



TOWN OF GROVELAND

2013 APR 12 PM 7:17

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# TOWN OF GROVELAND

## 2013 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 29, 2013 @ 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:** April 29, 2013      unanimous vote for favorable action

**ARTICLE 2:** To see if the Town will vote to transfer from available funds the amount of **THREE HUNDRED TWENTY THOUSAND EIGHT HUNDRED DOLLARS** (\$320,800.00) 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:** April 29, 2013 unanimous vote for favorable action

**ARTICLE 3:** To see if the Town will vote to authorize the Board of Selectmen to acquire the following land parcels and or rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements on Route 97 School Street, Phase I:

	<u>Total # of Parcels</u>	<u>Area (Square Feet)</u>
Permanent Easements	15 sidewalk easements	2,560
	3 slope easements	4,276
Temporary Easements	64 temporary construction easements	60,881

Further, that the Selectmen may acquire these parcels, or modification of these parcels or other required parcels through all legal means. This includes donations, purchase or eminent doman. The subject parcels are currently identified on plans drafted by Bayside Engineering, Inc. Dated October 2011, Titled Groveland-Route 97 School Street & Salem Street Preliminary. Further, to use Chapter 90 funds if needed in an amount of \$15,000.00 to defray any associated right of way expenses connected with this project. Article submitted by Road Commissioner

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**ROAD COMMISSIONER RECOMMENDS FAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 unanimous vote for favorable action

**ARTICLE 4 :** To see if the Town will vote to transfer the sum of TEN THOUSAND DOLLARS (\$10,000.00) from the Conservation Commission Fees Account #2601-990-45305-000 to the Conservation Commission Services Account line item #1001-171-52000-052; or take any other action relative thereto. Article submitted by Conservation Commission

BOARD OF SELECTMEN RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN: 4/29/2013 Unanimous vote for favorable action

**ARTICLE 5:** 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 2014; 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: 4/29/2013 Unanimous vote for favorable action

**ARTICLE 6:** 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, 2014; 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: 4/29/2013 Unanimous vote for favorable action

**ARTICLE 7:** To see if the Town will vote to raise the following sums to defray Town charges for the ensuing year ending June 30, 2014 and make appropriations therefor, or take any other action relative thereto:

Line Item	Appropriated FY'13	Requested FY'14	Finance Board Recommends
<b>GENERAL GOVERNMENT</b>			
<b>1 MODERATOR</b>			
Stipend	100.00	100.00	100.00
SUBTOTAL	100.00	100.00	100.00
<b>2 SELECTMEN</b>			
Selectmen's Stipend	4,500.00	4,500.00	4,500.00
Admin. Asst. Salary	63,156.00	64,735.00	64,735.00
Town Audit	25,000.00	25,000.00	25,000.00
Reserve Fund	20,000.00	20,000.00	24,500.00
Expenses	4,885.00	4,885.00	4,885.00
SUBTOTAL	117,541.00	119,120.00	123,620.00
<b>3 DEPARTMENT OF BUDGET &amp; FINANCE</b>			
Finance Director's Salary (inc. T/C)	97,834.00	100,280.00	100,280.00
Asst. Treasurer/Collector's Salary	46,932.00	48,105.00	48,105.00
Treasury/Collection Clerk	29,459.00	30,195.00	30,195.00
Tax Title Treasury/Collection	2,500.00	2,500.00	2,500.00
Computer Hardware Maint & Lic Fees	12,472.00	13,096.00	13,096.00
Expense	17,000.00	18,000.00	18,000.00
SUBTOTAL	206,197.00	212,176.00	212,176.00
<b>4 TOWN ACCOUNTANT</b>			
Accountant's Salary	63,876.00	65,473.00	65,473.00
Expenses	800.00	500.00	500.00
SUBTOTAL	64,676.00	65,973.00	65,973.00
<b>5 BOARD OF ASSESSORS</b>			
Assessor's Stipends	900.00	3,000.00	900.00
Assessors' Manager's Salary	46,350.00	47,509.00	47,509.00
Expenses	9,500.00	9,500.00	9,500.00
Revaluation Maintenance	42,300.00	42,300.00	42,300.00
Maps - Updating	3,500.00	3,500.00	3,500.00
SUBTOTAL	102,550.00	105,809.00	103,709.00
<b>6 TOWN COUNSEL</b>			
Legal Expense	75,000.00	75,000.00	75,000.00
SUBTOTAL	75,000.00	75,000.00	75,000.00
<b>7 COMPUTER SYSTEM CONSULTANT</b>			
Expense	6,000.00	7,000.00	7,000.00
SUBTOTAL	6,000.00	7,000.00	7,000.00
<b>8 TOWN CLERK</b>			
Town Clerk's Salary	53,071.00	54,398.00	54,398.00
Elections & Registrations	9,000.00	9,000.00	7,000.00
Expenses	3,000.00	3,000.00	3,000.00
SUBTOTAL	65,071.00	66,398.00	64,398.00
<b>9 CONSERVATION COMMISSION</b>			
Stipends	1,400.00	1,400.00	1,400.00
Expenses			
SUBTOTAL	1,400.00	1,400.00	1,400.00

