

IN BOARD OF SUDBURY SELECTMEN
EXECUTIVE SESSION
TUESDAY, JANUARY 8, 2019

Present: Chairman Robert C. Haarde, Vice-Chairman Daniel E. Carty, Selectman Leonard A. Simon, Selectman Patricia A. Brown, Selectman Janie Dretler, and Town Manager Melissa Rodrigues.

The statutory requirement as to notice having been complied with, the meeting was convened at 6:35 p.m. in the Lower Town Hall.

Executive Session

It was on motion unanimously

VOTED: To immediately enter Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Sudbury Station), pursuant to General Laws chapter 30A, §21(a)(3).

Town Manager Rodrigues stated that there is question about whether or not to withdraw the land court case in regard to the Sudbury Station Development, as matters are not going as smoothly as hoped. The Water District has scheduled a district meeting on May 24, 2019. This development regarding the Water District is troubling to Quarry North, and its Counsel William Henchy, who is moving forward with the Housing Appeals Committee (HAC) case. Town Manager Rodrigues also mentioned that Attorney Henchy composed a draft document which focuses on re-negotiations.

Board members agreed that given the circumstances, it would be wise to continue with the Town's HAC case.

Town Manager Rodrigues stated that she will be meeting with Town Counsel Jonathan Silverstein, Town Counsel Lee Smith, Water District member Attorney Joshua Fox, and the Water District Superintendent Vincent Roy, to address the recent happenings, as well as Quarry North's attempt at re-negotiations. She noted that the Town could exercise the right of refusal. She added that she would be attempting to calm people down at the meeting, and perhaps offer them more than what is being given up, and asserted that the Raymond Road location could be moved along.

Selectman Simon suggested that a meeting with the Water District might help. Town Manager Rodrigues agreed, but added that it would be prudent to first determine what happens tomorrow. She hoped that this situation was not a strong turf issue.

Selectman Simon suggested that bringing in a different lawyer might help the situation. Town Manager Rodrigues thought a different lawyer would not change the situation, and she was hoping that cooler heads would prevail.

Chairman Haarde affirmed that the Town should continue with the HAC process, and if the Town should win, the Town Center land could revert back to the Town. Town Manager Rodrigues did not think that approach would succeed.

Town Manager Rodrigues stated, that in any event, it would be beneficial to put the described Sudbury Town Center land in Conservation Restriction at May Town Meeting, as well as a placeholder for the Water District aspect.

Selectman Brown suggested that if the Town were to give the Water District something more than they would expect, it would be necessary to exchange the Raymond Road proposed site which could not be addressed until Town Meeting in May. Chairman Haarde added that even with offered contingencies, the matter could not likely go forward until it was voted at May Town Meeting.

Town Manager Rodrigues stated that she would provide update to the Board after the meeting tomorrow.

Vote to close Executive Session and resume Open Session

It was on motion unanimously.

VOTED: To close Executive Session, and immediately enter into open session.

The Executive Session Meeting adjourned at 7:00 p.m.