



TOWN OF GROVELAND

2014 ANNUAL TOWN MEETING WARRANT

COMMONWEALTH OF MASSACHUSETTS

Essex,ss:

To Robert J. Kirmelewicz, Chief of Police of the Town of Groveland, in the County of Essex,

GREETINGS:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the **Annual Town Meeting to meet at the Dr. Elmer S. Bagnall School, 253 School Street, Groveland, MA on Monday, April 28, 2014 @ 7:30 P.M.** to vote on the following Articles:

ARTICLE 1: To see if the Town will vote to authorize the Selectmen to petition the State for any sum available under provisions of Chapter 90, said funds to be apportioned and expended by and under the direction of the State Department of Public Works (Massachusetts Highway Department) in accordance with said statutes; or take any other action relative thereto. Article submitted by the Board of Selectmen.

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 2: To see if the Town will vote to transfer from available funds the amount of TWO HUNDRED THIRTEEN THOUSAND FIVE HUNDRED SEVENTY-SIX DOLLARS (\$213,576.00) and appropriate said sum for Chapter 90 approved road work, said amount to be used pending reimbursement by the State, with such work to be done under the supervision of the Road Commissioner; or take any other action relative thereto. Article submitted by Board of Selectmen

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 3: To see if the Town will vote to raise and appropriate the sum of NINE HUNDRED DOLLARS (\$900.00) for the purpose of providing this amount to the William R. Dewhirst, Jr. Post 7366, Veterans of Foreign Wars of the United States, Groveland, MA to pay for heat, electricity, and maintaining its meeting place and any expenses to support this request in Fiscal 2015; or take any other action relative thereto.

Article submitted by Board of Selectmen

NOTE: Authorization for this appropriation is provided in MGL, C. 40, §9.

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 4: To see if the Town will vote to accept the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) from the Groveland Municipal Electric Department Operation Account to Town Estimated Receipts to reduce the Tax Rate for the twelve months ending June 30, 2015; or take any other action relative thereto.

Article submitted by Finance Director

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 5: To see if the Town will vote to rescind its unused borrowing authority authorized by the affirmative vote of 2013 Annual Town Meeting Warrant Article 12, which authorized the Town to borrow THREE MILLION SIX HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$3,675,000.00) to acquire approximately 61 acres of land all contingent upon the voters of the town approving a debt exclusion ballot question, which ballot question was approved at the Annual Election in May 2013; or take any other action relative thereto.

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 7: To see if the Town will vote to raise and appropriate the sum of EIGHT HUNDRED FIFTY-ONE THOUSAND SIX HUNDRED NINETY-SIX DOLLARS (\$851,696.00) for the use of the Water Department, said sum to be offset by FY 2015 Water Department Revenue; or take any other action relative thereto:

	<u>FY '14</u>	<u>FY '15</u>	<u>FINANCE BOARD RECOMMENDS</u>
Commissioners	\$ 1,260.00	\$ 1,260.00	\$ 1,260.00
Superintendent	\$ 58,290.00	\$ 59,456.00	\$ 59,456.00
Office Manager	\$ 34,954.00	\$ 40,390.00	\$ 40,390.00
Laborers' Wages (3)	\$116,639.00	\$118,972.00	\$118,972.00
Part-Time Help	\$ 8,160.00	\$ 8,160.00	\$ 8,160.00
Overtime	\$ 27,800.00	\$ 20,034.00	\$ 20,034.00
Expenses	\$278,741.00	\$278,741.00	\$278,741.00
Health	\$ 47,900.00	\$ 49,337.00	\$ 49,337.00
Retirement Buy-out	\$ 7,200.00	\$ -0-	\$ -0-
Retirement	\$ 44,710.00	\$ 48,596.00	\$ 48,596.00
Emergency Funds	\$ 0.00	\$ 50,000.00	\$ 50,000.00
Bond Debt & Interest	<u>\$171,500.00</u>	<u>\$176,750.00</u>	<u>\$176,750.00</u>
TOTAL	\$797,154.00	\$851,696.00	\$851,696.00

Article submitted by Water & Sewer Commissioners

WATER/SEWER COMMISSIONERS RECOMMEND FAVORABLE/UNFAVORABLE ACTION

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 8: To see if the Town will vote to raise and appropriate the sum of FIVE HUNDRED TWENTY-SIX THOUSAND FIVE HUNDRED NINETY-EIGHT DOLLARS (\$526,598.00) for the use of the Sewer Department, said sum to be offset by FY 2015 Sewer Department Revenue; or take any other action relative thereto:

