

From: [Susan Zuscak](#)
To: [Forsberg, Kristen](#)
Subject: FW: Emailing - BOS Agenda 10-17-16.pdf - Public Records request
Date: Wednesday, April 24, 2019 9:04:54 AM
Attachments: [BOS Minutes 10-17-16.pdf](#)
[Moose Hill Information 042319.pdf](#)
[DECAMM 042319.pdf](#)

From: Davis, Debbie <Davisd@leicesterma.org>
Sent: Tuesday, April 23, 2019 5:22 PM
To: Susan Zuscak <Zuscaks@leicesterma.org>
Subject: FW: Emailing - BOS Agenda 10-17-16.pdf - Public Records request

Public records request

From: Genereux, David <genereuxd@leicesterma.org>
Sent: Tuesday, April 23, 2019 12:53 PM
To: 'Mike Shivick' <michael.shivick@live.com>
Cc: Davis, Debbie <Davisd@leicesterma.org>; Forsberg, Kristen <forsbergk@leicesterma.org>
Subject: RE: Emailing - BOS Agenda 10-17-16.pdf - Public Records request

Dear Attorney Shivick,

Attached is the documentation that you requested. They are:

1. The BOS meeting minutes from 10/17/16.
2. A packet of information send to the Board regarding the ownership of Moose Hill, including the enabling legislation from 2000, property records cards, the 1977 vote establishing the Commission, and a property listing from the state showing ownership.
3. An email from DECAMM discussing ownership of the property.

Regards,

David A. Genereux

David A. Genereux
Town Administrator
Town of Leicester
3 Washburn Square
Leicester, MA 01524
Telephone: (508) 892-7000
Fax: (508) 892-7070
Email: genereuxd@leicesterma.org

“Please remember that the Secretary of State has determined that email is a public record”

From: Mike Shivick [<mailto:michael.shivick@live.com>]
Sent: Monday, April 22, 2019 9:09 PM
To: Genereux, David <genereuxd@leicesterma.org>
Subject: Re: Emailing - BOS Agenda 10-17-16.pdf

Mr. Genereux,

Per the public records law, could you please forward or otherwise provide

- 1) a full copy of the minutes from the 10/17/16 Select Board meeting.
- 2) all documents you reviewed in making your determination that the Town has no legal or equitable property right in Moose Hill Reservoir, as you represented last Thursday at the Moose Hill Water Commission meeting.

Sincerely,

Michael J. Shivick, Esq.

Attorney at Law

774.262.7281

www.shivicklaw.com

From: Forsberg, Kristen <forsbergk@leicesterma.org>
Sent: Thursday, October 13, 2016 5:31 PM
To: Art Paquette (paquetteart@hotmail.com); Craig Semon; Davis, Debbie; Dianna Provencher; Doug Belanger at work (dbelanger@ufcwlocal1445.org); flandersk33@gmail.com; Brooks, Harry; info@shivicklaw.com; Jaymi-Lyn Souza; Michael Shivick; Mizikar, Kevin; Robert Kemp; smgedit@comcast.net; Buckley, Tom
Subject: Emailing - BOS Agenda 10-17-16.pdf

All:

Attached please find the agenda and associated documents for the Board of Selectmen meeting this Monday, October 17th at 6:30pm. Thanks,

Kristen L. Forsberg
Assistant to the Town Administrator
Town of Leicester

3 Washburn Square
Leicester, MA 01524
508-892-7000

**MINUTES
BOARD OF SELECTMEN MEETING
OCTOBER 17, 2016
TOWN HALL, SELECTMEN'S CONFERENCE ROOM**

CALL TO ORDER/OPENING

Chairman Belanger called the meeting to order at 6:30pm. Chairman Douglas Belanger, Vice Chair Harry Brooks, 2nd Vice Chair Thomas E. Buckley, III, Selectwoman Dianna Provencher, Selectman Michael Shivick, Town Administrator Kevin Mizikar and Assistant to the Town Administrator Kristen Forsberg were in attendance.

PUBLIC COMMENT PERIOD

No members of the public provided comment

1. SCHEDULED

a. 6:30pm – Pole Hearing – Auburn Street (continued from 10/3/16 meeting)

A motion was made by Ms. Provencher and seconded by Mr. Buckley to continue the pole hearing November 7, 2016. The motion carried unanimously.

2. CORRESPONDENCE

a. Student Liaison Reports

None

b. Donations – Senior Center

A motion was made by Ms. Provencher and seconded by Mr. Brooks to accept the Senior Center donations. The motion carried unanimously.

3. NEW BUSINESS

a. Resignations

i. Sgt. Jeffrey Tebo – Police Department

A motion was made by Mr. Shivick and seconded by Ms. Provencher to accept the resignation of Sgt. Tebo with grand acclamation and to send a letter of thanks. The motion carried unanimously.

ii. Alison Nadell – Community Outreach Worker – Senior Center

A motion was made by Ms. Provencher and seconded by Mr. Shivick to accept the resignation of Alison Nadell and to send a letter of thanks. The motion carried unanimously.

b. Appointments

None

c. Intermunicipal Agreement – Regional Dispatching Services – Amendment 2

Mr. Mizikar presented Amendment #2 to the agreement with the City of Worcester for regional dispatching services. The amendment does two primary things; extends the duration of Amendment #2 through December 31st, 2016 which is conservative to ensure all systems are up and operating but is estimated to be complete by the middle of November and also puts funding in place from the City of Worcester to cover the cost of dispatching until the transition occurs. Mr. Mizikar expressed that progress has been made and they are down to the final items including how to interconnect virtually but must make sure the system is up and completely operating properly before the switch occurs.

