

Plympton Board of Selectmen - Executive Session

March 5, 2015 Minutes

Present: Mark Russo, John Henry, Colleen Thompson

Guest: Town Coordinator Dale Pleau

At 10:00 a.m. Mark Russo opened the regular open session of the Plympton Board of Selectman. Mark Russo moved that the Board of Selectmen (BOS) go into Executive Session to discuss the ongoing Sakr/Cranberry Knoll litigation, with the intention of returning to BOS open session. John Henry seconded the motion.

Roll call: Mark Russo - Aye, John Henry - Aye, Colleen Thompson - Aye

Topic: The Board of Selectmen (BOS) received an email from Town Counsel Janelle Austen stating that the Plymouth Superior Court has denied Ms. Sakr's Motion to further amend her Amended Complaint in the case of Suzzane Sakr v. Town of Plympton, et al, PLCV2013-00655, and dismissed her Amended Complaint in its entirety. The Court in its Judgment has indicated that the Town may recover their costs of action in this case, exclusive of attorneys' fees. This amount is \$247.13. Do the Selectmen wish to pursue the collection of these funds?

Discussion:

- There are other cases with Ms. Sakr still in process.
- There is little hope of collecting any monies from Ms. Sakr.
- It would cost too much in legal fees to truly try to collect these funds.
- A letter from Town Counsel to Ms. Sakr would at the very least provide some acknowledgment that collection is a possibility.

Action: John Henry moved that the BOS direct Atty. Austen to send a letter to Ms. Sakr for the collectible monies but to take no further action. Mark Russo seconded the motion. The motion passed 3/0.

Mark Russo moved that he would send a copy of Atty. Austen's email to the other parties named in the law suit to notify them of the legal decision. John Henry seconded the motion. The motion passed 3/0.

Return to Open Session - At 10:07 a.m. Mark Russo moved that the BOS close the Executive Session and return to open session. Colleen Thompson seconded the motion.

Roll call: Mark Russo - Aye, John Henry - Aye, Colleen Thompson - Aye