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Offers They Couldn't Refuse BUT NOT A DONE DEAL

By Bill Price

Most of the abutting landowners who will be affected by the proposed Kinder Morgan pipeline expansion – including the Town of Sandisfield – have reached tentative agreements with the energy giant that could provide some protection for their properties during and after construction.

The landowners were strongly advised by legal counsel not to force Kinder Morgan to pursue eminent domain status due to the significant costs and probable loss in court. Those who have negotiated agreements felt it was a situation of “an offer that can't be refused.”

Board of Selectman Chairman Alice Boyd said in a statement that the Board had sought to “develop an Easement and Right of Way to benefit all residents who may potentially be impacted by the pipeline expansion.” She added that a Community Agreement has been approved by the Board and that Kinder Morgan attorneys are now reviewing these documents. The Select Board, she said, felt “obligated to protect our town, our roads, and our residents.”

But resistance to the expansion has not stopped.

The agreements take effect only if the pipeline is ultimately approved by the Federal Energy Regulatory Commissions and Kinder Morgan is able to proceed. Chairman Boyd added that the Board continues “to be adamantly opposed to the pipeline expansion.” And so are most of the other abutters and many town residents.

And in one important case, so is the state.

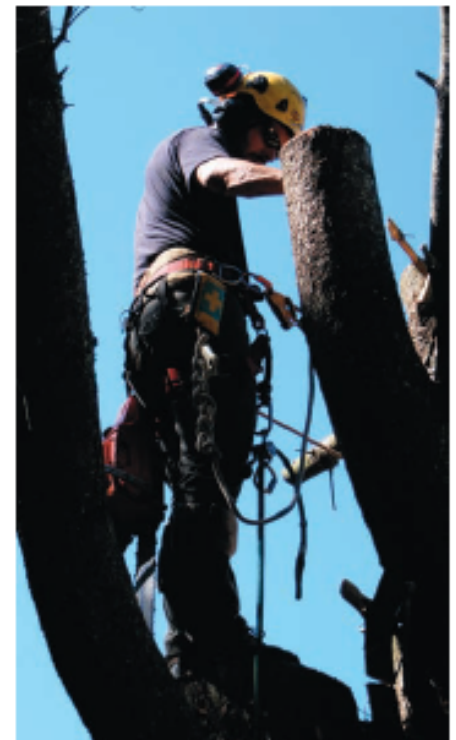
ARTICLE 97 TRANSFER

Opposition is strong against State Representative Garrett Bradley's introduction of a bill to allow the expansion to proceed by removing Article 97 lands at Spectacle Pond out of their protected status. The representative, a Democrat from Hingham, a district about 140 miles east of Sandisfield, was widely ridiculed and his motives were questioned. It is unusual for a representative from one district to submit legislation in another district, particularly if the local legislators are in opposition. In this case both State Representative Smitty Pignatelli and Senator Ben Downing remain adamantly opposed.

Representative Pignatelli fought the bill in order to keep it from reaching the Joint Committee on State Administration and Regulatory Oversight. Article 97 land dispositions require a 2/3rds vote of both the House and Senate, plus the signature of the governor. The bill has not reached the floor of the legislature for a vote and significant opposition in both chambers has increased. Apparently most Republican representatives are in opposition to the bill.

Senator Ben Downing, in a letter dated September 17, wrote that he “is opposed to advancing any legislation that seeks to dispose of open space lands protected under the Massachusetts Constitution and change its use to assist energy pipeline construction projects.” He was writing about the statewide Northwest Energy Direct (NED) project, but his words apply as well to the protected lands at Spectacle Pond.

An additional headache for Kinder Morgan is that statewide opponents of the NED project are



John W. Field Tree Service donated work, skill, and equipment to clear four trees from the New Boston Cemetery. See pages 10-11.

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A Gift to Sandisfield

By Nina Carr

Photos: Bill Price

Bright and early on Thursday, September 17, four trucks, one excavator, one large chipper, and eight men arrived at the West New Boston Cemetery next to Carr's field.

They were about to begin the day-long process of taking down four trees that had been identified as either dying or dangerous. One, a large white pine, had already toppled a couple of headstones and was threatening others.

The Cemetery Committee had asked John Field, the local owner of John W. Field Tree Service, if he would do the job for the town. Not only did he do the job, but he donated all the equipment and his crew's time.

He even rented a 127-foot crane truck from Bartlett Tree Company, operated by Chris Rines, a former Sandisfield Highway Superintendent.

As you can see from the pictures this was a complicated and dangerous job. Two state policemen were on hand to direct traffic, and for a time Rt. 57 was closed completely.

Will Pennington, John's younger brother, explained the techniques used as the crew worked like a well-oiled machine. They even remembered to carefully move the flags and flower pots that the Cemetery Committee had put up this spring. The trees were removed, the debris cleaned up as the crew worked, and not one ding in the old wooden fence that had been recently painted or damage to any of the ancient tombstones.

When asked about this kind of a major donation – the skill, the work, the crew, the equipment – John said, "The town trusted me and hired me when I was just starting my business. I wanted to pay some of it back." 🍷