Mr. Belanger stated this process has been too long and hard but the need for this consolidation to avoid layoffs overrules the issues.

Mr. Shivick stated the deadlines keep getting moved and knows Mr. Mizikar is doing everything he can but this exemplifies residents' concerns with regionalizing services and we need to remember this when dealing with other regional services with a large city.

A motion was made by Ms. Provencher and seconded by Mr. Buckley to sign Amendment #2 to the agreement with the City of Worcester for regional dispatch services. The motion carried unanimously.

d. Right of First Refusal – Green Street, Lot #2

Mr. Mizikar presented a request from Kurt Gursky to sell land designated for agricultural purposes and subject to Chapter 61A based on a bona fide offer. With this designation, the property owner has received reduced tax obligations and now wants to take the land out of the chapter land designation and use it for tax purposes. The property owner will be required to repay the prior 5 years of taxes before the sale comes through at the full tax rate. Under this law the Board can execute the right of first refusal meaning they could purchase the land for the bona fide offer amount with Town Meeting approval. Mr. Mizikar recommends the Town does not purchase the land as he has asked all departments and there is no need for this land.

A motion was made by Ms. Provencher and seconded by Mr. Shivick to decline to exercise the Town of Leicester's right of first refusal to meet a bona fide offer to purchase real estate on Green Street, Lot #2. The motion carried unanimously.

e. Vote on Special Town Meeting Warrant Articles

Motions were made by Ms. Provencher and seconded by Mr. Buckley to accept support each of the 9 Town Meeting articles. The motions carried unanimously.

Mr. Mizikar noted free cash was certified today at 1,198,678. If any Board members would like to read a particular motion they should email Ms. Forsberg.

f. Assign Special Town Meeting Warrant Articles

Mr. Belanger to assign motions.

g. Fire & EMS HQ Change Order #1 – Builder Systems Inc.

Mr. Mizikar presented change order #1 to the construction contract with Builders Systems Inc. for the Fire Station. Mr. Mizikar noted the Fire Station Building Committee estimated the project would come in at \$5.2M based on recent similar bids throughout the state and the region and we were fortunate to have the bid come in at \$4.5M. In order to get to the \$5.2M estimate, the Committee worked hard through 3 different estimating phases after the design documents were done and pulled scope out of the project as they originally started with a number well over \$6M. However, in order to provide the most appropriate building for the next 80-100 as we reported to Town Meeting, Mr. Mizikar felt it prudent for the Committee to go back and consider the scope pulled out through those design phases.

Sandy Wilson, Chair of the Fire Station Building Committee, presented the components of Change Order #1

- Training Tower - \$201K – worked hard to get this down from over \$300K with no frills
- Fiber Cement Siding - \$15K – upgrade from vinyl siding for durability and the look of the building

- Bathroom Floor Tiling - \$3.7K – upgrade tile floor in bathrooms at public entrance for durability and maintenance
- Concrete Apron Expansion - \$6.4K - expand another 3 feet to preserve the driveway and entrance to the apparatus bay to support the trucks while going in and when they go over the pavement
- Additional Tree Removal - \$1.1K – needed for the driveways
- Additional Subbase Prep - \$15K – additional gravel and rock base needed in certain areas of the project for the changes

In addition, there is \$10K for the owner's project manager to oversee these additional changes. Even with these changes the project is still under budget and would have a contingency of \$321K which is 6.5%. Hopefully the contingency will not be needed and can be turned back at the end of the project.

Mr. Buckley asked why the additional \$10K was needed for the owner's project manager. Mr. Mizikar responded it is additional oversight required for the construction of the tower. Mr. Belanger noted this is not a burn tower but is for ladder training and rescue and while water may be thrown through the windows it will be drained appropriately.

A motion was made by Ms. Provencher and seconded by Mr. Buckley to approve Change Order #1 to the contract with Builder Systems Inc. for the construction of the Fire & EMS Headquarter. The motion carried 4:1 with Mr. Shivick casting the opposing vote.

4. DISCUSSION/OLD BUSINESS

a. FY'18 Budget Priorities

Mr. Mizikar noted there is an FY'18 budget calendar in the packet and the kickoff meeting will take place this Wednesday at 6:30pm with the School Committee and Finance Advisory Board to run through the assumptions that will start the budget process which goes until May Town Meeting when the budget is approved.

b. Mass Pike Interchange at Route 56

Mr. Mizikar noted he was asked to put this item on the agenda because there were a few comments related to it at the last meeting. A section of the 2011 Worcester Regional Mobility Study was included in the board packets which provided a best-case scenario for the development potential in the Route 56 area (1.7-3.5M sq. ft. of development) should a MassPike interchange go in and what type of burden it would put on our roadways. Discussions have been held with the Board relative to this throughout the Worcester airport changes.

Mr. Belanger noted the interchange would start in the Town of Oxford and asked if Mr. Mizikar had reached out to the Oxford Town Administrator. Mr. Mizikar said he had not at this point. Mr. Belanger recommended speaking with him to at least have preliminary discussions so toes are not stepped on.

Mr. Buckley stated he brought this up because we are still in the same situation we were in before and are still spinning our wheels so we should definitely reach out to Oxford as its possible our needs have changed since 2011 and maybe there is an opportunity.

