 to Fire & Emergency Medical Services and to raise and appropriate the sum of \$2,547,966 for a total of \$2,657,966 for Protection of Persons and Property as represented by lines 1300 through 1372 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 5 – Motion 3: Unanimous

ARTICLE 5 - MOTION 4: SCHOOLS Mover:
Robert Hargraves

4 a.) Nashoba Valley Regional Technical High School

MOTION: I move that the Town vote to raise and appropriate the sum of \$460,799 for the Nashoba Valley Regional Technical High School as represented by line 1400 in the Budget.

Quantum of Town Meeting Vote: Majority
Moved and Seconded

Minutes:

- NVRTHS budget request is down 14% from FY2011
- Presentation was deferred. Included in Information Packet

Vote on Article 5 – Motion 4 a : Unanimous

4 b.) Groton Dunstable Regional School District

MOTION: I move that the Town vote to raise and appropriate the sum of \$16,042,856 for the Groton Dunstable Regional School District as represented by Lines 1410 through 1413 in the Budget.

Quantum of Town Meeting Vote: Majority
Moved and Seconded

Minutes:

- GDRSD budget request is down 1.42% from FY2011
- Superintendent Mastrocola addressed the meeting
- Presentation is included in Information Packet

Vote on Article 5 – Motion 4 b : Unanimous

ARTICLE 5 - MOTION 5: DEPARTMENT OF PUBLIC WORKS Mover:
Joseph Crowley

MOTION: I move that the Town vote to raise and appropriate the sum of \$1,894,629 for the Department of Public Works as represented by lines 1500 through 1561 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded**

Minutes:

- Thank you to the DPW for excellent work, especially during the winter months

Vote on Article 5 – Motion 5 : Unanimous

ARTICLE 5 - MOTION 6: LIBRARY AND CITIZEN'S SERVICES Mover: Peter DiFranco

MOTION: I move that the Town vote to raise and appropriate the sum of \$1,529,841 for Library and Citizen's Services as represented by lines 1600 through 1703 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded**

Minutes:

- Citizen question on budget lines 1680-1681 asking for explanation of figures
 - The apparent discrepancies in percentage calculations were explained as being the result of a re-classification of expenses into wages and expenses and the inclusion of a full 12 month budget (compare to an 8 month budget in the Fall 2010 Town Meeting presentation)
- A report of "actuals" will be given at the 2011 Fall Town Meeting

Vote on Article 5 – Motion 6 : Unanimous

Ed Note: At this point, Town Meeting was recessed. The Special Town Meeting was called to order at 8:00 PM. A quorum of 288 people was present. The Special Town Meeting was recessed until the conclusion of Town Meeting Article 5.

ARTICLE 5 - MOTION 7: DEBT SERVICE Mover: Joseph Crowley

MOTION: I move that the Town vote to raise and appropriate the sum of \$959,402 for Debt Service as represented by lines 2000 through 2007 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded**

Vote on Article 5 – Motion 7 : Unanimous

ARTICLE 5 - MOTION 8: EMPLOYEE BENEFITS
Robert Hargraves

Mover:

MOTION: I move that the Town vote to raise and appropriate the sum of \$2,996,922 for Employee Benefits as represented by lines 3000 through 3012 in the Budget; each line item to be considered as a separate appropriation for the purposes voted.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 5 – Motion 8: Unanimous

ARTICLE 5 - MOTION 9: WATER ENTERPRISE
Steven Webber

Mover:

MOTION: I move that the Town vote to appropriate from Water Rates and Fees the sum of \$950,169 to the Water Enterprise Fund for FY 2012 to defray all operating expenses, interest charges, and principal payments on bonds outstanding as they accrue and any reimbursement to the Town.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 5 – Motion 9: Unanimous

ARTICLE 5 - MOTION 10: SEWER ENTERPRISE
Steven Webber

Mover:

MOTION: I move that the Town vote to transfer from Sewer Enterprise Excess and Deficiency the sum of \$66,387 and to appropriate from Sewer Rates and Fees the sum of \$683,238 for a total of \$749,625 to the Sewer Enterprise Fund for FY2012 to defray all operating expenses, interest charges, and principal payments on bonds outstanding as they accrue and any reimbursement to the Town.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 5 – Motion 10: Unanimous

ARTICLE 5 - Motion 11: ELECTRIC LIGHT
Green

Mover: Gary

MOTION: I move that 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 2012 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-.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 5 – Motion 11: Unanimous

Ed Note: At this point, Town Meeting was recessed. The Special Town Meeting was called to order at 8:10 PM. The Annual Town Meeting resumed with consideration of Article 6 at 8:25 PM.

ARTICLE 6: FISCAL YEAR 2012 CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum or sums of money for the purpose of funding the FY 2012 Capital Budget as follows:

Item #1 – Baler \$50,000 Transfer Station

Summary: *This new baler will act as a replacement for the existing baler at the Transfer Station. The current baler will be retained for back-up, as well as for use in possibly expanding the service. While the market for recycling has been down, the Town is seeing a slight rebound in the market and will hopefully see an increase in revenues. The Town is also exploring expanding our recycling program to a more regional one that will open the possibility of obtaining grant funding from Department of Environmental Protection (DEP) that would pay for this baler.*

Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously

Motion 1: Transfer Station – Baler \$50,000

MOTION: I move that the Town vote to raise and appropriate the sum of \$50,000 to purchase a Baler for the Transfer Station, and all costs associated and related thereto.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 6 – Motion 1: Unanimous

Item #2 - Front End Loader \$135,000 Highway Department

Summary: *The current loader is over twenty years old. A normal life expectancy for this item is between ten (10) and fifteen (15) years. It is getting more and more expensive to maintain this piece of equipment on an annual basis. It is important to have a dependable loader in the fleet. This proposal is a scheduled replacement that has been delayed due to funding concerns.*

Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously

Motion 2: Highway Department - Front End Loader \$135,000

MOTION: I move that the Town vote to raise and appropriate the sum of \$135,000 to purchase a Front End Loader for the Highway Department, and all costs associated and related thereto.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 6 – Motion 2: Unanimous**

Item #3 - IT Infrastructure \$41,000 Town Facilities

Summary: *This item was started in the Fiscal Year 2011 Budget and has proven to be very successful. The money will be expended by the IT Director, with the approval of the Town Manager, to upgrade and replace various computers and equipment that have reached their useful life and require upgrades. Please refer to the Capital Budget on file in the Office of the Town Clerk for a complete list of equipment scheduled to be replaced.*

**Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously**

Motion 3: Town Manager - IT Infrastructure \$41,000

MOTION: I move that the Town vote to raise and appropriate the sum of \$41,000, to be expended by the Town Manager, for various IT Infrastructure improvements as outlined in the 2012 – 2016 Capital Plan on file in the Office of the Town Clerk.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 6 – Motion 3: Unanimous**

Item #4 - Master Plan Update \$25,000 Planning Board

Summary: *The Planning Board received \$70,000 in Fiscal Year 2010 to update the Comprehensive Master Plan. Community Opportunities Group has been retained by the Town to coordinate the drafting of the Plan. Once completed, funding will be necessary to implement the Plan. To this end, the Planning Board is requesting \$25,000 in Fiscal Year 2012 for this purpose. The Planning Board is responsible for preparing and periodically updating the Comprehensive Master Plan in accordance with MGL Chapter 41, §81D. In recent years, there has been particular focus on affordable housing, economic development and sustainability issues. The Comprehensive Master Plan process will provide the Town with an opportunity to address these issues in balance with residential development, natural resource protection, historic and cultural resources, traffic and transportation, public infrastructure and the Town's ability to provide services.*

**Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended (4 In Favor, 2 Against)**

Motion 4: Planning Board - Master Plan Update \$25,000

MOTION: I move that the Town vote to raise and appropriate the sum of \$25,000 for the Planning Board to complete Phase II of the Master Plan Update as originally voted under Article 6 of the October 19, 2009 Fall Town Meeting.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded**

Minutes:

- Ray Capes, Planning Board, delivered a statement defining the deliverables of Master Plan Phase 2
- Q: Why is this a capital item?
 - R: It is an expense greater than \$25,000 and has a useful life of 10 years – meets the criteria for a capital item.
- Q: Why were these consultants chosen for Phase 2?
 - R: These consultants were chosen from an RFP process for Phase 1. Phase 1 had an expectation for Phase 2. Continuity of consultants across Phases was desirable.

Vote on Article 6 – Motion 4: Majority

Item #5 - Police Cruisers \$59,955 Police Department

Summary: *This request is for the purchase of two police sedans and related equipment for replacement of cruisers that are no longer cost effective to maintain. This would allow the Department to have six (6) marked cruisers. This allows for less mileage per year, better maintenance scheduling, assignment of cars to officers and for a programmed replacement schedule that ensures that line cars are rotated out at reasonable mileage and wear, and then un-marked cars are rotated in the same fashion.*

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Motion 5: Police Department – Police Cruisers \$59,955

MOTION: I move that the Town vote to raise and appropriate the sum of \$59,955 for the Police Department to purchase and equip two (2) new police cruisers, and all costs associated and related thereto.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 6 – Motion 5: Unanimous

Item #6 - Rough Mower \$10,200 Pool & Golf Center

Summary: *This request is to replace a mower that is inoperable and not repairable. This essential mower is used to regularly cut the “rough” adjacent to the fairways. The amount requested would be for the first year payment on a five (5) year lease.*

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended (4 In Favor, 1 Against)*

Motion 6: Pool & Golf Center – Rough Mower \$10,200

MOTION: I move that the Town vote to raise and appropriate the sum of \$10,200 for the purpose of entering into a five (5) year lease and purchase agreement to secure a Rough Mower for the Groton Pool and Golf Center, and to authorize the Board of Selectmen to enter into a lease for a period of time greater than three (3) years, but less than ten (10) years.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded**

Minutes:

- Q: Why isn't this item in the Pool and Golf Center's FY12 budget?
 - A: The Pool and Golf Center's budget did not allow for the \$50,000 mower. The town will pay this expense.
- Q; Is there a way for the town to recoup this money from the Pool and Golf Center?
 - A: Only if the Center under spends its budget.
- Mower was leased and not purchased to conserve expenditures.
- Mr. Prager does not support subsidizing the Pool and Golf Center's budget.
- Mr. Dillon – The Pool and Golf Center needs a chance to build its business. During the period when the Country Club Authority ran the Center, the Town did not invest capital, as per the agreement. A decision will need to be made at a future date on the Center.

Vote on Article 6 – Motion 6: Majority

Item #7 - Forestry 2 Conversion \$25,000 Fire Department

Summary: *This vehicle is a 1968 Dodge Power Wagon, manual shift transmission and is difficult to get replacement parts for repairs. This forestry unit is a vehicle that not only needs to respond to brush fires off road, but is also used during "bad/severe" weather, as well as assisting the Highway Department for clearing road debris when chain saws are needed. In an effort to save money, the Fire Department will be converting a former ambulance to a forestry truck at a substantial savings.*

**Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously**

Motion 7: Fire Department - Forestry 2 Conversion \$25,000

MOTION: I move that the Town vote to raise and appropriate the sum of \$25,000 for the Fire Department to convert a former ambulance into a Forestry Unit to replace the current Forestry Unit #2 of the Fire Department, and all cost associated and related thereto.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded**

Vote on Article 6 – Motion 7: Unanimous

Item #8 - 4X4 Pick-Up Truck \$36,000 Fire Department

Summary: *The Fire Department would like to purchase a ¾ ton pick-up truck. This pick-up will be used as a general utility truck for the Fire Department. The need came to light after the recent "floods" & "brush fires". It was very difficult get in and out of the woods with additional personnel, water and supplies during the brush fires. During the floods with dozens of cellar pump-outs, the Fire Department needed to use fire apparatus for this purpose. The Fire Department used to have a couple of "used" excess town vehicles in the past to use but these*

have been “scrapped” and “disposed of” and there is not currently a utility pick-up for department use.

