MINUTES

TOWN OF GROTON



2015 FALL TOWN MEETING

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

Beginning Monday, October 19, 2015 @ 7:00 PM

Attention - Voters and Taxpayers

Please bring this Report to Town Meeting







Town Meeting Access for Voters with Disabilities

Parking – Universally accessible parking spaces are available in the parking lot in front of the Groton Dunstable Middle School South. There is a ramp providing access from the parking lot to the front door of the Middle School.

Wheelchair Accessible & Companion Seating – Wheelchair spaces, seating for people with mobility issues and companion seats are available in the center aisle on both sides of the auditorium.

Sign Language – A Sign Language Interpreter will be provided for the hearing impaired, upon request, at least one week prior to the meeting.

Speaking at Town Meeting – There will be volunteers available to bring hand-held microphones to voters who have mobility issues or cannot stand in line and wait at the microphones.

Restrooms – Accessible restrooms are available near the entrance to the auditorium.

Transportation to Town Meeting - The Council on Aging van will be available to Groton residents attending Town Meetings at no charge. All riders will be at the meeting prior to the start. However, the van will depart the school at 10 PM regardless of the status of the meeting. The van is wheelchair accessible. Your reservation can be made by calling the Senior Center at 978-448-1170. Seats will be filled on a first come, first serve basis.

Questions or concerns - If you or a member of your household has questions or would like to request a sign language interpreter, please contact ADA Coordinator Michelle Collette at Town Hall at 978 448-1105 at least one week before the Town Meeting.

FALL TOWN MEETING WARRANT OCTOBER 19, 2015

Town Moderator: Deputy Moderator

Jason Kauppi Robert L. Gosselin, Sr.

Board of Selectmen: Finance Committee:

Jack G. Petropoulos, Chairman Mark Bacon

Joshua A. Degen Gary Green, Chairman

Stuart M. Schulman, Clerk Barry Pease

Peter S. Cunningham Robert Hargraves, Vice-Chair

Anna Eliot David Manugian
Arthur Prest
Bud Robertson

Town Manager:

Mark W. Haddad Town Clerk:

Dawn Dunbar, Executive Assistant Michael Bouchard

Proceedings:

The meeting was called to order at 7:04 PM on October 19, 2015. Moderator Jason Kauppi presided.

Eagle Scouts Pratt and Primm led the Pledge of Allegiance.

Reports:

Library Trustees – Jane Allen

Ms. Allen reported that the Library survey received an excellent response, and that the Library organization is looking to implement many of the suggestions. A similar survey five years ago resulted in many changes including joining a library lending organization, increased hours and allowing coffee and beverages. She concluded by promoting the use of the Groton Public Library.

Charter Review Committee – Michael Manugian

Mr. Manugian provided the Meeting with a status update. He stated that there were 225 submissions for consideration. He also explained how people can participate with the Committee.

It was moved and seconded that the warrant was duly posted. The reading of the warrant was waived by unanimous vote.

There is no quorum requirement for this Annual Town Meeting. 128 voters were present.

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 nineteenth day of October, 2015 at Seven O'clock in the evening, to consider the following:

ARTICLE LISTINGS

		Town Meeting
		Action (1)
Article 1:	Prior Year Bills	P `´
Article 2:	Amend the Fiscal Year 2016 Town Operating Budget	
	General Government	P-A
•	Protection or Persons and Property	Р
	Department of Public Works	P
Article 3:	Transfer Money into the Capital Stabilization Fund	P
Article 4:	Transfer Money into the Stabilization Fund	
Article 5:	Offset the Tax Rate	
Article 6:	Extend Four Corners Sewer District	
Article 7:	Transfer Money to Water Enterprise	
Article 8:	Amend Groton Center Sewer System Map	
Article 9:	Extend Sewer System to Include 122 Old Ayer Road	
Article 10:	Central Massachusetts Mosquito Control Project	
Article 11:	Amend Section 218-9 of the Zoning Bylaw	
Article 12:	Amend Section 218-23 of the Zoning Bylaw	
Article 13:	Amend Zoning Bylaw of the Town of Groton	
Article 14:	Amend Zoning Bylaw of the Town of Groton	
Article 15:	Amend Chapter 196 "Signs" of the Code of the Town of Groton	
	Report of the Town Manager to the 2015 Fall Town Meeting Appendix A – Proposed Amendments to Chapter 196 "Signs"	

(1) Town Meeting Action - Legend:

P Passed

P-A Passed as Amended

DNP Did Not Pass

Note: Refer to the minutes of the article for the exact Town Meeting action

ARTICLE 1: 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: John Petropoulos

MOTION: I move that the Town vote to transfer from the Excess and Deficiency Fund (Free Cash) the sum of \$5,000 for the payment of the following bills of a prior fiscal year:

Turf Unlimited - \$5,000

Total \$5,000

Moved and Seconded

Quantum of Town Meeting Vote: 4/5's Majority

Vote on Article 1 – Main Motion: Passed by Unanimous Vote

ARTICLE 2: AMEND THE FISCAL YEAR 2016 TOWN OPERATING BUDGET

To see if the Town will vote to amend the Fiscal Year 2016 Operating Budget as adopted under Article 8 of the April 27, 2015 Spring Town Meeting, and 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 Fiscal Year 2016, or to take any other action relative thereto.

FINANCE COMMITTEE BOARD OF SELECTMEN TOWN MANAGER

Board of Selectmen: See Town Manager's Report in Back of Warrant for Recommendations Finance Committee: See Town Manager's Report in Back of Warrant for Recommendations

Summary: The Fiscal Year 2016 Town Operating Budget was approved at the 2015 Spring Town Meeting in April, 2015. Any changes to this Budget would have to be made prior to setting the tax rate. The purpose of this article is to make any necessary changes to balance the FY 2016 Operating Budget. Please see the Town Manager's Report contained in the back of this Warrant for an explanation outlining the proposed changes.

