

MINUTES

Warrant, Summary, and Recommendations

TOWN OF GROTON



2023 FALL TOWN MEETING

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

Beginning Saturday, October 28, 2023 @ 9:00 AM

Attention Voters

Please bring this Document to Town Meeting

Introduction to Groton Town Meeting

Voters are familiar with casting ballots in local and state elections, but they have another important civic duty in towns, the Town Meeting.

What is Town Meeting?

The Town Meeting is the legislative body in the town form of government in Massachusetts. Town Meeting is a formal gathering of registered voters who propose, debate and vote on measures. Groton holds at least two Town Meetings per year.

What is a warrant?

The warrant is the official notice to voters that a Town Meeting is scheduled. The warrant includes the date, time, location and a description of each subject to be acted on at Town Meeting. In Groton, the warrant must be posted in two public places and mailed to each household 14 days in advance of Town Meeting. “The warrant must contain a sufficient description of what is proposed so as to constitute an adequate warning to all the inhabitants of the town.”¹ “Every action taken at the meeting must be pursuant to some article in the warrant and must be within the scope of such article.”²

How does Town Meeting proceed?

Voters attending Town Meeting must first check in with the clerks and receive an electronic voting handset which is required to vote. The meeting typically acts on the articles in the order they are printed in the warrant. For each article, a main motion is made and seconded by voters and placed by the moderator on the floor for debate. Permission of the moderator is required to speak. The moderator presides and regulates the proceedings, decides all questions of order, and calls and declares all votes. After debate has ended, the moderator will call for a vote by use of the electronic voting handset.

¹ *Town Meeting Time: A Handbook of Parliamentary Law* (page 12) Johnson, Trustman and Wadsworth, Third Edition, 2001.

² Id.

Who can attend?

Town Meeting is open to the public. Only Groton voters are entitled to attend, speak and vote. Non-voters may be required to sit in a separate section. Non-voters may ask the moderator to speak on the topic of the debate.

How long is Town Meeting?

Town Meeting concludes when all articles on the warrant have been acted upon. Town Meeting may conclude in one session or adjourn for subsequent sessions.

Explanation of a Consent Agenda

A consent agenda is a procedure to group multiple main motions into a single motion for voting. A consent agenda saves time by eliminating the reading of multiple motions and explanations when there are no objections or questions. In Groton, a consent agenda generally consists of articles unanimously supported by the Select Board and Finance Committee. Articles that change by-laws or introduce new spending are typically not included. In this warrant, the Select Board has grouped articles in consent agendas and labeled them for easy reference.

How Consent Agendas Work

As the first step to act on a consent agenda, the moderator will read the titles of the included articles. A voter who wishes to remove an article from the consent agenda for separate debate and vote should state "hold." The held article will be set aside and acted on after the vote on the consent agenda. After the meeting agrees on the contents of the consent agenda, there will be no debate and the moderator will immediately call for a vote. Every motion included in the consent agenda will either pass or fail as a group. Voters should read the warrant and review the proposed consent agendas to identify articles they wish to remove for separate consideration.



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. 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 the Select Board's Office at Town Hall at 978 448-1111 at least one week before the Town Meeting.

**2023 FALL TOWN MEETING OFFICIALS
MEETING DATE – OCTOBER 28, 2023**

Town Moderator:
Jason Kauppi

Deputy Moderator:
None

Board of Selectmen:
Peter Cunningham, Chair
John Reilly, Vice-Chair
Alison Manugian, Clerk
Matt Pisani
Becky Pine

Finance Committee:
Bud Robertson, Chair
Colby Doody, Vice Chair
Gary Green
Mary Linskey
David Manugian
Michael Sulprizio
Scott Whitefield

Town Manager:
Mark W. Haddad
Kara Cruikshank, Executive Assistant

Town Clerk:
Dawn E. Dunbar

Proceedings:

The meeting was called to order at 9:00 AM on October 28, 2023 at the Groton-Dunstable Middle School Performing Arts Center. Moderator Jason Kauppi presided. There is no quorum requirement for this Annual Town Meeting. 80 voters were in attendance for the meeting as of 9:00 AM.

Announcements:

An announcement was made about the Master Plan survey that is online.

The Moderator stated that there would be a Special Town Election on Tuesday, November 7, 2023. The ballot will contain a single Proposition 2 ½ debt exclusion question. The polls will be open from 11:00 AM to 7:00 PM. Precinct 1 will vote at The Center, 163 West Main Street, and Precincts 2 and 3 will vote at the Groton-Dunstable Middle School South Gymnasium, 344 Main Street. Precinct 3A, effective September 27th, was officially merged into Precinct 1.

Early Voting by Mail and Absentee ballots are available for this special election. The last day to request a ballot by mail is Tuesday, October 31, 2023 by 5:00 PM. In-person early voting is also available for this election. Hours can be found in the Ballot Information Booklet you should have received in the mail and on the Town’s website at www.grotonma.gov. Specific information and options on how to request a ballot by mail can also be found on the town’s website. Please contact the Town Clerk’s Office if you have any questions about the election, your voter status or polling location.

Procedures to be used on October 28:

- Wireless microphones will be used. If a voter cannot go to a microphone, one will be brought to the speaker.
- Copies of the Warrant and Town Meeting Information Packet were available in the lobby.
- There were 15 articles on the warrant with 15 Motions and 1 Consent Motions.
- The main proponent and opponent of an article would be allowed 7 minutes in which to present their argument.
- The Moderator performed a test of the handsets and explained the process for the handsets.

