

TOWN OF GROVELAND



WARRANT FOR SPECIAL TOWN MEETING

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

To Ronald C. Weeks, 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 Special Town Meeting to meet at Town Hall, 183 Main Street, Groveland on Wednesday, November 13th, 2002 @ 7:00 P.M. to vote on the following Articles:

Town meeting was called to order by Moderator, Valerie Osborne at 7:30 P.M. when quorum had been reached. The pledge of Allegiance was said and the Greeting of the Warrant was read by Town Clerk, Richard T. Sciacca.

Selectman, William Darke asked to address the citizens: He stated: " That the Board of Selectmen have presented the warrant which has a lot of articles which will require monies out of Free Cash. He ask that the citizens support the Selectmen and on the articles which deal with paving, one at Washington Park, the Storage shed at the Highway Department and the Access road at the Elementary School be deferred for action at this time and be sent to the Capital Committee for disposition at a future date.

Jeff Pappas, member of the Capital Committee made a motion and it was seconded to move Article 11 to start the proceeding of the warrant.. There being no discussion Article 11 will be acted on first.

DATE OF VOTE & ACTION TAKEN:

ARTICLE 1: To see if the Town will vote to appropriate from Free Cash the sum of TWO THOUSAND DOLLARS (\$2,000.00) and transfer said sum to Planning Board Expense (#01-5-175-700); or take any other action relative thereto.

Above Article submitted by Finance Director.

This appropriation is made in accordance with MGL Chapter 44, Section 64 regarding payment of unpaid bills from prior fiscal years.

NOTE: This action requires a 9/10ths vote.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

Date Action Voted: November 13, 2002

Action Taken: Moved and seconded for favorable action: Discussion:

Question was asked "What is this Article about?" Walter Sorenson, Chairman of the Planning Board addressed the body. He stated the theTown of Groveland, had a legal question arise between a developer, and two board: the Selectmen and the Planning Board. Two member of the Planning board sought out legal help from their own attorneys. One member was not looking to be compensated, while Walter Sorenson was asking to be compensated. Since there are no monies in this account do the the end of the fiscal year, this article had to be approved by the voters. It was duly noted that the Planning Board did not authorize by a vote to pay this bill.

Voted 71 yes, 13 No. Not having met the 9/10's mandate, the Article was defeated.

ARTICLE 2: To see if the Town will vote to appropriate from Free Cash the sum of THREE THOUSAND FIVE HUNDRED AND TWENTY-EIGHT DOLLARS AND FORTY-SIX CENTS (\$3,528.46) and transfer said sum to Road Maintenance Expense (#01-5-426-200); or take any other action relative thereto.
Above Article submitted by **Finance Director.**

This appropriation is made in accordance with MGL Chapter 44, Section 64 regarding payment of unpaid bills from prior fiscal years. NOTE: This action requires a 9/10ths vote.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Moved and seconded for favorable action. No discussion took place. Voted as follows: Yes 73, No 8 Article passed favorably.

DATE OF VOTE & ACTION TAKEN:

ARTICLE 3: To see if the Town will vote to appropriate from Free Cash the sum of EIGHT HUNDRED AND EIGHTY-THREE DOLLARS AND TWENTY CENTS (\$883.20) and transfer said sum to Road Maintenance Expense (#01-5-426-200); or take any other action relative thereto.

Above Article submitted by Finance Director.

This appropriation is made in accordance with MGL Chapter 44, Section 64 regarding payment of unpaid bills from prior fiscal years. NOTE~ This action requires a 9/10th vote.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Moved and seconded for favorable action: Discussion: Peter Kacmar, Road Study Chair, asked what does this bill involved and why does it have to be paid? Robert Arakelian, Road Commissioner explained that this was for reflective barrel. A delay in the picking up of them cause this expense.

Voted Yes 93, No 2 Article passed favorably.

ARTICLE 4: To see if the Town will vote to appropriate from Free Cash the sum of FIFTY-THREE THOUSAND DOLLARS (\$53,000.00) and transfer said sum to the following accounts:

\$12,000.00 to Plumbing & Gas Inspector Salary (#01-5-243-110);

\$12,000.00 to Wiring Inspector Salary (#01-5-245-110);

\$ 6,000.00 to Veterans Benefits (#01-5-545-77 1);

or take any other action relative thereto.

Above Article submitted by Finance Director.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE : November 13, 2002

ACTION TAKEN: Motion to amend article : Article was posted to read " the sum of \$53, 000.00 and it should read \$30,000.00. Motion to amend and seconded on amendment. Voted Unanimous favorable action.

Discussion on motion as amended: What is the definition of Free Cash: Free Cash is defined as follows: "Funds remaining from operations of the previous fiscal year which are certified by DOR's director of accounts as available for appropriation. Remaining funds include unexpended free cash from the previous year, receipts in excess of estimates shown on the tax recapitulation sheet and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount of remaining funds which can be certified as free cash."

Voted Unanimous favorable action.

