Resident Packet

SPECIAL TOWN MEETING

Monday, November 18, 2024

7:00 PM: Swallow-Union School

522 Main Street | Dunstable, MA

dunstable-ma.gov/stmnovember 2024



THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF DUNSTABLE
WARRANT
SPECIAL TOWN MEETING – November 18, 2024

Middlesex, ss.

To either of the Constables of the Town of Dunstable in the County of Middlesex:

GREETINGS

IN THE NAME OF the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and town affairs to meet at Swallow Union Elementary School, 522 Main Street in said Dunstable on Monday, November 18, 2024, at 7:00 PM, and thereafter continuing from day to day until completed, with a back-up date of November 19, 2024, at 7:00 PM, in the event that inclement weather or other circumstances require a postponement, then and there to act on the following articles:

ARTICLE 1 - Unpaid Bills of FY24: 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 FY2024, or take any action in relation thereto.

Sponsored by the Select Board

ARTICLE 2 – Cell Tower on Water Tank: To see if the Town will vote to authorize the Board of Water Commissioners to lease portions of Town-owned property located at 100 Simmons Street, Assessors Parcel 17-53-2, and portions of the water tank located on the property, for cellular communications equipment, and grant any access and/or utility easements as may be necessary or convenient to serve the cellular communications equipment, on such terms, conditions, and minimum amounts as the Board of Water Commissioners determines to be in the best interests of the Town, or take any other action relative thereto.

Sponsored by the Select Board and Board of Water Commissioners

ARTICLE 3 – High Street Property Conservation Restriction: To see if the Town will vote to amend the vote under Article 15 at the 2024 Annual Town Meeting by adding the following authorization to the previous appropriation and authorization to purchase a conservation

restriction as follows: to authorize the Town Treasurer, with the approval of the Select Board, to borrow up to $406,870 in anticipation of a reimbursement under a grant from the Massachusetts LAND grant program (Massachusetts General Laws Chapter 132A, Section 11) and under and pursuant to Massachusetts General Laws Chapter 44, Section 8C or pursuant to any other enabling authority, to purchase through the Conservation Commission on behalf of the Town, for the sum of $700,000, a conservation restriction for open space and conservation purposes, as defined in Massachusetts General Laws Chapter 184, Section 31, as amended, by negotiated purchase or otherwise, a certain property believed to be owned by Robert E. Kennedy consisting of 29.8-acres, more or less, adjacent to 346 High Street identified on Assessors Map 15 as Parcels 2 and 3B, and shown as "Parcel B" and "Assessor Parcel ID: 15-2" on a plan recorded in the North Middlesex Registry of Deeds in Plan Book 251, Plan 34, which is on file with the Town Clerk; said Restriction be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed by the Conservation Commission, and the Town and Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase, or take any action in relation thereto.

Sponsored by the Select Board

ARTICLE 4 – Acceptance of Donation of Land – 19 Lowell Street: To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain, or otherwise, a parcel of land consisting of approximately 2.2 +/-acres, and representing a portion of the property located at 19 Lowell Street, identified on Assessor's Map 17 as Parcel 4, more or less, or take any other action in relation thereto.

Sponsored by the Select Board

ARTICLE 5 – Creation of Capital Improvement Program Stabilization Fund: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40, Section 5B, and authorize the establishment of a Capital Improvement Program Stabilization Fund, for the purpose of funding capital improvement projects for the Town, or take any other action in relation thereto.