Mr. Belanger recommended reaching out to the Town Administrator of Oxford first then maybe creating a subcommittee if there is any interest at all.

c. Recreational Marijuana Ordinance

Mr. Mizikar received a draft ordinance through the Worcester Regional Public Health Alliance that the Town is a part of along with 6 other communities relative to the consumption or smoking of marijuana or other drugs in

public. This is a preemptive measure should question 4 pass and marijuana become legal. The major difference between what the State is offering through State law if the ballot question is approved and this ordinance comes down to enforcement mechanisms for smoking or consuming marijuana in a public place. This ordinance would make it a criminal penalty while the State law only provides for a civil penalty. The Town has a similar bylaw in place for drinking in public. If Town Meeting approved this ordinance it would still have to go to the Attorney General's office for approval.

Mr. Shivick stated it is good to be on top of this. Mr. Belanger stated that if the ballot questions passes we should check with the attorney general and have a public hearing or two before we adopt any rules or regulations.

d. Water Districts

Mr. Belanger requested this item be put on the agenda because he had received numerous calls about chatter on the internet and there are areas of concern that are serious but stressed we have no jurisdiction over any water district. The water districts are separate elected bodies with their own appointed staff. The Board telling the water districts what to do would be the same as the Board telling Oxford or Spencer what to do. Mr. Mizikar stated we have tried to do our best and support the Cherry Valley Rochdale Water District in this trying time and be a partner with the State and local entities to make the necessary emergency connection with Worcester and long term plans as viable as possible.

Mike Knox, Superintendent for the Cherry Valley Rochdale Water District stated that the district has had water quality issues and received an Administrative Consent Order from DEP in 2012 so they began looking for solutions to this issue. The water quality problem stems from chlorine interacting with organic material such as leaves which produces a chemical that must be treated. The district presented a \$3.5M capital improvement program to voters in 2012 which primarily consisted of construction of a filtration system added on to the treatment facility but unfortunately this system was not approved by DEP. The district has been looking for other possible solutions since including discussions with the other water districts and Moose Hill about sharing costs and developing supply. The district also looked into building a new treatment plant which would cost \$9M and require 150-20 acres of land which the district did not readily have available plus the cost would have to be shared over 1200 accounts. The best option was determined to be working with the City of Worcester to develop a long term contract and purchase water from them. The connection would be permanent but could be terminated if another water source such as Moose Hill ever became available. The connection would cost \$1.9M for a water line at Goddard Drive and Apricot Street, the installation of an aeration system and an automation component to tie into the district's computer system to measure actual water use.

Mike Knox further explained that on October 7th MassDEP issued a Declaration of Water Emergency which allowed the interconnection to happen due to the low levels in Henshaw Pond. On October 14th the district was completely on Worcester water. Mr. Knox noted that the City has been very helpful and has had a history of working cooperatively with the district on water issues. On October 18th, City Council will receive a letter from Paul Moosey outlining the emergency action and in December they will receive a contract to allow for the permanent purchase of water in the future.

Lucky Margadonna stated he is a Leicester Water Commissioner speaking on his own for himself. He stated he has always praised the Board for being very transparent and has never heard the Board say they support consolidating the districts so has to assume the Board is having backdoor meetings. Mr. Margadonna asked if Mr. Shivick was appointed as the liaison to the water districts. Mr. Belanger responded in the affirmative. Mr. Margadonna asked why he has not attended any meetings of the Leicester Water District and is stating on social media that the Board of Selectmen supports consolidation of the water districts. Mr. Margadonna stated that

putting this rhetoric on social media is poking not only at the water district but at the whole Town and it is wrong to have Mr. Shivick as a liaison and asked that he be removed.

Mr. Belanger stated many of the Board members received calls about the messages that went out over social media on a page that is misleading by its title but is not a Town page. Mr. Belanger said he understands the concerns because people assume it is official Town messages even if there is a disclaimer halfway down the page. Mr. Belanger has reiterated to those who have called them that this is not a Town page and that there are no illegal or wrong meeting taking place; however, he said he is not comfortable with board members stating positions that differ from the Board. Mr. Belanger clarified that having one water and sewer district has always been a dream in a perfect world but there is no activity related to this concept and the Town Administrator has only been directed to take a look at water issues in his goals. Mr. Belanger reminded the Board that when they are speaking it can be assumed they are speaking for the entire Board and they need to be clear.

Mr. Margadonna said he is hearing that the Leicester Water District is holding up consolidation which is not true because there is no consolidation. Each water district is an individual entity which is privately own. Mr. Margadonna stated he is here to represent his districts and his district only and that Mr. Shivick puts rhetoric all over Facebook about why the Leicester Water District isn't going to consolidate and help Cherry Valley out which is not the issue so the Commission does not want him as their liaison since he puts out false information.

Mr. Shivick stated he appreciates Mr. Margadonna's concerns in regards to his comments on social media and stated the Leicester Water District has never reached out to him. Mr. Shivick added there are serious water problems in Town and to say the districts can't consolidate may not be an accurate statement. Mr. Mizikar has kept him abreast of the meeting he has attended and has noted there is some push back from the Leicester Water District in regards to participating in a Water Study Committee. Mr. Shivick stated he regrets if an error was made but he believes in being a strong advocate for the Town and speaking for himself believes that consolidation should happen. There is bad drinking water in Cherry Valley/Rochdale and major infrastructure problems. Mr. Shivick stated the Board has clearly discussed consolidation at least from an administrative standpoint but has not taken a vote on it and feels he can take a position on an issue even if the Board has not voted. Mr. Shivick stated he believes consolidation should be prioritized and adopted as the Board's policy as having four water districts is ridiculous. Mr. Shivick finished by stating he regrets any problems he may have caused and will try and be more careful in the future for the Chair.

