



# Town of Ashland

## MASSACHUSETTS

### Select Board Meeting 2/17/21 Executive Session Minutes

Attending: Yolanda Greaves, Steve Mitchell, Rob Scherer, Brandi Kinsman, Michael Herbert & Jenn Ball

Absent: Joe Magnani

Yolanda Greaves moved to go into Executive Session pursuant to M.G.L. c. 30A §22 §§(g)(1) to review executive session minutes of 5/25/16, 3/29/17, 10/4/17, 3/15/18, 4/4/18, 5/16/18, 5/15/19, 6/5/19, and 7/15/20. The Board will reconvene in open session. Steve Mitchell seconded the motion. Roll call vote: Greaves, Mitchell, Scherer and Kinsman.

The Board reviewed each set of minutes. It was determined that the meeting minutes for 7/15/20 should be reviewed by counsel to determine whether they can be released. The Board wanted Town Counsel to review all the minutes before releasing. Steve Mitchell moved to approve and release the minutes for 5/25/16, 3/29/17, 10/4/17, 3/15/18, 4/4/18, 5/16/18, 5/15/19 and 6/5/19 after reviewed by Town Counsel. This was seconded by Brandi Kinsman. Roll call vote: Greaves, Mitchell, Scherer, and Kinsman.

Steve Mitchell moved to exit executive session and reconvene in open session. This was seconded by Brandi Kinsman. Roll call vote: Greaves, Mitchell, Scherer, and Kinsman.

Materials used: Draft minutes from 3/29/17, 10/4/17, 3/15/18, 4/4/18, 5/16/18, 5/15/19, 6/5/19 and 7/15/20.



# Town of Ashland

## MASSACHUSETTS

### Board of Selectmen Executive Session Minutes May 25, 2016

Attending: Joe Magnani, Carl Hakansson, Steve Mitchell, Rob Scherer, Michael Herbert, Jenn Ball and Attorney Lisa Mead

Joe Magnani opened the meeting in Open Session and moved to go into Executive Session pursuant to G.L. c. 30 Sec 21(a)(3), that the Board go into Executive Session to discuss strategy with respect to litigation. As the Chair, I have determined that the public discussion of which will have a detrimental impact on the litigating position of the Board.

The Board will reconvene in open session at the conclusion of the Executive Session. This motion was seconded by Steve Mitchell. Roll Call vote.

Michael Herbert informed the Board that DPW provided offers to 2 potential employees, Ryan Casagrande and Bill Lane. Michael asked the Board to waive the 15-day waiting period. Carl Hakansson made the motion to accept the appointment waiving the 15 days. Steve Mitchell seconded the motion. This motion passed 4-0.

Lloyd Geisinger and Dan DeMarco from Campanelli Thorndike were in attendance to request approval from the Self Help provision in the RTD development agreement. Mr. Geisinger and Mr. DeMarco wanted to utilize this provision to construct the sewer and gas lines. This is a timing issue for the developers, as the public bidding process is lengthy and it will slow the development schedule.

The Board expressed concerns with the Self Help clause. They asked the developers to explain their plans for blasting, police details along the MBTA Access Road, the plan for water access during construction, and the potential need to blast in that area. Campanelli Thorndike agreed to have these answers available for a future forum discussion. Citizens in attendance expressed additional concerns regarding safety for area residents, possible infrastructure issues with the culvert that would cause additional flooding or stormwater issues.

The Board also reviewed the development agreement between Mr. Gaynor and the Town, which holds Mr. Gaynor responsible for any overages for the W Union Sewer project and the MBTA Access Road. Mr. Gaynor requested an amendment to the agreement that gave him some relief to this requirement. Steve Mitchell made a motion to maintain the initial agreement. Carl Hakansson seconded this motion. It passed 4-0.

Steve Mitchell made a motion to adjourn the meeting. Rob Scherer seconded. This passed 4-0.



# Town of Ashland

## MASSACHUSETTS

### Board of Selectmen Executive Session Minutes March 29, 2017

Attending: Joe Magnani, Rob Scherer, Steve Mitchell, Carl Hakansson, Yolanda Greaves, Michael Herbert and Jenn Ball

Carl Hakansson called the meeting to order at 7:00 PM

Carl moved to enter into Executive Session: Pursuant to G.L. c. 30A sec 21(a)(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. The Board will not reconvene in open session afterwards.

This motion was seconded by Steve Mitchell.

Roll call vote: Magnani, Scherer, Mitchell, Hakansson, Greaves

The Board discussed the Public Safety land feasibility study, which will focus on three parcels of land: a parcel on the MBTA Access Rd owned by Mr. Gaynor; the Clocktown Property on RT 135 owned by Mr. Fafard; and the parcel across the street from the High School owned by Mr. Hickey.

The Board also discussed the status of the overall negotiations with Mr. Gaynor regarding the remaining land of the RTD. The Board asked Michael to utilize the Fiscal Impact tool to help gauge market value based on current zoning before beginning to negotiate a purchase price. The Board thought a fair and reasonable price would be between \$6M-\$6.5M for the remaining land. The results of the Fiscal Impact tool would be reported back to the Board once complete.

Rob Scherer made a motion to exit Executive Session and adjourn the meeting.

This motion was seconded by Yolanda Greaves.

Roll call vote: Magnani, Scherer, Mitchell, Hakansson, Greaves.



# Town of Ashland

## MASSACHUSETTS

### Board of Selectmen Executive Session Minutes March 15, 2018

Attending: Rob Scherer, Carl Hakansson, Joe Magnani, Steve Mitchell, Yolanda Greaves, Michael Herbert, and Jenn Ball

Rob Scherer opened the meeting 6:15 PM.