90 Voters were present at 9:07 AM

A moment of silence was observed for Grotonians who had passed since the last meeting.

The Meeting took the Pledge of Allegiance.

MOTION – Limit Debate

MOVER: Michelle Collette

I move that debate during this town meeting be limited to three minutes for each speaker, with the exception of the main proponent and opponent of each article, and at the discretion of the Moderator.

Moved and Seconded

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

Vote of Motion to Limit Debate: Yes – 72; No – 12; Passed by 2/3's Majority

The timekeepers were Hannah Moller and Megan Foster. The Moderator determined that the warrant was duly posted.

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

QUANTUM OF TOWN MEETING VOTE: 2/3's MAJORITY

**VOTE ON MOTION TO WAIVE THE READING OF THE WARRANT: Yes – 83; No – 3;
Passed by 2/3's Majority**

**FALL TOWN MEETING WARRANT & MINUTES
OCTOBER 28, 2023**

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, 344 Main Street, Groton, Massachusetts in said Town on Saturday, the twenty-eighth day of October, 2023 at Nine O'clock in the morning, to consider all business before the Town Meeting, and on Tuesday, the seventh day of November, 2023, between the hours of 11:00 A.M. and 7:00 P.M., at a special adjourned session thereof at the following locations:

Precinct 1	The Groton Center 163 West Main Street	Precincts 2 & 3	Middle School South Gymnasium 344 Main Street
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to give their ballot for the following Question:

Question 1:

Shall the Town of Groton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of financing the planning, designing, permitting, and constructing of a new water main from the Groton Water Distribution System to the Groton-Dunstable Regional High School and on Kemp Street and Groton Street in Dunstable and a portion of North Street in Groton in order to bring potable drinking water to the School and private homes, required for the treatment of per- and polyfluoroalkyl substances (PFAS) in said water supply sources and to improve the water systems of Groton, Dunstable and Pepperell by expanding municipal fire protection, head off a potential PFAS plume spread, and increase water system resilience by establishing emergency interconnections between the three systems, and all other costs incidental and related thereto?

YES _____ NO _____

ARTICLE LISTINGS

DISPOSITION**

Article 1	Prior Year Bills	6	Passed
Article 2*	Amend the Fiscal Year 2024 Town Operating Budget	6	Passed
Article 3*	Fiscal Year 2024 Capital Budget	7	Passed
Article 4*	Transfer Money Into Capital Stabilization Fund	8	Passed
Article 5*	Transfer Money Into Stabilization Fund	8	Passed
Article 6*	Transfer Money Into the GDRSD Capital Stabilization Fund	9	Passed
Article 7*	Transfer Money into the Special Purpose Opioid Stabilization Fund	9	Passed
Article 8*	Transfer Within the Water Enterprise Fund	10	Passed
Article 9	Amend Article - Article 12 of the 2023 Spring Town Meeting (GDRSD – PFAS)	10	Passed
Article 10	Water Supply System at 500 Main Street and Taylor Street	11	Passed
Article 11	Adopt M.G.L., c.53, §9A - Nomination Papers for Cities or Towns	12	Passed
Article 12	Amend Town Charter – Article 6, Section 6.4.1	12	Passed
Article 13	Disposition of Parcel 249-51 Hoyts Wharf Road	13	Passed
Article 14	Disposition of Parcel 249-57 Cow Pond Brook Road	14	Passed
Article 15	Accept New Public Ways	15	Passed
	Report of the Town Manager to the 2023 Fall Town Meeting	17	

*Will be presented as one motion as a Consent Agenda

**SEE INDIVIDUAL ARTICLES BELOW FOR ACTUAL VOTE TOTALS

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.

Select Board

Select Board: 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. Please see the Town Manager's Report starting on page 17 for additional information related to this Article.

MOTION: I move that the sum of Four Hundred Dollars (\$400) be transferred from the Water Enterprise Fund Surplus for the payment of the following bill of a prior fiscal year:

Nashoba Analytical \$400

MOVED BY MATT PISANI AND SECONED

DEBATE: There was no debate.

QUANTUM OF TOWN MEETING VOTE: 4/5's MAJORITY

VOTE ON MOTION: Yes – 96; No - 3; VOTE PASSED BY 4/5's Majority Vote

Article 2: Amend the Fiscal Year 2024 Town Operating Budget

To see if the Town will vote to amend the Fiscal Year 2024 Operating Budget as adopted under Article 5 of the 2023 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 2024, or to take any other action relative thereto.

Finance Committee

Select Board

Town Manager

Select Board: See Town Manager's Report for Recommendation Beginning on Page 17

Finance Committee: See Town Manager's Report for Recommendation Beginning on Page 17

Summary: *The Fiscal Year 2024 Town Operating Budget was approved at the 2023 Spring Town Meeting in May, 2023. 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 2024 Operating Budget. Please see the Town Manager's Report starting on page 17 for additional information related to this Article.*

Article 3: Fiscal Year 2024 Capital Budget

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, for the purpose of funding the Fiscal Year 2024 Capital Budget, or to take any other action relative thereto.