Mr. Belanger stated the Board of Selectmen has no legal authority to consolidate the water districts but can facilitate the idea of getting the various entities together for the common interest of the people the board serves. However, the Board should facilitate with a soft approach not a sharp stick in the eye and jumping to conclusions makes it more difficult to bring groups together. When Mr. Mizikar asked about the WPI study Mr. Belanger stated he said the idea of bringing people together is long and slow and usually done quietly as walls and bridges go up if starting loudly announcing it out loud at first. Mr. Belanger stated he appreciates Mr. Shivick mentioning he will take a more cautious approach and reiterated the Board policies state the Board will not make statements or promises to matters that come before the Board until one has had the opportunity to hear the pros and cons at a Board meeting. Mr. Belanger stated anyone who read these Facebook posts came to the conclusion that the Board was consolidating the water districts which is not the case.

Mr. Mizikar stated he was at the Leicester Water District meeting and one commissioner voted in favor of joining the water study and two were not in favor. Mr. Mizikar noted the consensus of the Board was to join a water study committee to explore the recommendations of the WPI study. Mr. Shivick added that creating the water prioritization committee was one of the Board's stated goals.

Mr. Buckley asked how many water districts there are. Mr. Mizikar replied 4 if you include Moose Hill Water Commission. Mr. Buckley noted he appreciated the DEP water study being done as there are costly problems that need to be addressed even though the Board has no control over the water districts. The State is aware of the problems and costs and the districts are facing fines so the Board felt in terms of goals that it would be good to look at the possibility of getting everyone together to see if we could come up with a collective solution. However, it has been difficult getting everyone together collectively to speak which is where part of the frustration comes from. Mr. Buckley stated he would like to see the water districts get together with an open mind to explore the issues and maybe get DEP to back off a bit in the process as there has to be a good solution for everyone. Mr. Margadonna agreed with Mr. Buckley that there should be a good solution for everyone but noted Leicester does not have the resources at this point because of their facilities to help the Cherry Valley Rochdale Water District. Mr. Margadonna noted they did not refuse to help and work as a group when needed.

Ms. Provencher stated all of the districts are their own entities and she wishes she could help but can't as they have their own government. Ms. Provencher stated the Board will help if the districts ask but it's up to the districts to figure out if they want to consolidate and it is not the Board's job to tell the districts they need to consolidate. Mr. Belanger noted the Board's role and direction to the Town Administrator was to work as a super liaison or mediator to bring all parties together and facilitate working on the issues as the owner of Moose Hill to see if there was something that could be done based on changing conditions. Mr. Shivick stated it is the Board's job to make policy for the Town and the water problems should be the first thing on the agenda. He added if Moose Hill is not viable due to the willingness of the water districts and lack of participation we need to deal with this.

Mr. Belanger stated the Board voting on consolidation would be like the Board telling Spencer and Oxford what to do. Mr. Belanger stated the Board is happy to help and don't mind using Moose Hill if it can help but is not dictating to the water districts what to do.

Mr. Buckley noted that one of the Town Administrator's goals is for all the water districts to get together to see if we could use Moose Hill because we don't have enough supply for all the thing we need to do over the next decades like residential and businesses. Our Town is growing and moving forward and we have to find a way to get everyone together.

Mr. Margadonna responded that Moose Hill is a great idea but this is a study committee and should not be put out as anything but that.

Mr. Mizikar wrapped up by asking Mr. Knox if there was anything he needed from us. Mr. Knox responded he has been in close contact with the Town Administrator and will be in touch soon with more information.

5. TOWN ADMINISTRATOR REPORT

The Town Administrator presented highlights from his written report.

6. BOARD OF SELECTMEN REPORTS

Mr. Shivick noted recent pavings at Bond, Watson and Charles Streets. He stated we have not lined many of our side streets since 2014 due to a change in state law and have been advised not to provide a single yellow line unless we have the width to provide a double yellow line. Mr. Shivick asked about the light issue at Mass Crane and Mr. Mizikar responded that he is working on it. Mr. Shivick noted the Taste of Leicester was an excellent event with a line out the door.

Ms. Provencher noted the Taste of Leicester was a great event and it was nice to see the Town out and they are hoping to do it again next year.

Mr. Buckley wished he could have gone to the Taste of Leicester but had a prior commitment. Mr. Buckley noted LHS SAT scores as reported in the T&G were very good as compared to the surrounding communities. He added that the recycling center volunteers have collected lots of plastic containers and they are piling up due to the broken compactor.

Mr. Brooks went out on the Common with the State Police Wives Group to put up blue ribbons last week and it went great. The Leicester Spencer Eagles held a great yard sale this past weekend to benefit the Nazareth Home. At the Taste of Leicester, the Nazareth home was the best overall chef and best appetizer. Ellers won best entrée and Cakes by Carol won best desert.

Mr. Belanger asked the Board to review the policies and procedures and be religiously faithful to them as in these positions members have to be above and beyond what may be right and fair. Mr. Belanger added that statements made in public and on social media can later take on a whole new meaning and we are trying to avoid problems like Boards in other communities have.

7. MINUTES

a. October 3, 2016

A motion was made by Ms. Provencher and seconded by Mr. Shivick to approve the minutes of October 3, 2016. The motion carried unanimously.

8. EXECUTIVE SESSION, MGL CHAPTER 30A, SECTION 21A

None

A motion to adjourn was made by Ms. Provencher and seconded by Mr. Brooks at 8:14pm. The motion carried unanimously.

