

**THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF DUNSTABLE
SPECIAL TOWN MEETING – November 13,
2023**



After determining that a quorum was present, the Special Town Meeting was called to order at 7:22 pm by Town Moderator Rafael Glod. Dunstable Scout Troop 28 presented Colors and led the Pledge of Allegiance. The Tellers sworn in by Town Clerk were Jackie Maguire, Kathy Sniezek, Maureen Booth, and Michael Fahy. The check in table was staffed by Ann Marie Wright and Lynn DeNyse. Moderator Glod made mention that Sue Fayne, Assistant Town Clerk, was appointed as Town Clerk by Brynn Durno for November 13, 2023.

Moderator Glod made a motion to allow non-residents to sit at the table, as neither Town Counsel nor the Town Administrator are residents of Dunstable. The motion was seconded by Chairman Mikol. The vote was unanimous.

Moderator Glod recognized the 350th Anniversary Committee for all their work planning and delivering a year of events celebrating the Town's anniversary. Moderator Glad also mentioned the upcoming Jinglefest event on December 2nd on the Town Common and Scout Troop 28's annual wreath sale.

FISCAL YEAR 2022 AND 2023

ARTICLE 1 - Unpaid Bills of FY22 and FY23: To see if the Town will vote to appropriate from Free Cash (Surplus Revenue) a sum of money for the purpose of paying unpaid bills of FY2022 and FY2023 or take any action in relation thereto.

Sponsored by: The Board of Selectmen

Recommended by: The Board of Selectmen and Advisory Board

A motion was made and seconded that the Town vote to raise and appropriate \$7,398.22 for the purpose of paying the following unpaid bills of prior fiscal years:

FY22

Verizon Business, Inc. - \$12.55: Highway Department phone bill

NFP Corporate Services, LLC - \$3,750: Health Insurance Consulting Services

FY23

Nicols Woodworks - \$1,600: Removal of a large dead pine tree from the corner of Rideout Cemetery.

LHS Associates - \$863: Election services and support

LHS Associates - \$193.79: Dog tags

LHS Associates - \$108.58: Dog tags

Election Systems & Software - \$776.78: Election services and support

Spectrum Enterprise - \$93.52: Internet

9/10th Vote Required
The Vote was Unanimous.
VOTED IN THE AFFIRMATIVE

ARTICLE 2 – Section 22 - Town Center Zoning Bylaw: To see if the Town will vote to amend the Zoning Bylaws by making the following additions and amendments, and to authorize the Town Clerk to make non-substantive changes to the numbering of the Zoning Bylaws as necessary, or take any action in relation thereto (insertions are underlined):

Inserting under Section C, Number 7:

8. Conversion of existing buildings for the sale of alcohol products for off premise consumption to be limited to one establishment in the TCD. The sale of nips (spirits sold in the volume or 2oz. or less), cigarettes, and lottery tickets are prohibited.

Sponsored by: The Planning Board and the Board of Selectmen

Recommended by: The Board of Selectmen and the Advisory Board

A motion was made and seconded that the Town vote to amend the Town of Dunstable Zoning By-Laws as set forth under Article 2 of the warrant for this Town Meeting.

PRESENTER: JOE VLCEK, PLANNING BOARD

Mr. Vleck explained to the meeting attendees why the town would like to make the change. He explained that the Town Center Overlay, which was created as part of the Master Plan, had a provision that retail alcohol sales in the Town Center district were only allowed only if it were brewed or fermented onsite. This change would allow for retail sales of alcohol in the Town Center district, except for nips, single serving beers, cigarettes, and lottery tickets.

2/3 Vote Required
VOTED IN THE AFFIRMATIVE

ARTICLE 3 – Changing the Board of Selectmen in the Town of Dunstable to the Select Board Special Act: To see if the Town will vote to authorize the Board of Selectmen to petition the

General Court to enact special legislation to change the name of the Board of Selectmen to Select Board with references to the Board of Selectmen replaced with "Select Board" in Town Bylaws, as set forth below, and further, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, which amendments shall be within the public purposes of said petition, or take any other action in relation thereto.

AN ACT CHANGING THE BOARD OF SELECTMEN IN THE TOWN OF DUNSTABLE TO THE SELECT BOARD

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

SECTION 1: Notwithstanding any general or special law to the contrary, the executive body of the town of Dunstable, previously known as the board of selectmen, shall be known as the select board and shall have the powers and authority of a board of selectmen under any general or special law, by-law of the town, or any rule or regulation applicable thereto. The members of the select board, previously known as selectmen, shall be known as select board members.