Line Item	Appropriated FY'13	Requested FY'14	Finance Board Recommends
<b>10 PLANNING AND ENGINEERING</b>			
Planning Members' Stipends	1,500.00	1,500.00	1,500.00
Expenses	3,000.00	3,000.00	3,000.00
SUBTOTAL	4,500.00	4,500.00	4,500.00
<b>11 MERRIMACK VALLEY PLANNING COMMISSION</b>			
Assessment	2,084.00	2,136.00	2,136.00
SUBTOTAL	2,084.00	2,136.00	2,136.00
<b>12 ZONING BOARD OF APPEALS</b>			
Zoning Members' Stipends			
Contracted Services & Expenses	4,060.00	4,060.00	4,060.00
SUBTOTAL	4,060.00	4,060.00	4,060.00
<b>13 MUNICIPAL FIELDS &amp; WATER</b>			
Expense	16,000.00	16,000.00	16,000.00
SUBTOTAL	16,000.00	16,000.00	16,000.00
<b>14 MUNICIPAL BUILDINGS</b>			
Supt. Of Buildings Wages			
Expenses	134,425.00	134,425.00	134,425.00
Repairs & Maintenance	30,000.00	30,000.00	30,000.00
SUBTOTAL	164,425.00	164,425.00	164,425.00
<b>15 INSURANCE</b>			
Expenses	80,000.00	93,000.00	93,000.00
SUBTOTAL	80,000.00	93,000.00	93,000.00
<b>16 TOWN REPORTS</b>			
Expenses	2,000.00	2,000.00	2,000.00
SUBTOTAL	2,000.00	2,000.00	2,000.00
<b>TOTAL GENERAL GOVERNMENT</b>	<b>911,604.00</b>	<b>939,097.00</b>	<b>939,497.00</b>

**PUBLIC SAFETY**

<b>17 POLICE DEPARTMENT</b>			
Chief's Salary	88,729.00	90,947.00	90,947.00
Deputy Chief's Salary	83,184.00	85,264.00	85,264.00
Sergeant's Salary	72,398.00	73,765.00	73,765.00
Patrolmen's Salary	367,357.00	385,876.00	385,876.00
Secretary's Salary	25,824.00	26,470.00	26,470.00
Other Wages	121,129.00	124,157.00	124,157.00
Incentive Wages	99,638.00	111,560.00	111,560.00
Harbormaster Expenses	1,000.00	1,000.00	1,000.00
Other Expenses	71,700.00	71,700.00	71,700.00
SUBTOTAL	930,959.00	970,739.00	970,739.00
<b>18 PARKING CLERK</b>			
Expense	250.00	250.00	250.00
SUBTOTAL	250.00	250.00	250.00
<b>19 COMMUNICATIONS</b>			
Wages	224,968.00	224,968.00	224,968.00
Expenses	6,000.00	6,000.00	6,000.00
SUBTOTAL	230,968.00	230,968.00	230,968.00