Mover: Joshua Degen

MOTION: I move that the Town vote to amend the Fiscal Year 2016 Operating Budget, as adopted under Article 8 of the April 27, 2015 Spring Town Meeting, as follows, each line item to be considered as a separate appropriation for the purposes voted:

MOTION – Article 2 - GENERAL GOVERNMENT: By increasing the General Government Appropriation from \$1,926,434 to \$1,934,434 so as to: increase Line Item 1022 – "Board of Selectmen Expenses" by \$8,000, from \$2,000 to \$10,000; and to transfer from the Excess and Deficiency Fund (Free Cash) the sum of \$8,000 to fund said increase.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

MOTION TO AMEND Article 2 – General Government (Mover: Greg Sheldon): I move to amend the motion under General Government to read as follows:

"By increasing the General Government Appropriation from \$1,926,434 to \$1,939,434 so as to: increase Line item 1022 – "Board of Selectmen Expenses" by \$13,000 from \$2,000 to \$15,000; and to transfer from the Excess and Deficiency Fund (Free Cash(the sum of \$13,000 to fund said increase."

Moved and Seconded Quantum: Majority

Discussion:

 Mr. Sheldon explained that the request to increase the appropriation by an additional \$5,000 is to fund the study the impact of MGL Chapter 34 code regulations on the Prescott School building.

Vote on Motion to Amend Article 2 - General Government: Passed by Majority Vote

Vote on Article 2 - General Government: Passed by Unanimous Vote

MOTION Article 2 - PROTECTION OF PERSONS & PROPERTY: By increasing the Protection of Persons and Property Appropriation from \$3,561,983 to \$3,621,983 so as to: increase Line Item 1302 – "Police Department Expenses" by \$60,000, from \$190,600 to \$250,600; and increase Line Item 1312 – "Fire Department Expenses" by \$20,000, from \$148,000 to \$168,000; and to transfer from the Excess and Deficiency Fund (Free Cash) the sum of \$60,000 to fund said increases.

Moved and Seconded Quantum: Majority

Discussion:

 As detailed in the appended Town Manager's report, this transfer Is requested to complete repairs/renovations and to address new electrical repairs at the Police Station, deploy security systems at various town buildings and to fund callfirefighter recruiting and training.

Vote on Article 2 – PROTECTION OF PERSONS AND PROPERTY:

Passed by Unanimous Vote

MOTION – Article 2 – DEPARTMENT OF PUBLIC WORKS: By increasing the Department of Public Works Appropriation from \$2,094,007 to \$2,102,507 so as to increase Line Item 1540 – "Municipal Building and Property Maintenance Expenses" by \$8,500, from \$272,350 to \$280,850; and to transfer from the Excess and Deficiency Fund (Free Cash) the sum of \$8,500 to fund said increase.

Moved and Seconded Quantum: Majority

Discussion:

 A detailed explanation of the reason for this requested transfer is included in the appended Town Manager's Report.

Vote on Article 2 – Department of Public Works: Passed by Majority Vote

ARTICLE 3: TRANSFER MONEY INTO THE CAPITAL STABILIZATION FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum or sums of money to be added to the sum already on deposit in the Capital Stabilization Fund, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommended Unanimously

Finance Committee: Recommended (6 In Favor, 1 Abstained – Pease)

Summary: The Fund has a balance of \$129,646. The financial management goal is to achieve and maintain a balance in the Capital Stabilization Fund equal to 1.5% of the total annual budget. The target amount for the Capital Stabilization Fund will be provided at Town Meeting.

Mover: Joshua Degen

MOTION: I move that the Town vote to transfer the sum of \$425,000 from the Excess and Deficiency Fund (Free Cash) to be added to the sum already on deposit in the Capital Stabilization Fund.

Moved and Seconded

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

Vote on Article 3 Main Motion: Passed by Unanimous Vote

ARTICLE 4: TRANSFER MONEY INTO THE STABILIZATION FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum or sums of money to be added to the sum already on deposit in the Stabilization Fund, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommended Unanimously Finance Committee: Recommended Unanimously

Summary: The balance in this fund is \$1.64 million. The financial management goal is to achieve and maintain a balance in the Stabilization Fund equal to 5% of the total annual budget. The target amount for the Stabilization Fund will be provided at Town Meeting.

Mover: Joshua Degen

MOTION: I move that the Town vote to transfer the sum of \$32,000 from the Excess and Deficiency Fund (Free Cash) to be added to the sum already on deposit in the Stabilization Fund.

Moved and Seconded

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

Vote on Article 4 - Main Motion: Passed by Unanimous Vote

ARTICLE 5: OFFSET THE TAX RATE

To see if the Town will vote to transfer a sum of money from the General Excess and Deficiency Fund (Free Cash) or from other available funds for the purpose of affecting the tax rate for the period beginning July 1, 2015, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommended Unanimously Finance Committee: Recommended Unanimously

Summary: The intent of this article is to use a portion of Free Cash or General Stabilization Fund monies as a funding source for the FY 2016 Budget in order to lower the amount of money required to be raised from taxes or to balance a deficit budget. The amount of Free Cash and General Stabilization Fund monies available for appropriation will be provided at Town Meeting.