Town Manager

Summary: *The 2023 Spring Town Meeting approved the majority of the Fiscal Year 2024 Capital Budget. Two items that were part of the Capital Budget were not funded in the Spring with the intent of bringing them to the Fall Town Meeting for Funding from the Town's FY 2024 Certified Free Cash as follows:*

Item #1 – Seal Police and Fire Station Parking Lots \$30,000 Town Facilities

Summary: *Periodically parking lots need a coating to extend the life. The Fire Station was done once and will need to be done again as well as the Police Station. By keeping up with the parking lots it should give them an extra 10 years or so of life.*

Select Board: Recommended Unanimously
Finance Committee: Recommended Unanimously

Item #2 – Parking Lot Improvements \$80,000 Country Club

Summary: *The Club's parking lot is in need of resurfacing and striping.*

Select Board: Recommended Unanimously
Finance Committee: Recommended Unanimously

Article 4: Transfer Money Into the Capital Stabilization Fund

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow, pursuant to any applicable statute, 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.

Select Board

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *As of the printing of this Warrant, the Fund has a balance of \$102,911. 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. Please see the Town Manager's Report starting on page 17 for additional information related to this Article.*

Article 5: *Transfer Money into the Stabilization Fund*

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow, pursuant to any applicable statute, 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.

Select Board

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *As of the printing of this Warrant, the balance in this fund is \$2,398,574. The financial management goal is to achieve and maintain a balance in the Fund equal to 5% of the total annual budget. The target amount for the Fund will be provided at Town Meeting. Please see the Town Manager's Report starting on page 17 for additional information related to this Article.*

Article 6: *Transfer Money into the GDRSD Capital Stabilization Fund*

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow, pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Town of Groton Capital Stabilization Fund for the Groton Dunstable Regional School District, or to take any other action relative thereto.

Town Manager

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *As of the printing of the Warrant, the balance in this fund is \$9,240. This fund covers the Town of Groton’s share of the Groton Dunstable Regional School District Committee’s long-range Capital Plan to address its capital needs. The target amount will be provided at Town Meeting. Please see the Town Manager’s Report starting on page 17 for additional information related to this Article.*

Article 7: *Transfer Money into the Special Purpose Opioid Stabilization Fund*

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow, pursuant to any applicable statute, a sum or sums of money to be added to the Special Purpose Opioid Stabilization Fund, or to take any other action relative thereto.

Town Manager

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *At the 2023 Spring Town Meeting, the Town voted to establish a special purpose stabilization fund in which to collect all Opioid Abatement Funds allocated to Groton by the Commonwealth of Massachusetts. Between 2022 and 2038, Groton is expected to receive approximately \$38,300 in statewide opioid settlements reached between the Attorney General and companies or individuals that allegedly fueled the opioid crisis. The funds that were received prior to the establishment of the new stabilization fund, \$4,990.48, were certified as part of the Town’s Free Cash at 6/30/23 and therefore must be specifically appropriated for transfer to this new special purpose fund. Going forward, all new opioid settlement money received will be deposited directly into the Opioid Stabilization Fund. This fund will be used (consistent with state guidelines) for opioid use prevention, harm reduction, and treatment and recovery programs.*

Article 8: *Transfer Within the Water Enterprise Fund*

To see if the Town will vote to transfer a sum or sums of money from the Water Enterprise Fund Surplus to the Fiscal Year 2024 Water Enterprise Budget, or to take any other action relative thereto.

Board of Water Commissioners

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *This Article will seek a transfer from the Water Enterprise Fund Surplus to the Fiscal Year 2024 Water Department’s General Expense for the Operating Budget for a SCADA (Supervisory Control and Data Acquisition) Upgrade at the Baddacook Pond Treatment Facility. Please see the Town Manager’s Report starting on page 17 for additional information related to this Article.*

MOTION: I move that the Town take affirmative action on Articles 2, 3, 4, 5, 6, 7 & 8, pursuant to the motions as set forth in the Town Meeting Information Handout for this Meeting, without debate and in accordance with the action proposed under each motion, provided however that if any voter requests the right to debate a specific motion, then said motion shall be debated and voted upon separately.

MOVED BY JOHN REILLY AND SECONED

DEBATE: There were no holds and no debate.

QUANTUM OF TOWN MEETING VOTE: MAJORITY

VOTE ON CONSENT MOTION: Yes – 88; No - 11; VOTE PASSED BY Majority Vote

Article 9: *Amend Article - Article 12 of the 2023 Spring Town Meeting (GDRSD – PFAS)*

To see if the Town will vote to amend Article 12 of the 2023 Spring Town Meeting by adding the following additional language after the words “in said water supply sources”:

“and to improve the water systems of Groton, Dunstable and Pepperell by expanding municipal fire protection, head off a potential PFAS plume spread, and increase water system resilience by establishing emergency interconnections between the three systems,”

and, further, to amend Article 12 of the 2023 Spring Town Meeting by adding the following wording at the end of the Article: “provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by G.L. c. 59, §21C (Proposition 2½)”,

or to take any other action relative thereto.