Sponsored by the Select Board

ARTICLE 6 – Update to Town Open Space and Recreation Plan: To see if the Town will vote to transfer from available funds, including CPA funds, a sum of money for the update of the Town's Open Space and Recreation Plan, including all incidental and related costs, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 7 – Construction of Tennis Courts at Larter Field: To see if the Town will vote to transfer from available funds, including CPA funds, a sum of money for the construction of the tennis courts at Larter Field, including all incidental and related costs, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

GENERAL BYLAW AMENDMENT

ARTICLE 8 – Amend Departmental Revolving Fund Bylaw: To see if the town will vote to amend the Departmental Revolving Funds Section of the General Bylaws as follows (amendments are underlined) or take any other action in relation thereto:

Recreation Revolving Fund, Section D. Program or Activity Expenses Payable From Fund:

Expended for the repairs, maintenance and/or improvement to Town recreational sites (including Town Field, Larter Field, tennis courts, and any other facility under Recreation purview), and/or staffing, materials, equipment, etc. to support recreational programming.

Sponsored by the Recreation Commission

CITIZEN PETITIONS

ARTICLE 9 – Proposition 2 ½ Override Requests: To enact a bylaw that mandates any Select Board Proposition 2 ½ override request be done in a matter that requires 2 separate questions be placed in front of voters – one for municipal related costs and one for the GDRSD costs (referred to as a "menu" override).

Sponsored by Erica Flynn and others

Article 10 – **Electronic Voting at Town Meetings**: For the town of Dunstable, MA to adopt the utilization of electronic vote tabulators ("clicker's") for all votes required at the annual town meeting or any special town meeting(s).

Sponsored by Erica Flynn and others

SPECIAL TOWN MEETING

MONDAY
NOVEMBER 18, 2024
7 PM
SWALLOW UNION ELEMENTARY SCHOOL

WARRANT ARTICLE GUIDE

ARTICLE 1
UNPAID BILLS OF FY24

This article is necessary to pay bills of prior fiscal years consistent with Massachusetts General Laws Chapter 44 Section 64. This requires a 4/5ths vote at Town Meeting.

At the moment, the Town does not have any prior year bills that need payment. This article is expected to be indefinitely postponed for this reason.

ARTICLE 2
CELL TOWER ON WATER TANK



This article is necessary to authorize the Board of Water Commissioners to enter a lease to allow a cell tower on the Town water tank.

The Town issued a Request for Proposals soliciting proposals to locate cell towers on the water tank. As a result, the Town received one proposal from T-Mobile. The Water Commissioners are currently finalizing negotiations with T-Mobile on a 10-year lease with a 10-year option (20 years total) which will bring better cell service to Town and also annual lease payments to help offset Town water rates.

ARTICLE 3
HIGH STREET CONSERVATION RESTRICTION

This article is necessary to amend the vote taken at 2024 Annual Town Meeting under Article 15 which was approved and authorized the purchase of a conservation restriction on property adjacent to 346 High Street.

The original vote at Annual Town Meeting in May did not meet all the requirements of the Land Acquisitions for Natural Diversity (LAND) grant program so it must be amended. It should be noted that the Town was recently awarded a LAND grant in the amount of $406,870 for the purchase of the conservation restriction at this location subject to the approval of this amended vote.

The total cost of the conservation restriction is $700,000 with $300,000 of CPA funds being used as a match to the LAND Grant.

MORE INFORMATION



You can find more information about Special Town Meeting at dunstable-ma.gov

ARTICLE 4

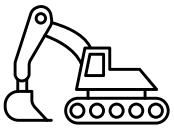
ACCEPTANCE OF DONATION OF LAND - 19 LOWELL STREET

This article requests authorization for the Select Board to accept a donation of a portion of land located at 19 Lowell Street where the Dumont Garage is located.

This donation is part of a larger project located at 41 Lowell Street where the developer is seeking state and local approval for a 156 unit, 55+ age restricted housing development with 25% affordable units. The project proponent is currently in process of compiling final information to file a Local Initiative Program (LIP) application under Chapter 40B jointly with the Town. The LIP application is filed with the state's Executive Office of Housing and Livable Communities for their approval.

The Town is still considering the end use of this property but is expected to be used for municipal purposes.

ARTICLE 5



CREATION OF CAPITAL IMPROVEMENT PROGRAM STABILZATION FUND



This article requests authorization to establish a Capital Improvement Program Stabilization Fund.