Line Item	Appropriated FY'13	Requested FY'14	Finance Board Recommends
<b>26 HIGHWAYS</b>			
Road Commissioner's Salary	74,442.00	76,303.00	76,303.00
Highway Salary	186,074.00	189,796.00	189,796.00
Highway Salary - Part Time	22,000.00	22,000.00	22,000.00
Emergency Overtime	6,000.00	6,000.00	6,000.00
Highway Expense	7,000.00	7,000.00	7,000.00
Front End Loader (Lease)	32,200.00	32,200.00	32,200.00
Snow & Ice Removal	165,000.00	165,000.00	165,000.00
Road Machinery Expense	35,000.00	35,000.00	35,000.00
Road Maintenance Expense	106,400.00	110,000.00	110,000.00
SUBTOTAL	634,116.00	643,299.00	643,299.00
<b>27 STREET LIGHTING</b>			
Expenses	41,000.00	41,500.00	41,500.00
SUBTOTAL	41,000.00	41,500.00	41,500.00
<b>28 RUBBISH COLLECTION</b>			
Contract Administrator	9,922.00	10,170.00	10,170.00
Contract Expense	470,000.00	455,000.00	455,000.00
SUBTOTAL	479,922.00	465,170.00	465,170.00
<b>29 CEMETERY</b>			
Commissioner's Stipend	300.00	300.00	300.00
Expenses	4,000.00	4,000.00	4,000.00
SUBTOTAL	4,300.00	4,300.00	4,300.00
<b>TOTAL PUBLIC WORKS</b>	<b>1,166,838.00</b>	<b>1,161,569.00</b>	<b>1,161,569.00</b>

#### HUMAN SERVICES

<b>30 BOARD OF HEALTH</b>			
Health Members' Stipends	900.00	900.00	900.00
Health Nurse Wages	10,613.00	10,878.00	10,878.00
Health/Sanitation Agent Wages	19,869.00	20,366.00	20,366.00
Part-time Clerk Wages	14,546.00	14,910.00	14,910.00
Part-time Wages			
Expenses	3,000.00	5,000.00	5,000.00
SUBTOTAL	48,928.00	52,054.00	52,054.00
<b>31 COUNCIL ON AGING</b>			
Director's Salary	48,312.00	49,520.00	49,520.00
Senior Aide (1) Salary	30,706.00	31,474.00	31,474.00
Outreach Worker	7,603.00	7,793.00	7,793.00
Part Time Van Driver	17,395.00	17,830.00	17,830.00
Expenses	6,600.00	6,600.00	6,600.00
SUBTOTAL	110,616.00	113,217.00	113,217.00
<b>32 ELDER SERVICE OF MERRIMACK VALLEY</b>			
Assessment	392.00	392.00	392.00
SUBTOTAL	392.00	392.00	392.00
<b>33 VETERANS</b>			
Veterans' Agent	9,500.00	9,500.00	9,500.00
Veterans' Benefits	35,000.00	40,000.00	40,000.00
SUBTOTAL	44,500.00	49,500.00	49,500.00
<b>TOTAL HUMAN SERVICES</b>	<b>204,436.00</b>	<b>215,163.00</b>	<b>215,163.00</b>

**ARTICLE 8:** To see if the Town will vote to raise and appropriate the sum of SEVEN HUNDRED NINETY-EIGHT THOUSAND THREE HUNDRED SEVENTY-ONE DOLLARS (\$798,371.00) for the use of the Water Department, said sum to be offset by FY 2014 Water Department Revenue; or take any other action relative thereto:

	<u>FY'13</u>	<u>FY '14</u>	<u>FINANCE BOARD RECOMMENDS</u>
Commissioners Stipends (3)	\$ 1,260.00	\$ 1,260.00	
Water/Sewer Superintendent's Salary	\$ 56,868.00	\$ 58,600.00	\$ 58,290.00
Water/Sewer Office Manager's Salary	\$ 34,101.00	\$ 35,200.00	\$ 34,954.00
Water/Sewer Equipment Operators/ Laborers (3) - Wages	\$ 113,794.00	\$117,300.00	\$116,639.00
Part-time Help	\$ 8,160.00	\$ 8,160.00	
Over-time Wages	\$ 27,800.00	\$ 27,800.00	
Expenses	\$ 278,741.00	\$278,741.00	
Employees' Health Insurance	\$ 46,950.00	\$ 47,900.00	
Retirement Buy-back	\$ 0.00	\$ 7,200.00	
Employees' Retirement	\$ 35,258.00	\$ 44,710.00	
Bond Debt, Principal & Interest	<u>\$ 167,894.00</u>	<u>\$171,500.00</u>	
TOTAL	\$ 770,826.00	\$798,371.00	<u>\$797,154.00</u>

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:** April 29, 2013 major majority vote for favorable action of finance board recommendation