Select Board

Select Board: Recommended Unanimously

Finance Committee: Recommended (5 In Favor, 1 Deferred – Green)

Summary: Article 12 of the Spring Town Meeting approved funding for the extension of municipal drinking water to the Groton Dunstable Regional High School and the surrounding properties in Dunstable on Groton Street and Kemp Street and on North Street in Groton to address PFAS contamination at the High School. A new water source for the High School and surrounding properties is necessary to address this issue. Since that time, the Towns of Groton, Dunstable and Pepperell have been working on a regional solution to both address the PFAS at the High School and expand municipal fire protection, head off potential PFAS plume spread and increase water system resilience. The Spring Town Meeting approved \$16.7 million for this project. Prior to spending any funds appropriated under Article 12, the Select Board is requesting that the debt service for this Article be subject to a Debt Exclusion pursuant to G.L. c.59, §21 (Proposition 2½).

MOTION: I move to amend Article 12 of the 2023 Spring Town Meeting by adding the following additional language after the words “in said water supply sources”:

“and to improve the water systems of Groton, Dunstable and Pepperell by expanding municipal fire protection, head off a potential PFAS plume spread, and increase water system resilience by establishing emergency interconnections between the three systems,”

and, further, to amend Article 12 of the 2023 Spring Town Meeting by adding the following wording at the end of the Article: “provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by G.L. c. 59, §21C (Proposition 2½)”

MOVED BY ALISON MANUGIAN AND SECONED

DEBATE: Tyler Schmidt of Environmental Partners and Mark Haddad, Town Manager gave a presentation to the meeting.

There were 126 voters present at 9:30AM.

Mr. Alberghini asked if there were already any water pipes going up Chicopee Row. Mr. Haddad said it would be an extension from the current water main on Hollis Street. Mr. Alberghini asked about the permits. Mr. Haddad said he didn’t anticipate any issues with obtaining the permits for Phase I. Mr. Alberghini asked how much money we were getting from the State toward the cost. Mr. Haddad said that they applied for SRF loans but had not been notified if they received it yet.

Peter Jeffrey said properties were tested on Kemp Street but asked about Reedy Meadow and Nashua Road properties. Mr. Haddad said that the GDRSD was required to hire an LSP (Licensed Site Professional) who had tested wells. He said anytime a property was found to have PFAS,

they extended their testing area. He said it appeared that the plume was heading North and not toward Nashua Road.

Michelle Collette said that the Board of Health voted unanimously to support this article.

Rick Muelhke asked for confirmation that nothing they were doing would stop the plume spread. Mr. Haddad said that the purpose of Phase 2 was to be able to add water to those properties that could be affected by the plume spread. Tyler Schmidt said that this wouldn't stop the plume but would bring drinking water to drinking water standards. Mr. Muelhke asked if the Fire Department had eliminated foam from their operation. Mr. Haddad said that they had.

Mike Manugian said one of the goals was to limit the plume spread and if something was being done to stop that. Tyler Schmidt said that this project was not designed to stop the plume spread but to provide clean drinking water. He said they were dealing with the effects of the plume but not the spread.

Paul Funch said he thought foam has been used around the Nashua Road area and asked if testing had been done around the Nashua Road and Reedy Meadow area. Chief McCurdy said that they don't have information on whether foam was used around that area. Paul Funch said Phase I should include additional testing of homes.

Greg Sheldon asked if they could speak to the federal delegation about funding. Mr. Haddad said that they spoke with Representative Trahan but was not holding out much hope on federal funding.

A resident asked what the total amount was. Mr. Haddad said that the total cost was \$16M. Groton's total would be \$9.1M for Phase I and \$3.1M for Phase 2 adding that Dunstable would be paying Groton back for its portion of the \$16M.

Andy George asked what if something happened to one of the wells. Tom Orcutt said that the properties highlighted in blue would get water from Groton, and red would be from Dunstable. He said that there would be closed value coming from Dunstable/Pepperell isolating the systems should it be needed.

John Sopka asked about the funding for Phase 2, it being divided 50% with Dunstable and what the benefit was to Groton. Mr. Haddad said that the benefit to Groton for Phase 2 was to add an additional main line in the event that the plume spreads. If it wasn't shared 50%, Groton would then be responsible for 77% per the regional agreement.

Linda Bicknell asked why Groton was applying for the entire amount. Mr. Haddad said that one community had to apply and that they had an agreement signed with Dunstable. She asked what happened if Dunstable didn't pay. Mr. Haddad said that they could sue Dunstable.

QUANTUM OF TOWN MEETING VOTE: 2/3's MAJORITY

VOTE ON MOTION: Yes – 96; No - 31; VOTE PASSED BY 2/3's Majority Vote

Article 10: *Water Supply System at 500 Main Street and Taylor Street*

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow, pursuant to any applicable statute, a sum or sums of money for the design, bid specifications, bidding, construction, and construction administration of a water supply system at 500 Main Street and Taylor Street, to authorize the Town Manager to apply for a MassWorks Development Grant for such project; provided, that no funds may be expended hereunder for construction purposes unless and until the Town has received a MassWorks Development Grant for the project, or to take any other action relative thereto.

Board of Water Commissioners

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

Summary: *This article will allow the Select Board to borrow \$1,225,000 for the design and construction of a water supply system at 500 Main Street and Taylor Street. The Town would borrow these funds contingent upon a successful award of a Mass Works Development Grant from the Commonwealth of Massachusetts. Said funds shall not be expended unless the grant is awarded to the Town of Groton.*

MOTION: I move that the Town appropriate One Million Two Hundred Twenty-Five Thousand Dollars (\$1,225,000), to be expended under the direction of the Board of Water Commissioners for the design, bid specifications, bidding, construction, and construction administration of a water supply system at 500 Main Street and Taylor Street, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §8(5) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided, that no funds may be expended hereunder for construction purposes unless and until the Town has received a MassWorks Development Grant for the project.