Genereux, David

From: MacNeill, Shelly (SEN) <Shelly.MacNeill@masenate.gov>
Sent: Thursday, April 11, 2019 1:21 PM
To: Genereux, David
Subject: inquiry

Hi David-

Please see the message below from our liaison at DCAMM relative to your inquiry:

Hi Shelly,

I hope all is well.

I am writing to confirm that the land we spoke about yesterday is State-owned land. According to the records I have, it looks like it was acquired by the State in 1977. The conveyance legislatively authorized in 2000 never took place.

Please let me know if I can be of any further assistance on this matter.


Best regards,

JOHN J. PRUDENTE
Government Affairs Liaison



Shelly MacNeill

Chief of Staff
Office of Senator Michael O. Moore
State House, Room 109B | Boston, MA 02133
SenatorMikeMoore.com | Tel. 617.722.1485
Senator Moore on [Facebook](#) | [@SenMikeMoore](#)

 Please consider the environment before printing this e-mail

SPECIAL TOWN MEETING

JANUARY 17, 1977

Worcester, ss.

To a Constable of the Town of Leicester

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Leicester who are qualified to vote in the Town Elections and Town Affairs, to meet at the Leicester High School Auditorium on Winslow Avenue on January 17, 1977 at 7:00 P.M. then and there to act on the following articles, namely:

ARTICLE 1. To see if the Town will hear reports of Committees and take any action thereon.

✓ ARTICLE 2. To see if the Town will vote to transfer from available funds, sums of money to various departments in need of funds to pay Departmental bills incurred prior to July 1, 1976, or take any action thereon.

✓ ARTICLE 3. To see if the Town will vote to authorize the Selectmen to expend Federal Anti-Recessionary Funds for the maintenance of levels of public employment and of basic services or take any action thereon.

✓ ARTICLE 4. To see if the Town will vote to transfer from available funds a sum of money for the completion of the Recreation Center or take any action thereon. (Sponsored by the Recreation Committee.)

→ ✓ ARTICLE 5. To see if the Town will vote to create a Town Water Commission to oversee the Moose Hill Reservoir Project. The Commission should consist of three members; one elected to a three year term, one elected to a two year term, and one elected to a one year term, or take any action thereon.

Pass ✓ ARTICLE 6. To see if the Town will vote to create a Town Water Department or a Town Water District in order to deliver water from the Moose Hill Reservoir to the various districts in Town, or take any action thereon.

✓ ARTICLE 7. To see if the Town will vote to transfer from available funds a sum of money for engineering costs for plans for a Moose Hill pipeline, treatment plant, and Town-wide Water Master Plan, or take any action thereon.

✓ ARTICLE 8. To see if the Town will vote to establish permissive parking regulations on Route 9. (Sponsored by Selectman Leonard S. Gabrila.)

✓ ARTICLE 9. To see if the Town will vote to accept drainage easements on Atwood and Folsom Streets, or take any action thereon.

✓ ARTICLE 10. To see if the Town will vote to authorize the Selectmen to seek funds for a Town Ambulance Service in accordance with the Emergency Medical Services Act of 1973, or take any action thereon.

✓ ARTICLE 11. To see if the Town will vote to transfer from available funds a sum of money for the Conservation Commission to contract Lycott Chemical Co., Inc. for a preliminary water study, or take any action thereon. (Sponsored by the Conservation Commission.)

✓ ARTICLE 12. To see if the Town will vote to transfer from available funds a sum of money for a Town-wide water study, or take any action thereon. (Sponsored by the Conservation Commission.)

✓ ARTICLE 13. To see if the Town will vote to create a committee to study parking alternatives for Town Buildings, or take any action thereon.

✓ ARTICLE 14. To see if the Town will vote to transfer from available funds a sum of money for the Veterans' Squares Account, or take any action thereon. (Sponsored by Mr. John Keenan, Veterans' Square Officer.)

✓ ARTICLE 15. To see if the Town will vote to transfer from available funds a sum of money to the Town Treasurer's Account to be used for Land Court fees, or take any action thereon. (Sponsored by Mr. Robert Cleary, Town Treasurer.)

✓ ARTICLE 16. To see if the Town will vote to transfer from available funds a sum of money to the Fire Department to adjust Firemen's pay to coincide with the Town's Fiscal Year end, or take any action thereon. (Sponsored by the Fire Dept.)

HOUSE No. 2420

By Mr. Binienda of Worcester, petition of John J. Binienda and Guy W. Glodis for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Leicester for the construction and operation of a water treatment facility. State Administration.

The Commonwealth of Massachusetts

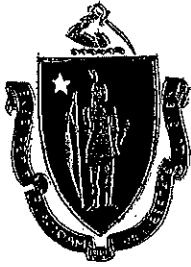
In the Year One Thousand Nine Hundred and Ninety-Nine.

AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY A CERTAIN PARCEL OF LAND TO THE TOWN OF LEICESTER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The commissioner of the division of capital asset
2 management and maintenance is hereby authorized, subject to the
3 provisions of sections forty E to forty J, inclusive, of chapter
4 seven of the General Laws, to convey, for nominal consideration,
5 by deed approved as to form by the attorney general, a certain
6 parcel of land located in the town of Leicester, to the town of
7 Leicester for the construction and operation of a water treatment
8 facility to be managed by the Moose Hill Water Commission. Said
9 parcel is shown as Lot A on a plan of land entitled "Plan of Land
10 in Leicester, Mass." dated February 10, 1993 drawn by Due North
11 Land Surveying Services which is on file in the office of the town
12 clerk of said town.