DATE OF VOTE & ACTION TAKEN:

ARTICLE 5: To see if the Town will vote to make the following transfers:

- \$6,465.00 from Police Patrolmen Salary (#01-5-210-110-07) to Police Incentive (01-5-210-140);
 - \$26,187.08 from Road Study (#36-3590-00) to Main Street Drainage (#30-3590-00)
 - \$8,000.00 from Whittier Assessment (#01-5-133-110) to Road Machinery (#01-5-425-200);
 - \$1,220.06 from Finance Director Salary (#01-5-133-110) to Municipal Complex (01-5-192-200);
 - \$1,250.00 from Veterans' Services (#01-5-542-770) to Veterans' Benefits (#01-5-545-771);
 - \$500.00 from Whittier Assessment (#01-5-302-650) to Plumbing and Gas Inspector Expenses (new line item);
 - \$500.00 from Whittier Assessment (#01-5-302-650) to Wiring Inspector Expenses (new line item);
 - \$500.00 from Whittier Assessment (#01-5-302-650) to Building Inspector Salary (01-5-241-1 100); and
 - \$3,089.00 from Whittier Assessment (#01-5-302-650) to Building Inspector Expenses (new line item);
- or take any other action relative thereto.

Above Article submitted by Finance Director.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS :

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Moved and seconded to suspend reading. Voted Unanimous.

Discussion: Why was the Whittier Assessment less? It was that there figure was too conservative when the developed the budget.

On a motion to amend made by William Darke as Follows: I do hereby move to strike the second bullet for \$26, 187.08 from Article 5. Motion made for favorable action and seconded on amendment. No discussion,. Voted Unanimous favorable action on amendment. On a motion for the article as amendment with favorable and action and seconded, the article was voted Unanimous favorable action.

ARTICLE 6: To see if the Town will vote to appropriate from Free Cash the sum of TEN THOUSAND DOLLARS (\$10,000.00) to pay part of the cost of paving an emergency/safety access road which would lead to the rear of the Bagnall School; or take any other action relative thereto.

Above Article submitted by Finance Director.

BOARD OF SELECTMEN RECOMMEND UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS UNFAVORABLE ACTION

DATE OF VOTE: NOVEMBER 13, 2002

ACTION TAKEN: On a motion to amend made by Selectmen William Darke" I William Darke do hereby move to refer the request for \$10,000.00 for paving at the Bagnall School to the Capital Improvement Committee for future consideration in the Town's Capital Improvement plan.

Discussion: Bill Darke stated that this article should have had gone to the Capital Committee before it was brought to the people for consideration. He went on to say we do not have these monies.

DATE OF VOTE & ACTION TAKEN:

A resident asked that since new playground equipment was just erected behind the school, should there be an accident we need this road. Police Chief Weeks stated that an emergency vehicle can get in and this situation will work for the time being. John Osborne, capital committee member stated that this issue will be addresses at the Annual Town Meeting.

Action was seconded on amendment and voted favorably. On a motion on the article as amended favorable and seconded, the article was voted unanimous to to send to Capital Committee.

ARTICLE 7: To see if the Town will vote to appropriate from Free Cash the sum of FIFTEEN THOUSAND FOUR HUNDRED DOLLARS (\$15,400.00) for the purpose of making the Storage Garage at the new Highway Facility/Composting Site weather tight and usable for maintenance of highway equipment; or take any other action relative thereto.

Above Article submitted by Road Commissioner.

EXPLANATION: 2 Overhead Doors - \$4,600.00; Insulation - \$3,800.00; Heat - \$2,300.00; Electric - \$3,200.00; and Misc. Lumber - \$1,500.00.

NOTE: For the past seven (7) years the Highway Department Equipment was maintained at the Road Commissioner's Garage. Snow Plow equipment has to be maintained in a heated garage. This small storage garage will temporarily relieve the problem of not having a town garage to store and maintain the department's equipment.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS UNFAVORABLE ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Moved and seconded for favorable action. Discussion: Peter Kachmar explained that this project of the Highway garage involved three component: A Highway garage, a storage shed, and the salt shed. Since the townspeople have rejected the highway garage in a past 2/1/2 override election, the Road Commission has used Chapter 90 funds to erect this storage shed. Road commissioner Robert Arakelain stated that the shed needs doors and since he felt he would rather have the doors installed by a local dealer, he did not purchase them when he bought the building. Since the discussion lead to the issue of this building would allow the trucks to be under-cover in the winter as well as being worked on, that this building would reduce the maintance budget of the highway department. When asked by the Finance Director what kinds of monies could the town expect to save, the answer from Peter Kachmar was there could not be a sum projected at this time. Another question was asked, "Why did the Finance Board not recommend action on this article? Response was that it should have gone to the Capital Committee. The Capital Committee was asked why they recommended unfavorable action: They responded that it was because this article was not presented to them.

Peter Kachmar stated that this total project was presented to the voters before the Capital Committee was put into place..

The article was moved for action with a favorable vote.

DATE OF VOTE & ACTION TAKEN:

ARTICLE 8: To see if the Town will vote to appropriate from Free Cash the sum of NINE THOUSAND DOLLARS (\$9,000.00) for the purpose of paving the driveway entrance to the new Highway Facility and Composting Site on Center Street; or take any other action relative thereto.

Above Article submitted by Road Commissioner.

BOARD OF SELECTMEN RECOMMEND UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS UNFAVORABLE ACTION

DATE OF VOTE: NOVEMBER 13TH 2002

ACTION TAKEN: MOVED AND SECONDED FOR FAVORABLE ACTION. VOTED UNANIMOUS FAVORABLE ACTION.

ARTICLE 9: To see if the Town will vote to appropriate from Free Cash the sum of FOURTEEN THOUSAND DOLLARS (\$14,000.00) for the purpose of funding the mandatory Phase II Storm Water Rule; or take any other action relative thereto.