**ARTICLE 9:** To see if the Town will vote to raise and appropriate the sum of FOUR HUNDRED SEVENTY-NINE THOUSAND ONE HUNDRED FORTY DOLLARS (\$479,140.00) for the use of the Sewer Department, said sum to be offset by FY 2014 Sewer Department Revenue; or take any other action relative thereto:

	<u>FY'13</u>	<u>FY '14</u>	<u>FINANCE BOARD RECOMMENDS</u>
Commissioners Stipends (3)	\$ 540.00	\$ 540.00	
Water/Sewer Superintendent's Salary	\$ 24,334.00	\$ 25,100.00	\$ 24,942.00
Water/Sewer Office Manager's Salary	\$ 14,630.00	\$ 15,100.00	\$ 14,996.00
Water/Sewer Equipment Operators/ Laborers (3) - Wages	\$ 48,769.00	\$ 50,300.00	\$ 49,988.00
Over-time Wages	\$ 7,282.00	\$ 7,300.00	
Expenses	\$ 51,550.00	\$ 66,600.00	
Employees' Health Insurance	\$ 20,169.00	\$ 21,000.00	
Retirement Buy-back	\$ 0.00	\$ 3,200.00	
Employees' Retirement	\$ 15,111.00	\$ 19,200.00	
Bond Debt, Principal & Interest	\$ 97,776.00	\$ 95,600.00	
Haverhill Wastewater	\$ 140,000.00	\$140,000.00	
Haverhill Capital Bond	<u>\$ 35,046.00</u>	<u>\$ 35,200.00</u>	
TOTAL	\$ 455,207.00	\$ 479,140.00	<u>\$ 478,566.00</u>

Article submitted by the 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: April 29, 2013 major majority vote for favorable action

**ARTICLE 10:** 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, 2014. Fixing of salaries according to Articles #7 - #9 above. Article submitted by Finance Board

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN: April 29, 2013 major majority vote for favorable action

**ARTICLE 11:** To see if the Town will vote to appropriate ONE HUNDRED FORTY THOUSAND DOLLARS (\$140,000.00) for the purpose of financing the engineering and construction of sewers, sewer services and related sewer system improvements including without limitation all costs thereof; that to meet this appropriation the Finance Director, with approval of the Board of Selectmen, is authorized to borrow ONE HUNDRED FORTY THOUSAND DOLLARS (\$140,000.00) and issue bonds or notes therefor under G.L. Chapter 44, Section 7; that such bond or notes shall be general obligations of the Town unless the Finance Director, with the approval of the Board of 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. Said amount to be offset by sewer betterment assessments.

Article submitted by the 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:** April 29, 2013 Amended to add "in Highland Ave" after the word improvements in the third sentence of the article. Favorable Action Unanimous on the Amendment.

**ARTICLE 12:** To see if the Town will vote to authorize the Selectmen to acquire, by gift, purchase, or eminent domain, a certain parcel of land located at 150 Center Street, containing approximately 61 acres, and identified as Town Assessor's Map 40, Lot 9, to be held under the care, custody, management and control of the Board of Selectmen for general municipal purposes, and further to appropriate the sum of THREE MILLION SIX HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$3,675,000.00) for the acquisition of said parcel and costs related thereto, and to meet such appropriation, authorize the Treasurer to borrow in accordance with Massachusetts General Laws, Chapter 44, Section 7(3), or any other enabling authority, with the approval of the Board of Selectmen, and issue bonds or notes that may be necessary for that purpose, provided, however, that said vote shall be contingent upon approval by the voters of a Debt Exclusion Ballot Question under General Laws Chapter 59, §21C(k), that, if successful, would exempt the debt service of said bonds and notes from the provisions of Proposition 2-1/2, so called; or take any other action relative thereto.

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 Favorable Action Needs a 2/3 Vote  
Ayes 163 No 37 Ayes have a 2/3s vote