	<u>FY '14</u>	<u>FY '15</u>	<u>FINANCE BOARD RECOMMENDS</u>
Commissioners	\$ 540.00	\$ 540.00	\$ 540.00
Superintendent	\$ 24,942.00	\$ 25,441.00	\$ 25,441.00
Office Manager	\$ 14,996.00	\$ 17,310.00	\$ 17,310.00
Laborers' Wages (3)	\$ 49,988.00	\$ 50,988.00	\$ 50,988.00
Overtime	\$ 7,300.00	\$ 7,519.00	\$ 7,519.00
Expenses	\$ 66,600.00	\$ 66,600.00	\$ 66,600.00
Health	\$ 21,000.00	\$ 21,630.00	\$ 21,630.00
Retirement Buy-out	\$ 3,200.00	\$ -0-	\$ -0-
Retirement	\$ 19,200.00	\$ 20,827.00	\$ 20,827.00
Bond Debt & Interest	\$ 95,600.00	\$115,610.00	\$115,610.00
Emergency Funds	\$ 0.00	\$ 25,000.00	\$ 25,000.00
Haverhill Wastewater	\$140,000.00	\$140,000.00	\$140,000.00
Haverhill Capital Bond	<u>\$ 35,200.00</u>	<u>\$ 35,133.00</u>	<u>\$ 35,133.00</u>
TOTAL	\$478,566.00	\$526,598.00	\$526,598.00

Article submitted by Water & Sewer Commissioners

WATER/SEWER COMMISSIONERS RECOMMEND FAVORABLE/UNFAVORABLE ACTION

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 9: To see if the Town will vote to fix the salary and compensation of all elective and appointive officers of the Town for the twelve months ending June 30, 2015. Fixing of salaries according to Articles #6 - #8 above. Article submitted by Finance Board

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) for the purpose of repairing the Fire Department's Ladder Truck; or take any other action relative thereto.

Article Submitted by the Capital Improvement Committee

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of THIRTY-SIX THOUSAND FOUR HUNDRED SEVENTY-TWO DOLLARS (\$36,472.00) for the purpose of purchasing replacement carbon cylinder air bottles; or take any other action relative thereto.

Article Submitted by the Capital Improvement Committee

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of TWENTY-SIX THOUSAND THREE HUNDRED SIXTY-EIGHT DOLLARS (\$26,368.00) for the purpose of purchasing one Police Line Vehicle to replace retiring Police Line Vehicle; or take any other action relative thereto.

Article Submitted by the Capital Improvement Committee

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 13: To see if the Town will vote to raise and appropriate TWENTY THOUSAND DOLLARS (\$20,000.00) for the purpose of an Engineering Study of the water levels in the Johnson Creek Watershed area; or take any other action relative thereto.

Article Submitted by the Road Commissioner

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 14: To see if the Town will vote to reauthorize the Veasey Memorial Park Revolving Fund as established at the Special Town Meeting held December 2, 1996 and authorized by Chapter 44, Section 53E-½ of Massachusetts General Laws. The purpose of this fund is for the Conservation Commission to pay operating costs of Veasey Memorial Park. The Conservation Commission may expend from this account an amount not to exceed EIGHTY THOUSAND DOLLARS (\$80,000.00) for Fiscal 2015; or take any other action relative thereto.

The Conservation Commission shall give a report to the FY 2016 Annual Town Meeting detailing the total receipts and expenditures of this fund for Fiscal 2015.

Article submitted by Finance Director

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE : 15: To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 1600, **TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**, that would provide as follows, and further to amend the Table of Contents to add Section 1600, "Temporary Moratorium on Medical Marijuana Treatment Centers:"

Section 1601. PURPOSE

1601.1. By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town of Groveland and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

Section 1602. DEFINITION

1602.1. "Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

Section 1603. TEMPORARY MORATORIUM

1603.1. For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Or take any action relative thereto. Article submitted by Board of Selectmen

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

PLANNING BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 16: To see if the Town will vote to reauthorize the Pines Recreation Boat Ramp Revolving Fund as established at Special Town Meeting held October 13, 1992 and authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. The purpose of this fund is to allow receipts received from the sale of Pines Boat Ramp and Mooring Permits to be expended without further appropriation for the purchase of floats, safety equipment, walk ramp, necessary hardware for installation, and maintenance and repair of Pines Boat Ramp. The Pines Recreation Development Committee may, upon approval of the Board of Selectmen, expend from this account an amount not to exceed FIVE THOUSAND DOLLARS (\$5,000.00) during Fiscal 2015; or take any other action relative thereto.