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Motion 8: Fire Department - 4X4 Pick-Up Truck \$36,000

MOTION: I move that the Town vote to appropriate from Emergency Medical Services Receipts Reserved the sum of \$36,000 to purchase a new 4X4 Pick-Up Truck , and all costs associated and related thereto.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 6 – Motion 8: Unanimous

or to take any other action relative thereto.

TOWN MANAGER

ARTICLE 7: NVTSDC – CREATE STABLIZATION FUND

To see if the Town will vote to approve the Nashoba Valley Technical School District Committee’s vote on December 14, 2010 to establish a Stabilization Fund, pursuant to Section 16G½ of Chapter 71 of the Massachusetts General Laws, said Stabilization Fund to be invested and to retain its own interest earnings as provided by law, and to set up an operational line item for the transfer of available monies into said Stabilization Fund, or to take any other action relative thereto.

BOARD OF SELECTMEN
NVTSD COMMITTEE

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *The Nashoba Valley Regional Technical School Committee at its December 14th 2010 meeting, in accordance with Massachusetts General Laws Chapter 71, Section 16G½, voted by a majority of all the members of the Regional District School Committee to establish a Stabilization Fund. Chapter 71, Section 16G½ also requires the approval of a majority of the local appropriating authorities (Town Meetings) of the member municipalities. The primary purpose of a stabilization fund is to give the Nashoba Valley Technical Regional School District a method to have money available for unexpected capital expenses (such as building repairs) and to avoid the need for further borrowing by member municipalities. Today, existing Excess and Deficiency (E&D) funds cannot be used for capital expenses.*

Mover: Peter Cunningham

MOTION: I move that the Town vote to approve the Nashoba Valley Technical School District Committee’s vote on December 14, 2010 to establish a Stabilization Fund, pursuant to Section 16G½ of Chapter 71 of the Massachusetts General Laws, said Stabilization Fund to be

invested and to retain its own interest earnings as provided by law, and to set up an operational line item for the transfer of available monies into said Stabilization Fund.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 7: Chair declared Unanimous Vote

ARTICLE 8: STORMWATER MANAGEMENT REVOLVING FUND

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, Stormwater Management - Low Impact Development, said receipts and fees to be credited to said account and expended by the Earth Removal Stormwater 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 2012, or to take any other action relative thereto.

STORMWATER ADVISORY COMMITTEE

Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously

Summary: *This article reauthorizes the use of the revolving fund for technical review and processing of applications submitted under Chapter 198, Stormwater Management - Low Impact Development.*

Mover: Anna Eliot

MOTION: I move 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, Stormwater Management - Low Impact Development, said receipts and fees to be credited to said account and expended by the Earth Removal Stormwater 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 2012.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 8: Unanimous

ARTICLE 9: CONSERVATION COMMISSION REVOLVING FUND

To see if the Town will vote to renew the revolving account under Massachusetts General Laws, Chapter 44, § 53E½ for the purpose of utilizing receipts and fees received for agricultural or silvicultural activities conducted on Town-owned conservation land under the care and custody of the Conservation Commission, said receipts and fees to be credited to said account and expended by the Conservation Commission for oversight and management of conservation lands owned by the Town, with the maximum amount in said account not to exceed \$25,000 for Fiscal Year 2012, or to take any other action relative thereto.

CONSERVATION COMMISSION

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *This article reauthorizes the use of the revolving fund (established in 2007) for the management of conservation land in Groton. Reauthorization allows for reduced fees for management of conservation lands in Groton.*

Mover: Anna Eliot

MOTION: I move that the Town vote to renew the revolving account under Massachusetts General Laws, Chapter 44, §53E½ for the purpose of utilizing receipts and fees received for agricultural or silvicultural activities conducted on Town-owned conservation land under the care and custody of the Conservation Commission, said receipts and fees to be credited to said account and expended by the Conservation Commission for oversight and management of conservation lands owned by the Town, with the maximum amount in said account not to exceed \$25,000 for Fiscal Year 2012.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 9: Chair declared Majority Vote

ARTICLE 10: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION

To see if the Town will 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 2012 for those persons who qualify for property tax exemptions under Massachusetts General Laws, Chapter 59, Section 5, not to exceed \$1,000, or to take any other action relative thereto.

BOARD OF ASSESSORS

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *This article is geared toward elderly persons, blind persons and veterans with service connected disabilities. It would increase the exemption under state statute up to 100% of the exemption.*

Mover: Anna Eliot

MOTION: I move 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 2011 for those persons who qualify for property tax exemptions under Massachusetts General Laws, Chapter 59, Section 5, not to exceed \$1,000.

Quantum of Town Meeting Vote: Majority
Moved and Seconded

Vote on Article 10: Chair declared Unanimous Vote

ARTICLE 11: UPDATE WATER RESOURCES PROTECTION DISTRICT MAP

To see if the Town will vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, Section 218-30, Water Resource Protection Overlay Districts, by striking out paragraph C, which reads as follows:

- C. The Water Resource Protection Districts are herein established as overlay districts. The Water Resource Protection Districts are described on a map with district boundary lines prepared by Applied Geographics, Inc. entitled "Water Resource Protection Districts, Town of Groton," dated February 21, 2008. All maps are hereby made a part of this Zoning By-Law and are on file in the Office of the Town Clerk.

And inserting in its place a new paragraph C as follows:

- C. The Water Resource Protection Districts are herein established as overlay districts. The Water Resource Protection Districts are described on a map with district boundary lines prepared by Applied Geographics, Inc. entitled "Water Resource Protection Districts, Town of Groton," dated March 1, 2011. All maps are hereby made a part of this Zoning By-Law and are on file in the Office of the Town Clerk.

or to take any other action relative thereto.

PLANNING BOARD

Board of Selectmen: Recommended Unanimously
Finance Committee: No Position

Summary: *This article updates the 2008 Water Resource District Map with a new Water Resource Protection District Map to include the new Zone II around the Shattuck Wells #1 and #2, as required by the Department of Environmental Protection Drinking Water Program.*

UPDATE WRP DISTRICT MAP

Mover: Joshua Degen

Planning Board Report:

Member Scott Wilson

The Planning Board held a public hearing on March 24, 2011, continued on April 7, 2011, to consider the proposed amendment to the Water Resource Protection Districts map. The change in the Zone II area for the Shattuck well is required by the Department of Environmental Protection. The Planning Board voted unanimously to recommend this article.

MOTION: I move that the Town vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, by deleting paragraph C of Section 218-30, Water Resource Protection Overlay Districts, and inserting in its place a new paragraph C as set forth in the Warrant.

Quantum of Town Meeting Vote: 2/3's Majority
Moved and Seconded
Vote on Article 11: Unanimous

ARTICLE 12: AMEND ZONING BYLAW – TOWN CENTER OVERLAY DISTRICT

To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218, Zoning, as follows:

1. In Article V, Special Regulations, by deleting the text of Section 218-30.2 for the existing Station Avenue Overlay District and replacing it with a new overlay district as described on a map with district boundary lines prepared by Applied Geographics, Inc. entitled "Town Center Overlay District, Town of Groton, Massachusetts" dated March 1, 2011, and accompanying text entitled, "Chapter 218 Zoning, Section 218-30.2 Town Center Overlay District," a copy of the map and text of the proposed "Town Center Overlay District" being on file in the Office of the Town Clerk.
2. In Article II, Use Districts, §218-8 Classes of districts, by replacing "(5) Station Avenue Overlay District" in Paragraph E., Overlay districts, with "(5) Town Center Overlay District."
3. In Article II, Use Districts, §218-9 Location of districts, by amending the Town of Groton Zoning Map by replacing the Station Avenue Overlay District with the Town Center Overlay District and adopting new district boundary lines as shown on a map prepared by Applied Geographics, Inc. entitled "Town Center Overlay District, Town of Groton, Massachusetts" dated March 1, 2011.
4. In Article III, Use Regulations, §218-12 Intention of districts, by replacing Paragraph I (SAOD) with a new paragraph to read as follows:

TCOD – The Town Center Overlay District is intended to promote a socially and economically vibrant town center by enabling development, by special permit, of a mixture of civic, residential and commercial uses consistent with the Town's Comprehensive Plan and the Design Guidelines for the District.

5. In Article III, Use Regulations, §218-13 Schedule of Use Regulations, by replacing note no. 10 with the following note no. 10 applicable to the R-A, R-B, B-1 and P Districts:

¹⁰ For additional uses which may be permitted in those portions of the R-A, R-B, B-1 and P Districts which underlie the Town Center Overlay District, see §218-30.2.

6. In Article IV, Intensity Regulations, §218-20 Schedule of Intensity Regulations, by replacing note 5 applicable to the R-A, R-B, B-1 and P Districts with the following new note:

⁵ For Dimensions applicable to Town Center Overlay District Developments, see §218-30.2.

7. In Article IV, Intensity Regulations, §218-22 General Provisions, Paragraph E Density, by changing the phrase "except as provided in §218-26F(2), Cluster development, §218-27, Multifamily use, or §218-30.2 Station Avenue Overlay District" to read:

"except as provided in §218-26F(2), Cluster development, §218-27, Multifamily use, or §218-30.2 Town Center Overlay District."

8. In Article IV, Intensity Regulations, §218-22 General Provisions, Paragraph H Modification of front building setback, by replacing the “except” phrase at the beginning of the first sentence with the new phrase:

“Except as may be permitted pursuant to §21-30.2 Town Center Overlay District,”

9. In Article V, Special Regulations, §218-26.1 Major residential development, Paragraph C Special permit required, by replacing the “except” phrase at the beginning of the first sentence with the phrase

“Except for a Town Center Overlay District Development under §218-30.2,”

or to take any other action relative thereto.

**BOARD OF SELECTMEN
PLANNING BOARD**

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *This article proposes amendment of the previously adopted Station Avenue Overlay District to include property located at 134 Main Street and to change the name of the district to the Town Center Overlay District. The purpose of the Town Center Overlay District is to promote a socially and economically vibrant Town Center by enabling commercial and residential development that is consistent with the Town's Master Plan and the design guidelines for the district.*

Mover: Stuart Schulman

MOTION: I move that the Town vote to amend Chapter 218, Zoning, of the Code of the Town of Groton to create a new Town Center Overlay District as set forth in the Warrant and as on file in the Office of the Town Clerk.