Mover: John Petropoulos

MOTION: I move that the Town vote to transfer the sum of \$200,000 from the Excess and Deficiency Fund (Free Cash) for the purpose of affecting the tax rate for the period beginning July 1, 2015.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Vote on Article 5 – Main Motion: Passed by Majority Vote

ARTICLE 6: EXTEND FOUR CORNERS SEWER DISTRICT

To see if the Town will vote to extend the "Four Corners Sewer District", as established by the vote under Article 12 of the 2015 Spring Town Meeting, to include the property shown on Groton Assessors' Maps as Lot 120-2-40 and more particularly shown as Lot 1C-5 on the plan entitled "Rocky Hill Subdivision Lay Out Plan" by R. Wilson and Associates, dated April 20, 2005, a copy of which is on file in the Town Clerk's Office, provided that all costs of designing, laying, and construction of the connection and any General Benefits Facility Charge are paid by the owner of the property benefited thereby, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommended Unanimously

Finance Committee: No Position

Summary: When the Spring Town Meeting voted to create the Four Corners Sewer District, it also approved funding for the submission of a MassWorks Development Grant to pay for the construction. During the compilation of the Town's Grant Application, it was determined that adding a housing component would make the application more viable. To that end, the Town had previously approved a 55 and Older Development on the parcel referenced in this Warrant Article. Adding this parcel to the Four Corners Sewer District enhances the Town's Grant application. The Developer of this Housing Development has agreed to pay all cost associated with adding this parcel to the District in a Public/Private Partnership that will also enhance the Town's Grant Application. This article seeks to amend the original district by adding this parcel.

Mover: Anna Eliot

MOTION: I move that the Town vote to extend the "Four Corners Sewer District", as established by the vote under Article 12 of the 2015 Spring Town Meeting, to include the property shown on Groton Assessors' Maps as Lot 120-2-40 and more particularly shown as Lot 1C-5 on the plan entitled "Rocky Hill Subdivision Lay Out Plan" by R. Wilson and Associates, dated April 20, 2005, a copy of which is on file in the Town Clerk's Office, provided that all costs of designing, laying, and construction of the connection and any General Benefits Facility Charge are paid by the owner of the property benefited thereby.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Discussion:

- Q: Does allowing a residential connection to the system (proposed for commercial use) set a precedent for other residential requests?
 - o R: Future additions, if any, would need to be approved by Town Meeting.
- A concern was expressed that this project is being proposed in a piecemeal way.
- Q: Mr. Lyman As proposed the Four Corners Sewer will pass be Groton Housing Authority property, should that septic system fail, could the property be

connected to the sewer? This issue would not be anticipated for another 20 years.

- R: Only by a vote of Town Meeting. If approved, all costs would be borne by the Groton Housing Authority.
- Q: Mr. Eklof Is the "55 and Older" development contingent upon receiving a sewer connection?
 - o R: No. The developer is expected to proceed in any event.
- Mr. Haddad commented that state officials recommended a residential component of the grant application to make the application as viable as possible. No town monies are involved in the construction of the sewer line.

Vote on Article 6 – Main Motion: Passed by Majority Vote

ARTICLE 7: TRANSFER MONEY TO 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 2016 Water Department Operating Budget, or to take any other action relative thereto.

BOARD OF WATER COMMISSIONERS

Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously
Water Commission: Recommended Unanimously

Summary: This Article requests funding from the Water Enterprise Fund Surplus to the Fiscal Year 2016 Water Department's General Expense for Engineering Services related to the Electrical Upgrades and Pump and Motor Improvements at the Whitney Pond Well. The final amount needed will be presented to the Fall Town Meeting.

Mover: Thomas Orcutt

MOTION A: I move that the Town vote to transfer the sum of \$0 from the Water Enterprise Fund Surplus a sum or sums of money from the Water Enterprise Fund Surplus to the Fiscal Year 2016 Water Department Operating Budget.

MOTION B: I move that Article 7 be indefinitely postponed.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Discussion:

 Mr. Orcutt stated that the Water Commission was not ready to go forward with the project at this time

Vote on Article 7 – Motion B: Passed by Unanimous Vote

ARTICLE 8: AMEND GROTON CENTER SEWER SYSTEM MAP

To see if the Town will vote to approve amendments to the plan entitled "Town of Groton Sewer System" showing the Groton Center Sewer System, which was established by a vote of the Special Town Meeting of February 6, 1989 under Article 7, which plan is referred to in section 190-3 of the Groton Code, or to take any other action relative thereto.

BOARD OF SEWER COMMISSIONERS

Board of Selectmen: Recommended Unanimously

Finance Committee: No Position

Sewer Commission: Recommended Unanimously

Summary: This article is to approve minor changes/corrections to the Groton Center Sewer District Map that from time to time requires clarification. This article does not seek to add any new parcels to the District.

Mover: Thomas Orcutt

MOTION: I move that the Town vote to approve amendments to the plan entitled "Town of Groton Sewer System" showing the Groton Center Sewer System, which was established by a vote of the Special Town Meeting of February 6, 1989 under Article 7, and amend the first sentence of section 190-3 of the Groton Code so that it reads as follows:

There is hereby established within the Town a sewer system entitled "Groton Center Sewer System" comprised of land situated in a geographical area bounded and described on a plan entitled "Sewer District Groton, MA" by Environmental Partners Group dated August 2015, on file with the office of the Town Clerk.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Discussion:

• Mr. Orcutt stated that this was a housekeeping article. No new parcels are being added to the system with this article.