1 SECTION 2. This act shall take effect upon its passage.



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

SENATOR GUY W. GLODIS
SECOND WORCESTER DISTRICT
ROOM 413B, STATE HOUSE
TEL. 617-722-1485
FAX 617-722-1066

DISTRICT OFFICE:
334 SOUTHBRIDGE STREET
AUBURN, MA 01501
TEL. 508-721-9185
GGlodis@senate.state.ma.us

COMMITTEES:
ELECTION LAWS (CHAIRMAN)
STEERING AND POLICY
STATE ADMINISTRATION
ENERGY

July 31, 2000

Mr. Michael Knox
750 Whittemore St.
Cherry Valley, Ma. 01611

Dear Mr. Knox:

I am pleased to notify you that the legislature recently approved legislation proposed by myself and Representative John Binienda authorizing the transfer of state land to the Town of Leicester. This legislation, if signed by the Governor, will allow the Town of Leicester to acquire land for the construction of a water treatment facility to be managed by the Moose Hill Water Commission.

This effort is the culmination of a process begun in 1962 with the creation of the state flood control facility, in order to address possible water supply concerns. With Leicester's consistent growth and blossoming development possibilities, this bill is important to both meeting current water supply needs as well as preparing for future municipal needs, and I look forward to working with you in bringing this project to fruition.

Sincerely,

Guy W. Glodis, State Senator
Second Worcester District

MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053
SENATOR GUY W. GLODIS
SECOND WORCESTER DISTRICT
ROOM 413B, STATE HOUSE
TEL. 617-722-1485
FAX 617-722-1066
GGlodis@senate.state.ma.us

Chapter 246 of the Acts of 2000

AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY A CERTAIN PARCEL OF LAND TO THE TOWN OF LEICESTER.

Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey forthwith a certain parcel of land to the town of Leicester, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The commissioner of capital asset management and maintenance may, subject to section 40E to 40J, inclusive, of chapter 7 of the General Laws, to convey by a deed approved as to form by the attorney general, a certain parcel of land located in the town of Leicester, acquired for water supply purposes to said town of Leicester for construction and operation of a water treatment facility to be managed by the Moose Hill water commission. Said parcel is shown as Lot A on a plan of land entitled "Plan of land in Leicester, Mass." dated February 10, 1993 drawn by Due North Land Surveying Services which is on file in the office of the town clerk of said town.

SECTION 2. The consideration to be paid by the town of Leicester, to the commonwealth shall be the full and fair market value for said land described in section 1. Said full and fair market value shall be determined by the commissioner of the division of capital asset management and maintenance based upon an independent professional appraisal. The inspector general shall review and comment on said appraisal, and said review and comment shall include an examination of the methodology utilized for said appraisal. Said commissioner shall, 30 days prior to the conveyance authorized by this act, submit said appraisal and a report thereon to said inspector general. Said inspector general shall prepare a report of his review of said appraisal and file said report with said commissioner, and copies of the same shall be filed with the house and senate committees on ways and means and the chairmen of the joint committee on state administration. Said town of Leicester shall be responsible for any costs for appraisals, surveys, and other expenses relating to the conveyance of said land.

SECTION 3. If the land described in section 1 ceases to be used at any time for the purposes set forth in this act, said land shall revert to the care and control of the division of capital asset management and maintenance and any further disposition shall be subject to sections 40E to 40J, inclusive, of chapter 7 of the General Laws and to the prior approval of the general court.

Approved August 10, 2000.

Return to:

List of Laws passed in 2000 Session

General Court home page, or

Commonwealth of Massachusetts home page.



PROPERTY LOCATION

No	Alt No	Direction/Street/City
		MOOSE HILL RD, LEICESTER

OWNERSHIP

Owner 1:	COMMONWEALTH OF MASS		
Owner 2:	WATER RESOURCES COMM		
Owner 3:			
Street 1:	MOOSE HILL RD		
Street 2:			
Twp/City:	LEICESTER		
St/Prov:	MA	Cnty:	
Postal:	01524	Own Occ:	N
		Type:	

PREVIOUS OWNER

Owner 1: COMMONWEALTH OF MASS -	
Owner 2: WATER RESOURCES COMM -	
Street 1: MOOSE HILL RD	
Town/City: LEICESTER	
State/Prov: MA	County:
Postal: 01524	

NARRATIVE DESCRIPTION

TRACT TYPE DESIGNATION
This Parcel contains 10.12 ACRES of land mainly classified as
COMMASS

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int
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PROPERTY FACTORS

Item	Code	Descp	%	Item	Code	Descrp
Z	SA	SUB-AG	100	U		
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n				i		
	Census			Exmpt		
	Flood Haz.					
D				Topo		
s				Street		
t				Traffic		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type
901	COMMASS		80000		SQUARE FEET
901	COMMASS		8.2835		ACRES

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
901			10.120	79,900	79,900		
							GIS Ref
							GIS Ref
Total Card			10.120	79,900	79,900	Entered Lot Size	
Total Parcel			10.120	79,900	79,900	Total Land:	
Source:	Market Adj	Cost	Total Value per SQ unit /Card: N/A		/Parcel: N/A	Land Unit Type:	Insp Date