SECTION 2: Notwithstanding sections 21 and 32 of chapter 40 of the General Laws and section 5 of chapter 40A of the General Laws or any general or special law to the contrary, the select board of the town of Dunstable may amend the general and zoning by-laws of the town by majority vote to revise all references to the board of selectmen and its members to select board and select board member, respectively, in accordance with section 1.

SECTION 3. This act shall take effect upon its passage.

Sponsored by: The Board of Selectmen

Recommended by: The Board of Selectmen and Advisory Board

A Motion was made and seconded that the Town vote to authorize the Board of Selectmen to petition the General Court to enact special legislation to change the name of the Board of Selectmen to Select Board as set forth under Article 3 of the warrant for this meeting.

PRESENTER: RON MIKOL, CHAIR, SELECT BOARD

Chairman Mikol clarified that this article reflects a name change only, which has been a common change across towns in Massachusetts. It's an antiquated name that is gender specific. He explained that it needs town meeting approval, and then will go through the State Legislator for approval before a change is made. Nothing else changes, just the name.

Majority Vote Required
VOTED IN THE AFFIRMATIVE

ARTICLE 4 – Groton Dunstable Regional High School PFAS Mitigation Project: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money in order to pay for the financing, planning, designing, permitting, and constructing of water infrastructure improvements in order to bring potable drinking water to the Groton Dunstable Regional High School and private homes, required due to per- and polyfluoroalkyl substances (PFAS) contamination in ground water supply sources, and all other costs incidental and related thereto, or take any other action in relation thereto.

Sponsored by: The Board of Selectmen

Recommended by: The Board of Selectmen and The Advisory Board

A Motion was made and seconded that the Town vote to appropriate \$3,481,260 in order to pay for the financing, planning, designing, permitting, and constructing of water infrastructure improvements in order to bring potable drinking water to the Groton Dunstable Regional High School and private homes, required due to per- and polyfluoroalkyl substances (PFAS) contamination in ground water supply sources, and all other costs incidental and related thereto; and that to meet this appropriation, the Town Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §8(5) or pursuant to any other enabling authority; provided, however, that this borrowing authorization shall be contingent upon passage of a Proposition 2 ½ debt exclusion referendum to assess additional real estate and personal property taxes under Chapter 59, Section 21C (i ½), of the Massachusetts General Laws.

PRESENTER: JASON SILVA, TOWN ADMINISTRATOR; JOHN O'BRIEN, CHAIR, WATER COMMISSION; ROBERT RAFFERTY, ENVIRONMENTAL PARTNERS

In March 2022, testing of the High School water supply found PFAS concentrations of 490 ng/L. In addition, subsequent follow up testing for water users at approximately 15 private wells found concentrations up to 123 ng/L. The contamination is attributable to the use of firefighting foam by the Groton Fire during a fire on the track in 2003.

MassDEP requires PFAS levels be lower than 20 ng/L and the EPA is now considering the reduction of limits to 4 ng/L. The two Towns, and the School District, have a deadline to deliver a plan to MassDEP by January 30.

The primary goal of the project is to bring clean water to the high school. It's important that the High School and the town have water resiliency and back up sources.

The first phase of the project would bring water from Groton along Chicopee Row to the High School, continue into Dunstable to the intersection of Groton and Kemp Streets, then down

Kemp Street, and stops at North Street in Groton. The cost is estimated to be \$12.8 million between the communities of Groton and Dunstable for Phase 1 of the project.

The second phase of the project extends the water main from North Street to Jersey Street in Pepperell where they have wells and water supply there. For Phase 2, the cost is an estimated \$3.1 million to be covered by Groton and Dunstable. Pepperell is expected to cover the \$10.5 million cost of extending the water line from Kemp Street to Route 113 along Groton Street.

Discussion: A discussion commenced with questions and comments from residents that were responded to by John O'Brien, Chair of the Water Commission, Town Administrator Jason Silva, and a representative from Environmental Partners.

2/3 Vote Required
VOTED IN THE AFFIRMATIVE

All Business on the Warrant having been acted upon, a motion was made and seconded to dissolve said Town Meeting at 8:43PM.

Quorum Certificate

In accordance with The Town of Dunstable's Town Meetings, Town Elections & Records Bylaw, I hereby certify that the quorum for an Annual or Special Town Meeting is 50 registered voters of the Town of Dunstable. Total number of voters checked in at the Special Town Meeting on November 13, 2023: 198.

Respectfully submitted,

Susan E. Fayne
Town Clerk