

IN BOARD OF SUDBURY SELECTMEN
EXECUTIVE SESSION
THURSDAY, APRIL 24, 2019, 9:30 AM
FLYNN BUILDING – SILVA ROOM

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

Participation via conference phone: Selectman Leonard A. Simon.

The statutory requirement as to notice having been complied with, the meeting was convened at 9:30 a.m. in the Flynn Building.

Chairman Haarde called the meeting to order at 9:30 a.m.

Vote to immediately enter Executive Session to discuss Sudbury Station

Chairman Haarde motioned that the Board enter into Executive Session, and Selectman Dretler seconded the motion. 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 provided narrative regarding the Sudbury Station court case and asked the Board if they would want to pay the associated legal fees of approximately \$24,000 (interest included) and settle the case or to continue with the case for approximately \$50,000.

Town Manager Rodrigues stated that the Town was arguing that at a previous Town Meeting, the Town was misinformed and provided with inaccurate information regarding the land exchange. The judge made the determination of “frivolous case.” Town counsel advised that is not in the Town’s best interest to pursue the case further.

Vice-Chairman Carty motioned to have Town pay the amount of award to defendant and dismiss the case. It was on motion unanimously, Haarde–aye, Carty-aye, Brown-aye, Dretler-aye, and Simon-aye.

Voted: To pay the amount of the award to defendant and dismiss the Sudbury Station case.

Discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Eversource), pursuant to General Laws chapter 30A, 21(a)(3).

The Board was not able to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Eversource), due to the fact that there was not a valid quorum.

Review executive session meeting minutes pursuant to G.L.c.30A 21(a)(7) “to 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).

January 13, 2015 Executive Session Minutes

Vote to approve January 13, 2015 Executive Session minutes, approve and release CBA (Collective Bargaining Agreement) and approve, but not release Wayland Septage Facility due to monies owed.

Selectman Brown motioned to approve January 13, 2015 minutes, approve and release CBA (Collective Bargaining Agreement) and approve, but not release Wayland Septage Facility due to monies owed. Vice-Chairman Carty seconded the motion. It was on motion 4-1, Haarde-aye, Carty-aye, Brown-aye, Simon-aye, Dretler-abstain (not present for that meeting).

VOTED: To approve January 13, 2015 Executive Session minutes, approve and release CBA (Collective Bargaining Agreement) and approve, but not release Wayland Septage Facility due to monies owed.

February 18, 2015 Executive Session Minutes

Vote to approve and release February 18, 2015 Executive Session minutes.

Selectman Brown motioned to approve and release February 18, 2015 Executive Session minutes. Vice-Chairman Carty seconded the motion. It was on motion 4-1, Haarde-aye, Carty-aye, Brown-aye, Simon-aye, Dretler-abstain (not present for that meeting).

VOTED: To approve and release February 18, 2015 Executive Session minutes.

April 14, 2015 Executive Session Minutes

Vote to approve April 14, 2015 Executive Session minutes, approve and release CBA (Collective Bargaining Agreement) and approve, but not release Wayland Septage Facility due to monies owed.

Selectman Brown motioned to vote to approve April 14, 2015 Executive Session minutes, approve and release CBA (Collective Bargaining Agreement) and approve, but not release Wayland Septage Facility due to monies owed. Vice-Chairman Carty seconded the motion. It was on motion 4-1, Haarde-aye, Carty-aye, Brown-aye, Simon-aye, Dretler-abstain (not present for that meeting).

November 3, 2015 Executive Session Minutes

Vote to approve and release November 3, 2015 Executive Session Minutes.

Selectman Brown motioned to vote to approve and release November 3, 2015 Executive Session Minutes. Vice-Chairman Carty seconded the motion. It was on motion 4-1, Haarde-aye, Carty-aye, Brown-aye, Simon-aye, Dretler-abstain (not present for that meeting).

VOTED: To approve and release November 3, 2015 Executive Session Minutes.

December 22, 2015 Executive Session Minutes

Vote to approve but not release December 22, 2015 Executive Session Minutes due to Sudbury Station content and case not officially dismissed.

Selectman Brown motioned to approve but not release December 22, 2015 Executive Session Minutes due to Sudbury Station content and case not officially dismissed. Vice-Chairman Carty seconded the motion. It was on motion 4-1, Haarde-aye, Carty-aye, Brown-aye, Simon-aye, Dretler-abstain (not present for that meeting).

VOTED: To approve but not release December 22, 2015 Executive Session Minutes due to Sudbury Station content and case not officially dismissed.

March 21, 2017 Executive Session Minutes

Vote to approve and release March 21, 2017 Executive Session Minutes.

Selectman Brown motioned to approve and release March 21, 2017 Executive Session Minutes. Vice-Chairman Carty seconded the motion. It was on motion 4-1, Haarde-aye, Carty-aye, Brown-aye, Simon-aye, Dretler-abstain (not present for that meeting).

VOTED: To approve and release March 21, 2017 Executive Session minutes.

Close Executive Session

At 9:45 p.m. Selectman Brown motioned to adjourn executive session. Vice-Chairman Carty seconded the motion.

It was on motion unanimously

VOTED: To close Executive Session.