Above Article submitted by Road Commissioner, with work to be approved by Selectmen.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS NO ACTION DUE TO LACK OF INFORMATION

DATE OF VOTE: NOVEMBER 13TH 2002

ACTION TAKEN: Robert Arakelain explained that this project was had to have a permit in order to meet the specification of the plan. Since the town does not have an engineer in house he contracted the work out. Selectmen Barbara Sheehan stated that the town has also six bullet issues which also need to be address which go along with this project.

Finance Board member Lebrech stated that he found out that this project does not have to be completed until 2008. Thus he feels that free cash does not need to be spent at this time on said project. However Robert Arakelain re-iterated that he still need to complete this plan in order to address all components of the project.

Voted Majority favorable action.

ARTICLE 10: To see if the Town will vote to transfer from available funds the amount of ONE HUNDRED NINE THOUSAND NINE HUNDRED EIGHTY-THREE DOLLARS AND SEVENTY-THREE CENTS (\$109,983.73) and appropriate said sum for Chapter 90 approved road work, said amount to be used pending reimbursement by the State (Chapter 246), with such work to be done under the supervision of the Road Commissioner; or take any other action relative thereto.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE: November 13, 2002

DATE OF VOTE & ACTION TAKEN:

ACTION TAKEN: MOVED AND SECONDED FOR FAVORABLE ACTION. NO DISCUSSION TOOK PLACE. APPROVED UNANIMOUS FAVORABLE ACTION.

ARTICLE 11: To see if the Town will vote to raise and appropriate EIGHTY-FOUR THOUSAND DOLLARS (\$84,000.00) for the purposes listed below, and to meet this appropriation, to authorize the Treasurer, with the approval of the Selectmen, to borrow such amounts and to issue bonds and/or notes of the Town therefore, payable in accordance with the applicable sections of the General Laws, or any other enabling authority, said vote to be contingent upon approval by the voters at a Special Town Election of a Debt Exclusion Ballot Question that, if successful, would exempt the debt service of said bonds and notes from provisions of Proposition 2-1/2, so called, or take any other action relative thereto.

Replacement of Library and Town Hall roofs

Duct work in Town Hall

The approximate cost of this Article would be \$0.02/\$ 1000 on the tax rate, or about \$5 per year for a house with an assessed value of \$250,000.

Above Article submitted by Board of Selectmen and Capital Improvement Committee.

On a motion to amend the following amendment was offered to Article 11 as follows: I Jeff Pappas move to amend Article 11 to remove the words "said vote to be contingent upon approval by the voters at a Special Town Election of a Debt Exclusion Ballot Question that, if successful, would exempt the debt service of said bonds and notes from provisions of Proposition 2 1/2, so called", and to remove the note regarding additional taxes. Thus the Amended Article would read as follows:

To see if the Town will vote to raise and appropriate EIGHTY-FOUR THOUSAND DOLLARS (\$84,000.00) for the purposes listed below, and to meet this appropriation, to authorize the Treasurer, with the approval of the Selectmen, to borrow such amounts and to issue bonds/ or notes of the Town therefore, payable in accordance with the applicable sections of the General laws, or any other enabling authority, or take any other action relative thereto.

Replacement of the Library and Town Hall Roofs
\\Duct work in the Town Hall.

Motion for amendment was moved and seconded. No discussion on amendment, voted unanimous favorable action.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS NO ACTION

Date Vote Taken: November 13, 2002

Action Taken: Motion moved for favorable action on Article as amended, and seconded: Discussion: Clark Jenkins, Salem street asked why had the Police and Fire Building roofs been fixed since monies were appropriated in the spring. It was explained the bidding procedure had been long and that there was a delay in that process. The issue was raised should the roofs be done now that the weather is getting cold. Response was yes the roof could still be put on and would be done so as to protect the new communication equipment at the Police and Fire Complex. It was stated that if this article was

DATE OF VOTE & ACTION TAKEN:

approved that work on the Town Hall and Library would be done in the spring.

Motion was made and seconded to close debate. Questioned failed and debate continued:
James Dole, Uptack Rd, stated that he agreed with the issue that to bid this type of work is a long and complicated process. Barbara Sheehan, stated she saw other project in town putting on roofs and felt that we could continue on the Fire and Police Complex roofs.

Action taken was Voted 2/3 Majority Favorable Action.

ARTICLE 12: To see if the Town will vote to appropriate from Free Cash the sum of SIX HUNDRED DOLLARS (\$600.00) for the purpose of preparing a recordable plan to show what the town acquired from the Stephenson's Way Trust in June 2002; or take any other action relative there.
Above Article submitted by Board of Assessors.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS UNFAVORABLE ACTION

DATE OF VOTE : NOVEMBER 13TH 2002

ACTION TAKEN: Moved and seconded for unfavorable action. Discussion: Debra Webster, manager of the Assessor's Office supported the unfavorable action.

Voted Unanimous unfavorable action.

ARTICLE 13: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, pursuant to Section 8 of Amended Article 89 of the Massachusetts Constitution, for a special act of legislation to allow the Town, notwithstanding the provisions of G.L. c. 59, §21C (k), to include the amounts required to pay original principal of bonds, notes, or certificates of indebtedness issued by the Town in the text of any debt exclusion ballot question presented to the voters of the Town, and further to authorize the Board of Selectmen to approve any amendments proposed by the General Court which are within the general scope of this petition; or take any other action relative thereto.