**ARTICLE 15:** To see if the Town will vote to: (a) authorize the Selectmen to acquire, by gift, purchase, or eminent domain, upon such terms as the Selectmen deem appropriate, which may include a temporary reservation of rights by the grantor to remove earth materials from the property, those certain parcels of land located at Dewhirst Street, containing a total of 54 acres, more or less, identified as Town Assessors Map 33, Lots 6 and 10, which parcels shall be under the care, custody, management and control of the Conservation Commission in accordance with G.L. Chapter 40, Section 8C for open space, passive recreation, water supply and water supply protection purposes and be known as Center Street Greenway Parcel 3; (b) appropriate the sum of NINE HUNDRED AND THIRTY FIVE THOUSAND DOLLARS (\$935,000) for the acquisition of said parcels and costs related thereto, of which ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) shall be transferred from the Water Department Enterprise Fund Fiscal Year 2012 Retained Earnings, and EIGHT HUNDRED AND THIRTY-FIVE THOUSAND (\$835,000.00) shall be transferred from the Community Preservation General Reserve Fiscal Year 2013 funds, provided that such latter transfer shall be reduced by the amount of any grants received for such purchase; (c) authorize the Selectmen and/or the Conservation Commission, as they deem appropriate, to file any and all grant applications and/or any other applications for funds in any way connected with the scope of this acquisition, and enter into and execute any and all agreements and instruments on behalf of the Town as may be necessary or appropriate to effectuate said acquisition; and (d) authorize the Selectmen and/or the Conservation Commission to convey such restrictions on said land, pursuant to G.L. c. 184, as are required by G.L. c. 44B, §12(a), or take any action relative thereto.  
Article Submitted by the Community Preservation Committee

*Explanation: On request of the Conservation Commission, the Water Department and the Community Preservation Committee, up to \$835,000 of CPA funds will be applied toward the purchase of the property. The Conservation Commission has a negotiated purchase and sales agreement for \$850,000 with the remainder of funds to be provided from a \$100,000 contribution from the Water Department. The proposed project would create a new Greenway on Center Street that would include over 200 acres for open space, active and passive recreation and aquifer protection zones.*

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 major majority 2/3 vote declared for favorable action

**ARTICLE 16:** To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 48, Section 42; or take any other action relative thereto.

Article submitted by Board of Fire Engineers & Board of Selectmen

*Note: Towns accepting the provisions of this section will create a fire department under the control of an officer to be known as the Chief of the Fire Department. The chief shall be appointed annually by the Board of Selectmen. A copy of Chapter 48, Section 42 is inserted in the warrant for informational purposes only.*

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 motion and seconded to add sections 43 and 44 and vote for favorable action hand count ayes 131, nays 28 major majority for favorable action 2/3 vote declared

**ARTICLE 15:** To see if the Town will vote to: (a) authorize the Selectmen to acquire, by gift, purchase, or eminent domain, upon such terms as the Selectmen deem appropriate, which may include a temporary reservation of rights by the grantor to remove earth materials from the property, those certain parcels of land located at Dewhirst Street, containing a total of 54 acres, more or less, identified as Town Assessors Map 33, Lots 6 and 10, which parcels shall be under the care, custody, management and control of the Conservation Commission in accordance with G.L. Chapter 40, Section 8C for open space, passive recreation, water supply and water supply protection purposes and be known as Center Street Greenway Parcel 3; (b) appropriate the sum of NINE HUNDRED AND THIRTY FIVE THOUSAND DOLLARS (\$935,000) for the acquisition of said parcels and costs related thereto, of which ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) shall be transferred from the Water Department Enterprise Fund Fiscal Year 2012 Retained Earnings, and EIGHT HUNDRED AND THIRTY-FIVE THOUSAND (\$835,000.00) shall be transferred from the Community Preservation General Reserve Fiscal Year 2013 funds, provided that such latter transfer shall be reduced by the amount of any grants received for such purchase; (c) authorize the Selectmen and/or the Conservation Commission, as they deem appropriate, to file any and all grant applications and/or any other applications for funds in any way connected with the scope of this acquisition, and enter into and execute any and all agreements and instruments on behalf of the Town as may be necessary or appropriate to effectuate said acquisition; and (d) authorize the Selectmen and/or the Conservation Commission to convey such restrictions on said land, pursuant to G.L. c. 184, as are required by G.L. c. 44B, §12(a), or take any action relative thereto.  
Article Submitted by the Community Preservation Committee

*Explanation: On request of the Conservation Commission, the Water Department and the Community Preservation Committee, up to \$835,000 of CPA funds will be applied toward the purchase of the property. The Conservation Commission has a negotiated purchase and sales agreement for \$850,000 with the remainder of funds to be provided from a \$100,000 contribution from the Water Department. The proposed project would create a new Greenway on Center Street that would include over 200 acres for open space, active and passive recreation and aquifer protection zones.*

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**DATE AND ACTION TAKEN:** April 29, 2013 motion and seconded to add sections 43 and 44 and vote for favorable action hand count ayes 131, nays 28 major majority for favorable action 2/3 vote declared