MOVED BY TOM ORCUTT AND SECONED

DEBATE: Mr. Haddad said that a provision of this article was that the Town was to receive a MassWorks Grant. He said he was very pleased to announce that they had received the grant adding that this would not cost the taxpayers. He congratulated Tom Orcutt on obtaining the grant.

QUANTUM OF TOWN MEETING VOTE: 2/3's MAJORITY

VOTE ON MOTION: Yes – 108; No - 8; VOTE PASSED BY 2/3's Majority Vote

Article 11: *Adopt M.G.L., c.53, §9A - Nomination Papers for Cities or Towns*

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 53, §9A, stating, in part, that the final date for obtaining blank nomination papers for nomination to city or town office shall be forty-eight week day hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification, or to take any other action relative thereto.

TOWN CLERK

Select Board: *Recommended Unanimously*

Finance Committee: *No Position*

Summary: *The Town has for many years followed MGL c.53 §9A which sets certain provisions for obtaining nomination papers, which includes a deadline to obtain blank nomination papers for the local town election. The deadline set forth in the law is forty-eight (48) week day hours prior to the hour in which nomination papers are due to the Board of Registrars. This article seeks permission to formally accept this local option statute.*

MOTION: I move to accept the provisions of Massachusetts General Laws, Chapter 53, §9A, stating, in part, that the final date for obtaining blank nomination papers for nomination to city or town office shall be forty-eight week day hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification.

MOVED BY PETER CUNNINGHAM AND SECONED

DEBATE: Mike Manugian asked what we were doing right now. Mr. Cunningham said they were formalizing current practice.

QUANTUM OF TOWN MEETING VOTE: MAJORITY

VOTE ON MOTION: Yes – 119; No - 6; VOTE PASSED BY Majority Vote

Article 12: Amend Town Charter – Article 6, Section 6.4.1

To see if the Town will vote to authorize the Select Board to petition the General Court of the Commonwealth of Massachusetts for a special act that would amend the Groton Town Charter as follows:

An Act Relative to the Charter in the Town of Groton

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. The charter of the town of Groton, which is on file in the office of the archivist of the commonwealth as provided in section 12 of chapter 43B of the general laws, is hereby amended by striking out section 6.4.1 and inserting in place thereof the following:

6.4.1 Budget Process - The select board, the town manager, the department of finance, and the finance committee shall meet annually not later than October 31 to determine the budgetary goals for the subsequent fiscal year. The town manager shall, after that meeting but not later than January 31, submit to the finance committee and the select board a proposed budget for the next fiscal year that shall be accompanied by a budget message, a summary, and supporting documents that follow the agreed-upon budget goals. The proposed budget shall be balanced.

Section 2. This act shall take effect upon its passage.

provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition; or to take any other action relative thereto.

Select Board
Finance Committee
Groton Dunstable Regional School Committee
Town Manager

Select Board: Recommended Unanimously
Finance Committee: Recommended Unanimously

Summary: *The Charter requires the Town Manager to submit a balanced budget for the subsequent fiscal year to the Finance Committee and Select Board by December 31st. Unfortunately, this deadline does not allow the Town Manager to have a realistic assessment from the Groton Dunstable Regional School District and the Nashoba Valley Technical Regional School District within the proposed budget as those two organizations do not complete their budget process until the Spring. By extending the deadline by one month, the Town Manager*

will have more time to work with the two Regional School Districts to provide a more realistic estimate in the Proposed Operating Budget.

MOTION: I move to authorize the Select Board to petition the General Court of the Commonwealth of Massachusetts to enact special legislation to Amend Article 6, Section 6.4.1 of the Groton Town Charter, as set forth in Article 12 of the Warrant for the 2023 Fall Town Meeting.

MOVED BY JOHN REILLY AND SECONDED

DEBATE: There was no debate.

QUANTUM OF TOWN MEETING VOTE: MAJORITY

VOTE ON MOTION: Yes – 118; No - 6; VOTE PASSED BY Majority Vote

Article 13: *Disposition of Parcel 249-51 Hoyts Wharf Road*

To see if the Town will vote to authorize the Select Board to sell and/or lease for a period not to exceed 99 years, or otherwise dispose of the Town’s interest in Parcel 249-51, either the entire parcel or a portion thereof, located on Hoyts Wharf Road and consisting of approximately 10.4 acres, and to take all necessary action to comply with the General Laws of the Commonwealth for the disposal of said land, and to petition the General Court for any special legislation necessary to authorize this disposition, or to take any other action relative thereto.

Select Board

Select Board: *Recommendation Deferred Until Town Meeting*

Finance Committee: *No Position*

Summary: *Heritage Landing, LLC, developer of the proposed MGL 40B comprehensive permit project on Parcel 248-42, has proposed a residential homeownership development to include 40 houses, 10 of which will be deed restricted affordable units eligible to be placed on the Town of Groton’s Subsidized Housing Inventory. To benefit its project, Heritage Landing, LLC seeks to have the Town of Groton permanently restrict a portion of the Town’s publicly owned land on Parcels 249-51 and 249-57. The restricted area totals approximately 14.5 acres and will benefit Parcel 248-42. Said restriction will be permanent in duration and include a perpetual easement for the Groton Board of Health to ensure maintenance of the property in its agreed upon restricted state. The Select Board has been asked to execute a Grant of a Title 5 Nitrogen Loading Restriction and Easement on Nitrogen Credit Land. Heritage Landing, LLC has stated its intention to use the Nitrogen Credit Land to satisfy both Title 5 septic requirements and Natural Heritage Endangered Species Program requirements.*

MOTION: I move that this article be indefinitely postponed.