Vote on Article 8 – Main Motion: Passed by Unanimous Vote

ARTICLE 9: EXTEND SEWER SYSTEM TO INCLUDE 122 OLD AYER ROAD

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, to include the property shown on Assessors' Lot 222-55 (122 Old Ayer Rd), such extension to be only for the exclusive use of the property currently shown on Groton Assessors' Maps as Lot 222-55, which is proposed to be used and occupied by Indian Hill Music, Inc., and on the condition that, and only for as long as said property is used as a music education and performance center by Indian Hill Music, Inc. or its successors or assigns; otherwise, the system extension shall terminate and be null and void; and provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the

proportionate share of any 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 SELECTMEN

Board of Selectmen: Recommended (4 In Favor, 1 Abstained - Schulman)

Finance Committee: No Position

Summary: This article requests authorization from the Town Meeting to extend the Center Sewer System to include 122 Old Ayer Road in order to provide for Indian Hill Music's use. This extension, if approved, will provide sewer capacity for the exclusive use of Indian Hill Music. Should Indian Hill Music not relocate to this location, the extension of the Center Sewer System will be rescinded.

ARTICLE 9: EXTEND SEWER SYSTEM/122 OLD AYER RD Mover: John Petropoulos

MOTION A: I move that the Town vote to extend the "Groton Center Sewer System" to include the property shown on Assessors' Lot 222-55 (122 Old Ayer Rd), as printed in the warrant for this Town Meeting.

MOTION B: I move that Article 9 be indefinitely postponed.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Discussion:

 The new owners of 122 Old Ayer Road, Indian Hill Music, are not ready to address this issue.

Vote on Article 9 – Motion B: Passed by Unanimous Vote.

Article 10 was moved to be considered after Article 15

MOTION: (Mr. Weber) – I move that Article 10 be postponed until after the completion or Article 15.

Moved and Seconded Quantum: Majority

Vote on Motion to Move Article 15 Until Completion of Article 15:

Passed by Majority Vote. Seven voters did not contest the ruling of the Chair.

ARTICLE 11: AMEND SECTION 218-9 OF THE ZONING BYLAW

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

by striking out Section 218-9, Location of Districts, which reads as follows:

§218-9 Location of districts. Said districts are located and bounded as shown on a map entitled "Town of Groton, Massachusetts — Zoning Map," dated August 22, 2014, on file in the office of the Town Clerk. Said map, with the boundaries of the districts and all explanatory matter thereon, is hereby made a part of this chapter.

And inserting in its place:

§218-9 Location of districts. Said districts are located and bounded as shown on a map entitled "Town of Groton, Massachusetts — Zoning Map," as most recently amended by Town Meeting, on file in the office of the Town Clerk. Said map, with the boundaries of the districts and all explanatory matter thereon, is hereby made a part of this chapter.

or to take any other action relative thereto.

PLANNING BOARD

Board of Selectmen: Recommended Unanimously

Finance Committee: No Position

Planning Board: Recommended Unanimously

Summary: The proposed amendment changes the reference to the Zoning Map by removing the revision date and by replacing it with, "as most recently amended by Town Meeting." The Zoning Map is revised whenever a property is rezoned by a 2/3 vote of Town Meeting, so the reference to Town Meeting vote will be more accurate.

ARTICLE 11: AMEND SECTION 218-9 - ZONING BYLAW Mover: Carolyn Perkins

MOTION: I move that the Town vote to amend the Code of the Town of Groton, Chapter 218 Zoning, as follows:

by striking out Section 218-9, Location of Districts, which reads as follows:

§218-9 Location of districts. Said districts are located and bounded as shown on a map entitled "Town of Groton, Massachusetts — Zoning Map," dated August 22, 2014, on file in the office of the Town Clerk. Said map, with the boundaries of the districts and all explanatory matter thereon, is hereby made a part of this chapter.

And inserting in its place:

§218-9 Location of districts. Said districts are located and bounded as shown on a map entitled "Town of Groton, Massachusetts — Zoning Map," as most recently amended by Town Meeting, on file in the office of the Town Clerk. Said map, with the boundaries of the districts and all explanatory matter thereon, is hereby made a part of this chapter.

Moved and Seconded

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

Discussion:

- Planning Board Report: The Planning Board held a public hearing October 8, 2015 to consider the proposed zoning amendment described in Article 11 to modify the provisions of Section 218-9 Location of Districts. The Board voted unanimously to recommend adoption of the amendment to the Town Meeting.
- Article 11 allows administrative amendments to the Zoning Map based upon Town Meeting votes of zoning changes. Zoning maps cannot be changed until the zoning change is approved by Town Meeting. Without the authority provided by Article 11, Town Meeting is asked to approve zoning map changes at a future town meeting for changes approved in an earlier meeting.

Vote on Article 11 – Main Motion: Passed by Unanimous Vote.

ARTICLE 12: AMEND SECTION 218-23 OF THE ZONING BYLAW

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

by deleting Section 218-23, "Off-street Parking and Loading," in its entirety and inserting in its place a new Section 218-23, "Off-street Parking and Loading," a copy of which is 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

Planning Board: Recommended Unanimously

Summary: The proposed amendment is a result of the Comprehensive Master Plan, Phase II Implementation, non-residential zoning provisions. The amendment to the parking requirements establishes minimum and maximum number of parking spaces per use and gross floor area (GFA). The Planning Board will continue to have the ability to waive parking requirements based upon special circumstances.

Mover: George Barringer

MOTION: I move that the Town vote to amend the Code of the Town of Groton, Chapter 218 Zoning, as follows:

by deleting Section 218-23, "Off-street Parking and Loading," in its entirety and inserting in its place a new Section 218-23, "Off-street Parking and Loading," a copy of which is on file in the office of the Town Clerk.

Moved and Seconded

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

Discussion:

 Planning Board Report: The Planning Board held a public hearing October 8, 2015 to consider the proposed zoning amendment described in Article 12 to amend Sections 218-23 Off Street Parking and Loading. The Board voted unanimously to recommend adoption of the amendment to the Town Meeting.