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	901	FV		0	10.12	79,900	79,900	79,900	3rd 4th	11/13/2018
2019	901	TB		0	10.12	79,900	79,900	79,900	1st and 2nd billing fy19	6/18/2018
2018	901	FV		0	10.12	79,900	79,900	79,900		10/10/2017
2018	901	TB		0	10.12	79,900	79,900	79,900	18 PRELIM	6/13/2017
2017	901	FV		0	10.12	79,900	79,900	79,900		9/20/2016
2017	901	IN		0	10.12	79,900	79,900	79,900		6/27/2016
2017	901	TB		0	10.12	94,300	94,300	94,300	1st 2nd quarter billing	5/16/2016
2016	901	FV		0	10.12	94,300	94,300	94,300	3rd 4th	11/4/2015

SALES INFORMATION

[illegible]

BUILDING PERMITS

[illegible]

THE UNIVERSITY OF CHICAGO

[illegible]

79,987	Spl Credit	Total:
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IN PROCESS APPRAISAL SUMMARY

No	Alt No	Direction/Street/City	Land Size	Land Value	Total Value	Legal Description	User Acct
		MOOSE HILL RD, LEICESTER	1.990	58,800	58,800		
OWNERSHIP							
Owner 1: COMMONWEALTH OF MASS							
Owner 2: WATER RESOURCES COMM							
Owner 3:							
Street 1: MOOSE HILL ROAD							
Street 2:							
Twn/City: LEICESTER							
SI/Prov: MA							
Postal: 01524							
OWNERSHIP							
Owner 1: COMMONWEALTH OF MASS							
Owner 2: WATER RESOURCES COMM							
Owner 3:							
Street 1: MOOSE HILL ROAD							
Street 2:							
Twn/City: LEICESTER							
SI/Prov: MA							
Postal: 01524							

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	901	FV		0	1.99	58,800	58,800	58,800	3rd 4th	11/13/2018
2019	901	TB		0	1.99	58,800	58,800	58,800	1st and 2nd billing 1y19	6/18/2018
2018	901	FV		0	1.99	58,800	58,800	58,800		10/10/2017
2018	901	TB		0	1.99	58,800	58,800	58,800	PRELIM	6/13/2017
2017	901	FV		0	1.99	58,800	58,800	58,800		9/20/2016
2017	901	IN		0	1.99	58,800	58,800	58,800		6/27/2016
2017	901	TB		0	1.99	73,200	73,200	73,200	1st 2nd quarter billing	5/16/2016
2016	901	FV		0	1.99	73,200	73,200	73,200	3rd 4th	11/4/2015

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
JOHNSTON EDWIN	6255-91		8/9/1977			No	No			

OTHER ASSESSMENTS

Code	Description/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descp	%	Item	Code	Descp
Z	SA	SUB-AG	100	U		
				t		
				i		
				Exempt		
				Topo		
				Street		
				Traffic		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infilu	Mod	Infil 1	%	Infil 2	%	Infil 3	%	Appraised Value	Alt	%	Spec Land	Code	Use Value	Notes
901	COMMASS		80000		SQUARE FEET			0	0.05	14.612 RA										58,450					58,400	
901	COMMASS		0.1535		ACRES	EXCESS		0	2,600	1,000 RA										399					400	

Total AC/H: 1.99005	Total SF/SM: 86686.58	Parcel LUC: 901	COMMASS	Prime NB Desc: RURAL	Total: 58,849	Spl Credit	Total: 58,800
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

1 of 1
CARD

1 C3.1 0 Lot
Map Block

PROPERTY LOCATION
No. Aft No. Direction/Street/City
MOOSE HILL RD, LEICESTER

OWNERSHIP
Owner 1: COMMONWEALTH OF MASS
Owner 2: WATER RESOURCES COMM
Owner 3:

Street 1: MOOSE HILL RD
Street 2:
Town/City: LEICESTER
St/Prov: MA Chtry: Own Occ: N
Postal: 01524 Type:

PREVIOUS OWNER
Owner 1:
Owner 2:
Street 1:
Town/City:
St/Prov: Chtry:

NARRATIVE DESCRIPTION
This Parcel contains 35.65 ACRES of land mainly classified as
COMMASS

OTHER ASSESSMENTS
Code Description/No. Amount Com. Int.

IN PROCESS APPRAISAL SUMMARY
Use Code Building Value Yard Items Land Size Land Value Total Value
901 35,650 146,300 146,300

Legal Description
Entered Lot Size
Total Land:
Land Unit Type:

PREVIOUS ASSESSMENT
Parcel ID 1 C3.1 0
Tax Yr. Use Cat. Bldg Value Yrd Items Land Size Land Value Total Value Asses'd Value Notes Date
2019 901 FV 0 35,650 146,300 146,300 146,300 3rd 4th 11/13/2018
2019 901 TB 0 35,650 146,300 146,300 146,300 1st and 2nd billing 1y19 6/18/2018
2018 901 FV 0 35,650 146,300 146,300 146,300 10/10/2017
2018 901 TB 0 35,650 146,300 146,300 146,300 18 PRELIM 6/13/2017
2017 901 FV 0 35,650 146,300 146,300 146,300 9/20/2016
2017 901 IN 0 35,650 146,300 146,300 146,300 6/27/2016
2017 901 TB 0 35,650 146,300 146,300 146,300 5/16/2016
2016 901 FV 0 35,650 146,300 146,300 146,300 11/4/2015

SALES INFORMATION
Grantor Legal Ref Type Date Sale Price V Tst Verif Assoc PCL Value Notes
COMMONWEALTH OF 6255-106 8/9/1977 INVOLVED GOV 1 No No

TAX DISTRICT
Date Sale Price V Tst Verif Assoc PCL Value Notes
COMMONWEALTH OF 6255-106 8/9/1977 INVOLVED GOV 1 No No