MOVED BY BECKY PINE AND SECONED

DEBATE: Becky Pine said that the developer asked that this be indefinitely postponed while they worked out some additional details.

QUANTUM OF TOWN MEETING VOTE: MAJORITY

VOTE ON MOTION: Yes – 118; No - 8; VOTE PASSED BY Majority Vote

Article 14: *Disposition of Parcel 249-57 Cow Pond Brook Road*

To see if the Town will vote to authorize the Select Board to sell and/or lease, for a period not to exceed 99 years, or otherwise dispose of the Town's interest in Parcel 249-57, either the entire parcel or a portion thereof, located on Cow Pond Brook Road and consisting of approximately 24 acres, and to take all necessary action to comply with the General Laws of the Commonwealth for the disposal of said land, and to petition the General Court for any necessary special legislation, or to take any other action relative thereto.

Select Board

Select Board: *Recommendation Deferred Until Town Meeting*

Finance Committee: *No Position*

Summary: *Please see summary for Article 13 for an explanation of this Article.*

MOTION: I move that this article be indefinitely postponed.

MOVED BY BECKY PINE AND SECONED

DEBATE: There was no debate.

QUANTUM OF TOWN MEETING VOTE: MAJORITY

VOTE ON MOTION: Yes – 121; No - 8; VOTE PASSED BY Majority Vote

Article 15: *Accept New Public Ways*

To see if the Town will vote to accept the following ways as public ways, as recommended by the Planning Board and laid out by the Select Board:

Cherry Tree Lane, Fieldstone Drive, and Arbor Way, all as shown on a plan entitled “Road As-Built Plan of Land in Groton, Massachusetts for Academy Hills, LLC”, prepared by Stamski and McNary, Inc, 1000 Main Street, Acton, Massachusetts, dated June 27, 2023, and on file with the Town Clerk;

And, further, to authorize the Select Board to acquire, by gift, purchase, or eminent domain such land and easements for the creation, maintenance, and operation of a public way, including but not limited to easements for access, grading, drainage, sloping, construction, and utilities, in all or any portions of said ways and the parcels on said ways, or to take any other action relative thereto.

Select Board

Select Board: *Recommendation Deferred Until Town Meeting*

Finance Committee: *No Position*

Summary: *To accept Cherry Tree Lane, Fieldstone Drive, and Arbor Way as public ways.*

MOTION: I move to accept Cherry Tree Lane, Fieldstone Drive, and Arbor Way as public ways, as set forth in Article 15 of the Warrant for the 2023 Fall Town Meeting.

MOVED BY MATT PISANI AND SECONDED

DEBATE: Matt Pisani said that all requirements had been met in order to accept the roads as public ways.

Scott Wilson said that the planning board had voted to accept the roads as public ways and had met the requirements of the definitive plan and to the satisfaction of the planning board and DPW.

QUANTUM OF TOWN MEETING VOTE: MAJORITY

VOTE ON MOTION: Yes – 113; No - 8; VOTE PASSED BY Majority Vote

A motion was made and seconded to dissolve the 2023 Fall Town Meeting at 10:01 AM. The Moderator called for a voice vote. The motion carried unanimously.

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 2nd Day of October in the year of our Lord Two Thousand Twenty-Three.

Peter S. Cunningham

Peter S. Cunningham, Chair

John F. Reilly

John F. Reilly, Vice Chair

Alison S. Manugian

Alison S. Manugian, Clerk

Rebecca H. Pine

Rebecca H. Pine, Member

Matthew F. Pisani

Matthew F. Pisani, 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 2023 FALL TOWN MEETING

The 2023 Fall Town Meeting Warrant contains several warrant articles that seek appropriations, some of which will affect the Tax Rate and some of 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 2024 Tax Rate. In preparing for the Fall Town Meeting, the Select Board and Finance Committee reviewed the balances in the various reserve accounts. These accounts will either be used to fund the various articles, or money will be added to them to comply with the Town's Financial Policies. The balances as of September, 2023, are as follows:

Stabilization Fund:	\$	2,398,574
Capital Stabilization Fund:	\$	102,911
GDRSD Capital Stabilization Fund:	\$	9,240
Unexpended Tax Capacity:	\$	235,261
Certified Free Cash:	\$	2,423,442
Water Surplus:	\$	803,000

The following is a summary of Warrant Articles Requesting funding:

Article 1: Unpaid Bills Requested: \$400

There is one unpaid bill from the Groton Water Department in the amount of \$400 owed to Nashoba Analytical. Since this is a Water Department Bill, it will be paid from Water Surplus.

Article 2: Amend the FY 2024 Town Operating Budget

This Article will request the following adjustments in the Operating Budget:

1. Select Board Expenses Requested: \$5,000

The Williams Barn Committee is requesting \$5,000 to assist them in carrying out their charge with maintaining the Williams Barn. They are seeking additional funding for items not currently covered by trust funds and grants. Specifically, these funds will be used for electricity, porta-potties, and other operational expenses. This funding, since it is a recurring expense, will come from the Unexpended Tax Capacity.

