

**SPECIAL MEETING
ACTON BOARD OF SELECTMEN
AUGUST 20TH, 2015
9:00 am
Room 204
Acton Town Hall**

Present: Katie Green; Peter Berry; Janet Adachi; Franny Osman

Also present: Steven L Ledoux, Town Manager; Roland Bartl; Planning Director; Kristen Guichard, Assistant Planner; Robert Hummel; Assistant Planner/ Zoning Enforcement Officer

Chairperson Green opened the meeting @ 9 AM.

Rescind the Order of Taking and to Vote on Acceptance and Execution of Temporary and Permanent Easement Agreements and Acquisition for the Assabet River Rail Trail at 20 Main Street

Planning Director Bartl described current negotiations with John Anderson, on behalf of Robert Anderson and Wedgewood Realty Trust, concerning the value of the easement at 20 Main Street. Both the Town Manager and Planning Director reported that Mr. Anderson wanted \$50,000 in addition to the value of the easement because of the added long-term expenses and responsibility, for example, potential additional liability because of placing snow on the rail trail. Mr. Ledoux had reported that the Town had offered an additional \$20,000. The issue for the Board was whether to agree to the larger amount that Mr. Anderson wanted. The Board discussed the pros and cons of agreeing to the full \$50,000: some members had reservations; others saw the payment as a reasonable, cost-effective way to resolve the difference of opinion and secure the easement.

Ms. Osman moved, seconded by Ms. Adachi that the Town pay an additional \$50,000 for the added liability placed on 20 Main Street.

Mr. Ledoux suggested that the \$50,000 could come from discretionary funds from Concord Mews project. All Ayes (4-0)

Ms. Osman moved, seconded by Ms Adachi:

1. To approve that certain Termination of Easement for a portion of an existing easement over 20 Main Street pursuant to that certain Declaration of Covenants and Grant of Easement recorded with the Middlesex South District Registry of Deeds in Book 46076, Page 394, in accordance with the applicable Town Meeting vote presented to the Board at its August 20, 2015 meeting.

2. Subject to the condition described in Vote 5 below, to accept that certain Deed of Easements for Bike Path Purposes for 20 Main Street presented to the Board at its August 20, 2015 meeting (the "Deed of Easements") in substantially the form presented to the Board at its August 20,

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2015 meeting, to be duly executed by the Town Manager, with final changes to be made by the Town Manager in his reasonable discretion in consultation with town counsel.

3. Subject to the condition described in Vote 5 below, to authorize the Town Manager to enter into that certain letter agreement (the "Letter Agreement") with Wedgewood Realty Trust ("Wedgewood"), in substantially the form presented to the Board at its August 20, 2015 meeting, to be duly executed by the Town Manager, with final changes to be made by the Town Manager in his reasonable discretion in consultation with town counsel.

4. Subject to the condition described in Vote 5 below, to rescind that certain Order of Taking approved by the Board at its August 11, 2015 meeting for 20 Main Street (the "Order of Taking").

All Ayes (4-0)

Ms Adachi moved, seconded by Ms Osman the approval of consent items 1 and 2, designating the 2020 Committee and the Kelley's Corner Steering Committee as Special Municipal Employees.

All Ayes (4-0)

Mr Berry moved, seconded by Ms Adachi to adjourn.

Meeting adjourned @ 9:50 AM

Respectfully submitted,

Steven L. Ledoux, Town Manager

Janet K. Adachi, Clerk

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