Quantum of Town Meeting Vote: 2/3's Majority
Moved and Seconded

Minutes:

- Presentation by proponents of the Article 12
 - Robert France – Senate Construction & Mount Laurel Development. LLC - prospective developer; Groton resident
 - Michael Rasmussen - Senior Vice President, North Middlesex Savings Bank – property owner; Groton resident
 - David Valletta - KMPD Capital – financial advisor to the project
 - Josh Degen – representing the Groton Affordable Housing Trust – prospective investor
 - Presentation included:
 - Discussion of interrelation of Warrant Articles 12, 13 and 15A
 - Overview of the Affordable Housing Trust
 - Overview of the Development Team

- Overview of the 134 Main St site
- Current zoning restriction and allowances
- Overview of the proposed development project
- Overview of the financing partnership
- Presentation points
 - Team was put together at the initiative of the bank. Team was developed that would be sensitive to the project and the town's requirements. This is not usually done by a bank holding a foreclosure.
 - Six elements to the financing arrangement were explained:
 - What does the Affordable Housing Trust (AHT) buy?
 - 33% of the land
 - What does the AHT get?
 - 1/3 interest in the project
 - What is the return?
 - The pro-forma plans for a \$730k return plus the original \$400k investment (total of \$1.13m)
 - What are the risks to the AHT?
 - Low risk. Land is being purchased at a historically low price. The AHT does not invest any money until all permits are issued, which makes the land more valuable (perhaps \$2m at time of AHT purchase). The developer is funding the startup costs. The bank is financing up to \$2.2m.
 - What is the risk profile of the project to the AHT?
 - Low – based upon purchase price and the value add of the permits. There is potential for 175% return with a low risk profile.
 - When will capital be returned?
 - This is the highest priority of the developer. It is expected that capital will be returned to the investors by the sale of the sixth market rate unit. The investors (including AHT) stand second in line to the bank to recover investments.
 - Summary
 - Groton is exposed to Chapter 40B development because the town has not reached its affordable housing objective. This proposal is consistent with the town's Master Plan and sustainability goals, and enables the town to expert a level of control and influence over the project.
 - This is a private-public partnership and does involve some risk. The agreement has been structured to minimize the Town's risk, and does offer a significant return on investment.
 - The Town's goal is to utilize its return, through the AHT, to continue creating affordable housing.
- Discussion points
 - Planning Board Report: **Member George Barringer**
 - The Planning Board held a public hearing on March 24, 2011, continued on April 7, 2011, to consider the proposed amendment to amend the

existing Station Avenue Overlay District and to rename the District as the “Town Center Overlay District.” The Planning Board voted unanimously to recommend adoption of the proposed amendment.

- Planning Board discussion:
 - B1 is the current zoning for 134 Main St. B1 (“business”) Zoning allows for a building with up to 9,999 sq ft footprint and up to 3 stories. B1 would also allow the demolition of the historic building on the site. B1 development does not require a town meeting vote.
 - Chapter 40B development is under the state’s “zoning” laws and can bypass local zoning. 40B would allow for much higher density development. Chapter 40B does not offer protection for historic buildings.
 - Expanding the Station Ave Overlay District to the 134 Main St. site does not change the underlying zoning of B1, but would allow a mixed use development.
 - The Overlay designation allows use of Design Guidelines and offers some control to shape development.
 - The proposed use of 134 Main St. is consistent with Groton’s Master Plan.
 - The development could potentially reduce nearby property values. However, the site is now in foreclosure and buildings are in disrepair.
 - The view shed for abutters might be disturbed by the development, but it is unlikely to be disturbed from Main St. The Town can exert some control over this aspect of the development under this proposal.
 - Planning Board was unanimous to support Article 12.
- Q: What are the number, sizes and prices of the proposed units?
 - Response: Plan is to build 18 units, ranging in size from 800 sf to 2500 sf. Prices ranges are expected to be \$350k to \$625k.
- Q: If this project is this profitable, why aren’t there other investors?
 - R: Current zoning would limit the scope of development, and is less attractive to investors.
- Q: What will happen to the Kilbridge house?
 - R: The Kilbridge house will remain the same, except for the removal of a newer addition to the house in order to make room for the driveway. It is intended to be used for a3500 sf of retail space and 3 living units on the second floor. Affordable units will be spread throughout the 18 unit development.
- Q: Are the proposed selling prices realistic?
 - R: There is always risk in a development. It is believed these prices will hold due to the location and senior-friendly design .
- Q: What if sales do not materialize?
 - R: This will be a “measured” development process. With the infrastructure, a model unit will be built. Units will be constructed based upon demand, not speculation.
- Q: Why didn’t an overlay district have any impact on Court Street? Why will this expanded overlay work?
 - R: The relocation of the Light Department should have a positive impact on the future of Court Street development.

- Q: Will a sunset audit be conducted on this development?
 - R: A CPA firm will be engaged to produce reports every 6 months, along with annual audits.
- Q: Will the approval of this overlay district extension encourage future similar proposals, resulting in 10x to 20x densities?
 - R: Any additional requests to extend the overlay district would require a 2/3 majority town meeting vote. Also, any future development will be constrained by the availability of sewer capacity.
- Q: Where does the AHT stand to recoup its investment should the project fail?
 - R: The AHT, along with one other investor, is second in line to the bank.
- Q: What is this vote for?
 - R: This town meeting vote is for a zoning district. It is not to approve the project.
- Q: Aren't 4 of the proposed units within the wetlands buffer zone?
 - R: Yes, mostly due to the shape of the lot and the location of the wetlands.. This issue will be subject to the scrutiny of the permitting process
- Q: Is the AHT investment the total exposure to the taxpayer ?
 - R: Yes. No other town investment is incurred.
- Q: What assurances can be made that re-zoning will result in this project?
 - R: This proposal could fall through. There is no guarantee. However, no AHT money is invested until all permits are secured. By contrast a "40 B" development could occur at any time.
- Q: What if the developer declares bankruptcy and the project fails?
 - R: A project failure means that the bank would be first in line to recoup its money . The AHT and the other investor(s) would be second. The risks of failure are being aggressively managed. Development will be phased in on a build to suit basis. Investors will be repaid by the sales of the sixth market rate unit. The loan is a "recourse" loan, meaning that the developer is personally liable and removing incentive to default. The town is not a guarantor of the loan.
- Q: What are the constraints on a 40 B development?
 - R: 40 B development occurs under state zoning laws and overrides local zoning laws. Sewer capacity can not be exceeded, but any available capacity can be requested.
- Q: What size 40 B could be built with the available sewer capacity?
 - R: This project with 18 units and retail space can not exceed 9500 gallons. A 40 B development could request this amount and additionally up to the 18,750 gallon capacity targeted to service Station Ave development.
- Q: What does the town bring to this project that another investor would not?
 - R: The AHT reached out to the developer to invest in the project. The project will have the support of the AHT which has a strong community interest.
- Q: What is the investment position of the town?

- R: The AHT is in second position, behind the bank, along with all other investors. Currently there are two other investors.
- Q: Is this the developer's original plan?
 - R: The developer evaluated a business use for this site. However, it was determined that a mixed residential/business use would be the highest and best use of the property due to the layout of the property.
- Q: The extension of the Overlay District seems hasty. Other B1s are not selling and could be large buildings or 40 B developments. Why the rush?
 - R: The Overlay District does alter available options and makes this mixed use concept feasible. The options for this property include someone buys it, this concept, a 40 B development or a build "by-right". Any of these options could occur at any time, except that this project needs the flexibility offered by the overlay district zoning.
- Comments: Objections to an overlay district.
 - The size of the project is inconsistent with the character of the district.
 - This does little to get the town to its goal of 10% affordable housing.
 - A backup buyer is not possible because of this agreement, and limits development options.
 - Sewer capacity for Station Ave is diminished.
 - Where does the overlay district end? What would prevent another extension?
 - This project reduces commercial space from what exists. Appears to be going in the wrong direction.

Motion to Move the Question

Quantum: 2/3 majority vote

Vote on Motion to Move the Question:

2/3 majority vote declared by the Moderator

Vote on Article 12 Main Motion:

Quantum: 2/3 Majority

Vote on Article 12 Main Motion:

Article 12 passed: 177 in favor 79 opposed

MEETING ADJOURNED

The April 25 session of the 2011 Spring Annual Town Meeting was adjourned to Monday May 2 at 7:00 PM at 11:35 PM

FIRST ADJOURNED SESSION

The first adjourned session of the 2011 Spring Annual Town Meeting was called to order at 7:03 PM on May 2. Moderator Robert Gosselin presided.

MOTION TO LIMIT DEBATE (offered from the floor)

Mover: Ray Lyons

I move that except for the principal proponents and opponents for each warrant article as determined by the moderator, all others asking questions or providing information or comments about that warrant article shall be limited to three minutes of speaking time.

Moved and Seconded

Quantum: 2/3 Majority

Vote on Motion to Limit Debate: 122 in favor 54 against Motion carried

ARTICLE 13: 134 MAIN STREET – PRIORITY DEVELOPMENT SITE

To see if the Town will vote to approve the filing of a Priority Development Site Amendment Application with the Massachusetts Permit Regulatory Office for the designation of land at 134 Main Street, shown on Assessors’ Map 113 as Parcel 9, to be added to the existing Station Avenue Priority Development Site, pursuant to Massachusetts General Laws Chapter 43D, and that the Priority Development Site be designated as the “Town Center Priority Development Site”, or to take any other action relative thereto.

**BOARD OF SELECTMEN
PLANNING BOARD**

Board of Selectmen: Recommended Unanimously

Finance Committee: No Position

Summary: *This article proposes to amend the Station Avenue Priority Development Site, designated in October 2007, by adding the property at 134 Main Street and by changing the name to the Town Center Priority Development Site. The designation enables development projects to apply for expedited permitting.*

Mover: Josh Degen

MOTION: I move that the Town vote to approve the filing of a Priority Development Site Amendment Application with the Massachusetts Permit Regulatory Office for the designation of land at 134 Main Street, shown on Assessors’ Map 113 as Parcel 9, to be added to the existing Station Avenue Priority Development Site, pursuant to Massachusetts General Laws Chapter 43D, and that the Priority Development Site be designated as the “Town Center Priority Development Site”.

Quantum of Town Meeting Vote: Majority

Moved and Seconded

Discussion:

- This article allows for the filing of a Town Center Priority Development Site. The designation enables development projects to apply for expedited permitting.
- Expedited permitting does not bypass any required permits. It does provide for a coordinated review of a project by all boards using the same application start date. All permit applications must be resolved within 180 days, unless an extension is granted.
- Expedited permitting does not alter any permitting requirements.