Select Board: *Recommended Unanimously*

Finance Committee: *Recommendation Deferred Until Town Meeting*

2. Treasurer/Collector Salaries Requested \$3,406

The Treasurer/Collector has opted out of the Town's Health Insurance Program. In an effort to reduce Health Insurance Expenses, the Town provides an incentive to employees who opt out of the Program. Employees receive 25% of the Town's cost for the Plan in which a particular employee is enrolled. This funding, since it is a recurring expense, will come from the Unexpended Tax Capacity.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

3. IT Wages Requested: \$7,146

With the approval of the Select Board and Finance Committee, the IT Desktop Specialist's position was reclassified and the salary increased. This funding, since it is a recurring expense, will come from the Unexpended Tax Capacity.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

4. Building Inspector Wages Requested: \$630

During the development of the Fiscal Year 2024 Budget, an error was made by the Town Manager in calculating the salary of the Land Use Administrative Assistant, resulting in a shortfall of \$630. This funding will come from the Unexpended Tax Capacity.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

5. Library Wages Requested: \$2,600

The Commonwealth provides direct aid to public libraries. In Fiscal Year 2023, the Library received \$25,054 in direct State Aid. In order to qualify for this aid, Massachusetts General Law (M.G.L., c.78, s.19A) states that a municipality must appropriate a figure of at least the average of the last 3 years' municipal appropriations (MAR) to the library for operations, increased by 2.5%, in order to be certified for State Aid to Public Libraries. The FY 2024 Appropriation is \$2,600 short of reaching the MAR. According to the FY 2024 Cherry Sheet, the Groton Public Library is slated to receive \$29,051 in State Aid. This appropriation is necessary to qualify for this Aid. This funding, since it is a recurring expense, will come from the Unexpended Tax Capacity.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

6. Town Clerk Expenses Requested: \$4,850

The Massachusetts Municipal Association, in partnership with Suffolk University, offers a Certificate in Local Leadership and Management Program. This program is designed for municipal employees looking to further their careers in municipal management. Classes cover topics including budgeting, human resources management, and strategic leadership. The Town Clerk, with the encouragement and support of the Town Manager, applied for and was accepted in the program. This funding will cover the cost of the program and mileage reimbursement. This funding will come from Free Cash.

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended (5 In Favor, 1 Against – Green)*

7. Town Clerk Wages Requested: \$450

The Select Board has called for a Special Election on November 7, 2023 for the Town to consider a Proposition 2½ Debt Exclusion to cover the debt service for the new water main to the Groton Dunstable Regional High School to address PFAS. This funding is necessary to cover the overtime of the two Assistant Town Clerks to assist with the Special Election. This funding will come from Free Cash.

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

8. Election Expenses Requested: \$7,510

This funding is needed to cover expenses associated with the November 7th Special Election. This funding will come from Free Cash.

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

9. Election Stipend Requested: \$2,500

This funding is needed to cover the wages of Election Workers covering the November 7th Special Election. This funding will come from Free Cash.

Select Board: *Recommended Unanimously*

Finance Committee: *Recommended Unanimously*

10. Planning Board Salaries **Requested: \$6,468**

The Land Use Director/Town Planner has opted out of the Town's Health Insurance Program. (See explanation under Item #2, Treasurer/Collector Salaries). This funding, since it is a recurring expense, will come from Unexpended Tax Capacity.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

11. Fire Salaries **Requested: \$5,000**

The Fire Chief has opted out of the Town's Health Insurance Program. (See explanation under Item #2, Treasurer/Collector Salaries). This funding, since it is a recurring cost, will come from the Unexpended Tax Capacity.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

12. Emergency Management Expenses **Requested: \$30,000**

On September 8 and September 11, 2023, the Communication Tower and Radio Systems located at the Fire Station, Police Station, Gibbet Hill, Cow Pond and Hollingsworth and Vose were struck by lightning causing significant damage. The estimated cost of repairs is \$30,000. While an insurance claim could be filed, the Town has experienced a high number of claims over the last several years, causing a significant increase in the Town's insurance premium. In an effort to keep insurance costs down, it was determined that the Town would pay for these repairs from Free Cash.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

13. Town Manager Salaries **Requested: \$8,150**

The Town Manager's Contract allows the Town Manager to buy back one week of vacation pay and provides for a performance incentive based on the Town Manager's Annual Review. In previous years, this funding was transferred into the Town Manager's Salary Account at the end of the Fiscal Year. Since this has been a recurring expense, it is proposed that it be properly budgeted at the onset of the year, instead of at the end of the year. This funding, since it is a recurring cost, will come from the Unexpended Tax Capacity.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

14. Debt Service

Requested: -\$179,144

The Town went out to the Bond Market in June, 2023 for Bond Anticipation Notes for the remaining funds necessary to complete the Florence Roche Elementary School. The Town did an interest only loan of \$27 million. When the budget was developed, it was anticipated that the short-term interest rate would be around 4% and the budget was set accordingly. However, the actual interest rate came in around 2.5%, reducing the budgeted amount by \$179,144.