Vote on Article 12 – Main Motion: Passed by Unanimous Vote

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ARTICLE 13: AMEND THE ZONING BYLAW OF THE TOWN OF GROTON

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

by deleting item (2) of paragraph F in Section 218-25.1, "Personal Wireless Services Facilities," which reads as follows:

(2) Any extension, addition of cells or construction of a new or a replacement personal wireless services facility or accessory structures, buildings or equipment shall require the issuance of a new special permit under this chapter or an amendment to a special permit previously issued under this Chapter.

And inserting in its place Items (2) and (3) to read as follows:

- (2) Any extension in height of an existing tower, expansion of a base station, or construction of a new or a replacement personal wireless services tower shall require the issuance of a new special permit under this chapter or an amendment to a special permit previously issued under this chapter.
- (3) Any eligible facilities request, defined in 47 U.S.C. Section 1455(a) as a request for modification of an existing wireless tower or base station that involves: (A) collocation of new transmission equipment; (B) removal of transmission equipment; or (C) replacement of transmission equipment; shall be subject to Minor Site Plan Review by the Land Use Director and Building Commissioner. (Refer to § 218-25C(1) Minor Site Plan Review.)

And by adding the word "Modifications" to the title of paragraph F, so that it reads as follows:

"Approval of special permit applications; Modifications."

or to take any other action relative thereto.

PLANNING BOARD

Board of Selectmen: Recommended Unanimously

Finance Committee: No Position

Planning Board: Recommended Unanimously

Summary: The proposed amendment will bring the Zoning Bylaw into compliance with the most recent amendment to the Federal Telecommunications Act of 1996 and applicable FCC regulations. Collocation and replacing equipment on an existing tower or within existing base stations will no longer require a special permit from the Planning Board. The changes will be subject to Minor Site Plan Review by the Land Use Director and Building Commissioner.

Mover: John Giger

MOTION: I move that the Town vote to amend the Code of the Town of Groton, Chapter 218 Zoning, Section 218-25.1, as set forth in Article 13 of the Warrant for the October 19, 2015 Fall Town Meeting.

Moved and Seconded

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

Discussion:

 Planning Board Report: The Planning Board held a public hearing October 8, 2015 to consider the proposed zoning amendment described in Article 13 to amend Sections 218-25.1 Personal Wireless Services Facilities. The Board voted unanimously to recommend adoption of the amendment to the Town Meeting.

Vote on Article 13 – Main Motion: Passed by Unanimous Vote

ARTICLE 14: AMEND THE ZONING BYLAW OF THE TOWN OF GROTON

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

- 1. in Section 218-26, Flexible Development, by deleting item (1) of Paragraph D, Procedures, which reads as follows:
- D. Procedures. Flexible development may be authorized upon the issuance of a special permit by the Planning Board. An application for flexible development shall be filed in accordance with the rules and regulations of the Planning Board.
- (1) Where the flexible development is a subdivision of land, a development plan conforming to the requirements for a preliminary plan as set forth in the Subdivision Rules and Regulations of the Planning Board. Final engineering details regarding flexible development may be provided during the course of definitive plan review. In the event that the flexible development does not involve the subdivision of land, the development plan shall conform to the requirements for the applicable plan as set forth in such rules and regulations.

And by inserting in its place the following:

- D. Procedures. Flexible development may be authorized upon the issuance of a special permit by the Planning Board. An application for flexible development shall be filed in accordance with the rules and regulations of the Planning Board.
- (1) Where the flexible development is a subdivision of land, a development plan conforming to the requirements for a definitive plan as set forth in the Subdivision Rules and Regulations of

the Planning Board shall be submitted to the Planning Board. The special permit application shall be submitted concurrently with the application for approval of a definitive plan. In the event that the flexible development does not involve the subdivision of land, the development plan shall conform to the requirements for a definitive plan as set forth in the Subdivision Rules and Regulations.

- 2. Adding the following items to Paragraph F of Section 218-26, Modification of lot requirements:
 - 4) Lot frontage. The minimum frontage of any lot shall not be less than 40 ft.
 - 5) Individual lot area. The minimum area of any individual lot shall not be less than 10,000 square feet.

or to take any other action relative thereto.

PLANNING BOARD

Board of Selectmen: Recommended Unanimously

Finance Committee: No Position

Planning Board: Recommended Unanimously as Amended

Summary: The proposed amendment will change the submission requirements for special permits for Flexible Development plans. At the present time, special permit plans are submitted with preliminary subdivision plans. The amendment will require submission of special permit plans with definitive subdivision plans when more engineering data is available. The amendment also reestablishes minimum lot frontage and lot area requirements in Flexible Developments.

Mover: Russel Burke

MOTION: I move that the Town vote to amend the Code of the Town of Groton, Chapter 218 Zoning, Section 218-26, as set forth in Article 14 of the Warrant for the October 19, 2015 Fall Town Meeting.

Moved and Seconded

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

MOTION TO AMEND Article 14 – Main Motion Russell Burke

I move to amend the main motion under Article 14 by deleting Item (1) under Section 218-26D Procedures and substituting the following language:

(1) Where the flexible development is a subdivision of land, a development plan consistent with the requirements set forth in the Subdivision Rules and Regulations¹ shall be submitted to the Planning Board. Final engineering details regarding flexible development shall be provided as specified by the Planning Board during the course of plan review. In the event that the flexible development does not involve the subdivision

¹ See Chapter 381, Part 1, Subdivision Rules and Regulations

of land, the development plan shall conform to the requirements for the applicable plan as set forth in such rules and regulations.