## 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

DATE AND ACTION TAKEN: April 29, 2013 referred to committee due to failure to request planning board hold required public hearing prior to  
**ARTICLE 19:** To see if the Town will vote to accept Massachusetts General Law placing zon-Chapter 59, Section 5N to allow the town to establish a program allowing veterans, as ing amend defined in clause Forty-third of Section 7 of Chapter 4, to volunteer to provide services ment on tl in exchange for a reduction in the real property tax obligations of that veteran on the annual towr veteran's tax bills, which reduction shall be in addition to any exemption or abatement to meeting which that person is otherwise entitled; or take any other action relative thereto. warrant

Honorably discharged veterans, of any age, will be eligible to participate in the Veterans Work-Off Program. Single veterans may receive no more than \$40,000 annual household income and married veterans may receive no more than \$55,000 household income. Veterans must be Groveland residents for at least ten (10) years.

Five positions will be made available (\$500 per household abatement in exchange for work-off hours at the state's minimum wage); or take any other action relative thereto.

### BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

### FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN: April 29, 2013 unanimous vote for favorable action

## 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** April 29, 2013 referred to committee due to failure to request planning board hold required public hearing prior to placing zoning amendment on the annual town meeting

**DATE AND ACTION TAKEN:**

**ARTICLE 19:** To see if the Town will vote to accept Massachusetts General Law Chapter 59, Section 5N to allow the town to establish a program allowing veterans, as defined in clause Forty-third of Section 7 of Chapter 4, to volunteer to provide services in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, which reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled; or take any other action relative thereto.

Honorably discharged veterans, of any age, will be eligible to participate in the Veterans Work-Off Program. Single veterans may receive no more than \$40,000 annual household income and married veterans may receive no more than \$55,000 household income. Veterans must be Groveland residents for at least ten (10) years.

Five positions will be made available (\$500 per household abatement in exchange for work-off hours at the state's minimum wage); or take any other action relative thereto.

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 unanimous vote for favorable action

**ARTICLE 20:** 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 2014; or take any other action relative thereto.

The Conservation Commission shall give a report to the FY 2015 Annual Town Meeting detailing the total receipts and expenditures of this fund for Fiscal 2014.

Article submitted by Finance Director

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 majority vote for favorable action

**ARTICLE 21:** 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 2014; or take any other action relative thereto.

A representative of the Pines Recreation Development Committee shall give a report to the FY 2015 Annual Town Meeting detailing the total receipts and expenditures of this fund for Fiscal 2014. Article submitted by Finance Director

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 unanimous vote for favorable action

**ARTICLE 22:** 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 2014; or take any other action relative thereto.

The Zoning Board of Appeals shall give a report to the FY 2015 Annual Town Meeting detailing the total receipts and expenditures of this fund for Fiscal 2014.

Article submitted by Finance Director.

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 unanimous vote for favorable action

**ARTICLE 23:** 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 2014; or take any other action relative thereto.

The Director of the Bagnall School Summer Program shall give a report to the FY 2015 Annual Town Meeting detailing the total receipts and expenditures of this fund for Fiscal 2014; 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:** April 29, 2013 unanimous vote for favorable action

**ARTICLE 24:** To see if the Town will vote to appropriate or reserve from Community Preservation Fund Fiscal Year 2014 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	\$ 10,000
Reserves:	
Open Space	\$ 40,000
Historic Resources	\$ 40,000
Community Housing	\$ 40,000

or take any other action relative thereto.

*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 2014. 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 2014, or to be carried over to Fiscal Year 2015.*

Article submitted by the Community Preservation Committee

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 unanimous

**ARTICLE 25:** To see if the Town will vote to appropriate up to TWENTY-THREE THOUSAND SEVEN HUNDRED DOLLARS (\$23,700.00) from the Community Preservation Fund 10% set aside for Historic Preservation FY-2014 and FIVE THOUSAND TWO HUNDRED DOLLARS (\$5,200.00) from the Community Preservation Fund General Reserve FY-2014 to be made available for the purpose of the development of a Riverview Cemetery Preservation Plan under the CPA category of Historic Preservation and be completed no later than June 30, 2015, or take any other action relative thereto.