- The Land Use Department has implemented internal procedures to move towards coordinated reviews of permit applications. While not “expedited permitting” as defined by MGL, it is a similar concept. It offers more complete information for all board reviews, and a more predictable process for the applicant.
- All boards work under legal timeframes that are less than 180 days. For example, the Planning Board must have a hearing within 60 days from receipt of an application, and a decision within 90 days from the completion of the hearing. The major difference with the expedited permitting process is that a complete application (covering all boards) is submitted at the start of the process, and all boards would be mandated to complete their work within the same 180 day timeframe.
- **Planning Board** (Carolyn Perkins):
 - A complete application must be submitted before the clock starts.
 - The expedited process does not alter any board’s responsibilities – the Board is still allowed to deny a permit.
 - The process does “expedite” the time for all boards to act within the same 180 days.
 - Planning Board voted by majority vote with 2 abstentions to support this article.
- The Moderator announced that he would allow some limited discussion of Article 15 under Article 13 because the two were closely related.
- Opponent (Madoc-Jones):
 - Concern raised that trees identified for removal are nesting areas for endangered species of birds.
 - Has the purchase of foreclosure property elsewhere on Main St been considered as a way for the AHT to improve the stock of affordable housing? (It was stated by a proponent that such property was not available.)
- Q: Wouldn’t expedited permitting slow down other projects?
 - R: No. All special permits have time constraints within which the permit application must be resolved.
- Q: To which boards does expedited permitting apply? What if one board fails to meet the timeframe? What if one board denies a permit?
 - R: Expedited permitting process applies to all boards. If a board fails to meet its 180 time frame, that permit is granted by default. A board may deny a permit.
- Q: Do posting and notice requirements change?
 - R: No
- Q: When would the paperwork for this project be filed?
 - R: Undetermined at this time. A reasonable estimate would be 2 to 3 months.
- Q: What are the current taxes on this property? What would be the expected tax with this development?
 - R: Current taxes are \$17,000 per year. It is estimated that the proposed project would yield \$132,000 in annual taxes. It is expected that, since the marketing of the property will be targeted towards “empty nesters”, minimal burden would be placed upon schools and other “young family” services. It was noted that there is no age restriction being proposed on these residential units.

- Q: This process appears to be moving very fast. No board should be under any undue pressure to process applications. What is the impact to a board?
 - R: All boards work under legal timeframes that are less than 180 days. The major difference with this process is that a complete application (covering all boards) is submitted at the start of the process, and all boards are mandated to complete their work within the same 180 day timeframe.
- Q: What opportunities for sustainability are being explored?
 - R: The developer stated that sustainability was an important issue in their projects. They partly measure ROI by energy usage. The developer is a member of Eco-Star.

Ed. Note: At 8:00 PM, the chair declared a brief recess in the May 2 Adjourned Session of the Spring Town Meeting to call to order the First Adjourned Session of the Special Town Meeting. 233 voters were in attendance. A quorum of 147 is needed. The Special Town Meeting was recessed until the conclusion of Article 13. The Spring Town Meeting was resumed.

- Q: How does 180 day expedited permitting process compare with the “normal” permitting process timeframes?
 - R: There really is no “normal” timeframe, as each board operates on an independent timeframe. There has not been a mixed use condo project before the town before, so there is no history to draw upon. The differences in an expedited permitting process are that extensive pre-application investigation is conducted for the purpose of giving all departments a complete application and the “clock starts” for all departments at the same time. The Town determines the completeness of the application.

MOTION to MOVE THE QUESTION:

Moved and Seconded

Quantum: 2/3 majority

Vote: Chair declared 2/3 Majority. 7 Voters did not contest.

Vote on Article 13 Main Motion

Quantum: Majority

Vote: 164 in favor 72 against Motion carried

Ed. Note: At 8:27 PM, the chair declared a brief recess in the May 2 First Adjourned Session of the Spring Town Meeting to call to order the First Adjourned Session of the Special Town Meeting to act upon Article 6. The Spring Town Meeting was resumed and called to order at 8:51 PM

ARTICLE 14: COMMUNITY PRESERVATION COMMITTEE FUNDING ACCOUNTS

To see if the Town will vote to make the following appropriations from the Community Preservation Fund:

Allocation of Community Preservation Funds to the following sub accounts:

CPC Operating Expenses:	\$ 34,250
Open Space Reserve:	\$ 68,500
Historic Resource Reserve:	\$ 68,500
Community Housing Reserve:	\$ 68,500
Unallocated Reserve:	\$479,500

or to take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during Fiscal Year 2012. None of these funds will be spent without additional approval at Town Meeting.*

Mover: Peter Cunningham

MOTION: I move that the Fiscal Year 2012 revenues to the Community Preservation Fund be divided into the following sub accounts to be administered by the Community Preservation Committee as follows:

CPC Operating Expenses:	\$ 34,250
Open Space Reserve:	\$ 68,500
Historic Resource Reserve:	\$ 68,500
Community Housing Reserve:	\$ 68,500
Unallocated Reserve:	\$479,500

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Main Motion - Article 14: Unanimous

ARTICLE 15: COMMUNITY PRESERVATION FUNDING RECOMMENDATIONS

To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2012, and vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and by authorizing the Board of Selectmen, with the approval of the Community Preservation Committee, to acquire, by purchase, gift or eminent domain such real property interests in the name of the Town, or enforceable by the Town, including real property interests in the form of permanent affordable housing restrictions and historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing, or to take any other action relative thereto.

CPC Proposal A: Housing Trust Fund: \$412,000

Summary: *The Groton Affordable Housing Trust Fund is requesting \$412,000 in Community Preservation Commission Funds to support the preservation and creation of affordable housing (for persons earning up to 80% of area median income for the Lowell Metropolitan Statistical Area (MSA)) in the Town of Groton. CPC funding would permit the Trust to act upon the powers granted to them by MGL Chapter 44 Section 55C and the Declaration of Trust. Specifically, the Trust anticipates partnering with developers in order to create the maximum number of community housing units feasible for individual projects. All funds will be expended under the permitted uses and activities of Chapter 44B of the Massachusetts General Laws (Community Preservation Act). Funding from the Community Preservation Committee will allow the Groton Affordable Housing Trust to work quickly and flexibly to support the preservation and creation of housing as projects arise. The first development partnership the Trust plans to pursue with this funding is direct support of a private development team seeking to redevelop 134 Main Street to include both housing and commercial uses. This financial assistance will allow the developer to leverage additional funding. The Town expects to enter into a Revenue Sharing Agreement which will allow for reimbursement to the Trust Fund upon project completion or for a period thereafter.*

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommendation by Majority Vote*

MOTION 1: Housing Trust Fund

Mover: Joshua Degen

I move that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the sum of \$412,000 from the Community Preservation Fund Community Housing Reserve to fund Community Preservation Application 2012-01 "Affordable Housing Trust Fund".

Quantum of Town Meeting Vote: Majority
Moved and Seconded

Discussion:

- The project is risky. The Town should not invest.
- Q: Why is affordable housing needed?
 - R: There are state mandated goals for every community to have 10% affordable housing in an effort to keep Massachusetts viable for younger generations. "Affordable" is determined as priced within reach of purchasers who achieve 80% of the median income of the Town. The goal of the Affordable Housing Trust (AHT) investing in 134 Main St. project is to obtain a return on investment so that the fund can sustainable.
- Q: If the AHT did not participate in this project as an investor, would that be a "plus" or a "minus" for the project?
 - R: The project would probably go ahead without the AHT investment. If the AHT did not invest, the return for the other investors would be higher.
- Q: How will the AHT investment be audited?
 - R: The Town will chose a CPA. There will be periodic audits, and a full audit at the end of the project.

- Q: If the \$400k is voted to the AHT, is that money restricted to investment in the 134 Main St. project?
 - R: No. The money is awarded to the AHT to be spent as it sees fit. Because the AHT has no tack record, it has asked Town Meeting to look at this project.
- Q: Why invest in a project instead of buy units outright?
 - R: Investing is a way to acquire an equity return, and sustain future affordable housing. There is risk in a private investment, but the AHT has worked with the developer to minimize the public money risk, yet still provide an opportunity for equity return.

MOTION to MOVE THE QUESTION:

Moved and Seconded

Quantum: 2/3 majority

Vote: Chair declared 2/3 Majority. 7 Voters did not contest.

Vote on Article 14 Motion 1 Main Motion

Quantum: Majority

Vote: 146 in favor 61 against Motion carries

CPC Proposal B: Conservation Fund: \$75,000

***Summary:** The Conservation Fund has been used by the Conservation Commission to purchase Conservation Restrictions and Agricultural Preservation Restrictions, and to purchase conservation land outright within the Town of Groton. Placing CPA funds into the Conservation Land Fund makes them instantly available to the Conservation Commission for acquiring open space that may be available for purchase for only a short period of time.*

Board of Selectmen: Not Recommended (4 Against, 1 In Favor)

Finance Committee: Not Recommended Unanimously

MOTION 2: Allocation to the Conservation Land Fund Mover: Anna Eliot

I move that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the sum of \$75,000 from the Community Preservation Fund Unallocated Reserve to fund Community Preservation Application 2012-02 "Conservation Land Fund".

Quantum of Town Meeting Vote: Majority

Moved and Seconded

Discussion:

- This is money to replenish some of the Conservation Land Fund. The Conservation Commission desires to keep the fund at between \$750k to \$1.0m. The fund is below target due to recent land purchases.
- Greenway Committee is in unanimous support of this article.
- The Board of Selectmen and the Finance Committee both do not recommend passage of this article, as the money would come from the CPC "Unallocated" funds. The "Unallocated" fund is used to pay the debt on Surrenden Farm

purchase. Should the fund become depleted, the debt will need to be paid from the town budget.

- CPC: In FY2012, the CPC will pay the Surrenden Farm debt payment (under Article 16). The Board's concern was in future years and in an environment where the State matching funds has been becoming less each year.

Vote on Article 14 Motion 2 Main Motion

Quantum: Majority

Vote: 76 in favor 95 against Motion is defeated

CPC Proposal C: Historic Records Preservation – Phase IV \$50,000

Summary: *The purpose of this request is to protect and restore additional volumes of the Town's historic documents. This project was started several years ago. To date, approximately 44 volumes have been restored. This request is for the preservation of 26 volumes. These are the remaining volumes from the "master list" that was developed under Phase I of this project in 2007.*

Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously

MOTION 3: Historic Records Preservation – Phase IV Mover: George Dillon

I move that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the sum of \$50,000 from the Community Preservation Fund Historic Resource Reserve to fund Community Preservation Application 2012-03 "Historic Records Preservation".

Quantum of Town Meeting Vote: Majority

Moved and Seconded

Vote on Article 14 Motion 3 Main Motion: Unanimous

CPC Proposal D: Prescott School Reuse Feasibility Assessment \$25,350

Summary: *The Prescott Reuse Committee was appointed by the Board of Selectmen to study the need for and feasibility of potential reuses of the Prescott School and report its findings to the Board of Selectmen. Among the various tasks assigned to the Committee are the assessment of potential uses, preparation of cost estimates associated with use options, and determination of the demand for uses and the development potential of the property.*

The Prescott School Reuse Committee has undertaken an assessment of the property and potential uses, however, it does not possess the technical expertise to assess the economic and physical character of the building to accommodate those uses. Therefore, the Committee is seeking CPA Funding Assistance to complete its task.

Board of Selectmen: Not Recommended (4 Against, 1 Abstain)
Finance Committee: Not Recommended by Majority Vote

MOTION 4: Prescott School Feasibility Assessment Mover: George Dillon

I move that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the sum of \$25,350 from the Community Preservation Fund Unallocated Reserve to fund Community Preservation Application 2012-04 "Prescott School Reuse Feasibility Assessment".

**Quantum of Town Meeting Vote: Majority
Moved and Seconded**

Discussion:

- The Prescott School Building is owned by the Town. The property is unique with a large green space in front of the building, 27,000 sf of building area and considerable space in the rear. Options have been narrowed by the Committee to four.
- This funding request is to enable the Committee to fulfill its charge of determining the best use for the property. This is a once in a lifetime opportunity to recommend usage of unique property in the downtown area.
- Planning Board supports the article by majority vote with one abstention.