Moved and Seconded Quantum: Majority

Discussion:

- Planning Board Report: The Planning Board held a public hearing on October 8, 2015, continued on October 15, 2015, to consider the proposed amendment to Section 218-26 Flexible Development. In response to concerns expressed at the public hearing, the Board voted unanimously to propose an amendment to the main motion under Article 14. The Board voted unanimously to recommend adoption of the main motion, as amended.
- Ms. Eliot stated that questions on the amendment were better addressed in a public hearing, and motion to indefinitely postpone Article 14.

MOTION to Indefinitely Postpone Article 14 Anna Eliot

I move that Article 14 be indefinitely Postponed.

Moved and Seconded Quantum: Majority

Discussion:

- Mr. Burke stated that the Planning Board heard concerns about the original article in its public meetings, and crafted this amendment to address the concerns. He asked Town Counsel if the amendment was in error.
- Town Counsel Mr. Doneski stated that there was no legal due process issue, but this vote would rather address what the voters felt was appropriate.

Vote on Motion to Indefinitely Postpone Article 14: Did Not Pass Vote on Motion to Amend Article 14: Passed by Majority Vote Vote on Article 14- Main Motion as Amended: Passed by 2/3rds Majority

ARTICLE 15: AMEND CHAPTER 196 "SIGNS" OF THE GROTON CODE

To see if the Town will vote to amend Chapter 196, "Signs," of the Town of Groton Code by deleting Chapter 196 in its entirety and inserting in its place a new Chapter 196, "Signs," a copy of which is on file in the office of the Town Clerk, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommended Unanimously

Finance Committee: No Position

Sign Committee: Recommended Unanimously

Summary: In 2010, Town Meeting amended Chapter 196 by completely overhauling the Sign Bylaw and providing a new bylaw that allowed greater flexibility for businesses and

residents, while still maintaining the important qualities of the former Sign Bylaw. The new bylaw has been in existence for five years and has been very successful. That said, after a complete review of Chapter 196, the Sign Committee is recommending minor amendments to the Sign Bylaw to address issues that have arisen over the past five years with the implementation of the new bylaw. The Sign Committee will provide a complete report to the 2015 Fall Town Meeting.

Mover: Peter Cunningham

MOTION: I move that the Town vote to amend Chapter 196, "Signs," of the Town of Groton Code by deleting Chapter 196 in its entirety and inserting in its place a new Chapter 196, "Signs," a copy of which is on file in the office of the Town Clerk.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Vote on Article 15 - Main Motion: Passed by Unanimous Vote

ARTICLE 10: CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT

To see if the Town will vote to become a member of the Central Massachusetts Mosquito Control Project for a minimum of three (3) years, pursuant to Massachusetts General Laws Chapter 252, Section 5A, Chapter 583 of the Acts of 1973 and any other enabling authority, or take any other action relative thereto.

BOARD OF HEALTH

Board of Selectmen: Recommended (2 In Favor, 1 Against – Petropoulos, 2 Abstained – Eliot, Schulman)
Finance Committee: Recommended (4 In Favor, 3 Against – Green, Robertson, Bacon)

Summary: The Central Massachusetts Mosquito Control Project (CMMCP) is a mosquito control project established by legislative act, Chapter 583 of the Acts of 1973. It operates under an assessment procedure and provides a year-round program of mosquito control in 39 cities and towns in both Middlesex and Worcester counties. Services offered include larval and adult mosquito surveillance, larval and adult mosquito control, public education, ditch cleaning and maintenance and research/control efficacy. The program is tailored to meet the specific needs of the member cities and towns, and residents can opt out of any part of the program. Spraying is done at residents' request. It is anticipated that the Town will be assessed an annual fee of \$73,000 on our Cherry Sheet for a minimum of three (3) years for a total of \$219,000.

Mover: Anna Eliot

MOTION: I move that the Town vote to become a member of the Central Massachusetts Mosquito Control Project for a minimum of three (3) years, pursuant to Massachusetts General Laws Chapter 252, Section 5A, Chapter 583 of the Acts of 1973 and any other enabling authority.

Moved and Seconded

Quantum of Town Meeting Vote: Majority

Discussion:

- Mr. Deschamps, director of the CMMCP, gave a presentation on the program.
- Mr. Giger: The Sargisson Beach Committee voted 3-4-1 with 1 absent on October 19 to support this article. It is felt this will increase the safety of Sargisson Beach.
- Dr. Horowitz, Board of Health, stated it is important for the Town to know the mosquito status. CMMCP is the only tester.
- Mr. Hargraves: The Finance Committee voted 4-3 to support the article.
- Mr. Delaney said that CMMCP activities will help with land clearing and beaver mitigation.
- Mr. Petropoulos stated that the Board of Selectmen unanimously opposed this article because of budget considerations.
- Ms. Metzger stated that the Mass Department of Public Health (DPH) recommends spraying when the level of threat is reached. DPH depends upon mosquito control projects to get data, but does not dictate spraying. Individual property owners can opt out but the Town must accept the program. Ms. Metzger is opposed to the article if the Town cannot opt out of spraying. The program does not guarantee mosquito safety. It is not efficient. Treatments can have environmental effects. The risk is not zero, but it is low. Best protection is to use mosquito repellant.
- Mr. Deschamps stated that the product is applied in a targeted manner and is safe for other insects.
- Mr. Hewitt asked who could authorize spraying. Mr. Deschamps stated that residents and or town officials can make requests.
- Ms. Gilbert opposed the article due to its expense and the potential for an increased school funding request.

