

TOWN OF BLACKSTONE
RESULTS OF SPECIAL TOWN MEETING

MAY 2, 2017

The meeting was called to order at 7:00 p.m. by Moderator Mark N. Poirier, who declared a quorum. There were 142 registered voters present and voting at the start of the meeting.

A motion was duly made and seconded to dispense with the reading of the warrant for the Special Town Meeting.

UNANIMOUS VOICE VOTE

A motion was duly made and seconded to waive Chapter 5, Section 8, of the Town Bylaws to allow the following nonresidents to participate in discussion at the Special Town Meeting: Patrick J. Costello, Esq., Louison, Costello, Condon & Pfaff LLP; Shannon MacKenzie, Town Accountant; Patricia Salamone, Assistant Assessor; Lisa Cheever, Library Director; Kyle Gibbons, Police IT; Gino Carlucci, TGC Associates, Franklin, MA; Dr. Michael F. Fitzpatrick, Superintendent-Director, Blackstone Valley Vocational Regional School District; Allen W. Himmelberger, Superintendent of Schools.

UNANIMOUS VOICE VOTE

Moderator Poirier recognized Mr. Frederick J. Stone for his many years of service as Moderator.

Finance Committee Vice Chairman Stephen Goudreau read the committee's recommendation.

ARTICLE 1: The Finance Committee recommends and I so move that the Town vote to appropriate and raise or transfer from available funds the sum of \$550,000, as the aggregate purchase price determined by an independent appraisal commissioned by the Town, for acquisition of the property identified as 148 Lincoln Street, as more specifically described in the Deed recorded at the Worcester District Registry of Deeds, Book 52748, Page 43, containing 59.34 acres, more or less, (the "Subject Parcel"), and to authorize the Board of Selectmen to acquire by purchase the non-G.L.c 61A encumbered 2.34 acre portion of the Subject Parcel and by exercise of the Town's purchase option pursuant to G.L. c. 61A, §14 the 57 acre portion of the Subject Parcel, to execute any agreements or instruments necessary to complete this transaction, or take any other action in relation thereto.

Constance Perreault of 99 Harris Pond Road asked why the town was proposing to buy the parcel of land with the house, what the town proposed to do with the house, and who will insure the house.

Town Counsel Patrick Costello explained that the situation here is that the owner is selling the entire tract of land. The Board of Selectmen want to obtain both the non-G.L. c. 61A encumbered 2.34 acre portion rather than acquire only the agricultural portion. He said the appraisal price is a combination of non-agricultural and agricultural. He said this vote requires a two-thirds vote and added that town meeting will ultimately decide what property is acquired and for what purpose.

Board of Selectmen Chairman Daniel Keefe made a motion, which was seconded, to amend the Finance Committee's main motion, as follows:

ARTICLE 1. I move that the Motion offered by the Finance Committee be amended to read as follows: Move that the Town vote to appropriate and transfer from the Stabilization Fund the sum of \$550,000 as the aggregate purchase price determined by an independent appraisal commissioned by the Town for acquisition of the property identified as 148 Lincoln Street, as more specifically described in the Deed recorded at the Worcester District Registry of Deeds, Book 52748, Page 43, containing 59.34 acres, more or less, (the “Subject Parcel”); to authorize the Board of Selectmen to acquire by purchase for general municipal purposes the non-G.L. c. 61A encumbered 2.34 acre portion of the Subject Parcel and, by exercise of the Town’s purchase option pursuant to G. L. c. 61A, §14, to acquire by purchase for such natural resources purposes, including, but not limited to, conservation, open space, park and/or recreational uses, as the Selectmen may determine, the 57 acre portion of the Subject Parcel; and to authorize the Selectmen to execute any agreements or instruments necessary to complete this transaction.

Selectman Robert Dubois spoke against the amendment preferring to go with the original article. He said the amendment would handcuff the town on its ability of what to do with the property—the town would have to come back to town meeting and then go to the legislature, and both would require a two-thirds vote. Attorney Costello indicated that once land is acquired for natural resources, it is subject to Article 97 of the State Constitution. Article 97 requires a two-thirds vote of the town and two-thirds vote of the General Court to authorize it to be removed.

Mr. Keefe said that in speaking with the public, he thinks that they want this land to remain as open space. He said that according to our attorney, it is not that difficult to remove it from Article 97 if you have a plan that will be approved by the state.

Mrs. Perreault next wanted to know what the impact would be on the water located on the property. Town Administrator Keyes indicated that the selectmen do not want a developer to take over the house and barn. The 57 acres are presently open space – conservation land. The \$550,000 price is for the land as it is today, not for development. If it is for development, the owner will buy back his taxes, 4 years plus one, and he will develop the land. There are a certain number of homes or other things that will be built there, and that would displace other natural resources. Mr. Keyes said that the town could sustain taking care of the house over the next twelve, eighteen, or twenty-four months. Discussions would be had regarding possible use by school department, public safety center, and senior center. If the town does not acquire the land, the townspeople would have no vote on the future of that land.

Capital Outlay Chair James Watson indicated that his committee had voted to approve the purchase.

Mr. Charles Sawyer spoke against the amendment because the original article would give the town control of the land. Mr. Watson asked whether the Finance Committee’s initial motion would trigger rollback taxes. Attorney Costello said that in his opinion it would trigger rollback taxes.

After the lengthy discussion, Moderator Poirier called for a vote on the amendment.

MAJORITY VOICE VOTE TO AMEND

Discussion was held on the amended main motion. Attorney Costello clarified the motion for the voters present. He said that by approving the motion, the town would be spending \$550,000 to acquire 59.34 acres of land—2.34 acres of which would be held for general municipal purposes and 57 acres for conservation purposes.

John Eldridge of 149 Federal Street voiced his objection to the town's purchasing the property.

Carolyn Powers of 156 Mendon Street spoke in favor of buying the property because of added expenses to the police, fire, and school departments if houses were going to be built there.

Collector-Treasurer Steven Perrault of 340R Main Street said he does not know how to vote. He said we would be taking half a million dollars out of the town's savings account. The town's bond rating is based on its savings account. He said that by taking it out, it could lower the town's bond rating.

Tammy Lemieux, of 120 Lakeshore Drive asked how much money is actually in stabilization and whether taking money out would affect the bond rating. Town Administrator Keyes explained that we have \$3.5 million in stabilization, our rating is AA+, and you cannot be any higher. The town has the same kind of reserves as Wellesley and Lexington, MA. He said that after town meeting we are looking at over \$3 million in stabilization. He explained that when making a purchase of property, instead of using taxation or other revenue sources, stabilization is used. It is also called a "rainy day fund." If receipts are not as high as we would like, we can ask to spend money out of stabilization.

Mr. James Watson spoke again explaining that the purchase price of \$550,000 is a very good buy for the town. With it coming out of stabilization fund does not mean it is free, but it does not affect the tax rate or tax revenue for the immediate 2018 year.

At this point there was a motion and second to move the question.

MAJORITY VOICE VOTE TO MOVE THE QUESTION

Moderator Poirier reminded the voters that a two-thirds vote is required to approve the purchase.

SECRET BALLOT
YES 91 NO 61
MOTION FAILS

On a motion duly made and seconded, it was voted to dissolve the warrant and to adjourn the Special Town Meeting at 8:24 p.m.

Claudette C. Dolinski

Claudette C. Dolinski
Town Clerk of Blackstone