

MINUTES
SPECIAL TOWN MEETING
MARCH 21, 2001

The Special Town Meeting was called to order by Moderator Robert Gosselin at 7:34pm with 350 voters in attendance. The quorum requirement was 125 voters. The chair stated that the warrant had been duly called and posted. The Chair entertained a motion to waive the reading of the warrant. It was moved unanimously. At 8:10 there were 582 voters in attendance. At 9:20 there were 666 voters in attendance.

ARTICLE 1: Moved and seconded that the Town vote to approve, pursuant to Chapter 71, Section 16 (c) of the General Laws, the acquisition of land by the Groton-Dunstable Regional School District as described in Article 1 of the warrant. (As follows)

Property in the Town of Groton, Middlesex County, Massachusetts, situated between Chicopee Row and Wyman Road/North Road (a/k/a Kemp St), record title standing in the (i) Casella Realty Trust, Salve Casella, Trustee; (ii) Casella #2 Realty Trust, James M. Casella, Trustee; (iii) Assunta Casella Realty Trust, Charles J. Casella, Trustee; and (iv) James Casella, Salvatore Casella, and Assunta Casella, as Tenants in Common, being a portion of Groton's new Assessors Map 229, Parcel 41; and all of Map 230, Parcel 46. Said land situated approximately two (2) miles northerly of the intersection of Longley Road and Chicopee Row, at the Groton/Dunstable Town line.

The presentation began with a report by Karen Riggert, chair of the School Committee, and continued with the following individuals adding information: Tory Fletcher, a Sr. Environmental Consultant for Epsilon Consultants, Inc.; Rob Juusola of HMFH Architects; and Evan Slavitt, Esq., counsel for GDRSC, who explained the eminent domain process. He stated that if the Towns approve the site at TM and the ballot, the School District could begin the eminent domain process. If the landowner does not agree to the amount of money that the District offers, it will go to court. Fair Market Value (FMV) must be determined. He stated that the only real risk that the District faces is that the FMV of the land comes out higher than anticipated.

The presentation was completed at 8:34pm.

Todd Hutchinson spoke for the Fincom, stating that the figures presented to them seem to be accurate. As the town's financial advisory Board, they are concerned that the risk of eminent domain could drive the cost up, which will impact the tax rate adversely. The Fincom did not take a vote on this matter. Virginia Wood spoke for the Board of Selectmen, stating that the Board is united in its support of the School Districts choice of the Casella land. Peter Morrison for the Conscom stated that it looks favorably on this site and the Commission supports it's concept and plan.

Peter O'Sullivan, GDRSC member presented a minority report recommending a no vote.

Local resident Carrie Kneeland gave a minority report, stating that she is concerned for the abutters and that she is concerned about traffic, safety and eminent domain.

George McLaughlin, attorney for the Casella family spoke regarding the Casella's intention. He stated that the Casella's did not want the land taken by eminent domain. He does not believe that the land would be valued at only 2.4 million. He also stated that the District would be liable for damages.

At this time, the moderator opened debate up to the floor. Bill Miller moved the question, which was seconded. It required a 2/3 vote because it suppresses debate. The chair heard the question but was unable to determine the intent of the voter via a voice vote. Tellers were called and sworn as follows:

Frank Belitsky Olin Lathrop
Mary Hutchinson Cynthia Martell
Robert Johnson Eric Wickfield

The question was moved by a 2/3 majority: 483 in favor, 151 opposed.

Article 1: carried by a 2/3 majority: 519 in favor, 120 opposed.

ARTICLE 2: Moved and seconded that the Town vote to approve the amount of debt authorized by vote of the Groton-Dunstable Regional School District on February 14, 2001 for the purpose of acquiring approximately 180 acres of land in Groton and Dunstable, as a site for new school facilities, such land as described in Article 2 of the warrant, including costs incidental and related thereto, provided, however, that this approval shall not be effective unless the town votes, at a town election, held within sixty (60) days from the date said vote of the Groton-Dunstable Regional School District was adopted, in the affirmative on a question to exempt the amount required to pay for the bonds, or notes, so authorized from the provisions of Proposition two and one-half, so called (Massachusetts General Law, Chapter 59, Section 21C).

There was no discussion of the article.

Article 2 carried by a majority.

The chair entertained a motion to dissolve the meeting. A motion was made and seconded and carried by unanimous consent. The Special Town Meeting was dissolved at 9:40 pm.