

BOARD OF SELECTMEN MINUTES

NOVEMBER 10, 2010

EXECUTIVE SESSION

At about 12:40 pm, Mr. Heller called the third Executive Session to order under Exemptions Three and Six of the Open Meeting Law:

Exception Three - "To discuss strategy relating to collective bargaining or to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body, to conduct strategy sessions in preparation for negotiations with nonunion personnel, to conduct collective bargaining sessions or contract negotiations with nonunion personnel."

Exception Six - "To consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation."

3, 5, 7 Prouty Street property purchase:

Town Counsel wanted the Board's permission to write to formally release the Purchase and Sale (P&S) Agreement. The following is the resulting discussion and decision.

Mr. O'Connell reported haven spoken with Mr. Donald Faugno, Chairman of the Town Hall Barrier Removal Committee who believes that the Town Hall Barrier Removal should be done in stages and that the priority for the Town, at this time, should be relocation of the police station.

The stages that he recommended were:

1. Install handicapped accessible bathrooms and address some barrier removal issues in the current office space which could include creation of offices in the Banquet Room and/or kitchen.
2. Consider installation of a new septic system, on current Town Hall property, which would require the removal of the salt shed.
3. Elevator, etc. would be the next phase.

Mr. Allen said the purchase of the Prouty Street property was his priority. Mr. Heller announced that there was a grassroots group that had received pledges (loans and/or gifts) that total about \$147,000. This group was creating a realty trust and would purchase the property with the intent to sell to the Town. However, this group also has environmental concerns and doesn't want to hold the property for a long time.

Mr. Heller asked if the Town would ask CMRPC (Central Massachusetts Regional Planning Commission) to do a Phase I Study on this property or could this be done at the combined expense of the Town and the McKeon Trust.

Mr. Heller suggested presenting a new proposal to the McKeon Trust to include the purchase price of \$150,000, contingency of a partnership with CMRPC for a Phase I for a 21E assessment to possibly include some actual testing (a partial Phase II), to allow the Town to conduct a percolation test and tests for lead paint and asbestos and, of course, the Town Meeting approval. He said the Town should conduct these tests with the intent of making the dwelling into a police station.

Mr. Allen said that it was important to obtain the land for a safe egress for the Fire Department and land for a septic system for the Town Hall complex and the Board agreed with him.

Mr. O'Connell, who had been a member of the former Police Station committee, said that committee was in favor of buying the current leased location but he felt that it was probably more advantageous to own a property rather than lease one. The cost of that property was \$310,000; the cost of the McKeon is \$150,000 and includes land that could be used for the Fire Department's driveway and a septic system. He felt that the Board should purchase the property and return to Special Town Meeting with two proposed uses of the building.

Mr. Allen moved and Mr. O'Connell seconded, prior to formally releasing the P&S Agreement, to authorize Chairman Heller to contact the owners of the property with the following proposal:

- Purchase price of \$150,000
- Contingency of having a 21E test done (whether with CMRPC or between the owners and the Town)
- Contingency testing of the dwelling for lead paint, asbestos, etc.
- Contingency percolation test of the land for a possible septic system
- Acceptable Special Town Meeting vote.

The vote on this motion was unanimous approval with Mr. Allen voting aye; Mr. O'Connell voting aye; and Mr. Heller voting aye.

At approximately 12:54 Mr. Allen moved to adjourn the third Executive Session and return to Open Session to conduct further business; Mr. O'Connell seconded; so voted with Mr. Allen voting Aye; Mr. Heller voting Aye; and Mr. O'Connell voting Aye.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: _____

Date Released: December 11, 2012

