



SELECT BOARD

Executive Session Meeting Minutes

Tuesday, July 22, 2024

6:45 PM

Room 204, Acton Town Hall
472 Main Street

Select Board Members Present: Jim Snyder-Grant, Fran Arsenault, Dean Charter, David Martin, Alissa Nicol

Additional present: Town Manager John S. Mangiaratti, Assistant Town Manager Thom Begin, Executive Assistant Lisa Tomyl, Stephanie Dubanowitz, Town Counsel

Mr. Snyder-Grant moved, seconded by Ms. Nicol to enter into executive session to discuss the purchase, exchange or value of real property located at 19 and 35 Wetherbee Street as an open meeting may have a detrimental effect on the negotiating position of the public body and approved unanimously 5-0 by roll call vote

Mr. Mangiaratti updated the Board on the negotiations to date noting he provided the property owners with a proposal under the Board's direction and encouraged the attorney for the property owners to submit a counter offer., Ms. Stephannie Dubanowitz, representative from Town Counsel, reviewed the sellers response and was looking for feedback from the Board. Mr. Charter noticed the Board's proposal included carving off a section of the property for general municipal use but the property owners did not agree with that request of use and is unsure what the owners were envisioning. He noted that he would be ok if the property were maintained for active recreation and the Town should clearly understand if it is possible to build something for recreational purposes such as a pickle ball court for the future. Mr. Martin agreed with Mr. Charter and suggested deleting the language referring to the railtrail. He discussed the future possibilities of building a pickle ball court, disk golf, or other recreational activities and explained the Town should consider the property the needs for future use. Ms. Nicol agrees with active recreation and Mr. Martin's note to remove the language regarding rail trail expansion onsite. She indicated the Town should stick with the previously offered price and believes that no other buyer will make an offer with the current price, which could be a strong negotiating point.

Ms. Dubanowitz noted the Town could get close to purchase after due diligence is completed and then close into escrow while having the owners take the deposit and the Town require the owners be responsible for removal of the structures and the house by using the deposit funds to complete this.

Mr. Martin noted that the proposal was to preserve a portion of the property for active recreation and the rest as a conservation restriction. Ms. Dubanowitz confirmed this.

Ms. Arsenault expressed concern about releasing the deposit before the closing.



Mr. Mangiaratti noted there is no budget line item for \$187,000 unless it is donated or go to Town Meeting to add to the budget for the deposit.

Ms. Dubanowitz asked Board members if the Town would consider the demolition work and reduce the purchase price which members were not supportive of.

Mr. Mangiaratti indicated he has what he needs for now to reengage the sellers attorney and suggested continuing the conversation to a future executive session once the sellers have provided some more feedback.

Mr. Martin moved, seconded by Ms. Nicol to exit executive session and approved unanimously 5-0 by roll call vote