MOTION TO MOVE THE QUESTION

**Quantum: 2/3 Majority
Vote: Unanimous**

Vote on Article 14 Motion 4 Main Motion: Majority

CPC Proposal E: Rehabilitation of Governor Boutwell House \$176,525

Summary: *The Groton Historical Society, a private 501(c)(3) non-profit organization established in 1984, houses its headquarters in the historic 1851 Governor George S. Boutwell house. It is seeking a CPA Preservation Grant for the major rehabilitation of the plumbing, electricity and structural work to the house. This project request was triggered by two separate catastrophic events in 2010 which put the physical property and material culture of Groton's past at great risk. Both of these incidents involved the failure of water pipes which caused major damage to the house and its interior fabric and brought to the Society's attention dire infrastructure problems. These must be remedied if this property, now on the National Register of Historic Places, and the collection it houses, are to survive for future generations of citizens.*

Board of Selectmen: Recommended (4 In Favor, 1 Abstain)

Finance Committee: Recommended (4 In Favor, 2 Abstain)

MOTION 5: Rehabilitation of Governor Boutwell House Mover: George Dillon

I move that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the sum of \$159,025 from the Community Preservation Fund Historic Resource Reserve and to appropriate the sum of \$17,500 from the Community Preservation Fund Unallocated Reserve for a total of \$176,525 to fund Community Preservation Application 2012-05 "Rehabilitation of Governor Boutwell House".

**Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 14 Motion 5 Main Motion: Unanimous**

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16: DEBT SERVICE FOR SURRENDEN FARMS

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum or sums of money, pursuant to Massachusetts General Laws, Chapter 44B, Section 5 for debt service for Fiscal Year 2012 for the Surrenden Farm Land Acquisition, as authorized under Article 1 of the April 24, 2006 Special Town Meeting, or to take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended (5 In Favor, 1 Against)*

Summary: *This article appropriates the debt payments for the Surrenden Farms Land Purchase. Funding for this article will come from Community Preservation Funds. The anticipated debt service for Fiscal Year 2012 is \$488,763.*

Mover: Stuart Schulman

MOTION: I move that the Town vote, pursuant to Massachusetts General Laws, Chapter 44B, Section 5, to appropriate the sum of \$90,000 from the Community Preservation Fund Open Space Reserve and to appropriate the sum of \$397,113 from the Community Preservation Fund Unallocated Reserve for a total of \$487,113 for debt service for Fiscal Year 2012 for the Surrenden Farm Land Acquisition, as authorized under Article 1 of the April 24, 2006 Special Town Meeting.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on article 16 Main Motion: Majority

ARTICLE 17: TAX TITLE LAND TO THE CONSERVATION COMMISSION

To see if the Town will vote to transfer the care and custody of the following parcels of property obtained through tax title foreclosure to the Conservation Commission, to be held for conservation purposes in accordance with M.G.L. c. 40, §8C:

	Square Ft	Map ID	Former Owner	Road	Tax Acct	Assessed Value	Yr Decree Issued
1	9,583	124-67	Nathan Isbitsky	Whitewood	\$289.00	13,000	1986
2	34,602	125-127	James Sheedy	Chestnut	\$161.14	16,500	1958
3	2,000	125-128	Felix Benoit	Chestnut	\$14.34	6,100	1965

4	3,200	129-103	Margaret Levine	Lost Lake Dr.	\$ 25.54	7,600	1958
5	12,800	129-176	Unknown Owner	Baby Beach	\$1,747.40	19,100	2003
6	6,700	129-186	Katherine Brennan	Boathouse	\$ 20,968.07	11,400	2008

or to take any other action relative thereto.

CONSERVATION COMMISSION

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended (3 In Favor, 2 Against)*

Summary: *These parcels were foreclosed for nonpayment of taxes and are now Town Tax Possessions. The transfer vote will permanently remove these parcels from the tax rolls and assure that no development occurs. Parcel 1 is a small wooded parcel adjacent to Martins’ Pond Brook. Parcel 2 includes wetlands bordering Martins’ Pond Brook. Parcel 3 is adjacent to Parcel 2 and also in wetlands. Parcel 4 is surrounded on three sides by protected conservation land. Parcel 5 includes frontage on the “pork barrel” downstream from the Lost Lake/Knops Pond dam and is adjacent to protected conservation land. Parcel 6 has frontage on a kettle hole adjacent to Lost Lake Drive.*

Mover: Peter Cunningham

MOTION: I move that the Town vote to transfer the care and custody of the parcels listed in Article 17 of the Warrant obtained through tax title foreclosure to the Conservation Commission, to be held for conservation purposes in accordance with M.G.L. c. 40, §8C.

Quantum of Town Meeting Vote: 2/3’s Majority
Moved and Seconded
Vote: Chair declared Unanimous Vote

ARTICLE 18: SKYFIELDS DRIVE – CONNECTION TO TOWN SEWER

To see if the Town will vote to extend the “Groton Center Sewer System” as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, and as shown most recently on the plan approved under Article 14 of the Annual Town Meeting of April 25, 2005, to include the following parcels:

<u>Assessors</u> <u>Parcel</u>	<u>Name</u>	<u>Address</u>
222-8	Moynihan, Richard	31 Skyfields Drive
222-12	Polhemus, Richard	36 Skyfields Drive
235-48	Deuger, Mark	60 Skyfields Drive
235-47	Russell, Earl	98 Skyfields Drive
235-42	Foster, Robert	103 Skyfields Drive
235-43	McGuire, John	113 Skyfields Drive

222-11	Hurd Katherine	116 Skyfields Drive
222-13	Hurd, Katherine	116 Skyfields Drive
235-44	Moulton, David	129 Skyfields Drive
222-10	Temple Realty Trust	130 Skyfields Drive

provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments or otherwise, or to take any other action relative thereto.

BOARD OF SEWER COMMISSIONERS

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *This article seeks approval to extend the Groton Center Sewer System on Skyfields Drive to include ten (10) specific parcels for the purpose of allowing those properties to connect to the Town Sewer System.*

Mover: Joshua Degen

MOTION: I move that this Article be Indefinitely Postponed.

Quantum of Town Meeting Vote: Majority
Moved and Seconded

Discussion:

- Proponents of the Article have withdrawn the request

Vote on Article 18 Main Motion: Unanimous

ARTICLE 19: TRANSFER OF LAND – SO-CALLED BROWN LOAF PROPERTY

To see if the Town will vote to transfer the care and custody of all or a portion of the so-called Brown Loaf property, shown on Assessors' Map 234 as parcels 4 and 18.1, from the Board of Selectmen to the Conservation Commission for conservation purposes, said transfer to take effect only upon the filing with the Town Clerk of the Board of Selectmen's written determination that such property is no longer needed by the Board of Selectmen for general municipal purposes, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *The site of a former gravel operation, this land has been investigated for a number of municipal uses since its original purchase in 1999. Because of access limitations, significant natural resource constraints, and a major power line easement, the site was rejected for the re-location of the Groton Electric buildings, new high school, and for affordable housing.*

Wetlands and floodplain associated with Martins Pond Brook, as well as beaver ponds and 6 vernal pools, provide significant ecosystem services in the form of the protection of Zone 3 of the Baddacook and Whitney public water wells and important wildlife corridors. The land has also been identified by the Commonwealth of Massachusetts as having rare species core habitat of state-wide importance. Conserving this site affords the Town an opportunity to prevent the fragmentation of critical habitat thereby maintaining viable plant and animal populations.

Mover: Joshua Degen

MOTION: I move that the Town vote to transfer the care and custody of all or a portion of the so-called Brown Loaf property, shown on Assessors' Map 234 as parcels 4 and 18.1, from the Board of Selectmen to the Conservation Commission for conservation purposes, said transfer to take effect only upon the filing with the Town Clerk of the Board of Selectmen's written determination that such property is no longer needed by the Board of Selectmen for general municipal purposes.

Quantum of Town Meeting Vote: 2/3's Majority

Moved and Seconded

Vote on Article 19 Main Motion: Chair declares 2/3 Majority.

ARTICLE 20: CITIZENS' PETITION – CONNECTION TO TOWN SEWER

To see if the Town will vote to extend the "Groton Center Sewer System" as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, and as shown most recently on the plan approved under Article 14 of the Annual Town Meeting of April 25, 2005, to include the property shown on Assessors' Lot 114-13 (14 Old Ayer Road), but only for the exclusive use of Lawrence Academy, provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments, or otherwise, or to take any other action relative thereto.

CITIZENS' PETITION

<u>Name</u>	<u>Address</u>
Beverly Rodrigues	5 Balsam Walk
Cynthia Bostick	30 Temple Drive
Megan Simon	12 Powderhouse Road
Valerie Templeton	222 Chicopee Row
Katie Quist	12 Powderhouse Road
Edward Mitchell	61 Powderhouse Road
Susan Hughes	62 Watson Road
D. Scott Wiggins	36 Main Street
Jerry Wooding	23 Common Street
Jennifer O'Connor	42 Powderhouse Road

Board of Selectmen: Recommendation Deferred Until Town Meeting
Finance Committee: No Position

Summary: (This summary was submitted by the Petitioners): *Lawrence Academy is in possession of two properties along Old Ayer Road. They are identified as Parcels 114-12 and 114-13 on the Town "GIS" mapping system located at 14 Old Ayer Road. Currently only parcel 114-12 is included in the Groton Center Sewer District. The Lawrence Academy Board of Trustees is currently updating the LA campus master plan. Preliminary indications are that parcel 114-13 will be used as athletic fields. Lawrence Academy is requesting the sewer district be extended to include parcel 114-13 so that LA would be able to have a small bathroom facility on that parcel to serve the athletic fields. The School has already secured the necessary sewer capacity from the Town through previous agreements. This connection would not represent a change to any existing agreements between the School and the Town.*

Mover: Anna Eliot

MOTION: I move that the Town vote to extend the "Groton Center Sewer System" as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, and as shown most recently on the plan approved under Article 14 of the Annual Town Meeting of April 25, 2005, to include the property shown on Assessors' Lot 114-13 (14 Old Ayer Road), but only for the exclusive use of Lawrence Academy, provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments, or otherwise.

Quantum of Town Meeting Vote: Majority

AMENDMENT TO MOTION offered by Halsey Platt, 2 Old Ayer Rd. :

MOTION: I move that the Town vote to extend the "Groton Center Sewer System" as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, and as shown most recently on the plan approved under Article 14 of the Annual Town Meeting of April 25, 2005, to include the property shown on Assessors' Lot 114-13 (14 Old Ayer Road), but only for the exclusive use of Lawrence Academy to provide sanitary facilities in support of athletic fields, provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments, or otherwise.

Quantum of Town Meeting Vote: Majority

Vote on Article 20 Main Motion as Amended: Unanimous

ARTICLE 21: CITIZENS' PETITION – DISCONTINUE OR RELOCATE A WAY

To see if the Town will vote to discontinue as a public way and/or relocate the entire way that lies between Parcels 1738 and 1739 as shown on a plan entitled "Lost Lake" that was recorded on February 17, 1926 with the Middlesex South District Registry of Deeds as Plan 844 (B of 4) and to authorize the Board of Selectmen to convey all and whatever rights, title and interests the Town and the public may hold in said way to Phillip DeFreitas and Carolyn DeFreitas and/or to relocate said way, on such terms and conditions and for such consideration as the Selectmen deem appropriate. Said way is part of the parcel identified in the Assessors records as Map 129, Lot 196, or to take any other action relative thereto.

