



OFFICE OF THE
T O W N C L E R K
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**SPECIAL TOWN MEETING
February 26, 2007**

After determining that a quorum was present, the Special Town Meeting was called to order at 7:32 pm. by Moderator Anne Farina. Kathy Icenogle, Bill Soda, Joe Vlcek and Tim Joyce were appointed and sworn in as hand counters. The check-in table was supervised by Ann Marie Wright who handled the unusually large crowd expeditiously. Announcements included the request for interested volunteers to serve on a Fire Chief Search Committee since Chief Bacon is retiring in June, along with dates and nomination information from the 2007 election calendar.

Following the Pledge of Allegiance, the Town Clerk read the greetings; a motion was made and seconded to dispense with the reading of the articles (motion passes), ending with the closing of the warrant and return of service.

ARTICLE 1. Motion made and seconded that the Town appropriate the sum of Thirty-Nine Thousand (\$39,000.00) Dollars by transfer from the Town Forest Timber Account (No. 24-3-171-001), to be applied to the acquisition of the Ferrari Farm property that is the subject of ARTICLE 2 of this warrant, this appropriation to be contingent, however, on an affirmative vote for acquisition of said property under ARTICLE 2.

A member questioned the dollar amount of \$39,000.00, versus the \$70,000.00 written in the warrant. It was explained that Article 2 would include 2 separate transfers to equal the balance.

2/3 Vote Required
Motion Passes Unanimously

ARTICLE 2. Motion made and seconded that the Town appropriate the sum of \$1,990,932.00, to be applied together with the sum appropriated under ARTICLE 1 at this meeting for the purpose of acquiring for conservation and passive recreation purposes, by eminent domain, negotiated purchase, deed, or otherwise, certain real property together with any improvements thereon, known as the Ferrari Farm property situated on/near 67 Mill Street and Northeasterly thereof, being shown as Assessor's Parcels Nos. 50, 51 and 81 on Map 11, and being a portion of the premises described in a deed dated December 11, 1987, recorded with Middlesex North District Registry of Deeds, Book 4346, Page 335, and Registered Land Certificate No. 28167 in Book 143, Page 333, or howsoever otherwise the premises might be described, but EXCEPTING from said premises a parcel of land including the dwelling house on the premises comprising approximately ten (10) acres, shown in its approximate configuration on a draft plan prepared by BEALS ASSOCIATES PLLC, of Exeter, NH, dated February 21, 2007, which is on

file in the office of the Conservation Commission and the Board of Selectmen; hereby authorizing the Board of Selectmen to affirm and approve in their discretion the final boundaries of the parcel to be acquired, in consultation with the Conservation Commission and the Trust for Public Land, and in accordance with a memorandum of Agreement with said Trust, dated February 26, 2007, and in order to effect such appropriation, to carry out the following financial measures:

- Authorize the Treasurer with the approval of the Selectmen and Community Preservation Committee to borrow pursuant to Chapter 44B, Section 11, of the General Laws (the Community Preservation Act), as amended, or any other law, the sum of \$1,500,000.00;
- Authorize the Treasurer with the approval of the Selectmen to borrow pursuant to Chapter 44, Section 8C, of the General Laws, as amended, or any other law, the sum of \$420,971.00, in anticipation of a reimbursement under a Federal Land and Water Conservation Fund grant of the EOE;A;
- Transfer from the Conservation Land Fund (Account No. 82-2-000-020) the sum of \$21,000.00;
- Accept a transfer from the Conservation Timber Fund of the sum of \$10,000.00;

Thereby aggregating \$1,990,932.00 for the entire appropriation hereunder, which sum together with the sum appropriated under ARTICLE I, a total of \$1,990,971.00, shall be expended for the acquisition of said land; that said land be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as amended, the requirements of the Land and Water Conservation Fund Project Agreement, and other applicable statutes and Agreements relating to Conservation or this purchase, to be held in the custody and control of the Conservation Commission of Dunstable; and that the Conservation Commission, together with the Board of Selectmen if necessary, be authorized to prepare and submit on behalf of the Town any and all applications for grants and/or reimbursements from the Commonwealth of Massachusetts or its affiliates as deemed necessary under the LWCF grant and/or any other provision of law appropriately connected with the scope of this Article; and that the Town, the Board of Selectmen, and/or the Conservation Commission be authorized to enter into any and all agreements, execute any and all instruments, accept instruments of conveyance on behalf of the Town, or otherwise do all things reasonably necessary and ordered to these purposes.

A presentation was made by Chris LaPointe, representing The Trust for Public Land (TPL). The Dunstable Conservation Commission, in partnership with the Dunstable Rural Land Trust and TPL and other conservation partners, are working to purchase and protect the 159 acres of land known as the Ferrari Farm (149 acres held and managed by the Dunstable Conservation Commission, and the house with 10 acres to be sold privately; a historical preservation restriction will be placed on the house to prevent demolishing, etc.). Also as part of the presentation, project funding including an explanation of the Community Preservation funds was outlined. The following boards and commissions voted in favor of the Town's \$1.5 million dollar contribution to the project: Board of Selectmen, Finance Committee (Advisory Board), Planning Board, Recreation Commission, Historical Commission, Conservation Commission, Board of Health, Town Forest Committee, Parks Commission and Community Preservation Committee.

2/3 Vote Required
Motion Passes Unanimously

Motion made and seconded to adjourn the Special Town Meeting at 8:02 pm.

Transfer from the Town Forest Timber Account (24-3-171-001)	\$ 39,000.00
Authorization to Borrow MGL Chapter 44B, Section 11	1,500,000.00
Authorization to Borrow MGL Chapter 44, Section 8C	420,971.00
Transfer from the Conservation Land Fund (Account No. 82-2-000-020)	21,000.00
Transfer from the Conservation Timber Fund	10,000.00

Quorum Certificate

In accordance with The Town of Dunstable's Town Meetings, Town Elections & Records Bylaw, I hereby certify that the quorum for an Annual or Special Town Meeting is 50 registered voters of the Town of Dunstable.

Total number of voters checked in at the Special Town Meeting of February 26, 2007: 256.

Respectfully submitted,

Carol A. Skerrett
Town Clerk, CMMC