

MINUTES
SPECIAL TOWN MEETING
JUNE 14, 2000

The Special Town Meeting was called to order by Moderator Robert S. Gosselin at 7:35pm. There was a quorum requirement of 118 voters. At 7:35 there were 170 voters present. At 8:15 there were 316 voters present.

Frank Belitsky made some comments regarding Flag Day. The members of Town Meeting then recited the Pledge of Allegiance. Mr. Belitsky also gave a report regarding the effort of the Veteran's Organization to purchase Thermal Energy Camera's for the Fire Department. A motion was made and seconded to waive the reading of the warrant. The motion passed unanimously.

Selectwoman Virginia Wood thanked Ed McNeirney and Connie Lapres for their years of dedicated service to the town as members of the Finance Committee. She also commended Paul Matisse for his dedicated service to the town as a member of the HDC.

ARTICLE 1: Moved and seconded that the Town authorize the Board of Selectmen to purchase and to accept the deed of a fee simple interest in the parcel described below, currently owned by David L. Norris, upon such terms and conditions as the Board shall determine to be appropriate, for general municipal purposes, said parcel of land being described as follows:

The parcel of land with the buildings and improvements thereon located off Pepperell Road, Groton, Middlesex County, Massachusetts and designated as Map H, Parcel 12 on the Town Assessor's Maps and further described in a deed recorded with the Middlesex South District Registry of Deeds in Book 11719, Page 655 and containing fifty (50) acres more or less.

and the Town vote to a) borrow \$750,000 for this purpose and any expenses related thereto; b) authorize the Town Treasurer with the approval of the Board of Selectmen, in order to meet such appropriation, to borrow \$750,000 under Chapter 44, Section 7 of the General Laws as amended or any other enabling authority, and to issue bonds or notes therefor; c) and authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to effect the interest of the foregoing.

Ed McNeirney made a presentation as a proponent of this article. He clarified the issue of debt exclusion versus it being funded via the general budget. He stated that there is broad support for land conservation on the Throne.

A motion was made and seconded to limit debate. The motion failed for lack of a 2/3 vote.

Bob Pine spoke regarding the Squannassit Regional Preserve. Neil Menschel made a slide presentation showing the vastness of the Throne and the natural beauty of the area.

Bruce Clemens spoke regarding the coordination of the exercising of the option of purchasing 61A lands. He stated that he is an advocate of the maximum protection of the Throne and open space in general.

Peter Morrison spoke on behalf of the Conservation Commission stating that the Conscom voted to support the purchase of the Norris property. Bob Caitlin spoke on behalf of the Trails Committee stating that it is in favor of supporting all four articles. Christopher Murphy stated that the Planning Board voted to support the acquisition of Open Space. However, the Planning Board took no position on each of the articles because it is primarily a financial decision.

Hugh McLaughlin spoke on behalf of the Assessors stating that the Board unanimously voted to not support due to financial considerations. Winn Nordblum stated that the Fincom voted 4-2 to support Article 1 because it would stop development and it is a beautiful area. Dann Chamberlin spoke regarding his recusal from this article because he is a Trustee of the Conservation Trust which is an abutter to two of the properties. The Selectmen voted to support Article 1.

Harlan Fitch questioned how much frontage there was on the Norris parcel. Ed McNeirney stated that access is via an easement. There is no vehicle for creating frontage for this parcel. Stephen Graham, representing the McGee's and the Bernier, Bissell parcels stated that the complexity of these parcels meant that the McGee and Bernier parcels would be allowed additional compensation above the \$128,000 and \$850,000. Selectman Cunningham stated that it would have to be proven that additional compensation would be required. Suzanne Lampert wanted to know who the developer is and what is his master plan? Mr. Chamberlin stated that in conversation with the developer it became apparent that this area would not support extensive development and that the developer had no further interest in the area. Mr. Chamberlin emphatically urged the voters to support the Norris property but did not support the other properties. Bill Miller supported the Norris property, but that was all. Norma Millet spoke in favor of purchasing the Norris parcel because of the water supply but would wait on the other three parcels. Richard Hewitt questioned the alternative if we do not purchase the parcels regarding infrastructure and the costs to the town associated with additional development. Bruce Clements stated that if the developer purchased parcels across the board in addition to the ones currently being sought, there would be a total of 350 acres that could be developed. Michele Collette stated that the Planning Board has not had any contact with the developer and so we do not know what his plans are.

Jane Allen queried if the developer negotiated a lower price would the town be entitled to renegotiate? The answer was that the town would seek a lower price. Alan Hoch stated that all four of these parcels are important to save. Julie Lisk played a tape of birds on the Throne and made a case for not fragmenting the forest. Gil Dubey asked about the back taxes on the land. Jean Kitchen stated that the rollback for Norris property is \$8400, the Magee property is \$ 1700 and the Bernier property at \$4500. Ed Kopec spoke on behalf of the Senior citizens. Richard Lodge spoke in favor of the purchase of the Norris property. Marion Stoddart spoke to the larger picture of conservation in this area.

A motion was made and seconded to move the question. The chair declared a 2/3 vote and the question was moved.