Above Article submitted by Capital Improvement Committee.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS NO RECCOMENDATION

DATE OF VOTE: NOVEMBER 13TH 2002

ACTION TAKEN: Motion made and seconded to dispense with the reading. Voted favorably. Discussion: John Osborne, Capital Committee, member stated that restrictions which are place on Ballot Questions which ask voters to refer back to an action at a town meeting often times cause confusion to the voter, for the voter may not have attended the proceeding town meeting. When the ballot question is placed on the ballot, under the present structure it cannot give the specific amount of monies. Passage of this article will allow the public to know the amount of monies requested for the article at the time of the ballot election.

Discussion: Town Clerk asked that if special legislation is to be written on this issue that the town also

DATE OF VOTE & ACTION TAKEN:

get what are the proper procedures in conducting the campaign either for or against said question.
Article Voted Unanimous favorable action.

ARTICLE 14: To see if the Town will vote to appropriate from Free Cash the sum of FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00) to purchase a new computer system for the Assessing Department; or take any other action relative thereto.

Above Article submitted by Board of Assessors.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS UNFAVORABLE ACTION

DATE OF VOTE : November 13, 2002

ACTION TAKEN: Moved and seconded for favorable action. Discussion: Kathleen Kastrinelis, wanted to know if this also included software. Answer was no. Only hardware. James Freer also supported a software package stating that the Assessor's Office is still using an old DOS operating system. Webster stated that the office wanted to update the hardware for fear of failure of the present old system. She went on to state that the board hoped that at the Annual Town Meeting the software issue can be addressed. Rick Littrell felt the computer systems in the town hall are not the best that we should have. He also stated that we should be looking into leasing rather than purchasing them.

Article Voted Majority favorable action.

ARTICLE 15: To see if the Town will vote to transfer TWO THOUSAND DOLLARS (\$2,000.00) from Board of Health Part-Time Salary (#01-5-512-110) to Board of Health Expense (#01-5-511-200); or take any other action relative thereto.

Above Article submitted by Board of Health.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS UNFAVORABLE ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Moved and seconded for favorable action, no discussion took place.
Voted unanimous favorable action.

DATE OF VOTE & ACTION TAKEN:

ARTICLE 16: To see if the Town will vote to appropriate the sum of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) from the Conservation Commission Conservation Fund Account (#24-3590-49) to the Conservation Commission Purchase of Services Account for Fiscal Year 2003 (01-5-17 1-200); for the purpose of land appraisals related to open space purchase; or take any other action relative thereto.

Above Article submitted by Conservation Commission.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINACE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE : November 13, 2002

ACTION TAKEN: moved and seconded for favorable action. No discussion took place. Voted Majority favorable action.

ARTICLE 17: To see if the Town will vote to appropriate from Free Cash the sum of FIFTEEN THOUSAND DOLLARS (\$15,000.00) to pay for paving the parking area of Washington Park and materials to construct a wooden lean to for storing clay and other field materials; or take any other action relative thereto.

Above Article submitted by Board of Selectmen.

BOARD OF SELECTMEN RECOMMEND ARTICLE TO GO TO CAPITAL COMMITTEE FOR REVIEW.

FINANCE BOARD RECOMMENDS NO ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: On a motion to amend made as follows: I William Darke do hereby move to refer the request for \$15,000.00 for paving and materials to build a Lean-to for storing field materials at Washington Park to the Capital Improvement Committee for future consideration in the town's Capital Improvement Plan. Motion was seconded. No discussion took place. Motion for amendment was passed favorable. On a motion and second for the article as amended favorably it was vote Unanimous for approval.

ARTICLE 18: To see if the Town will vote to appropriate FORTY-EIGHT THOUSAND FIVE HUNDRED SEVENTEEN DOLLARS (\$48,517.00) from the interest accrued in the Town Development Fund (#24-3590-03) to Pine's Development and Refurbish Account (#01-5-631-240) for the purpose of installing an irrigation system to maintain the ball fields at the Pine's Recreation Area off Main Street; or take any other action relative thereto.

Above Article submitted by Pines Development Committee.

NOTE: The irrigation system will be installed in conjunction with the repair of the two ball fields currently located at the Pines and in need of immediate restoration. The system will be pumping water from the river and will have no impact on our town's water system (no federal permits are required if pumping under 100,000 gallons per day).

DATE OF VOTE & ACTION TAKEN:

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Motion to waive reading and seconded. Voted Favorable action. Moved and seconded for favorable action. Discussion: Rick Littrell asked, "What is the Capital Committee's stand on this article. Response was it is not in there domain. No other discussion. Voted Majority favorable action.

ARTICLE 19: To see if the Town will vote to appropriate the sums of TWELVE THOUSAND DOLLARS (\$12,000.00) from interest earned in the Sale of Town Buildings Account (#26-3301-00) and the sum of EIGHT HUNDRED SEVENTY DOLLARS (\$870.00) from Free Cash for the purpose of replacing seventy-eight (78) light fixtures in the following offices of Town Hail: Accountant, Assistant Treasurer/Collector, Board of Assessors, Board of Health, Building Inspector, Conference Room, Conservation Commission, Planning Board, Town Clerk, and Water/Sewer Department; or take any other action relative thereto.