CITIZENS' PETITION

<u>Name</u>	<u>Address</u>
Phillip DeFreitas	47 Boathouse Road
Carolyn DeFreitas	47 Boathouse Road
Tasha Roberts-Coombs	77 Boathouse Road
William Coombs	77 Boathouse Road
Susan Burgess Curley	91 Boathouse Road
Patricia Simmons-Mavilia	101 Boathouse Road
Cheryl Duffy	90 Boathouse Road
Thomas Duffy	90 Boathouse Road
Mark Silva	29 Boathouse Road
Evelyn Silva	29B Boathouse Road

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: (This summary was submitted by the Petitioners): *The original plan for Lost Lake shows a series of paper “public” streets that run from Boathouse Road to Lost Lake. Most were never built or used. This article authorizes the Board of Selectmen to extinguish or move one of them. Phillip and Carolyn DeFreitas’s house, built in the 1930’s, sits on a paper street; moving or removing the paper street removes a cloud on their title.*

Mover: Peter Cunningham

MOTION: I move that the Town vote to discontinue as a public way the way shown as lying between Parcels 1738 and 1739 as shown on a plan entitled “Lost Lake” that was recorded on February 17, 1926 with the Middlesex South District Registry of Deeds as Plan 844 (B of 4); and to authorize the Board of Selectmen to take all actions required to convey whatever right and interest the Town may hold in said way to Phillip DeFreitas and Carolyn DeFreitas on such terms and conditions as the Selectmen deem appropriate, and to acquire, on behalf of the Town, such easement in any relocated way on, within or adjacent to the property identified in the Assessors’ records as Map 129, Lot 196 as may be appropriate or convenient to provide for a right of way for non-motorized use therein.

Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Article 21 Main Motion: Unanimous

ARTICLE 22: CITIZENS' PETITION – ZONING AMENDMENT – SOLAR FACILITIES

To see if the Town will vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, by amending Sections 214-4 Definitions, 218-13 Schedule of Use Regulations, and 218-16 Site Plan Review, and adding a new Section 218-25.3 entitled “Large-Scale Ground-Mounted Solar Photovoltaic Facilities”, a copy of which is on file in the Office of the Town Clerk, or to take any other action relative thereto.

CITIZENS' PETITION

<u>Name</u>	<u>Address</u>
Steven Webber	48 Hemlock Park Drive
Nancy Webber	48 Hemlock Park Drive
Julie Vaughn	52 Chestnut Hill Road
John Smigelski	150 Mill Street
Laurie Smigelski	150 Mill Street
Brian Alcott	157 Mill Street
Stacey Waterman	15 Shepley Street
Alice MacGregor	40 Hemlock Park Drive
Rena Swezey	60 Island Road
Michelle Collette	43 Windmill Hill Road

Board of Selectmen: *Recommendation Deferred Until Town Meeting*
Finance Committee: *No Position*

Summary: (This summary was submitted by the Petitioners): *This article proposes a change to Groton's zoning to allow solar panels to be deployed in Groton. Without explicitly allowing something, Groton's zoning does not allow it. This bylaw enables the deployment of both ground-based and roof-mounted systems.*

Mover: Peter Cunningham

MOTION: I move that the Town vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, by amending Sections 214-4 Definitions, 218-13 Schedule of Use Regulations, and 218-16 Site Plan Review, and adding a new Section 218-25.3 entitled "Large-Scale Ground-Mounted Solar Photovoltaic Facilities", as set forth in the copy on file in the Office of the Town Clerk, but with the following clerical corrections:

- In the second sentence of subsection 1.10.2, change the words "a municipality's" to "the Town's";
- In subsections 1.13.1, 1.13.2 and 1.13.3, change the words "Site Plan Review Authority" to "Planning Board."

Quantum of Town Meeting Vote: 2/3's Majority
Moved and Seconded

Discussion:

- Planning Board voted unanimously to recommend this Article.
Member Jason Parent:
The Planning Board held a public hearing on April 7, 2011, continued on April 14 and 21, 2011, to consider the proposed amendment to entitled, "Large Scale Ground-Mounted Solar Photovoltaic Facilities." The proposed amendment will permit small scale facilities by-right and large scale facilities will be subject to Site Plan Review by the Planning Board. The Planning Board voted unanimously to recommend adoption of the proposed amendment.
- Groton Electric Light Commissioners support this Article.
- Any installation under this proposed bylaw change would require a Site Plan Review.
- Facilities could not be installed in Open Space or on Conservation Land.

- Installations greater than 250 kw would require a Site Plan Review. Installations less than 250 kw are by right.
- Q: How much space does an installation require?
 - R: Typically, a 250 kw installation will occupy approximately one acre

Vote on Article 22 Main Motion: Unanimous

Motion to Dissolve the 2011 Spring Annual Town Meeting

Date: May 2, 2011

Moved and Seconded

Vote: Unanimous

The 2011 Spring Annual Town Meeting was dissolved at 11:18 PM on May 2, 2011.

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 4th Day of April in the year of our Lord Two Thousand Eleven.

Stuart M. Schulman

Stuart M. Schulman, Chairman

Anna Eliot

Anna Eliot, Vice-Chairman

George F. Dillon, Jr.

George F. Dillon, Jr., Clerk

Peter S. Cunningham

Peter S. Cunningham, Member

Joshua A. Degen

Joshua A. Degen, Member

OFFICERS RETURN
Groton, Middlesex

Pursuant to the within Warrant, I have this day notified the Inhabitants to assemble at the time, place, and for the purpose mentioned as within directed. Personally posted by Constable.

Constable

Date Duly Posted

Warrant, Minutes and Votes

TOWN OF GROTON



SPECIAL TOWN MEETING

**Groton-Dunstable Middle School Auditorium
344 Main Street, Groton, Massachusetts 01450**

Beginning Monday, April 25, 2011 @ 8:00 PM

The Special Town Meeting was called to order at 8:00 PM on April 25, 2011. A quorum of 288 people were present. The Special Town Meeting was recessed until the conclusion of Town Meeting Article 5.

The Special Town Meeting was called to order at 8:10 PM on April 25, 2011. The reading of the warrant was waived.

**SPECIAL TOWN MEETING WARRANT
APRIL 25, 2011**

Middlesex, ss.
Commonwealth of Massachusetts
To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn said inhabitants of the Town of Groton qualified to vote on Town affairs to assemble in the Groton-Dunstable Middle School Auditorium in said Town on Monday, the twenty-fifth day of April, 2011 at Eight O'clock in the evening, to consider the following:

ARTICLE 1: CURRENT YEAR LINE ITEM TRANSFERS

To see if the Town will vote to transfer certain sums of money within the Fiscal Year 2011 budget, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *To transfer money within the Fiscal Year 2011 Budget should the need arise. A handout explaining any necessary transfer will be available at Town Meeting.*

Mover: George Dillon

MOTION: I move that the Town vote to transfer the following sums of money within the Fiscal Year 2011 Town Operating Budget:

Transfer funds from:

<u>Line Item</u>	<u>Amount To Be Transferred</u>
1700 – Groton Country Club Salaries	\$ 29,650
1701 – Groton Country Club Wages	\$ 4,000
1703 – Groton Country Club Minor Capital	\$ 15,000
1370 – Police & Fire Communications Wages	\$ 50,000
1160 – Insurance and Bonding	\$ 30,000
3000 – Employee Benefits – County Retirement	<u>\$ 13,000</u>
Total	\$141,650

Transfer funds to:

<u>Line Item</u>	<u>Amount Transferred To</u>
1072 – Treasurer/Tax Collector Expenses	\$ 3,000
1702 – Groton Country Club Expenses	\$ 48,650
3012 – Medicare/Social Security	\$ 10,000
1311 – Fire Department Wages	\$ 20,000
1312 – Fire Department Expenses	\$ 10,000
1101 – Information Technology Expenses	\$ 4,500
1622 – Veteran’s Service Officer Veteran’s Benefits	\$ 10,000
1250 – Mechanical Inspector Fee Salaries	\$ 2,000
1280 – Sealer of Weights and Measures Fee Salaries	\$ 500
1052 – Town Accountant Expenses	\$ 3,000
1080 – Town Counsel Expenses	<u>\$ 30,000</u>
Total	\$141,650

**Quantum of Town Meeting Vote: Majority
 Moved and Seconded
 Vote on Special Town Meeting Article 1: Unanimous**

ARTICLE 2: TRANSFER WITHIN WATER ENTERPRISE FUND

To see if the Town will vote to authorize the Groton Water Department to transfer a sum or sums of money from the Water Enterprise Fund Surplus to the Fiscal Year 2011 Water Department Budget, or to take any other action relative thereto.

BOARD OF WATER COMMISSIONERS

Board of Selectmen: Recommended Unanimously

Finance Committee: *Recommended Unanimously*

Summary: *This article allows the Water Department to transfer money from its surplus account to cover any deficit in the Fiscal Year 2011 budget. More information will be provided at Town Meeting to explain any transfer requested under this article.*

Mover: Joshua Degen

MOTION: I move that the Town vote to authorize the Groton Water Department to transfer the sum of \$50,000 from the Water Enterprise Fund Surplus to the Fiscal Year 2011 Water Department Budget.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Special Town Meeting Article 2: Unanimous**

ARTICLE 3: *TRANSFER WITHIN SEWER ENTERPRISE FUND*

To see if the Town will vote to transfer a sum or sums of money from the Sewer Enterprise Fund Surplus to the Fiscal Year 2011 Sewer Enterprise Department budget, or to take any other action relative thereto.

BOARD OF SEWER COMMISSIONERS

**Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously***

Summary: *This article allows the Sewer Department to transfer money from its surplus account to cover any deficit in the Fiscal Year 2011 budget. More information will be provided at Town Meeting to explain any transfer requested under this article.*

Mover: Stuart Schulman

MOTION: I move that the Town vote to authorize the Groton Sewer Department to transfer the sum of \$50,000 from the Sewer Enterprise Fund Surplus to the Fiscal Year 2011 Sewer Department Budget.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded
Vote on Special Town Meeting Article 3: Unanimous**

ARTICLE 4: *PRIOR YEAR BILLS*

To see if the Town will vote to transfer from available funds, a sum or sums of money for the payment of unpaid bills from prior fiscal years, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *Town Meeting approval is required to pay bills from a prior fiscal year. A list of unpaid bills will be provided at Town Meeting.*

Mover: Stuart Schulman

MOTION: I move that this Article be Indefinitely Postponed.

**Quantum of Town Meeting Vote: Majority
Moved and Seconded**

Minutes: There were no bills from a prior fiscal year to be paid.

