SPECIAL SELECTBOARD MEETING (held jointly with the Westford School Board) June 21, 2017

Present:

Allison Weinhagen

Nanette Rogers

Dave Tilton

Guests:

See attached list

The meeting was called to order at 7:11 p.m.

CHANGES TO AGENDA

Discussion of authorizing a Selectboard member to review and approve warrants before the next Selectboard meeting was added to the end of the agenda.

PUBLIC COMMENT

There was no public comment.

REVIEW OF FINAL EASEMENT DEED DRAFT

The Selectboard and School Board reviewed the changes made by the Town Attorney based on the last meeting. The attorney will be asked to make one more change in the paragraph regarding the easement over the gravel road. "Forestry, agricultural and silvicultural use" will be added to section (b) after the recreation fields and trails to clarify that these uses are not excluded.

The Boards reviewed the Planning Commission (PC) draft minutes of their June 19th meeting. The PC would like the Town and School to clarify/confirm that:

- 1. The School's policies do not supersede the Town's easements on parcel 1;
- 2. Only the Town can restrict access to the trails and pathways on parcels 1, 2 and 3;
- 3. That the School Community Facility Use Policy does not apply to Town owned parcels and/or the trails and pathways located on parcels 1, 2 and 3;
- 4. Rights of way accessing the all parking areas are adequately described in the Easement Deed; and
- 5. The Quitclaim Deed for parcels 1 and 2 should state that voter approval is required before any transfer of parcels 1 and/or 2

Seth advised that the PC wants to make sure that the Shared Use Agreement is very clear so there's no confusion in the future of what the current Selectboard and School Board agree to.

It was noted for the record that the Selectboard and School Board all agree and understand that the easements cannot be restricted by any school policy. This is because the Easement Deed is a legally binding document that has more weight than a policy. The only possible exceptions would involve special circumstances such a shooting or a lock down of the school due to an emergency situation that jeopardizes the students' safety

The Selectboard and School Board will follow up with the Town attorney to verify that language was added to the Quitclaim Deed for the requirement of voter approval before any transfer of parcels 1 and/or 2 can occur.

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REVIEW OF FINAL SHARED USE AGREEMENT DRAFT

The Selectboard and School Board reviewed the changes made by the Town Attorney based on the last meeting. The attorney will be instructed to make the following changes: add the word silviculture to the fifth whereas, amend the time frame in section 2(a) to read October 1 and November 15; and correct the email address for the Superintendent of the Essex Westford School District.

MOTIONS

Allison Weinhagen made a motion to accept the Quitclaim Deed from the Westford Town School District, subject to review and approval by Town Counsel and a Selectboard designee, conveying a +/-15-acre parcel of land southerly of the Westford School property, commonly known as Parcel 2, and a +/-50-acre parcel of land southeasterly of the Westford School property, commonly known as Parcel 3, which were both conveyed to the Westford Town School District by Warranty Deeds of Frederick and Irene Rope in 1970 and 1972, respectively, seconded by Dave Tilton. Motion passed: 2-0.

Allison Weinhagen made a motion to accept an Easement Deed from the Westford Town School District, subject to review and approval by Town Counsel and a Selectboard designee, conveying easements over a +/-14-acre parcel of land known as the Westford School property for use of the property for recreational trails and fields, agricultural access, Town meetings and elections, emergency shelter, emergency generator and other purposes as more fully set forth therein, seconded by Dave Tilton. Motion passed: 2-0.

Allison Weinhagen made a motion to approve a Shared Use Agreement with the Westford Town School District, subject to review and approval by Town Counsel and a Selectboard designee, with respect to the Town School District's and Town's use of a +/-15-acre parcel of land southerly of the Westford School property, commonly known as Parcel 2, and a +/-50-acre parcel of land southeasterly of the Westford School property, commonly known as Parcel 3, and to authorize Selectboard Chair Casey Mathieu or Selectboard member Allison Weinhagen to execute the Shared Use Agreement, seconded by Dave Tilton. Motion passed: 2-0.

EXCAVATOR REPAIRS

Milton Cat has identified that the drive motor in the transmission needs to be replaced. The cost for the motor is \$7,100 not including labor. It will take five to seven days to get the motor in. Brent is seeking approval to have the repair work done. Milton Cat has approximately 25 hours in to the diagnosis as well as a road call to the garage. Brent thinks the total cost will be between \$12,000 and \$15,000.

The Board would like to know if there is any recourse through the manufacturer and/or a warranty for this work. Is this something Milton Cat normally sees? Was the part defective? Did the part go bad before it should have? What could the Town have done to prevent this? Is there something we did on our end that made the motor fail?

Allison Weinhagen made a motion to approve the repair work on the excavator after an appropriate investigation is conducted, seconded by Dave Tilton. Motion passed: 2-0.

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ADJOURN

The meeting adjourned at 8:09 p.m.

Respectfully Submitted,

David Tilton, Vice-chair Selectboard

Nanette Rogers Town Administrator

TOWN OF WESTFORD SPECIAL SELECTBOARD MEETING GUEST LIST

Date: June 21, 2017

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