Above Article submitted by Building Superintendent

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Moved and seconded to waive reading. No discussion, Voted favorable. No discussion took place. Voted Unanimous favorable action.

ARTICLE 20: To see if the Town will vote to appropriate from Free Cash the sum of FIVE THOUSAND ONE HUNDRED DOLLARS (\$5,100.00) and transfer said sum to be following accounts:

Moderator Stipend (01-5-114-190)	\$ 100.00
Selectmen Stipends (01-5-122-190)	\$1,500.00
Assessors Stipends (01-5-141-190)	\$ 900.00
Conservation Commission Stipends (01-5-17 1-190)	\$1,400.00
Fire Engineers Stipends (01-5-220-190)	\$ 500.00
Civil Defense Stipend (01-5-291-190)	\$ 100.00
Tree Warden Stipend (01-5-294-190)	\$ 300.00
Cemetery Commissioners Stipends (01-5-491-190)	\$ 300.00

or take any other action relative thereto.

DATE OF VOTE & ACTION TAKEN:

NOTE: This restores stipends removed from the FY2003 budget at Annual Town Meeting.

Above Article submitted by Board of Selectmen.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS UNFAVORABLE ACTION

DATE OF VOTE : November 13, 2002

ACTION TAKEN: Moved and seconded to waive reading. Voted favorable action . **Discussion:** Kathy Kastrinelis stated that the reason stipends had been done away with was because they would allow those getting them to be able to receive medical benefits also. The Selectmen stated that they have made a provision which will not allow medical benefits to be given to those who get stipend. William Darke, Selectmen stated that it was only fair that all departments are treated the same. James Dole, Chairman of Zoning Board stated that the Zoning Board members do not get stipends. Tom Moses Finance Director stated that they opted to use their stipends for part of their operating budget.

Voted Majority, favorable action.

ARTICLE 21: To see if the Town will vote to appropriate the sum of THIRTY THOUSAND DOLLARS (\$30,000.00) from Free Cash to fund a complete rewrite of the Town of Groveland Zoning Bylaws; or take any other action relative thereto.

PURPOSE: The purpose of this Article is to fund a complete rewrite of the Town of Groveland Zoning Bylaw and bring the bylaws up to date and in conformance with Massachusetts General Laws. The last rewrite of the Zoning Bylaws for the Town of Groveland exceeds 40 years ago, the last major was in 1975. This rewrite is in compliance with the Groveland Master Plan and is a subsection thereof.

History of Article: Sometime after the Town of Groveland lost a legal case against the Zoning Board in 1987, Town Counsel received a strong suggestion from the Bench to rewrite the Groveland Zoning Bylaws and bring them into compliance with the rest of the Commonwealth.. This was not discovered until recently. During a multi-board meeting with the Board of Selectmen earlier this year, the group tasked the Planning Board with its duty to rewrite the Zoning Bylaws of Groveland per Massachusetts General Law. During the research for a budget proposal to present to the Town, the Judge's comments surfaced. The Zoning Bylaw rewrite is a part of the Groveland Master Plan and this section was next to be completed, since the Zoning Map has now been approved. Thank you for supporting Groveland.

Above Article submitted by Planning Board.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Moved and seconded for favorable action. **Discussion:** Walter Sorenson spoke for the planning board and stated that the zoning by-laws of the town are old and some are outdated. James Dole, Chairman of Zoning Board stated that the zoning bylaws whether new or old will dictate

DATE OF VOTE & ACTION TAKEN:

how the town will develop. Richard Lombard, suggested we look for a consultant. Walter stated that the planning board feels that Cammett Engineering, who they use now can do this job. Thomas Moses, finance director suggested that a rfp proposal be put out on this project. Ed Reed, member of Zoning Board stated that this issue should be placed before the voters at the Annual Town Meeting. Kathy further suggested that this article wait till Annual Town meeting and also should go out for a RFP. Proposal. John Osborne wanted to know if the town has had litigation with these by-laws. Yes, we have had some, was the answer. Motion made and seconded for favorable action. Voted Majority favorable action.

ARTICLE 22: To see if the Town will vote to amend the Town's General Bylaws, Section 8, by adding the following:

Sec. 8-22. Motorized Scooter Prohibition.

A. Definition: Described as the following: Motorized Scooter-unregistered, two wheels, with handle grips, power by a gasoline 2-stroke or 4-stroke engine. A "motorized bicycle" or motorcycle, as defined in Massachusetts General Laws, Chapter 90, Section 1, are not motorized scooters.

B. Operating Restrictions: It shall be unlawful for any person to operate or permit to operate the defined motorized scooter within the Town of Groveland under any of the following circumstances:

1. On public sidewalks.
2. On public and private roadways by a person not possessing a valid drivers license or learners permit.
3. In public parks and recreational areas.
4. On public school property.
5. On private property without the prior written consent of the owner or occupant of said property. No written consent shall be required for operation of any motorized scooter upon the property of any private club or other organization that permits the use of similar recreational vehicles by the club members.
6. In such a manner as to create loud or unnecessary noise as to unreasonably disturb or interfere with persons in the peaceful and quiet enjoyment of their property. To this end, no person shall operate a scooter before the hour of 9:00 A.M. and after the hour of 7:00 P.M.
7. To have a second rider on the same scooter.
8. Failing to wear protective headgear conforming to Registry of Motor Vehicles standards.