Tellers were called and sworn as follows: Frank Bellitsky, Stephen Boczenowski, Gilford Dubey, Bruce Easom, Robert Guerin, Melanie Hubbard, Georgess McHargue, Joan Parker-Roche.

Article 1 carried by a 2/3 majority: 285 in favor, 27 opposed.

ARTICLE 2: Moved and seconded that the town vote to authorize the Board of Selectmen to purchase, and to accept the deed of a fee simple interest in the parcel described below, currently owned by Heather L. Bernier and others, upon such terms and conditions as the Board shall determine to be appropriate, for general municipal purposes, said parcel of land being described as follows:

The parcel of land located at 606 Townsend Road, Groton, Middlesex County, Massachusetts and designated as Map G, Parcel 9 on the Town Assessor's Maps and further described in a deed recorded with the Middlesex South District Registry of Deeds in Book 13979, Page 001 and containing 26 acres more or less.

and the Town vote to a) borrow \$850,000 for this purpose and any expenses related thereto; b) authorize the Town Treasurer with the approval of the Board of Selectmen, in order to meet such appropriation, to borrow \$850,000 under Chapter 44, Section 7 of the General Laws as amended or any other enabling authority, and to issue bonds or notes therefor; c) and authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to effect the interest of the foregoing.

Moved and seconded that this appropriation shall be contingent upon a vote at a Town Election to exempt from the provisions of Proposition two and one half (2 ½), so called, (Chapter 59, Section 21C of the General Laws) the amounts required to pay for such bonds or notes.

Becky Pine thought we should delay that purchasing the properties until we see if a lower price is negotiated by the developer. The attorney for the landowners stated that the additional compensation of \$800,000-\$900,000 for article 4. For article 2 the additional compensation might be an additional \$150,000.

Georgess McHargue, Linda Mattisse and Liz Judge all spoke in favor of this article. Norma Millett spoke in favor of the article. Frank Belitsky and Bill Miller spoke in opposition. Hugh McLaughlin wanted people to be clear that if it was not made contingent upon ballot vote, it would have to come out of the operating budget.

Ed McNeirney made a motion (which was seconded) that the last sentence of the motion be stricken.

Harlan Fitch moved the question. The question was moved unanimously. The motion to amend made by Mr. McNeirney is to strike the final sentence from the main motion. The motion to amend carried by majority.

Article 2 passed by a 2/3 majority: 185 in favor, 85 opposed.

ARTICLE 3: Moved and seconded that the Town authorize the Board of Selectmen to purchase and to accept the deed of a fee simple interest in the parcel described below, currently owned by Meredith C. Bissell and others, upon such terms and conditions as the Board shall determine to be appropriate, for general municipal purposes, said parcel of land being described as follows:

The parcel of land located on Townsend Road, Groton, Middlesex County, Massachusetts and designated as Map 202, Parcel 83 (formerly Map G, Parcel 7; Map B, Parcel 3; Map G, Parcel 6; Map G, Parcel 5; Map G, Parcel 8) on the Town Assessor's Maps and further described in a deed recorded with the Middlesex South District Registry of Deeds in Book 21167, Page 529 and containing 42.26 acres more or less.

and the Town vote to a) borrow \$1,075,000 for this purpose and any expenses related thereto; b) authorize the Town Treasurer with the approval of the Board of Selectmen, in order to meet such appropriation, to borrow \$1,075,000 under Chapter 44, Section 7 of the General Laws as amended or any other enabling authority, and to issue bonds or notes therefor; c) and authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to effect the interest of the foregoing.

Norma Millett was sworn in as Teller to replace Frank Belitsky.

Article 3 carried by a 2/3 majority: 188 in favor, 55 opposed.

ARTICLE 4: Moved and seconded that the Town authorize the Board of Selectmen to purchase and to accept the deed of a fee simple interest in the parcel described below, currently owned by Dennis W. Magee and Helen A. Magee, upon such terms and conditions as the Board shall determine to be appropriate, for general municipal purposes, said parcel of land being described as follows:

The certain parcel of land located off Townsend Road, Groton, Middlesex County, Massachusetts and being that portion of the strip of land shown as "Proposed Road" on a sketch plan entitled "Sketch Plan in Groton, Mass.", prepared by Hayes Engineering, Inc, dated December 2, 1999, on file with the Town Clerk, together with any and all slope, grading, drainage or utility easements that may be required for the construction or support of the roadway, and together with the fee in that portion of the "20' Wide Temporary slope and Grading Easement" shown on said Sketch, being a portion of the parcel of land designated as Map A, Parcel 16 on the Town Assessor's Maps and further described in a deed recorded with the Middlesex South District Registry of Deeds in Book 13397, Page 113, said portion of land containing 60,000 s.f. more or less.

and the Town vote to a) borrow \$128,000 for this purpose and any expenses related thereto; b) authorize the Town Treasurer with the approval of the Board of Selectmen, in order to meet such appropriation to borrow \$128,000 under Chapter 44, Section 7 of the General Laws as amended or any other enabling authority, and to issue bonds or notes therefor; c) and authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to effect the interest of the foregoing.

Article 4 was defeated for lack of a 2/3 majority: 135 in favor 75 opposed.

The chair entertained a motion to adjourn. Moved and seconded. The motion carried unanimously and the meeting was adjourned at 11:15pm