Rob moved to go into Executive Session to consider the purchase, exchange, lease, or value of real property, pursuant to G.L. c. 30A sec 21(a)(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body The Board will reconvene in open session at 7:00PM. Seconded by Hakansson.

Roll call vote: Hakansson, Mitchell, Magnani, Greaves and Scherer

Michael Herbert gave an update on the negotiations with Fafard regarding Union Street property for the Public Safety. After some discussion with Fafard and his engineers and our engineers through HKT, Fafard offered 3.3 acres of land. HKT raised a couple of technical issues and has advised the Town that we need approximately 3.75 and 4 acres. Michael has communicated this to Fafard. They are in the process of reviewing. The BOS agreed to continue the negotiations with Fafard and at this point any presentation of the proposal will be done at a special or the special Fall Town Meeting.

Michael reported that he and Carl were approached by the residents of the Tri Street neighborhood with some concerns about the possible development of 0 Tri Street. The Board discussed whether this should be a priority property for the Town to purchase and preserve as open space. Some members were concerned that the preservation of the property would only benefit a small neighborhood as opposed to the community at large. Michael explained that the area around 126 did not have much in the way of conservation land and a purchase would be beneficial to the east side of town and not just the residents of the neighborhood. Board members asked if the property could be used for more definitive open space purposes like the proposed dog park. Michael suggested that he have a further conversation with the landowner, Alan Marks, about purchasing the property.

Yolanda moved to give Michael the authority to approach landowner to purchase 0 Tri Street with a max of \$175,000.

Steve Mitchell seconded. Roll call vote - Hakansson, Mitchell, Magnani, Greaves, and Scherer.

Yolanda Moved to exit Executive Session and go into to Open Session.

Hakansson seconded

Roll call vote: Hakansson, Mitchell, Magnani, Greaves, and Scherer.



# Town of Ashland

## MASSACHUSETTS

### Board of Selectmen Executive Session Minutes April 4, 2018

Rob Scherer moved to go into Executive Session pursuant to G.L. c. 30A sec 21 (a)(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Roll call vote: Hakansson, Mitchell, Greaves, Magnani, Scherer

Michael gave an update on negotiations with Fafard for the W Union Property for the Public Safety Building informing the Board that after discussions with Fafard, their engineers, HKT, and town staff Fafard has agreed to gift the town 3.83 acres. The Town has proposed an MOU so that the land acquisition can be solidified. If that can be complete; it will be anticipated that it can be presented to Town Meeting in the fall.

Rob wanted to explore the possibility of utilizing the rest of the property to include as part of the Upper Charles Trail or an easement for the trail.

Steve moved to ask Michael to negotiate the MOU with Fafard to secure the 3.83 acres for the Public Safety facility.

Yolanda seconded. Roll call vote - Hakansson, Mitchell, Greaves, Magnani, Scherer

Michael provided an update on the status of the negotiation on 0 Tri Street. The Board had previously given Michael the authority to negotiate up to \$175k. Michael met with Alan Marks and George Connors and it was clear that the land owner wants significantly more for the property. They believe that he has approximately 5 buildable lots and that it is worth exponentially more money. The Board discussed the pros and cons of purchasing one property to help preserve the abutting neighborhood at the expense of the rest of the town. Additionally, the Board discussed the pros and cons of developing that parcel with 3-4 homes. Michael suggested that property has benefits beyond just the abutting neighborhoods. The Board agreed that the time is of the essence because the developer is in the process of proposing a development and it currently in the position to appeal the Conservation Commissioners decision to DEP.

Hakansson moved to allow Michael to reopen the negotiation and get more information on what the landowner would find reasonable and bring it back to the Board.

Mitchell seconded. Roll call vote - Hakansson, Mitchell, Greaves, Magnani, Scherer

Yolanda made a motion to adjourn

Seconded by Magnani

Roll call vote: Hakansson, Mitchell, Greaves, Magnani, Scherer





# Town of Ashland

## MASSACHUSETTS

### Board of Selectmen Executive Session Minutes June 5, 2019

Attending: Yolanda Greaves, Joe Magnani, Rob Scherer, Steve Mitchell, Brandi Kinsman, Jenn Ball and Michael Herbert

Rob Scherer opened the meeting at 6:15 PM and made a motion to move into executive session pursuant to G.L. c. 30A sec 21(a)(6) to consider the purchase, exchange, lease or value of real property identified as 0 Tri Street in which the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Roll call vote: Greaves, Magnani, Mitchell, Kinsman, Scherer

Michael provided an overview of the status of the 0 Tri Street litigation between Mr. Marks and the Conservation Commission. Michael also explained that he spoke to Mr. Marks regarding purchasing the property. In the last Executive Session, the BOS authorized Michael to offer \$350,000. Mr. Marks did not accept the Town's offer and countered at \$750,000. Mr. Marks did inform Michael that he is speaking to Dipeitri regarding interest in doing a 40B similar to the project that was permitted at 133 W Union Street. The BOS discussed the impact of this type of development. The BOS also asked Michael for an update on the opportunity to obtain deed restrictions from abutting properties. The Board discussed with Michael the pros and cons of expending a significant amount of funds for such a small area. The BOS asked Michael to package as many deed restrictions as possible. The BOS agreed to give Michael authorization up to negotiate up to \$650,000.

The BOS discussed the possibility of purchasing as a debt exclusion or the possibility of using CPA funds to purchase.

Yolanda Greaves made a motion to authorized Michael negotiate up to \$650,000 to purchase the property and to pursue a conservation restriction on Cliff Wilson's property. Kinsman seconded. Roll call vote - Greaves, Magnani, Mitchell, Kinsman, and Scherer

Yolanda Greaves made a motion to exit Executive Session and to re-enter open session. Magnani seconded.

Roll call vote: Greaves, Magnani, Scherer, Kinsman and Mitchell