Vote on Special Town Meeting Article 4: Unanimous

ARTICLE 5: *AMEND VOTE UNDER ARTICLE 20 OF THE 2010 FALL TOWN MEETING, TRANSFER OF LAND BETWEEN TOWN AND LIGHT DEPARTMENT*

To see if the Town will vote to amend the vote taken under Article 20 of the warrant for the 2010 Fall Town Meeting by approving and authorizing the transfer of custody of the following Town land to the Groton Electric Light Department for the purpose of sale, lease or other conveyance or transfer to the Groton Electric Cooperative or other eligible entity: a portion of Assessors' parcel 113-53 and a portion of Assessors' parcel 113-54; and to authorize the Board of Selectmen and the Board of Electric Light Commissioners to execute, on behalf of the Town and Electric Light Department, all documents necessary to accomplish such conveyance or transfer, or to take any other action relative thereto.

***BOARD OF SELECTMEN
ELECTRIC LIGHT COMMISSIONERS***

Board of Selectmen: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *The previous Town Meeting vote authorized a land swap between the Town and the Groton Electric Light Department in connection with the building of a new office and garage facilities. The Groton Electric Light Department filed Articles of Organization with the Secretary of the Commonwealth on February 15, 2011 pursuant to MGL Chapter 164, Section 47C. to form an Electric Light Cooperative. The Cooperative will be overseeing the design and construction of the new Electric Light Department facilities and a transfer vote reflecting the involvement of the Groton Electric Cooperative is therefore required.*

Mover: Anna Eliot

MOTION: I move that the Town vote to amend the vote taken under Article 20 of the warrant for the 2010 Fall Town Meeting by approving and authorizing the transfer of custody of the following Town land to the Groton Electric Light Department for the purpose of sale, lease or other conveyance or transfer to the Groton Electric Cooperative or other eligible entity: a portion of Assessors' parcel 113-53 and a portion of Assessors' parcel 113-54; and to authorize the Board of Selectmen and the Board of Electric Light Commissioners to execute, on behalf of the

Town and Electric Light Department, all documents necessary to accomplish such conveyance or transfer.

Quantum of Town Meeting Vote: 2/3's Majority

Moved and Seconded

Vote on Special Town Meeting Article 5: Chair declares 2/3 Majority vote. 7 Voters did not contest.

ARTICLE 6: PURCHASE MAIN STREET PARCELS FROM ROMAN CATHOLIC CHURCH

To see if the Town will vote to authorize the Board of Selectmen to acquire from the Roman Catholic Archbishop of Boston, by gift, purchase, or eminent domain, for general municipal purposes, including, without limitation, for use as a fire station, the following three (3) parcels of land located on Main Street: (a) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 60, described in a deed recorded with the Middlesex South District Registry of Deeds in Book 3649, Page 136, (b) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 61, described in a deed recorded in Book 3119, Page 208, and (c) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 62, described in a deed recorded in Book 10317, Page 127, containing 1 acre, more or less, in the aggregate, and to raise and appropriate, transfer from available funds, or borrow, or any combination of the foregoing, a sum or sums of money for such acquisition and costs related thereto, and further to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all instruments as may be necessary or convenient to effectuate the purpose of this article, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommendation Deferred Until Town Meeting

Finance Committee: Recommendation Deferred Until Town Meeting

Summary: *The Board of Selectmen and Town Manager have been working with the Roman Catholic Archbishop of Boston to purchase the three lots on Main Street that were the former home of the Sacred Heart Church. The agreed to purchase price is \$475,000.*

Mover: Stuart Schulman

Motion: I move to adjourn this Special Town Meeting to 8:00 PM on May 2 to be held in the Middle School Auditorium.

Quantum of Vote: Majority

Moved and Seconded

Vote on Motion to adjourn to May 2 at 8:00 PM: Unanimous

Ed. Note: At 8:00 PM on May 2, the chair declared a brief recess in the Spring Town Meeting to call to order the first adjourned session of Special Town Meeting. 233 voters were in attendance. A quorum of 147 is needed. The Special Town Meeting was recessed until the conclusion of Article 13. The Spring Town Meeting was resumed.

Ed. Note: The first adjourned session of the Special Town Meeting was called to order at 8:27 PM on May 2 to take up Article 6. Deputy Moderator Jason Kauppi presided.

ARTICLE 6: PURCHASE MAIN STREET PARCELS

Mover: Stuart Schulman

MOTION: I move that the Town vote to authorize the Board of Selectmen to acquire from the Roman Catholic Archbishop of Boston, by gift, purchase, or eminent domain, for general municipal purposes, including, without limitation, for use as a fire station, the following three (3) parcels of land located on Main Street: (a) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 60, described in a deed recorded with the Middlesex South District Registry of Deeds in Book 3649, Page 136, (b) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 61, described in a deed recorded with said Registry in Book 3119, Page 208, and (c) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 62, described in a deed recorded with said Registry in Book 10317, Page 127, containing 1 acre, more or less, in the aggregate, and to transfer from the Stabilization Fund the sum of \$300,000 and appropriate from Emergency Medical Services Receipts Reserved the sum of \$175,000, for a total of \$475,000 for such acquisition and costs related thereto, and further to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all instruments as may be necessary or convenient to effectuate the acquisition of said parcels of land.

**Quantum of Town Meeting Vote: 2/3's Majority
Moved and Seconded**

Report of the Central Fire Station Location Study Committee (Don Black, Chair):

- Report is included in the appendix to these minutes
- The charge of the Committee was reviewed
 - Assess the existing central fire station
 - If deficient, research other locations
 - Hold hearings with the Board of Selectmen on any potential locations
- Existing fire station was found to be inadequate:
 - 100 years old; 70 years used as a fire station
 - Structurally sound, but hard to adapt to new fire equipment standards
 - Electrical and plumbing are “ancient” and would need to be redone
 - The building is functionally outdated.
 - Regulatory deficiencies are not correctable
 - Expansion not possible on existing site
 - Conclusion: Building has outlived its useful life as a fire station.
- Current needs were identified (see report)
- 15 Tier 1 sites were identified (see report)
 - All sites were visited and scored
 - 3 sites under consideration:
 - Prescott School
 - 279 Main St
 - 29 Station Ave (GELD property)
- First public hearing with the Selectmen scheduled for May 16, 2011 7:30 PM
- The Committee has no finding at this time.

MOTION: I move to adjourn this Special Town Meeting to June 13, 2011 at 7:00 to be held in the Performing Arts Center. Mover: Don Black

Quantum: Majority

Moved and Seconded

Vote: Majority

The first adjourned session of this Special Town Meeting was adjourned to June 13, 2011 at 7:00 PM in the Performing Arts Center.

Second Adjourned Session

The Second Adjourned Session of this Special Town Meeting of April 25 was called to order at 7:03 PM on June 13, 2011.

A Quorum of 163 was present (Quorum requirement was 147).

Ed Note: at 7:27 PM, a count of 294 people was taken.

Moderator Robert Gosselin opened the meeting

Opening business

- Anna Eliot, Chairperson of the Board of Selectmen, opened the meeting with the announcement that Sgt. William Woitowicz, U.S. Marine Corps, was killed in action in Afghanistan.
- Lt. Col. John Bruggeman led the assembly in a moment of silence for Sgt. Woitowicz, and then the Pledge of Allegiance.

Deputy Moderator Jason Kauppi presided over the remainder of the Second Adjourned Session.

- Article 6 is still on the floor from the First Adjourned Session.. Mr. Kauppi read the Motion as it had been moved and seconded at the First Adjourned Session.

MOTION:

Stuart Schulman

I move to amend the main motion by striking the number 300,000 in line eleven (11) and inserting the number 275,000, and further by striking the number 475,000 from line twelve (12) and inserting the number 450,000.

The Main Motion as amended will read :

I move that the Town vote to authorize the Board of Selectmen to acquire from the Roman Catholic Archbishop of Boston, by gift, purchase, or eminent domain, for general municipal purposes, including, without limitation, for use as a fire station, the following three (3) parcels of land located on Main Street: (a) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 60, described in a deed recorded with the Middlesex South District Registry of Deeds in Book 3649, Page 136, (b) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 61, described in a deed recorded with said Registry in Book 3119, Page 208, and (c) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 62, described in a deed recorded with said Registry in Book 10317, Page 127, containing 1 acre, more or less, in the aggregate, and to transfer from the Stabilization Fund the sum of \$275,000 and appropriate from Emergency Medical Services Receipts Reserved the sum of \$175,000, for a total of \$450,000 for such acquisition and costs related thereto, and further to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all instruments as may be necessary or convenient to effectuate the acquisition of said parcels of land.

Discussion:

- The price of the property has been lowered.

Quantum: Majority

Vote on the motion to amend the main motion: Unanimous

Board of Selectmen recommend for the Article 5 to 0

Finance Committee recommend against 4 to 2

MOTION - To Limit Debate:

Kevin McKenzie, 723 Townsend Rd

I move to limit debate to 3 minutes. A person may speak one time until all have spoken. The 3 minutes of debate may be extended on option of the Moderator.

Moved and Seconded

Quantum: 2/3rds Majority

Vote on the Motion to Limit Debate:

Chair declared 2/3rds Majority; 7 voters did not contest

Discussion on Main Motion as amended (continued):

- Stuart Schulman – Review of Article’s history
 - A Purchase and Sales was signed in Feb, pending a Town Meeting approval
 - February 13 Special Town Meeting postponed the motion indefinitely. The Central Fire Station Location Study Committee (CFSLSC) was created.
 - Article was brought back to the Spring (April 25) Town Meeting. The CFSLSC asked for additional time, which was granted. The Article was postponed until June 13.
 - 15 sites were considered by the CFSLSC, which ultimately focused on 3 sites. All of the sites have “pros” and “cons”.
 - 279 Main St. – preferred location; price has been lowered
 - GELD property on Station Ave – Current purchase price is \$199,000; adequate size depending upon required wetlands buffer; potential partial cost-sharing with GELD; infrastructure development costs are TBD; influential impact on Station Ave development.
 - Prescott School – adequate space; building design and costs are TBD – may impact current building; in the historic district; could be highest traffic congestion; “Does mixed use with a fire station work?”
- CFSLSC Report – Don Black
 - Charter was to recommend a site or sites to the Board of Selectmen. Their job was to report the facts and not recommend how to vote.
 - Details of criteria were reviewed, which included:
 - required building and land square footage
 - space for 30 parking places
 - same or better response time
 - preferably in a “Tier 1” location (within ½ mile of Rt 40 / Rt 199 intersection)
 - The list had included to 15 sites. Some were privately owned and not for sale. Others were prohibitively expensive. The list was narrowed on June 1 to Prescott School, GELD property on Station Ave and 279 Main St.
 - Prescott School
 - Pro: 2.8 acres, town owned, adequate parking, excess land available, same response time as current

- Con: Traffic congestion, historic district, demolition and add on or new structure required, wetlands present, potential conflict with the Reuse Committee's recommendations, potential issues with "mixed use" including fire station, retail and residential
 - GELD property on Station Ave
 - Pro: 3.3 acres, town owned via GELD, potentially adequate parking and footprint space, town water and sewer, natural gas, minimal impact to the neighborhood, Access to the station improved (response to call the same as now)
 - Con: Wetlands and stormwater issues, disrupt the Town Center Overlay District planes and PWED grants, town would pay GELD \$200,000 for land, traffic congestion, esp during commuting times
 - 279 Main St:
 - Pro: .92 acres, town water and sewer, natural gas, response to calls good, safe haven for motorists
 - Con: \$450,000 purchase price, zoning change or special permit required to achieve setbacks and required parking, unusable areas and parking requirements could leave the fire station short of space, traffic congestion on Main St.
 - Finance Committee – Jay Prager
 - The Finance Committee believes there is not enough information to make a decision among the properties at this time.
 - Each site has many open issues – too many to make a "50 year" decision
 - Recommend land evaluation for the October Town Meeting
 - Groton Electric Light – Kevin Lindemer
 - GELD is in the process of building a new facility on Station Ave. with no increase in rates or tax burden
 - Land which will be vacated might be a good fit for a new fire station
 - The sale price to the town of \$199,000 would save the taxpayer money, allow GELD to recoup expenses, and keep the money within town
 - Some share development costs are possible with those savings represented in the \$199,000 sale price to the Town. The Town would also benefit from shared engineering on part of the fire station project.
 - This site is financially attractive, but many unknowns still exist
 - Fire Chief Bosselait
 - Supports the 279 Main St. site
 - This site has the lowest overall cost. It is of adequate size and least restrictive buildability
 - The site has the best line of sight to Main St. and good access to all parts of town.
 - GELD
 - Appears to be wetlands and groundwater issues, could have major site preparation costs
 - Unknown buildable land size
 - A water main upgrade likely needed if GELD and the fire station were both to be built here
 - Unknown impact on access and response times due to traffic increases should further TCOD development occur
 - Prescott School
 - Looks to have major development costs

- Comments from the public
 - ““Further investigation of GELD property required” is a common theme of all the presentations”.
 - 279 Main St. is in a prime location. If not used for a fire station, it could be used for another municipal purpose.