MOTION TO MOVE THE QUESTION

Moved and seconded Quantum: 2/3rds Majority

Vote on the MOTION TO MOVE THE QUESTION: Passed by 2/3rds Majority

Vote on Article 10 - Main Motion: Did not pass.

Seven voters did not contest the ruling of the chair.

MOTION TO DISSOLVE THE MEETING

Moved and Seconded Quantum: Majority

Vote on the Motion to Dissolve the Meeting: Unanimous

The meeting dissolved at 9:18 PM.

Respectfully submitted,

Michael Bouchard Town Clerk 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 29th Day of September in the year of our Lord Two Thousand Fifteen.

John G. Petropoulos

John G. Petropoulos, Chairman

<u>Anna Eliot</u> Anna Eliot, Vice Chairman

<u>Stuart M. Schulman</u> Stuart M. Schulman, Clerk

<u>Peter S. Cunningham</u> 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

REPORT OF THE TOWN MANAGER TO THE 2015 FALL TOWN MEETING

The 2015 Fall Town Meeting Warrant contains several warrant articles that seek appropriations, some of which will affect the Tax Rate and some which will have no further impact on taxes. The purpose of this report is to provide the residents and taxpayers with a summary of these articles and what impact they will have on the Fiscal Year 2016 Tax Rate.

As you will recall, the 2015 Spring Town Meeting voted a budget of \$33,298,830 which was \$100,000 under the levy limit based on our best estimate of revenues at that time. Since that time, we have begun to get a better picture of our estimates. Most importantly, in July, the Commonwealth finalized its budget and provided the Town with its final State Aid Estimates. Further, the Assessors continue to work toward the finalization of the Town's new growth. They should have it certified by the end of October. At this time, I am pleased to say that both of these amounts have come in essentially on budget, with slight increases in both accounts. The following chart provides the difference between what was originally estimated and what we are estimating at this time:

	<u>Original</u>	Current	<u>Difference</u>
State Aid State Charges Snow & Ice Deficit Off-Set Receipts Property Tax Levy Local Receipts	\$ 856,252 \$ 106,992 \$ 155,224 \$ 20,000 \$29,217,602 \$ 3,633,192	\$ 856,513 \$ 81,969 \$ 144,388 \$ 17,814 \$29,218,484 \$ 3,633,192	\$ 261 \$25,023 \$10,836 \$ 2,186 \$ 882 \$ 0
	\$39,188		

With this additional revenue, the approved budget is now \$139,188 under the levy limit. Since the original budget was voted, we have been attempting to address several issues that require attention. Article 2 of the Warrant proposes to amend the original budget in some line items. In addition, the Department of Revenue has certified the Town's Free Cash at \$1,009,092. Free Cash will be used to fund several of the Articles contained in the Warrant. The use of "Free Cash" will not impact the tax rate. We will not be proposing the use of any of the excess levy capacity at the Fall Town Meeting.

The following is a summary of Warrant Articles requesting funding:

Article 1: Unpaid Bills Amount Requested: \$5,000

Turf Unlimited - \$5,000

Total \$5,000

Article 2: Budget Amendments

The proposed funding for this Article will come from taxation and will impact the Tax Rate (at the conclusion of the summary and explanation will be a chart showing the impact on the FY 2016 Tax Rate). The following is a breakdown of the requests, followed by an explanation:

Amount Requested: \$76,500

Line Item	Original Appropriation	New Appropriation	<u>Difference</u>
Board of Selectmen Expenses Police Expenses Fire Expenses Municipal Building Wages	\$ 2,000 \$190,600 \$148,000 \$ 84,728	\$ 10,000 \$230,600 \$168,000 \$ 93,228	\$ 8,000 \$40,000 \$20,000 \$ 8,500
Total	\$425,328	\$501,828	\$76,500

Explanation of Requests

Board of Selectmen Expenses - \$8,000

There are two specific requests that comprise this appropriation of \$8,000. The first request is for a consultant to assist in the review of the Regional School Agreement. The Board of Selectmen has been working with representatives from Dunstable and the Groton Dunstable Regional School District reviewing the Regional School Agreement. It was determined to hire a consultant to assist in the review of the Agreement. The School Department advertised an RFP for this service and one company responded to the RFP. The Massachusetts Association of Regional Schools (MARS) submitted the only proposal, at a cost of \$13,500, which was accepted. Groton's share will be \$4,500. The second request has to do with the study of the Prescott School. The Municipal Building Committee for the Prescott School has been working very hard to develop a thorough and well thought out proposal for the future of the Prescott School. One of the areas of importance is the actual cost of renovating the building if it were to be designated for community use. In order to obtain the best possible cost estimates, they would like to be able to update the estimates that were contained in the Bargmann Report done for the original Prescott Re-Use Committee. They have reached out to the company that did the original estimates three years ago and they would charge \$3,500 for this update. The update would be based on the proposed use by the Committee.

Board of Selectmen: Recommended Unanimously

Finance Committee: Recommended (Pease Voted Against Prescott Request)

