

SPECIAL SELECTBOARD MEETING
held jointly with the Westford School Board
April 6, 2017

Present: Casey Mathieu Allison Weinhagen
Dave Tilton Nanette Rogers

Guests: See attached list

The meeting was called to order at 6:32 p.m.

CHANGES TO AGENDA

The following change was made to the agenda: removed the word "use" from the third bullet under Create Timeline for Agreements/Transfers in order to reflect all types of agreements being considered (lease, use, etc.).

PUBLIC COMMENT

Wendy Doane asked that the Boards honor the vote that occurred in October 2016.

TIMELINE FOR AGREEMENTS/TRANSFERS

Mark Drapa had an email from the town attorney advising of estimated times needed for the attorney to conduct a title search, revised documents, etc. The attorney will need one to two weeks after conducting a title search to prepare the deed. Martha asked if the intent is to transfer the property as of June 30th. Mark advised that the deed cannot be signed until the entities are ready to transfer the property.

Martha Heath suggested having the property transfer after the last day of school so as not to affect any school activities. The last day of school is June 20th. The Boards set June 21st as the target date for executing the transfer.

Wendy Doane asked if she and others can get a copy of the attorney's email to get an understanding of the attorney's recommendations. It was noted that the email is an opinion of the town attorney therefore it is considered privileged information. The Boards determine whether or not to release the email. Since not everyone had received the opinion, the Board will not make a decision until the next meeting.

The town attorney will be asked if a title search is necessary, and if a survey for parcel #2 is needed to determine the exact boundary between parcel #1 and parcel #2. Nanette advised that the Town and School District could do an agreed upon boundary instead of a complete survey.

Wendy Doane stated that the Planning Commission feels waiting until June to transfer the properties is cutting it too close. Martha Heath stated that this transaction should not take as long as a conventional closing. Casey added that the Boards are working toward having all the paperwork done ahead of time so all that needs to be done is execute them. Mark Drapa advised that the town attorney was asked if the documents can be executed prior to the transfer of the property. The attorney advised they cannot because the property transfers once the documents are executed.

The Boards would like to finalize the easement deed by mid-May.

With regard to the agreement for parcel #2, the Boards need to get to a point where they can provide direction to the town attorney to draw up the document. The Boards will discuss and decide at their next meeting what type of document it will be – lease or use agreement.

PARCEL #1 EASEMENT

The Boards reviewed and discussed the suggested edits submitted by Sarah Pinto (Conservation Commission), Melissa Manka (Planning Coordinator) and Nanette Rogers (Town Clerk). Nanette would like a paragraph added to include the ability to use the building for elections, as well as annual and special town meetings.

Sarah's comments included amending language for consistency when referring to the trails and pathways, include legal terms such as "including but not limited to," defining school hours and mapping out the trails and placement of the generator to name a few.

Melissa's comments included attaching a map of the right of ways and trails to the Easement Deed, identifying a right of way over the school property/driveways for vehicular (for trail maintenance) and pedestrian access to parcel #2 and parcel #3, as well as the western field on parcel #2.

Grant asked who is responsible for liability insurance. This question will be asked of the town attorney. It's possible that each entity will need to list the other as an additional insured.

Andre would like to see language added to the emergency generator section to clarify when the school will be used as a shelter, such as a declared state of emergency by state or town authorities. Grant Thomas requested that exercise/trainings also be added.

A discussion ensued whether or not specifics with regard to the generator, such as equally shared costs, when it can be used, etc., need to be included in the Easement Deed.

The town attorney will be asked how to extend school policies (local, state and federal), including prohibiting hunting, on parcel #2 as part of an agreement. Marilyn Thomas and others feel the Town should post the property for no hunting.

Mark will forward questions/concerns discussed at this meeting to the town attorney, as well as the marked up draft Easement Deed, and ask for a response before the meeting scheduled for the following week.

ADJOURN

The meeting adjourned at 8:47 p.m.

Respectfully Submitted,

Casey Mathieu, Chair
Selectboard

Nanette Rogers
Town Administrator