MOTION to amend “Main motion as amended”

Scott Harker

I move the current Article VI, as recommended and moved by the Board of Selectmen, be amended as follows:

Line 2: The words “from the Roman Catholic Archbishop of Boston...), and

Line 3: The words “...including, without limitation, for use as a fire station,...” be deleted.

The first portion of the Article VI, up to the Colon, to now read:

“To see if the Town will vote to authorize the Board of Selectmen to acquire...*(deleted)*...by gift, purchase or eminent domain, for general municipal purposes, ...*(deleted)*... the following three (3) parcels of land located on Main St: ... (etc.)”

Moved and Seconded

Quantum: Majority

Discussion:

- This is a cleanup of the language in order to focus on the purchase of the real estate
- “Intent is good, but the amendment is not necessary to the meaning of the motion.”

Vote on the motion to amend (Harker)

Yes: 116 No: 147 Motion is defeated

Discussion on Main Motion as amended (continued):

- Property, if purchased, should be purchased after the church located on the property has been moved
- It’s not realistic that the seller will move or tear down the church, devaluing the property, before the property is sold.
- Q: If the property is bought, what is the Town’s obligation with the church building?
 - R: the P&S requires that the church be moved or torn down with 6 months of signing. If the church building is torn down, the Town will contribute \$10,000 to the expenses.
- Q: What happens to the existing fire station?
 - R: Nothing planned at this time.
- Q: How much time and money will it take to answer the outstanding questions?
 - R: Not clear. 279 Main St. is the most expedient site. GELD property studies likely to take 6 months.
- Q: What is a central location for a fire station?
 - R: Approximately a ½ mile radius from the intersection of Rt. 40 and Rt. 119. Tier 2 sites were outside this radius and not seriously considered.
- The 279 Main St site could be rezoned. A “P” zoning would not require a setback. The use could be for any number of purposes. The purchase of the site would put the land under town control.

- GELD will not wait for the town to begin it's construction project, but will look for collaborative opportunities.

MOTION to Move the Question

Quantum: 2/3rds Majority

Vote on the Motion to Move the Question: Unanimous

Vote on the Main Motion as amended

Quantum: 2/3rds Majority

Vote: 103 in favor 183 against Motion is defeated

MOTION to dissolve

Moved and Seconded

Vote: Unanimous

The Second Adjourned Session of the April 25 Special Town Meeting was dissolved at 9:09 PM

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 4th Day of April in the year of our Lord Two Thousand Eleven.

Stuart M. Schulman

Stuart M. Schulman, Chairman

Anna Eliot

Anna Eliot, Vice-Chairman

George F. Dillon, Jr.

George F. Dillon, Jr., Clerk

Peter S. Cunningham

Peter S. Cunningham, Member

Joshua A. Degen

Joshua A. Degen, Member

OFFICERS RETURN
Groton, Middlesex

Pursuant to the within Warrant, I have this day notified the Inhabitants to assemble at the time, place, and for the purpose mentioned as within directed. Personally posted by Constable.

Constable

Date Duly Posted

BUDGET MESSAGE FROM THE TOWN MANAGER

TOWN OF GROTON FISCAL YEAR 2012

Pursuant to Article 6 of the Charter of the Town of Groton, Massachusetts, the Finance Committee, Board of Selectmen and Town Manager are pleased to submit for your consideration the Proposed Fiscal Year 2012 Operating Budget for the Town of Groton. This was a very challenging budget to develop. The Town is continuing to see a decrease in revenues from the Commonwealth of Massachusetts. While the Commonwealth has yet to issue the "Cherry Sheets" for Fiscal Year 2012, we would expect to see a further decrease in State Aid in the next fiscal year. The economy continues to be sluggish with very little sign that we are coming out of the economic conditions that have been negatively impacting revenues over the past two (2) fiscal years. While revenues are exceeding what had been taken in during the same period last year at both the State and local level, the Federal stimulus money that was used to balance last year's budget will not be available in Fiscal Year 2012. However, not all the news is bad. Fortunately for the Town of Groton, we have seen an increase in building permit fees and recycling revenues. While we do not expect major increases in these areas in the next fiscal year, we believe we will maintain the same revenues that have been received thus far in Fiscal Year 2011.

All Departments, Boards, Committees and Commissions were directed to submit budgets that maintain the excellent services our residents currently enjoy and expect. Similar to the last two (2) years, the proposed Fiscal Year 2012 Operating Budget is a "Maintenance Budget". There are no substantive reductions in services for Fiscal Year 2012. Another important consideration in developing this budget was to address action taken at the 2010 Fall Town Meeting. A decision was made at that Meeting to use one hundred thousand (\$100,000) dollars in "Free Cash" to offset the Fiscal Year 2011 Operating Budget, thus offsetting some of the increase in Property Taxes in Fiscal Year 2011. The Finance Committee, Board of Selectmen and I have made the conscious decision to keep the Proposed Operating Budget for Fiscal Year 2012 one hundred thousand (\$100,000) dollars under the levy limit to maintain this reduction.

Fiscal Year 2012 is the final year of a three (3) year contract with the Communications Union. The contract, settled in Fiscal Year 2010, calls for a two (2%) percent Cost of Living Adjustment (COLA) in Fiscal Year 2012. I am pleased to report that the Town has settled a new one (1) year contract with the SEIU Local 888, Town and Library Employees Union. The settled agreement does not call for a COLA in Fiscal Year 2012. In addition, the Town has reached a tentative agreement on a one (1) year contract with the SEIU DPW Union that also does not call for a COLA in Fiscal Year 2012. This Agreement is subject to ratification by the Union and Board of Selectmen. We will provide an update at Town Meeting on the status of the Agreement. The Town is also in active negotiations with the Police Patrolmen's Union on a new Agreement. We will provide the Town with any status change at Town Meeting. Finally, with regard to Bylaw employees, we are not recommending any COLA for Fiscal Year 2012. The Wage and Classification Schedule remain unchanged in Fiscal Year 2012.

The following chart is a breakdown of the proposed municipal budget by function (due to the fact that Fiscal Year 2011 is the first full year of the Golf & Pool Center operating as a Town Department and the Budget approved was for only eight (8) months, we have not included this budget in the following chart. It would be very difficult to compare the eight (8) months of Fiscal Year 2011 with a full fiscal year. We would expect to see a better history and a full comparison when we present our Fiscal Year 2013 budget):

<u>Function</u>	<u>FY 2011 Appropriation</u>	<u>FY 2012 Proposed</u>	<u>Dollar Change</u>	<u>Percent Change</u>
General Government	\$ 1,540,967	\$ 1,572,840	\$ 31,873	2.07%
Land Use Departments	\$ 362,441	\$ 373,528	\$ 11,087	3.06%
Protection of Persons & Property	\$ 2,669,222	\$ 2,657,966	\$(11,256)	-0.42%
Department of Public Works	\$ 1,867,052	\$ 1,894,629	\$ 27,577	1.48%
Library and Citizens Services	\$ 881,230	\$ 914,991	\$ 33,761	3.84%
Debt Service (within Levy Only)	\$ 210,402	\$ 197,292	\$(13,110)	-6.23%
Employee Benefits	\$ 2,720,801	\$ 2,996,922	\$276,121	10.15%
Municipal Government Total	\$10,252,115	\$10,608,168	\$356,053	3.48%

As we did last year, we believe it is important to commend all Municipal Departments, Boards, Committees and Commissions for their efforts in providing solid budgets that maintain services while keeping spending to an absolute minimum. When you take out the increase in Employee Benefit Costs, the overall Municipal Budget increased only \$79,932, or 1.07%, of which \$78,751 is for Step and Contractual Salary Increases. A 1.07% increase in spending is in line with our economic constraints, including reduced state aid.

The total Proposed Fiscal Year 2012 Proposed Operating Budget, including Regional School Assessments and excluded debt, is \$28,488,783 or an increase of 0.46%. When you take into consideration the proposed Capital Budget and additional appropriations raised on the recap sheet, the total proposed budget is \$29,351,837. The Fiscal Year 2011 Tax Rate has been certified at \$16.38. Based on the proposed Budget, the estimated Tax Rate in Fiscal Year 2012 is \$16.50, or an increase of \$0.12. In Fiscal Year 2011, the average Tax Bill in the Town of

Groton (based on a home valued at \$400,000) is \$6,552. Under this proposed budget, that same homeowner can expect a tax bill of \$6,600 or an increase of \$48. The following chart shows a comparison between Fiscal Year 2011 and Fiscal Year 2012:

	<u>Actual FY 2011</u>	<u>Proposed FY 2012</u>	<u>Dollar Change</u>	<u>Percent Change</u>
Levy Limit	\$22,100,969	\$22,919,718	\$818,749	3.71%*
Tax Rate On Levy Limit	\$14.68	\$15.07	\$0.39	2.66%
Average Tax Bill	\$5,872	\$6,028	\$156	2.66%
Excluded Debt	\$2,558,668	\$2,173,295	\$(385,373)	-15.07%
Tax Rate On Excluded Debt	\$1.70	\$1.43	\$(0.27)	-15.89%
Average Tax Bill	\$680	\$572	\$(108.00)	-15.89%
Final Levy Limit	\$24,659,637	\$25,093,013	\$433,376	1.76%
Final Tax Rate	\$16.38	\$16.50	\$0.12	0.74%
Average Tax Bill	\$6,552	\$6,600	\$48	0.74%

I would like to take this opportunity to thank the Board of Selectmen and Finance Committee and all of the Departments, Boards, Committees and Commissions for their outstanding work and cooperation in assisting in the preparation of the Proposed Operating Budget. In addition, the outstanding support and cooperation by Superintendent of Schools Joseph Mastrocola and the Groton Dunstable Regional School District Committee was extremely important in developing a budget that allowed us to maintain services for our residents.

Respectfully submitted,

Mark W. Haddad

Groton Town Manager