BUILDING PERMITS
Date Number Description Amount C/O Last Visit Fed Code F. Descrip Comment
COMMONWEALTH OF 6255-106 8/9/1977 INVOLVED GOV 1 No No

PROPERTY FACTORS
Item Code Descr % Item Code Descr
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Census:
Flood Haz:
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LAND SECTION (First 7 lines only)
Use LUC No of Units Depth / Price Units Unit Type Land Type
901 COMMASS 80000 33.8135 SQUARE FESITE
901 COMMASS ACRES EXCESS

ACTIVITY INFORMATION
Date Result By Name
COMMONWEALTH OF 6255-106 8/9/1977 INVOLVED GOV 1 No No

USER DEFINED
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
ASR Map:
Fact Dist:
Reval Dist: test
Year:
Land Reason:
Bid Reason:

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Date Time
04/08/19 09:25:03
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ACTIVITY INFORMATION
Date Result By Name
COMMONWEALTH OF 6255-106 8/9/1977 INVOLVED GOV 1 No No

PROPERTY FACTORS
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LAND SECTION (First 7 lines only)
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901 COMMASS ACRES EXCESS

ACTIVITY INFORMATION
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COMMONWEALTH OF 6255-106 8/9/1977 INVOLVED GOV 1 No No

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Date Result By Name
COMMONWEALTH OF 6255-106 8/9/1977 INVOLVED GOV 1 No No

PROPERTY FACTORS
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LAND SECTION (First 7 lines only)
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901 COMMASS ACRES EXCESS

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901 COMMASS ACRES EXCESS

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901 COMMASS ACRES EXCESS

ACTIVITY INFORMATION
Date Result By Name
COMMONWEALTH OF 6255-106 8/9/1977 INVOLVED GOV 1 No No

PROPERTY FACTORS
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LAND SECTION (First 7 lines only)
Use LUC No of Units Depth / Price Units Unit Type Land Type
901 COMMASS 80000 33.8135 SQUARE FESITE
901 COMMASS ACRES EXCESS

Table 3: Commonwealth-Owned Real Property by Executive Office and Agency

Executive Office	Agency	Municipality	Facility Name	Acreage	# Impvts	GSF
Executive Office of Energy and Environmental Affairs	DFG	Hatfield	Connecticut River Access	4.00	0	0
		Hatfield	Wma Great Swamp	42.92	0	0
		Hatfield	Wma Mill River	14.15	0	0
		Hawley	Avery Acquisition	138.00	0	0
		Hawley	Hawley Natural Heritage Area	310.73	0	0
		Hawley	Nelson Acquisition	92.47	0	0
		Hawley	Wma Ashfield-Hawley	100.00	0	0
		Heath	Wma New	82.00	0	0
		Hingham	Back River Wildlife Sanctuary	16.43	0	0
		Hinsdale	Housatonic River Access	59.71	0	0
		Hinsdale	Wma Chalet	1,274.80	0	0
		Hinsdale	Wma Hinsdale Flats	1,861.45	0	0
		Holden	Quinapoxet River Access	188.77	0	0
		Holden	Wachusett Reservoir Watershed	182.31	0	0
		Holden	Wma Poutwater Pond	397.34	0	0
		Holland	Wma Leadmine	343.00	0	0
		Holliston	Winthrop Lake	1.30	0	0
		Holyoke	Beauregard And Fanti Acquisition	162.73	0	0
		Holyoke	Duquette Acquisition	84.95	0	0
		Holyoke	Edmonds Acquisition	64.00	0	0
		Holyoke	Mt. Tom Natural Heritage Area	6.80	0	0
		Holyoke	New Non Game Management Area	84.51	0	0
		Holyoke	Non Game Heritage Area	14.00	0	0
		Holyoke	Wma Broad Brook	1.79	0	0
		Holyoke	Wma East Mountain	110.90	0	0
		Hopkinton	North Pond Public Access	0.18	0	0
		Hopkinton	Wma Sudbury River Corridor	0.75	0	0
		Hubbardston	Natty Brook Access Management Area	95.17	0	0
		Hubbardston	Ware River Watershed	72.00	0	0
		Hubbardston	Wma Hubbardston	1,325.90	0	0
		Hubbardston	Wma Phillipston	69.00	0	0
		Huntington	Wce Huntington	207.00	0	0
		Huntington	Wma Hiram Fox	785.50	0	0
		Huntington	Wma Knightville	708.07	0	0
		Ipswich	North Shore Salt Marsh	179.05	0	0
		Ipswich	Wma Great Marsh North	8.47	0	0
		Lakeville	Wce Assawompsett Pond Complex	564.89	0	0
		Lancaster	Wma Bolton Flats	659.79	0	0
		Lanesborough	American Chestnut Acquisition	779.36	0	0
		Lanesborough	Apr Petricca Farm	115.00	0	0
		Lanesborough	New Natural Heritage Area	88.63	0	0
		Lanesborough	WCE Widow White's Peak	85.00	0	0
		Lanesborough	Wma Chalet	156.70	0	0
		Lanesborough	Wma Chalet	40.73	0	0
		Lee	Laurel Lake Boat Ramp	0.20	0	0
		Lee	Wma Hop Brook	149.40	0	0
		Lee	Wma Housatonic River Valley	307.93	0	0
		Leicester	Wma Moose Hill	160.66	0	0
		Lenox	Wma Housatonic River Valley	583.41	0	0
		Leominster	Access To Whalom Lake	0.52	1	18,000
		Leominster	Wekepeke Wildlife Conservation	107.00	0	0