A Capital Improvement Program Stabilization Fund would allow the Town to allocate funding to address unanticipated and known long-term, larger capital needs. This could also assist in lowering the need to borrow funds and provide matching funds for grant opportunities.

SPECIAL TOWN MEETING

MONDAY, NOVEMBER 18, 2024
7 PM
SWALLOW UNION ELEMENTARY SCHOOL

ARTICLE 6

UPDATE TO TOWN OPEN SPACE AND RECREATION PLAN

This article is necessary to appropriate $10,000 of Community Preservation Act funds to support the update of the Town's Open Space and Recreation Plan.

The Town's Open Space and Recreation Plan expires in March of 2025. It is important for the Town to have an up-to-date Plan to ensure the Town is properly planning for conservation, environmental stewardship, and resource protection. It is also required so that the Town can access state funding opportunities such as LAND and PARC grants.

The Town has applied for grant funding through the Executive Office of Energy and Environmental Affairs to support the update process but has yet to receive the award. This CPA funding is being requested as a backup funding source in case the Town does not receive the grant.

ARTICLE 7



CONSTRUCTION OF TENNIS COURTS AT LARTER FIELD

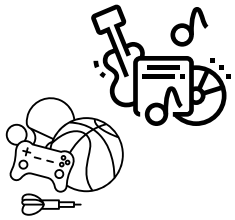
This article is necessary to appropriate $4,935.50 of Community Preservation Act funds to support the construction of the new tennis courts at Larter Field.

At previous Town Meetings, funding has been approved for the project construction which totals $320,875. Due to unforeseen site conditions, a change order was necessary leaving a balance of $4,935.50 to complete the project.

Construction is anticipated to be substantially complete by next Spring.

ARTICLE 8

AMEND DEPARTMENTAL REVOLVING FUND BYLAW



This article is necessary to amend the expenses that are allowed to be payable from the Recreation Revolving Fund.

Currently, the bylaw allows expenses paid for through the Recreation Revolving Fund to be for repairs, maintenance and/or improvement to Town recreational sites. The proposed amendment would expand the allowed use of these funds to include staffing, materials, and equipment to support recreational programming.

ARTICLE 9

PROPOSITION 2 1/2 OVERRIDE REQUESTS

This article is a citizen petition article requesting the Town to enact a bylaw that mandates any Proposition 2 1/2 override request to be in the form of a "menu" and include an override for municipal purposes and an override for Groton Dunstable Regional School District separately.

ARTICLE 10

ELECTRONIC VOTING AT TOWN MEETINGS

This article is a citizen petition article to adopt the utilization of electronic vote tabulators for all votes required at the Annual Town Meeting or any Special Town Meetings.

SPECIAL TOWN MEETING

MONDAY, NOVEMBER 18, 2024
7 PM
SWALLOW UNION ELEMENTARY SCHOOL

SPECIAL TOWN MEETING

CHEAT SHEET

TOWN MEETING TERMS

Town Meeting: A gathering of a town's eligible voters and legislative body for towns in Massachusetts.

Majority Vote: Requirement that more than half of Town Meeting vote to approve an article.

Quorum: The minimum number of voters present in order to conduct business at Town Meeting. In Dunstable, the quorum for Town Meeting is 50 voters.

Warrant: The warrant lists a meeting's time, place, and agenda. A Town Meeting's action is not valid unless the subject is listed on the warrant.

Article: Articles are items on the warrant.

FUNDING TYPES

CPA Funds: Dunstable voted to adopt the Community Preservation Act (CPA) in 2006 allowing the addition of a 3% surcharge on local property taxes matched by the state annually.

Revolving Fund: Accounts established for specific purposes that fall outside of the Operating Budget and funded by user fees.

KEY TERMS

Capital Projects: One-time expenses to construct new facilities, make significant, long-term improvements to existing facilities, or to improve the operation of Town Departments.