



OFFICE OF THE
T O W N C L E R K
TOWN HALL
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SPECIAL TOWN MEETING
August 24, 2009

After determining that a quorum was present, the Special Town Meeting was called to order at 7:00 pm by Town Moderator, Anne Farina.

Tellers included Cheryl Mann and Maria Amodei who were sworn in by Town Clerk, Carol Skerrett.

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

Majority Vote Required
Voted in the Affirmative

ARTICLE 1. Motion made and seconded that the Town raise and appropriate the sum of \$260,000.00 for the purpose of acquiring for conversation and passive recreation purposes, by eminent domain, negotiated purchase, gift or any combination of the foregoing methods, or otherwise, to be in the custody of and managed and controlled by the Conservation Commission under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as amended, or any other Massachusetts statutes relating to Conservation, certain real property together with any improvements thereon, known as the Carter Farm property situated on/near the easterly side of Hardy Street, being a portion of Assessor's Parcel No. 20 on Map 30, and being shown on a plan of land entitled, "Plan of Land, 81 Hardy Street Dunstable, Massachusetts," dated June 5, 2009, prepared by Norse Design Services, Inc., being a portion of the premises described in a deed dated July 28, 1994, recorded with Middlesex North District Registry of Deeds, Book 7176, Page 226; said premises comprising 10.89 acres, according to the plan; and that in order to defray in part the cost of such land, the town borrow the sum of \$170,000.00 by authorizing the Treasurer with the approval of the Selectmen, pursuant to Chapter 44, Section 8C of the General Laws, or any other applicable law, to issue the bonds or notes of the town in such amount, it being anticipated that the balance of the appropriation for such purpose will be provided by vote authorizing the expenditure of Community Protection Act funds under Article 2 of this warrant; and further, that the Conservation Commission be authorized to accept any

and all gifts of money designated for such purpose; and that the Conservation Commission 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 as deemed necessary under the LAND program of the Division of Conservation Services, otherwise or formerly known as the Self-Help Act, so-called (Chapter 132A, Section 112) as amended; and further, that the authority granted under this vote be contingent upon the occurrence of two specific events, first, the award by the Commonwealth of Massachusetts to the town of a grant under said LAND Program, and second, that the town be in receipt within thirty days of having received notice of such LAND Program grant award of not less than \$41,000.00 in donations from private sources designated by the donor or donors for application to the purchase authorized under this vote; and that the Town and the Conservation Commission be authorized to enter into and all agreements, execute any and all instruments or otherwise do all things reasonably necessary and ordered to these purposes.

The Conservation Commission voted unanimously to support this article. The funds required are not under the control of the Finance Committee; therefore they did not vote on the article as a Board. The Board of Selectmen did not comment.

Majority Vote Required
Yes: 92 No: 2
Voted in the Affirmative

ARTICLE 2. Motion made and seconded that the Town transfer from the Community Preservation Act account the sum of \$90,000.00, as recommended and voted by the Community Preservation Committee, to be appropriated and applied to the purchase of the Carter Farm property, described more fully in Article 1 of this warrant, hereby authorizing and ratifying all the powers granted under the vote passed pursuant to such article at this meeting.

Majority Vote Required
Yes: 90 No: 0
Voted in the Affirmative Unanimously

ARTICLE 3. Motion made and seconded that the Town authorize the Conservation Commission, in behalf of the Town, to execute, qualify and deliver a Conservation Restriction as defined in G.L. Chapter 184, Section 31, as amended, to the Trustees of the Dunstable Rural Land Trust, or some other qualified grantee, relative to the Carter Farm property, in the event the property is acquired pursuant to a vote under Article 1 of this warrant, in order to comply with certain provisions of the Community Preservation Act, the specific provisions of such Restriction to be determined in the discretion of the Conservation with the advice of Town Counsel, and to authorize the Conservation Commission to perform any and all subsidiary functions necessary to such purpose.

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 4. Motion made and seconded that the Town amend and correct the vote taken under Article #3 of the Special Town Meeting of June 9, 2009, to reflect the appropriate account numbers, the amended vote to read “transfer \$5,000.00 from account 0001-07-725-5925, Temporary Loan Interest, to account 0001-01-132-5960 Reserve Account”.

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 5. Motion made and seconded that the Town take no action under Article 5.

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 6. Motion made and seconded that the Town raise and appropriate the sum of \$3,800.00 for the inspection of the Woodward Mill dam, in accordance with requirements of the Commonwealth of Massachusetts.

Majority Vote Required
Voted in the Affirmative Unanimously Less One

Motion made and seconded to dispense of the reading of the record.

Majority Vote Required
Voted in the Affirmative

Motion made and seconded to adjourn the Special Town Meeting at 7:47 pm.

Majority Vote Required
Voted in the Affirmative

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 August 24, 2009: 101

Respectfully submitted,

Carol A. Skerrett
Town Clerk, CMMC