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Police Expenses - \$40,000

Last fall, the Town Meeting appropriated \$60,000 to renovate the Public Safety Building after the Fire Department moved into the new Center Fire Station. An additional \$25,000 will be needed to complete the renovations. There have been unforeseen electrical costs. When the rehab began, an electrician was needed to come in for necessary renovations. A number of rooms had just one receptacle in them. Additionally, an electrical panel had to be added to accommodate current technology and leave some room for growth. The electrical renovations are now going to cost between \$12-14K. This expense covers upgrades to bring the building up to code and wiring the building to accommodate future needs. There have also been technology upgrades, wiring and backroom equipment as well as modifications to the dispatch center that would complete the renovations. Please note that all of the painting, cleaning and moving of materials is being completed by Department employees on a voluntary basis. In addition, in FY 2015 we began a multi-year security implementation that would offer many enhanced security features through-out the town. Through this process we contracted with a vendor to implement keycard access doors and high resolution security cameras within the town's larger buildings. We broke this into project phases and started 'Phase I' at the Public Safety Building at 99 Pleasant St (Groton Police Department) in April 2015. Phase I was a larger scope of the project because all of our central hardware would be located there. It required additional cameras and equipment to fully secure the premises for the desired levels of access/surveillance that should be expected of a public safety building. Phase II is planned for FY 2016 and will implement door access and surveillance at 173 Main St (Town Hall). After finalizing project quotes we have found that we require an additional \$15,000 in FY 2016 to complete Phase II. Therefore, the total amount requested for Police Expenses is \$40,000

Board of Selectmen: Recommended (4 In Favor, 1 Against – Petropoulos) Finance Committee: Recommended (6 In Favor, 1 Abstained – Pease)

Fire Department Expenses - \$20,000

The Groton Fire Department is requesting \$20,000 for the purpose of running an on-call firefighter recruit class in the fall/winter timeframe. This recruit class will help bolster the available call staff in all three fire stations. With the continued development in Town, the call volume has similarly grown at a consistent pace. This growth, coupled with the need to balance family and work commitments requires the Groton Fire Department to have a large call department to continue to answer emergency calls. In addition to the need to create balance for

members, the nature of on-call services results in turnover often due to these same outside factors. On-call recruit programs and drive of course will cost money in terms of instruction, materials such as books and protective equipment for new personnel.

Board of Selectmen: Recommended Unanimously Finance Committee: Recommended Unanimously

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Municipal Building Wages - \$8,500

The Department of Public Works has been trying to fill some voids in a couple of areas and has been trying to address them. The DPW Director initiated a solution during the summer months and needs to make it a permanent solution for the Department. The major areas of deficiency are the Transfer Station and in custodial work. At the transfer station, a checker is needed so that the other two employees can continue to do the larger work without interruption. The Department loses minor amounts of revenue when a checker is not available when people dump items without proper bags or in the wrong place. The use of a checker will cut down on these losses. While this issue does not generate enough revenue to fund an employee, it will, however, improve the efficiencies of the operations. There are a couple of areas where additional custodial support is needed. It includes more coverage in the Highway Garage, vacation coverage, learning the complexities of the new fire station, locker rooms at the Country Club on a more frequent basis, the bathroom at Transfer Station, Legion Hall and the new Electric Light Building. This past summer, the Department utilized a contractor who has been working at the Club for almost two years to fill these voids. This position will provide coverage during vacations as well as provide the coverage listed above. To fund this position, funding will come from the Electric Light Department, Country Club and Building Maintenance Wages. The amount requested is the Building Maintenance share of the new position.

Board of Selectmen: Recommended (4 In Favor – 1 Against (Petropoulos))

Finance Committee: Recommended Unanimously

This Article requests that the funding for these requests (\$76,500) come from Free Cash and will have no impact on the FY 2016 Tax Rate. The only change that will impact the Tax Rate is that the overall value of the Town decreased by approximately \$4 million, which will cause a slight increase in the Tax Rate. The impact on the FY 2016 Tax Rate is as follows:

Original Budget - \$33,298,830
Original Town Valuation - \$1,546,004,928
Original Levy Capacity Used - \$26,826,670
Amount Under the Levy Limit - \$100,000
Original Proposed Tax Rate - \$18.83

Average Tax Bill - \$7,532 or \$224 increase over FY 2015

New Proposed Budget - \$33,375,330

New Town Valuation - \$1,542,429,378 New Levy Capacity Used (w/Growth) \$26,782,686 Amount Under the Levy Limit - \$139,188 New Proposed Tax Rate - \$18.85

Average Tax Bill - \$7,540 or \$232 increase over FY 2015

Article 3 – Capital Stabilization Fund Amount Requested: \$425,000

The Fund has a balance of \$129,616. The financial management goal is to achieve and maintain a balance in the Capital Stabilization Fund equal to 1.5% of the total annual budget. To meet this level, the Town will need to add \$425,000 to the fund. This funding will come from Free Cash and not affect the Tax Rate.

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Amount Requested: \$32,000

Amount Requested: \$200,000

Article 4 – Stabilization Fund

The balance in this fund is \$1.64 million. The financial management goal is to achieve and maintain a balance in the Stabilization Fund equal to 5% of the total annual budget. To meet this level, the Town will need to add \$32,000 to the fund. This funding will come from Free Cash and not affect the Tax Rate.

Article 5 – Offset the Tax Rate

The Board of Selectmen is recommending that Town Meeting transfer \$200,000 from Free Cash to offset the tax rate in FY 2016. This will reduce the average tax bill (home valued at \$400,000) by \$52.00.

Article 7 – Transfer Money to Water Enterprise Amount Requested: \$50,000

From the Summary in the Warrant: "This Article requests funding from the Water Enterprise Fund Surplus to the Fiscal Year 2016 Water Department's General Expense for Engineering Services related to the Electrical Upgrades and Pump and Motor improvements at the Whitney Pond Well. The final amount needed will be presented to the Fall Town Meeting." This funding will come from Water Revenues and not affect the Tax Rate.

As stated above, all of the funding for the money articles (except Article 7) (\$738,500) will be appropriated from Surplus Revenue ("Free Cash") and not impact the Fiscal Year 2016 Tax Rate. Should each of these articles pass, the Town will have a balance of \$270,592 in Free Cash.

Respectfully submitted,

Mark W. Haddad

Mark W. Haddad Town Manager