C. Any person legally entitled to operate a motor scooter, as set forth herein, must conform with all traffic laws and regulations of the Commonwealth.

D. Penalty: Any violation of the within bylaw shall be subject to a \$25.00 fine for the first offense and a \$50.00 fine for all subsequent offenses.

Above Article submitted by Board of Selectmen.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS NO RECCOMENDATION

DATE OF VOTE & ACTION TAKEN:

DATE OF VOTE November 13, 2002

ACTION TAKEN: Moved to dispense with the reading and seconded. Approved favorable. Article moved favorably and seconded. Discussion: Would this bylaw block Segway machine? Ron Weeks, Chief of police said at this time he has no information on this vehicle. When and if he does get information he will recommend action on the by-law. A concern over the hours of operation was raised, but no action was taken on this issue. Issue was voted Unanimous favorable action.

ARTICLE 23: To see if the Town will vote to appropriate \$1,900,000 for the purpose of financing the engineering, construction and land acquisition for a water storage tank off Wood Street, water mains and related water system improvements including without limitations all costs thereof; that to meet this appropriation the Finance Director with approval of the Selectman is authorized to borrow \$1,900,000 dollars and issue bonds or notes therefore under G. L. c. 44, sec. 8; that such bonds or notes shall be general obligations of the Town unless the Finance Director with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues; and to take any other action necessary to carry out the project.

Above Article submitted by Water/Sewer Commissioners.

**BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION FINANCE BOARD
RECOMMENDS FAVORABLE ACTION**

DATE ARTICLE VOTED: November 13, 2002

ACTION TAKEN: Moved and seconded to dispense with the reading. Voted favorably. Moved and seconded for favorable action on the article. Bruce Adams, Water Board offered the following amendment: "I Bruce Adams move to amend Article 23 to insert the words "or any other enabling authority" after the words "sec. 8" Thus the article will read as follows:

Article 23: To see if the Town will vote to appropriate \$1,900,000 for the purpose of financing the engineering, construction and land acquisition for a water storage tank off Wood Street, water mains and related water system improvements including without limitations all costs thereof, that to meet this appropriation the Finance Director with approval of the Selectmen is authorized to borrow \$1,900,000 dollars and issue bonds or notes therefore under G.L. c. 44, sec 8 or any other enabling authority that such bonds or notes shall be general obligations of the Town unless the Finance Director with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues; and to take any other action necessary to

DATE OF VOTE & ACTION TAKEN:

carry out the project.

Motion moved and seconded for favorable action on the amendment. Discussion: Brue stated if the board could get the funding which they hope to which was at 2%, then they would not have to go out to bond.

Explanation of this article from the Water Board: In 2003 the water department will be embarking on the largest capital improvement project undertaken within the past 35 years. The project will include a new 1.5 million-gallon water storage tank to be located off of Wood Street. The new tank is necessary to provide adequate pressures to the higher elevated areas in town including Coleman Road, Hill View Ave, Briscoe Heights, King Street, Bare Hill Road, as well as the Nichols Village and Town Forest Crossing developments. This will allow the town to come in compliance with DEP regulations, which require that all customers receive at least 35- psi pressure. The new tank will provide increased flows to the Junior High School and the north half of the town, especially along Main Street, Wood Street, and Seven Star Road. It will also provide a strong emergency interconnection with West Newbury.

The construction of a second water tank has been proposed for many years. Building it next year will allow us to take advantage of over 2 ¼ miles of water mains and land that three developers are providing, which has a value of over \$1,000,000. The developers of Nichols Village, Town Forest Crossing and Groveland Commons are providing the new water mains in Main Street and through the Nichols Village development to the new water storage tank as well as the site for the tank.

As part of the project, the water department will be constructing water mains from #250 to #266 Center street, Garrison Street from King Street to Rollins Street, Wood Street, and Main Street from the Junior High School to the West Newbury town line.

The water board asks that you support Article 23, which will fund construction of the water storage tank and water mains. Water customers will repay the entire amount borrowed through water rates. Tax revenue will not be used to repay the amount borrowed. The impact on water rates will be very

DATE OF VOTE & ACTION TAKEN:

low since the water department recently paid off all debt for the past capital improvements. We may have a one-time increase in water rates of 5% or less in fiscal 2004 to pay for these improvements.

Motion made and seconded for favorable action as amended. Voted Unanimous 2/3 majority.

ARTICLE 24: To see if the Town will vote to acquire by voluntary conveyance or take by eminent domain, a utility easement for the installation, operation, maintenance, repair and replacement of utilities and a water storage tank extending from the public layout of Wood Street to and including the proposed location of the new water storage tank said easement to be on the property now or formerly of Raymond Webster (assessors Map 8 Parcel 4) as shown on a plan entitled "Plan of Utility Easements off of Wood Street, Groveland Massachusetts". Sheet 1, prepared by Hayes Engineering, dated October 25, 2002, or take any other action relative thereto.

Above Article submitted by Water/Sewer Commissioners.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS NO ACTION

DATE OF VOTE : November 13, 2002

ACTION TAKEN: Motion to dispense with the reading and seconded. Voted favorable action. No discussion took place: Water Board present explanation as follows: The new water tank is to be constructed on land off of Wood Street within the proposed development known as Town Forest Crossing. The Town Forest Crossing developer is providing permanent easement for the water tank and water mains to link the tank to the water mains constructed by the Nichols Trust.