*Explanation: This project is being conducted to have a professional assessment performed on the historic section of the Town's Riverview Cemetery. The cemetery has a long and rich history dating back to 1723 when the first burial occurred. Unfortunately the oldest part of the cemetery containing historic graves sites is in disrepair. The project will hire a professional to produce a written assessment of the historic sites and a plan to preserve that section of the cemetery.*

*With respect to historic resources, rehabilitation shall have the additional meaning of work to comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68.*

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 unanimous vote for favorable action

**ARTICLE 26:** To see if the Town will vote to appropriate up to THIRTY-EIGHT THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$38,550.00) from the Community Preservation Fund 10% set aside for Historic Preservation FY-2014 to be made available for the purpose of a Historic Preservation of the Veto Hand Tub Museum under the CPA category of Historic Preservation and be completed no later than June 30, 2015, or take any other action relative thereto.

*Explanation: This project will provide funds to rehabilitate and upgrade the current space in Town Hall used to display the Veto Hand Tub to afford museum-quality protection for this important historic resource.*

*With respect to historic resources, rehabilitation shall have the additional meaning of work to comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68.*

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 majority vote for favorable action

**ARTICLE 27:** To see if the Town will vote to appropriate up to SEVENTY THOUSAND DOLLARS (\$70,000.00) from the Community Preservation Fund's General Reserve FY-2014 to be made available for the purpose of the Shanahan Field New Bathrooms Project under the CPA category of Recreation and be completed no later than June 30, 2015 or take any action relative thereto.

**Explanation:** *This project will construct bathroom facilities at the Shanahan Field recreation area.*

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN:** April 29, 2013 majority vote for favorable action

**ARTICLE 28:** To see if the Town will vote to appropriate up to TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00) from the Community Preservation Fund's Open Space set aside FY-2014 to (a) be made available for the purpose of the Conservation Restrictions on Existing Open Space Properties Project under the CPA category of Open Space and (b) authorize the Board of Selectmen or their designee to enter into all agreements and execute any and all instruments, including the conveyance of a perpetual conservation restriction in said property, Lot 5-001 Wood St, Lot 53-002A Uptack Rd and Lot 47-053A Stephenson Way, meeting the requirements of G.L. c.184, §§31-33, as may be necessary on behalf of the Town and to be completed no later than June 30, 2015 or take any action relative thereto.

*This project will provide legal and endowment funds to place permanent conservation restrictions on these three existing Open Space properties required when property is purchased using CPA funds (Uptack Rd and Stephenson Way properties) and to protect the remaining Town Forest property.*

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

**DATE AND ACTION TAKEN** April 29, 2013 major majority vote for favorable action  
2/3 vote declared

**ARTICLE 29:** To see if the Town will vote to appropriate up to SEVENTY THOUSAND DOLLARS (\$70,000.00) from the Community Preservation Fund's Affordable Housing set aside FY-2014 to be made available for the purpose of the River Pines Affordable Housing Planning Project under the CPA category of Affordable Housing and be completed no later than June 30, 2015 or take any action relative thereto.

*Explanation: This project will provide funds of up to \$30,000 for a conceptual plan and a financial plan / pro forma for the vacant property next to River Pines Senior Housing and up to \$40,000 for the creation of a fully engineered site plan for the property.*

**BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION**

**FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION**

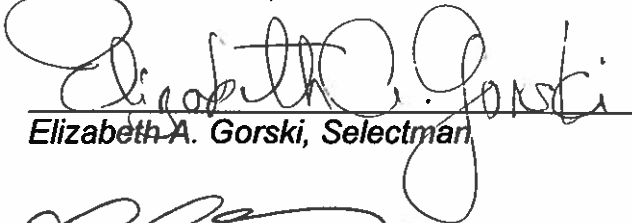
**DATE AND ACTION TAKEN** April 29, 2013 majority vote for favorable action

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 8th day of April in the year of our Lord two thousand thirteen.

  
\_\_\_\_\_  
William H. Darke, Chairman

  
\_\_\_\_\_  
Elizabeth A. Gorski, Selectman

  
\_\_\_\_\_  
Donald N. Greaney, 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

2013 Annual Town Meeting Dr Elmer S. Bagnall School, 253 School St., Groveland, MA.

April 29, 2013

Meeting opened at 7:29 PM with 220 voters in attendance.

