

SUDBURY SELECT BOARD

EXECUTIVE SESSION

TUESDAY JULY 27, 2021

VIRTUAL MEETING

Present: Chair Jennifer Roberts, Vice-Chair Charles Russo, Select Board Member William Schineller, Select Board Member Janie Dretler, Select Board Member Daniel Carty, Town Manager Henry L. Hayes, Jr., Recording Secretary Deb Takacs, Health Director Bill Murphy, Building Inspector Andrew Lewis, Town Counsel Gregg Corbo

At 6:24 p.m., Chair Roberts called the Executive Session meeting to order and asked for Roll Call: Russo-present and alone, Roberts-present and alone, Schineller-present and alone, Dretler-present and alone, Carty-present and alone, Hayes-present and alone, Murphy-present and alone, Lewis-present and alone, Corbo-present and alone, Takacs-present and alone

Vote to open in regular session and immediately vote to enter executive session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to potential litigation if discussing the matter in open session will have a detrimental effect on the Town's litigating position and the chair so declares (29 Stone Road)

Mr. Murphy provided summary regarding the abandoned property at 29 Stone Road, which has not been lived in for at least twenty years. He noted that the property is dangerous and officially condemned.

Mr. Murphy confirmed that relatives had no knowledge about the whereabouts of the property owner.

Mr. Corbo noted there was a tax arrearage on the property in the amount of \$170,000. He indicated that a possible option regarding this property would involve the Town hiring a third-party contractor, and the Town forecloses on the property. He added that the Town could sell the property at auction or use as public land.

Mr. Murphy mentioned the possibility that the owner may be deceased and that their remains may be somewhere at the site. Active discussions are in process with Chief Nix regarding the use of cadaver dogs. He stressed it might cost the Town \$80,000 to demolish the structure.

Town Manager Hayes indicated that the site was dangerous, and the longer it remains in such condition, the potential for danger increases.

Vice-Chair Russo asked for the identity of the owner. Mr. Murphy confirmed the owner on record is Carol Childs. Board Member Russo asked what might happen if Ms. Childs were to reappear. Mr. Corbo responded that the Town would not be liable in consideration that court order would be in place with sufficient due process taking place.

Mr. Lewis recommended that fencing be installed around the structure.

Town Manager Hayes confirmed that demolition funding would be provided.

Board Member Carty mentioned another abandoned property had been discussed a year ago. Mr. Murphy responded that the other abandoned property was different because a family member was involved.

Board Member Dretler asked why this matter has taken so long. Mr. Murphy responded that the Court had been closed due to COVID, but now is expected to address the property at 29 Stone Road as soon as possible.

Board Member Schineller inquired about someone incurring injury at the site before demolition takes place. Mr. Corbo answered that the Town would have immunity according to statute. Mr. Corbo commented that the tax taking procedure would take a considerable amount of time.

Chair Roberts read in the words of the motion. Board Member Dretler moved in the words of the Chair. Board Member Carty seconded the motion.

It was on motion 5-0; Schineller-aye, Dretler-aye, Carty-aye, Russo-aye, Roberts-aye

VOTED: To authorize Town Counsel and the Health Director to initiate litigation and to take all actions necessary to provide the Town with the authority to secure the property and make it safe; including, not limited to, allowing the Town to demolish the structure at 29 Stone Road.

Mr. Lewis stated that as a non-conforming lot, a Special Permit would be required to rebuild another structure once demolition is finalized.

Chair Roberts asked if a financial follow-up could be provided. Town Manager Hayes replied in the affirmative, noting that Town discussion had begun regarding the matter.

Continue executive session to review, approve and possibly release executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

June 15, 2021 Executive Session Minutes

Chair Roberts read in the words of the motion. Board Member Schineller moved in the words of the Chair. Vice-Chair Russo seconded the motion.

It was on motion 5-0; Carty-aye, Dretler-aye, Schineller-aye, Russo-aye, Roberts-aye

VOTED: To approve the June 15, 2021 Executive Session minutes, as edited

June 29, 2021 Executive Session Minutes

Chair Roberts suggested that review, approval, and release of the June 29, 2021 Executive Session Minutes be tabled to the next Executive Session.

Vote to close executive session and resume open session

Chair Roberts read in the words of the motion. Vice-Chair Russo moved in the words of the Chair. Board Member Dretler seconded the motion.

It was on motion 5-0; Russo-aye, Carty-aye, Schineller-aye, Dretler-aye, Roberts-aye,

VOTED: To close executive session and resume in open session.

There being no further business, executive session was adjourned at 7:02 p.m.