Select Board: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Article 3: FY 2024 Capital Budget

Requested: \$110,000

In the Spring when the Capital Budget was submitted for approval, two items were held out and the Select Board and Finance Committee agreed to bring back those two items to the Fall Town Meeting for funding from Certified Free Cash. The two items are improvements to the Police and Fire Station Parking Lots (Seal Coating for \$30,000) and the repaving of the Country Club Parking Lot (\$80,000). The Capital Planning Advisory Committee had recommended this approach as part of the FY 2024 Capital Budget. This Funding will come from Free Cash.

Article 4: Transfer - Capital Stabilization Fund

Requested: \$638,244

The current balance in this fund is \$102,911. The Town's Financial Policies call for a balance in this Fund of 1.5% of the Operating Budget. If all the transfers and appropriations are approved under Article 2 of this Warrant, the total Fiscal Year Operating Budget will be \$49,410,322. This would require a Capital Stabilization Fund Balance of \$741,155. This Article will request a transfer of \$638,244 from Free Cash to add to this Fund.

Article 5: Transfer - Stabilization Fund

Requested: \$72,000

The current balance in the Stabilization Fund is \$2,398,574. Our Financial Policies state that this Fund should have a balance of five (5%) percent of our Operating Budget (\$49,410,322). This would require a balance of \$2,470,516. This Article will request a transfer of \$72,000 from Free Cash to add to this Fund.

Article 6: Transfer - GDRSD Capital Stabilization Fund Requested: \$541,000

The current balance in the GDRSD Capital Stabilization Fund is \$9,240. The FY 2024 Capital Plan for the District is currently estimated at \$550,000. This Article will request a transfer of \$541,000 from Free Cash to be added to this Fund.

Article 7: Transfer - Special Purpose Opioid Fund Requested: \$4,991

From the Summary in the Warrant: At the 2023 Spring Town Meeting, the Town voted to establish a special purpose stabilization fund in which to collect all Opioid Abatement Funds allocated to Groton by the Commonwealth of Massachusetts. Between 2022 and 2038, Groton is expected to receive approximately \$38,300 in statewide opioid settlements reached between the Attorney General and companies or individuals that allegedly fueled the opioid crisis. The funds that were received prior to the establishment of the new stabilization fund, \$4,990.48, were certified as part of the Town’s Free Cash at 6/30/23 and therefore must be specifically appropriated for transfer to this new special purpose fund. Going forward, all new opioid settlement money received will be deposited directly into the Opioid Stabilization Fund. This fund will be used (consistent with state guidelines) for opioid use prevention, harm reduction, and treatment and recovery programs.

Article 8: Transfer Money into Water Enterprise Fund Requested: \$150,000

From the Summary in the Warrant: This Article seeks the transfer of \$150,000 from the Water Enterprise Fund Surplus to the Fiscal Year 2024 Water Department’s General Expense for the Operating Budget for a SCADA (Supervisory Control and Data Acquisition) Upgrade at the Baddacook Pond Treatment Facility.

Article 10: 500 Main Street and Taylor Street Requested: \$1,225,000

From the Summary in the Warrant: This article will allow the Select Board to borrow \$1,225,000 for the design and construction of a water supply system at 500 Main Street and Taylor Street. The Town would borrow these funds contingent upon a successful award of a Mass Works Development Grant from the Commonwealth of Massachusetts. Said funds shall not be expended unless the grant is awarded to the Town of Groton.

Should the Town Meeting agree with these appropriations, \$1,411,545 will come from the Town’s Free Cash Account. In the Spring of 2024, the Town will need about \$300,000 from the Free Cash Account to cover Debt Service, OPEB Trust Fund and Department Head Performance Incentives, leaving a balance of \$711,897 in Free Cash. Based on final anticipated new Growth for FY 2024 and the Final Cherry Sheet Estimates received from the State, the Budget approved at Town Meeting is currently \$235,261 under the anticipated FY 2024 Levy Limit. For the line items that are reoccurring and will be funded through taxation, \$38,400 will come from this amount, which will leave the Town \$196,861 under the anticipated Levy Limit for Fiscal Year 2024. The estimated tax rate at the Spring Town Meeting was \$16.44. Based on the proposed changes at the Fall Town Meeting, the anticipated tax rate is \$16.29. The following chart is a breakdown of the anticipated rate:

	<u>Actual</u>	<u>Proposed</u>	<u>Dollar</u>	<u>Percent</u>
	<u>FY 2023</u>	<u>FY 2024</u>	<u>Change</u>	<u>Change</u>
Levy Capacity Used	\$ 35,383,886	\$ 36,581,274	\$ 1,197,388	3.38%
Tax Rate on Levy Capacity Used	\$ 14.13	\$ 14.42	\$ 0.29	2.05%
Average Tax Bill	\$ 8,958	\$ 9,142	\$ 184	2.05%
Excluded Debt	\$ 3,783,842	\$ 4,732,786	\$ 948,944	25.08%
Tax Rate on Excluded Debt	\$ 1.51	\$ 1.87	\$ 0.36	23.84%
Average Tax Bill	\$ 957	\$ 1,186	\$ 228	23.84%
Final Levy Used	\$ 39,167,728	\$ 41,314,060	\$ 2,146,332	5.48%
Final Tax Rate	\$ 15.64	\$ 16.29	\$ 0.65	4.16%
Average Tax Bill	\$ 9,916	\$ 10,328	\$ 412	4.16%

Respectfully submitted,

Mark W. Haddad

Mark W. Haddad
Town Manager

Town of Groton
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Groton, MA 01450

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