Voted Unanimous favorable action Declared 2.3 majority.

DATE OF VOTE & ACTION TAKEN:

ARTICLE 25: To see if the Town will vote to accept the provisions of G. L. c. 40, sec. 42J relative to the deferral of charges for water supplied to property owned by elderly, low income homeowners who are eligible for an exemption under G. L. c.59, sec. 5, cl.41stA, or take any other action relative thereto.

Above Article submitted by Water/Sewer Commissioners.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS NO ACTION

DATE OF VOTE : November 13, 2002

ACTION TAKEN: Moved and seconded to dispense with the reading. Voted favorably.

Explanation of this article by the water department is as follows: With cost for water and sewer service as well as taxes continuing to rise, the department proposes this article which will allow elderly low-income homeowners who meet certain criteria to defer charges for water service as well as any future water betterment assessments. These amounts would continue to be deferred until the homeowner could afford to pay them, or when they sell their home.

Discussion: James Dole asked if this article would apply to Nichols Trust. Answer: No.

No more discussion . Voted unanimous favorable action.

ARTICLE 26: To see if the Town will vote to accept the provisions of G. L. c.80, sec. 13B relative to the deferral of betterment assessments for elderly, low income homeowners who are eligible for an exemption under G. L. c.59, sec. 5, cl.41 stA, or take any other action relative thereto.

Above Article submitted by Water/Sewer Commissioners.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS NO ACTION

Date Article Voted: November 13, 2002

ACTION TAKEN: Moved and seconded to dispense with the reading Voted favorably.

Bruce Adams made the following Amendment: I Bruce Adams move that the Town vote to accept

DATE OF VOTE & ACTION TAKEN:

the provisions of G.L. c. 80, Sec 13B relative to the deferral of water system betterment assessments for elderly, low income homeowners who are eligible for an exemption under G.L.c. 59 section 5, cl. 41 st A.

Water Board presented the following: Explanation of this article by the water department is as follows: With cost for water and sewer service as well as taxes continuing to rise, the department proposes these this article which will allow elderly low-income homeowners who meet certain criteria to defer charges for water service as well as any future water betterment assessments. These amounts would continue to be deferred until the homeowner could afford to pay them, or when they sell there home.

No discussion took place. Motion and second for favorable action. on amendment. Voted Unanimous favorable action. Motion made and seconded for favorable action of article as amended. Voted Unanimous favorable action.

ARTICLE 27: To see if the Town will vote to appropriate \$350,000 for the purpose of financing the engineering and construction of sewers, sewer services and related sewer system improvements including without limitations all costs thereof; that to meet this appropriation the Finance Director with approval of the Selectmen is authorized to borrow \$350,000 dollars and issue bonds or notes therefor under O. L. c. 44, sec 8.; that such bonds or notes shall be general obligations of the Town unless the Finance Director with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues; and to take any other action necessary to carry out the project.

Above Article submitted by Water/Sewer Commissioners.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE ACTION

DATE OF VOTE: November 13, 2002

DATE OF VOTE & ACTION TAKEN:

ACTION TAKEN: Moved to dispense with reading and seconded. Voted Favorably. Water Board made the following Motion to amend as follows:

I move to amend Article 27 to replace the words "sec 8" with the words "sec 7 or 8 or any other enabling authority. Thus the article will read as follows:

Article 27: To see if the Town will vote to appropriate \$350,000 for the purpose of financing the engineering and construction of sewer services and related sewer system improvements including without limitation all costs thereof; that to meet this appropriation the Finance Director with the approval of the Selectmen is authorized to borrow \$350,000 dollars and issue bonds or notes therefore under 0.L.c.44, sec 87 or 8 or any other enabling authority; that such bonds or notes shall be general obligations of the Town unless the Finance Director with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues; and to take any other action necessary to carry out the project.

Water Board offer this explanation to this article: For the first time in over 20 years, the sewer department is embarking on a significant expansion of the sewer collection system. This project, with developer assistance, will allow for the connection of nearly 60 Main Street and Broad Street residences to the sewer system. The Nichols Village development located on Main Streets near the West Newbury town line will be extending sewers from Main Street/Broad Street triangle to their development. In addition, they are providing funding or constructing sewers and a sewer pumping station on Main Street beyond their development. The total value of the $\frac{3}{4}$ miles of sewer main plus pumping station and force main that will benefit the town is about \$800,000.00

The sewer commissioners ask that you support article 27, which will fund construction of the remaining portion of the project to complete sewer service to the West Newbury town line. New sewer customers will repay 100% of the amount borrowed through sewer betterments. Existing sewer customers will be charged for any of this cost and tax revenue will be used to repay the amount borrowed.

DATE OF VOTE & ACTION TAKEN:

Next year the sewer department will evaluate and determine the feasibility of extending sewer service further to Balch Avenue, Seven Star Road, Cranton Avenue, and Dwinnell Street. With the construction of these sewers, phase two of the sewer master plan will be completed. Residents in several other neighborhoods have also asked that the sewer department consider extending sewers to their neighborhood. The department will be evaluating all of these request.

Question was moved, seconded Voted favorably. Amendment was moved and seconded for favorable action and voted favorably. The main motion was moved and seconded for favorable action. Voted favorably.