A representative of the Pines Recreation Development Committee shall give a report to the FY 2016 Annual Town Meeting detailing the total receipts and expenditures of this fund for Fiscal 2015. *Article submitted by Finance Director*

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 17: To see if the Town will vote to reauthorize the Zoning Board of Appeals Revolving Fund as established at Annual Town Meeting held April 27, 2009 and authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. The purpose of this fund is to hold fees paid by the applicants and to be expended without further appropriation for the payments of advertising and associated clerical work relative to the applicant's application. The Zoning Board of Appeals may, upon approval of the Board of Selectmen, expend from this account an amount not to exceed FIVE THOUSAND DOLLARS (\$5,000.00) during Fiscal 2015; or take any other action relative thereto.

The Zoning Board of Appeals shall give a report to the FY 2016 Annual Town Meeting detailing the total receipts and expenditures of this fund for Fiscal 2015.

Article submitted by Finance Director.

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 18: To see if the Town will vote to reauthorize the Bagnall School Summer Program Revolving Fund as established at Annual Town Meeting held April 27, 2009 and authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. The purpose of this fund is to hold fees paid by the applicants and to be expended for salaries/wages and expenses of the Bagnall School Summer Program. The Bagnall School Summer Program may, upon approval of the Board of Selectmen, expend from this account an amount not to exceed ONE HUNDRED FIFTEEN THOUSAND DOLLARS (\$115,000.00) during Fiscal 2015; or take any other action relative thereto.

The Director of the Bagnall School Summer Program shall give a report to the FY 2016 Annual Town Meeting detailing the total receipts and expenditures of this fund for Fiscal 2015; or take any other action relative thereto. Article submitted by Finance Director.

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 19: To see if the Town will vote to appropriate or reserve from Community Preservation Fund Fiscal Year 2015 annual revenues the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects, and other expenses, with each item to be considered a separate appropriation:

PURPOSE	RECOMMENDED AMOUNT
Appropriations:	
Committee Administrative Expenses	\$ 20,000
Reserves:	
Open Space	\$ 50,000
Historic Resources	\$ 50,000
Community Housing	\$ 50,000

or take any other action relative thereto.

Article submitted by the Community Preservation Committee

Explanation: Groveland expects to realize approximately \$ 360,000 in Community Preservation Act (CPA) funds from real estate tax receipts (\$200,000) and matching funds from the state (\$160,000) in fiscal year 2015. The Community Preservation Act requires the Town to set aside 10% of funds collected for each of the following areas: open space, historic resources, and community housing. The above budget reserves these statutory minimums for each of the required three categories of expenditures, and appropriates the statutory maximum to be available for Community Preservation Committee expenses including appraisals, land surveys, postage, copying, and other administrative costs for the Fiscal Year ending June 30, 2014. Any unexpended administrative expenses will be returned to the general Undesignated Community Preservation fund. All funds realized above those reserved or appropriated will become general Undesignated CPA funds available for appropriation in Fiscal Year 2015, or to be carried over to Fiscal Year 2016.

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

ARTICLE 20: To see if the Town will vote to appropriate a sum of up to ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000.00) from the Community Preservation Fund General Reserve FY-2015 to be made available for the purpose of the development of a plan for the **Groveland Community Trail** to be managed by Mike Davis and the Groveland Open Space and Trails Committee under the CPA category of Open Space and be completed no later than June 30, 2017; or take any action relative thereto. Article submitted by Community Preservation Committee.

This project is being conducted to put a required plan in place to receive a MassDOT Transportation Improvement Plan grant for \$4-5 million to construct the Groveland Community Trail

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN:

And you are directed to serve this Warrant by posting attested copies thereof in said Town, one copy in each of the three parts of Town known as Savaryville, the Village, and South Groveland, fourteen (14) days at least before the time of holding said meeting.

Hereof fail not and make due return of this Warrant, with your doings thereon to the Precinct Clerk, at the time and place of said meeting.

Given under our hands this 7th day of April in the year of our Lord two thousand fourteen.

Donald N. Greaney, Chairman

Joseph R. D'Amore, Selectman

Elizabeth A. Gorski, Selectman

A true copy, attest:

Anne Brodie, Town Clerk

Robert J. Kirmelewicz, Police Chief

OFFICER'S RETURN

I have notified and warned the inhabitants of the Town of Groveland who are qualified to vote in Town Affairs by posting true and attested copies of this Warrant at the Town Hall, Savaryville and South Groveland, said copies not having been posted less than **fourteen days** before the time of said meeting.

Anne Brodie, Town Clerk

Robert J. Kirmelewicz, Police Chief