Article 1: Favorable action Unanimous

Article 2: Favorable action Unanimous

Article 3: Favorable action Unanimous

Article 4: Favorable action Unanimous

Article 5: Favorable action Unanimous

Article 6: Favorable action Unanimous

Article 7: Favorable action Unanimous

Article 8: Favorable action Majority

Article 9: Favorable action Majority

Article 10: Favorable action Majority

Article 11: Amended to add "in Highland Ave" after the word improvements in the third sentence of the article. Favorable action Unanimous on the Amendment

Article 12: Favorable action Needs a 2/3 Vote. Ayes 163 No 37 Ayes have a 2/3s vote

Article 13: Favorable action 2/3 majority vote

Article 14: Favorable action Majority

Article 15: Favorable action Majority more then 2/3

Article 16: Favorable action Ayes 131 No 28

Article 17: Favorable action Ayes 104 No 61

Article 18: Reverted back to the committee

Article 19: Favorable action Unanimous

Article 20: Favorable action Majority

Article 21: Favorable action Unanimous

Article 22: Favorable action Majority

Article 23: Favorable action    Majority  
Article 24: Favorable action    Marjority  
Article 25: Favorable action    Unanimous  
Article 26: Favorable action    Unanimous  
Article 27: Favorable action    Majority  
Article 28: Favorable action    2/3 ayes  
Article 29: Favorable action    Majority

Town Meeting adjourned at 10:24 pm with 220 voters in attendance.

## 2013 Annual Town Meeting

April 29, 2013

Meeting opened at 7:29 PM with 220 voters in attendance.

Article 1: Favorable action Unanimous

Article 2: Favorable action Unanimous

Article 3: Favorable action Unanimous

Article 4: Favorable action Unanimous

Article 5: Favorable action Unanimous

Article 6: Favorable action Unanimous

Article 7: Favorable action Unanimous

Article 8: Favorable action Majority

Article 9: Favorable action Majority

Article 10: Favorable action Majority

Article 11: Amended to add "in Highland Ave" after the word improvements in the third sentence of the article. Favorable action Unanimous on the Amendment

Article 12: Favorable action Needs a 2/3 Vote. Ayes 163 No 37 Ayes have a 2/3s vote

Article 13: Favorable action 2/3 majority vote

Article 14: Favorable action Majority

Article 15: Favorable action Majority more then 2/3

Article 16: Favorable action Ayes 131 No 28

Article 17: Favorable action Ayes 104 No 61

Article 18: Reverted back to the committee

Article 19: Favorable action Unanimous

Article 20: Favorable action Majority

Article 21: Favorable action Unanimous

Article 22: Favorable action Majority



TOWN OF GROVELAND

2013 JUL 17 AM 10:38

TOWN CLERK  
RECEIVED/POSTED

# TOWN OF GROVELAND

## SPECIAL 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 **Special Town Meeting** to meet at the **Main Meeting of Town Hall, 183 Main Street, on Monday, August 5th, 2013 @ 7:00 P.M.** to vote on the following Articles:

**ARTICLE 1:** To see if the Town will vote to raise, appropriate, or transfer from the Stabilization Fund or other available funds the sum of SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) for the purpose of settling a lawsuit against the Town styled as: "City of Haverhill and Aggregate Industries, Northeast Region, Inc., Plaintiffs v. Town of Groveland, Defendant", Essex County Superior Court, Civil Action No. 2011-cv-00494, or to take any other action relative thereto.

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN: August 5, 2013 Favorable Action by both Boards, Unanimous

**ARTICLE 2:** To see if the Town will vote to transfer TWENTY THOUSAND DOLLARS (\$20,000.00) from Police Secretary line item #1001-210-51112-051 to Police Other Wages line item #1001-210-51113-051 in order to fund additional patrol shifts as needed; or take any other action relative thereto:

BOARD OF SELECTMEN RECOMMEND FAVORABLE/UNFAVORABLE ACTION

FINANCE BOARD RECOMMENDS FAVORABLE/UNFAVORABLE ACTION

DATE AND ACTION TAKEN: August 5, 2013 Favorable Action by both Boards, Unanimous

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 15<sup>th</sup> day of July in the year of our Lord two thousand thirteen.

  
Donald N. Greaney, Chairman

  
Joseph R. D'Amore, Selectman

  
Elizabeth A. Gorski, Selectman

At true copy, attest.  
ATTEST: A TRUE COPY  
  
Anne Brodie, Town Clerk  
TOWN OF GROVELAND

  
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