ARTICLE 28: To see if the Town will vote to accept the provisions of G. L. c. 83, sec. 14 & 15 relative to the assessment of betterments in accordance with the provisions of G. L. c.80 by the Uniform Unit Method to meet the cost of 100% of the construction and connection of sewers and sewer services, or take any other action relative thereto.
Above Article submitted by Water/Sewer Commissioners.

BOARD OF SELECTMEN RECOMMEND FAVORABLE/ACTION

FINANCE BOARD RECOMMENDS NO ACTION

DATE OF VOTE : November 13, 2002

ACTION TAKEN: Moved and seconded for favorable action: Water Board stated the following: This article will modify the way sewer betterments are assessed. The uniform unit method sets the betterment for each home the same. The previous method set betterments on the basis of frontage along the street. We believe that the uniform unit method is more fair method.
Voted Unanimous favorable action.

DATE OF VOTE & ACTION TAKEN:

ARTICLE 29: To authorize the Board of Sewer Commissioner to assess one hundred percent (100%) of the cost of each sewer project undertaken by the Town upon those who benefit from the project, such assessments to be made by the Uniform Unit Method, as provided by G. L. c. 83, sec. 15.

Above Article submitted by Water/Sewer Commissioners.

BOARD OF SELECTMEN RECOMMEND FAVORABLE

FINANCE BOARD RECOMMENDS NO ACTION

DATE ARTICLE VOTED: November 13, 2002

ACTION TAKEN: Moved and seconded to dispense with reading. Voted favorably. Water Board made this explanation: This article will allow the sewer department to assess the entire cost of extending sewers to those that receive benefit from the new sewers. This assures that the existing customers will not be charged for the cost of extending sewers. In addition, tax revenues will not be used to repay amounts borrowed unless specifically approved by the town meeting vote for a specific sewer extension.
No discussion. Voted Unanimous favorable action.

ARTICLE 30: To see if the Town will vote to accept the provisions of G.L. c.59, sec. 5, cl.41stA relative to the deferral of charges for sewer service supplied to property owned by elderly, low income homeowners who are eligible for an exemption under G.L. c.59, sec. 5, cl.41stA, or take any other action relative thereto.

Above Article submitted by Water/Sewer Commissioners.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD RECOMMENDS NO ACTION

DATE OF VOTE: November 13, 2002

ACTION TAKEN: Motion to not read article and seconded. Voted favorably. The following was entered by the Water Board as an amendment: I Bruce Adams do hereby

DATE OF VOTE & ACTION TAKEN:

move to strike the phrase: "c59 sec 5 cl.41stA" from line 2, and substitute : " G.L.c.83 Sec. 166" in its place. Thus the article will read:

Article 30: To see if the Town will vote to accept the provisions of G.L. c.83 Sec 166" relative to the deferral of charges for sewer service supplied to property owned by elderly, low income homeowners, who are eligible for an exemption under G.L.c.59, sec 5, cl.41stA, or take any other action relative thereto.

The Water department gave this explanation: with costs for water and sewer services as well as taxes continuing to rise, the department proposes this article which will allow elderly low-income homeowners who meet certain criteria to defer charges for sewer services as well as any future sewer betterment assessments. These amounts would continue to be deferred until the homeowner could afford to pay them, or when they sell their home.

Motion made and seconded to amend article. Voted Unanimous. Motion made and seconded to vote article as amended. Voted Unanimous.

ARTICLE 31: To see if the Town will vote to accept the provisions of G.L. c.80, sec. 13B relative to the deferral of betterment assessments for elderly, low income homeowners who are eligible for an exemption under G.L. c.59, sec. 5, cl.41stA, or take any other action relative thereto.

Above Article submitted by Water/Sewer Commissioners.

BOARD OF SELECTMEN RECOMMEND FAVORABLE ACTION

FINANCE BOARD TAKES NO ACTION:

DATE ARTICLE VOTED: Novemaber 13, 2002

ACTION TAKEN: Motion made and seconded to dispense with reading. Voted favorably.

Motion made : "I Bruce Adams move that the Town vote to accept the provisions of

DATE OF VOTE & ACTION TAKEN:

G.L.c.80,Sec 13B relative to the deferral of sewer system betterment assessments for the elderly, low income home owners who are eligible for an exemption under G.L.c.59 section 5,cl.41stA.

The Water Board offered the following explanation: : costs for water and sewer services as well as taxes continuing to rise, the department proposes this article which will allow elderly low-income homeowners who meet certain criteria to defer charges for sewer services as well as any future sewer betterment assessments. These amounts would continue to be deferred until the homeowner could afford to pay them, or when they sell their home.

**Motion made and seconded for favorable action on amendment. Voted Favorable action.
Motion made and seconded for favorable action on the article as amended. Voted
Favorable Unanimous action.**

Motion to dislove this town meeting was made at 10:02 P.M.

As Town Clerk of Groveland I attest that this is a true Attest as to the proceeding which took place at this Special Town Meeting , held in Groveland on November 13, 2002

_____ Richard T. Sciacca , Town Clerk

DATE OF VOTE & 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 c~5 day of October in the year of our Lord two thousand two.

Elizabeth A. Gorski, Chairman

Barbara A. Sheehan

William H. Darke

A true copy, attest:

Richard T. Sciacca, Town Clerk

Ronald C. Weeks, 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.

DATE OF VOTE & ACTION TAKEN: