

SPECIAL SELECTBOARD MEETING
(held jointly with the Westford School Board)
May 9, 2016

Present: Dave Adams Dave Tilton
 Casey Mathieu Nanette Rogers

Guests: See attached list

The meeting was called to order at 7:07 p.m.

The Selectboard held a joint meeting with the School Board to present and discuss options for the future of the land located on Brookside Road currently owned by the School District. The Selectboard and School Board are looking for direction from the voters before the vote occurs on the transfer of the land to the Town. All property owned by the Westford School District on July 1, 2017 will be transferred to the Essex Westford Union School District. The goal is to make this process as seamless as possible and to provide the same use/access that is currently in place for the Town and the School District.

The school property is comprised of three separate parcels. Parcel #1 is approximately 14 acres and is where the school building is located. Parcel #2 is approximately 15 acres and is where some of the athletic fields are located. Parcel #3 is approximately 50 acres and consists of forest and recreation trails. The question for the voters is do they want to transfer Parcel #1, Parcel #2 or Parcel #3, or any combination, to the Town or have all three parcels remain with the School District.

Concept #1 proposes the School District retain Parcel #1 and Parcel #2 and conveys Parcel #3 to the Town. Under this scenario, the School District and Town would enter into a use agreement outlining the Town's use of the building and land. Depending on how much the Town uses the sports fields, the Town may need to compensate the School District for some of the regular maintenance to the fields. The School District would also convey easements to the Town on Parcel #1 and Parcel #2 with regard to the recreation trails, emergency shelter and emergency generator to name a few.

Concept #2 proposes the School District retain Parcel #1 with a boundary line adjustment to Parcel #2. The boundary line adjustment would relocate the southerly boundary of Parcel #1 to include the athletic fields. This concept will require a survey and obtaining Town approval for the adjustment. The remainder of Parcel #2 and all of Parcel #3 would be conveyed to the Town. The use agreement and the conveying of easements stated in Concept #1 would also apply to Concept #2.

Concept #3 proposes the School District retain Parcel #1 as it is and conveys all of Parcel #2 and Parcel #3 to the Town. Under this scenario, the shared use and maintenance of the athletic fields would need to be addressed. The use agreement and the conveying of easements stated in Concept #1 and Concept #2 would also apply to Concept #3.

The easements that would be granted to the Town would be for access to trails, parking lots, use of the building for an emergency shelter and elections, and other agreements that are currently in place between the School District and Town.

The use agreement would be negotiated between the School District and Town, and would be for a specified length of time, for example five years. The use agreement would provide the School District permission to use rec trails, athletic fields, etc. on the Town's property and would provide

permission for the Town to use the school building, athletic fields, parking lot, trail access, etc. Before the use agreement expires, the entities would renegotiate an agreement.

Sarah Pinto asked where the parcels came from. Mark Drapa advised that all three parcels were conveyed through separate deeds. Some of the property was originally part of the Jackson property and some of the property was originally part of the Rope property. There are restrictions in the deed that will need to be adhered to.

Wendy asked if the property could be sold. Mark Drapa advised that the property is owned by the Westford School District. On July 1st, all property owned by the Westford School District will become property of the Essex Westford School District. The new school district would have to obtain voter approval before selling the property. Mark pointed out that the number of voters in Essex exceeds the number of voters in Westford.

There was discussion of who bears the liability for recreation trails, athletic fields, etc. The liability would fall on the entity that was responsible for the infrastructure. Mark Drapa doesn't think the Town would take on more or less liability than it currently has if the parcel with the athletic fields is transferred to the Town. Martha questioned the recreation trail along Brookside Road on Parcel #1 if the School District were to retain that parcel. The Town attorney will be consulted with regard to any liability questions. Nanette will check with the Town's insurance carrier.

Casey pointed out that if Parcel #1 and Parcel #2 are retained by the School District, and Parcel #3 is transferred to the Town, it would essentially be landlocked and limit potential options for development. Dave Adams advised that the attorney has suggested a 60' wide easement through Parcel #2 to access Parcel #3.

A discussion of who would be responsible for the maintenance of the athletic fields if Parcel #2 were transferred to the Town. Mark Drapa advised that due to State Statute, expenses must be separated out based on the use of the property. Since the athletic fields are used jointly by the Town and the School District, the cost for maintenance will need to be explored to ensure compliance with State Statute. The Rec Department has been utilizing some of the school's teachers for music and art programs. This will also need to be explored.

A discussion ensued with regard to the school owning any of the parcels and the school closing if it is no longer needed. Mark Drapa advised that the Essex schools do not have the capacity to absorb Westford's students. If anything, Essex would send some of their students to Westford. Dave Adams stated that the articles in the Essex Westford Regional Education District Study Final Report provide the Town of Westford with right of first refusal on any property that is transferred to the Essex Westford School District on July 1, 2017.

Mark Letorney would prefer the Town retain all the property. This would reduce the possibility of disagreement over the use of the land in the future.

Martha Heath would like to see Parcel #1 and Parcel #2 remain with the School District. She feels this would reflect good faith in entering into the new relationship. She feels that all the school districts need to begin thinking of themselves as one school district rather than separate school districts.

Andre Roy agrees with Martha. He and Martha want to make sure that students will still be able to access the forest on Parcel #3 if it is transferred to the Town. The forest provides valuable educational resources.

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Wendy Doane feels that if all the property is transferred to the Town, the Town could give the School District easements and use of the land and facilities. She feels Town governance is more predictable and consistent than the School governance.

NEXT STEPS

The Boards plan to hold another informational meeting in June. Questions from this meeting will be provided to the Town attorney.

ADJOURN

The meeting adjourned at 8:43 p.m.

Respectfully Submitted,

David E. Adams, Chair
Selectboard

Nanette Rogers
Town Administrator

TOWN OF WESTFORD
SPECIAL SELECTBOARD MEETING
GUEST LIST

Date: May 9, 2016

Name (please print)

Address

Martha Heath

342 Rollin Irish Rd.

Andre By

143 Old #11 Road

MARK LETOURNAU

1319 VT RT 128

Chris Triesen

51 Brookside Rd

Alice Astanta

1274 Old Stage Road

Joy Fay

1729 Rt 128

Wendy Doane

5 Manley Rd.

Christian Frenette

24 Abbey Rd

Dale Rodgers

140 Huntley Rd.

Sarah Pinto

111 Macera Hill