

SPECIAL SELECTBOARD MEETING
(held jointly with the Westford School Board)
June 12, 2017

Present: Casey Mathieu Allison Weinhagen
Dave Tilton Nanette Rogers

Guests: See attached list

The meeting was called to order at 7:01 p.m.

CHANGES TO AGENDA

There were no changes to the agenda.

PUBLIC COMMENT

There was no public comment.

QUIT CLAIM DEED

The Selectboard and School Board reviewed the draft Quit Claim Deed drafted by the Town Attorney. The Boards had no changes to the deed.

MOTIONS TO BE EXECUTED PRIOR TO SIGNING DOCUMENTS

The Town attorney drafted motions for the Boards to review for the approval and execution of the Quit Claim Deed, Easement Deed and Shared Use Agreement. The Boards had no changes or questions.

PLANNING COMMISSION & CONSERVATION COMMISSION COMMENTS ON EASEMENT DEED

The Planning Commission (PC) and Conservation Commission (CC) submitted comments on the draft Easement Deed. Language was suggested to include access to allow vehicle access to the recreation fields by the Recreation Committee, Conservation Commission and athletic coaches. A locked gate for this access was discussed to prevent unauthorized people from using the access. With regard to the access for agriculture, the PC and CC would like forestry and silviculture practices added so as not to limit the Town's options. The Commissions felt the last sentence under the Town Meetings and Elections section was not necessary since it is stated earlier in the paragraph. The PC and CC pointed out that there are no provisions for the fire pond. Language should be added to include this infrastructure and the ability for access it at any time for emergencies and maintenance.

These comments will be furnished to the Town's attorney.

REVISED DRAFT SHARED USE AGREEMENT

The Town's attorney provided a revised draft of the Shared Use Agreement based on comments from the last meeting.

The attorney has clarified where the Gun Free Schools Zone Act's 1,000-foot radius applies. The radius is from the school grounds not the building. Therefore, the prohibition of firearms extends 1,000 feet from the property line of the school's retained parcel.

The attorney clarified that the prohibition of trapping applies to the general public not the property owner or anyone authorized by the property owner.

Reference to parcel #3 was added to various parts of the Agreement.

The Selectboard and School Board discussed how best to handle the maintenance of the sports fields located on parcel #2. The attorney suggested a flat dollar amount or a percentage, which would be reviewed and adjusted annually. The Boards agreed that for the first year, the costs would be split equally.

PLANNING COMMISSION & CONSERVATION COMMISSION COMMENTS ON SHARED USE AGREEMENT

The Planning Commission (PC) and Conservation Commission (CC) provided comments on the draft Use Agreement. The PC and CC feel it would be better to have separate agreements to state the terms and conditions for each parcel, therefore they submitted two drafts with suggested language. Allison feels that two agreements are not necessary due to the changes made to the last draft clarifying the way each parcel will be used.

The Commissions feel that the language for the parcels to be used for recreational uses is too narrow and limits the Town. They would like to see this language to include agricultural, silvicultural and forestry purposes. Mark Drapa pointed out that parcel #2 and parcel #3 will belong to the Town therefore the agreement only needs to spell out what the approved uses will be for the school. Gordon stated that the activities were added to follow suit with the format of the original draft and the Easement Deed. Martha Heath asked how the school district might be able to use the Town's parcels for a Forestry Program through the Tech Center. Allison advised they would need to obtain permission from the Town. Andre Roy would like the Head of Maintenance consulted with regard to heavy equipment being driven on the right of way and if it will impact the drainage system.

The PC and CC would like to see a Westford school employee or Westford school board member be part of the annual review process with regard to the maintenance and capital budget annual discussions. They would also like to see the date for the annual review process be moved up to October and November to follow the Town's timeline for drafting a budget to bring to the voters. The Boards agreed to moving the date up.

Gordon stated that one of the major concerns of the PC and CC is the recreational trails and pathways be open at all time for Town residents to have access unless the school needs them for a school activity, such as a track meet. The Commissions offered language that would allow the school to limit access to those trails when the Town is notified. According to the School District's Facility Use Policy, the Superintendent (SU) can limit activities. This could be interpreted literally that the SU can limit access to parcel #3 and the trails. Members of the School Board stated that the District's policy only applies to the building and that the Easement Deed supersedes the School District's policy. The Town Attorney will be consulted on how best to address the concern.

The PC and CC provided language with regard to the agricultural use of parcel #2. There is a question whether or not this needs to be included in the Agreement given the Town will own the land and therefore doesn't need permission to use it.

Allison will forward to the Town Attorney the comments and questions from this meeting.

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TIMELINE UPDATE

Mark Drapa reviewed the updated time line. At least one more meeting is needed to discuss the attorney's feedback on the comments made at this meeting. At that same meeting or a subsequent meeting, the Boards will need to execute the motions and documents.

ADJOURN

The meeting adjourned at 8:55 p.m.

Respectfully Submitted,

Casey Mathieu, Chair
Selectboard

Nanette Rogers
Town Administrator

TOWN OF WESTFORD
SPECIAL SELECTBOARD MEETING
GUEST LIST

Date: June 12, 2017

Name (please print)

Address

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