

BOARD OF SELECTMEN
EXECUTIVE SESSION
TUESDAY, OCTOBER 1, 2019

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia A. Brown, Selectman Janie Dretler, Selectman Jennifer Roberts, Interim Town Manager Maryanne Bilodeau, Selectman William Schineller, (via conference call) and Attorney Lee Smith, KP Law (via conference call).

The statutory requirement as to notice having been complied with, the meeting was convened at 6:30 p.m. at Flynn Building – Silva Room.

Vote to immediately enter Executive Session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Camp Sewataro) pursuant to General Laws chapter 30A, §21(a)(6).

Chairman Carty motioned to move into executive session. Vice-Chair Brown seconded the motion.

It was on motion unanimously, Carty-aye, Brown-aye, Dretler-aye, Roberts-aye, and Schineller-aye.

Voted: To immediately enter Executive Session to consider the purchase, exchange, lease or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Camp Sewataro) pursuant to General Laws Chapter 30A, 21(a)(6).

Interim Town Manager Bilodeau stated that the due diligence period for Camp Sewataro expired on September 30, 2019 and noted that further environmental soil testing must be done by October 4th with approval for extension being necessary. Attorney Smith confirmed that if environmental testing results were not presented by October 3, the Town could make effort to extend such timeframe and the greater concern would be if environmental testing results were positive. He noted that the signed P&S agreement could be retracted by the Chair if that were the case.

Chair Carty affirmed that if there is presence of environmental hazard, the Town could back out of the P&S contract. Selectman Dretler agreed that there might be potential environmental issues.

Attorney Smith recognized that such testing results are public record and due to the presence of an operating rifle range in times past, there could be related contaminants.

Interim Town Manager Bilodeau indicated that Sewataro owner, Mark Taylor, would be willing to extend the October 4 deadline if needed.

Board members agreed that they had no knowledge about a rifle range previously located on the property.

Selectman Dretler inquired about security cameras on the Camp Sewataro property. Chair Carty responded such security cameras are being removed as they were never officially hooked up.

Selectman Dretler affirmed that if amounts of lead are discovered due to the rifle range, she would want remediation at the owners' expense. Attorney Smith agreed.

Selectman Schineller indicated that he did not anticipate that such findings would be a deal breaker.

Selectman Schineller asked if the P&S is terminated, can the Camp Sewataro purchase issue go back before Town Meeting for additional vote. Attorney Smith responded not and stated that negotiations could continue with the owner.

Chair Carty affirmed that Interim Town Manager Bilodeau would be providing an update to Board members by the end of the week.

Chair Carty commented that the Board wanted to be extra cautious with this situation and reiterated that if the testing results are clean, then such extension would be unnecessary.

Selectman Dretler asked for the identity of the environmental testing company. Interim Town Manager Bilodeau responded that Capital Environmental would be performing the testing along with the related report.

Chair Carty moved that the Board would vote “to authorize the Chair to provide written notice to the Seller of the Camp Sewataro property of the Town’s election to terminate the Purchase and Sale Agreement for the property based on its dissatisfaction with the environmental condition of the premises, and/or to enter into negotiations with the Seller of the property regarding the resolution of matters relating thereto.”

Vice-Chair Brown seconded the motion.

It was on motion unanimously, Carty – aye, Brown – aye, Dretler – aye, Roberts – aye, Schineller – aye.

VOTED: To authorize the Chair to provide written notice to the Seller of the Camp Sewataro property of the Town’s election to terminate the Purchase and Sale Agreement for the property based on its dissatisfaction with the environmental condition of the premises, and/or to enter into negotiations with the Seller of the property regarding the resolution of matters relating thereto.

At 7:10 p.m. Vice-Chairman Brown moved to adjourn Executive Session.

Selectman Dretler seconded the motion.

It was on motion unanimously, Carty-aye, Brown-aye, Dretler-aye, Roberts-aye, and Schineller-aye.

VOTED: To adjourn Executive Session.