

PLYMPTON BOARD OF SELECTMEN
EXECUTIVE SESSION MEETING MINUTES
April 23, 2012

Attendees: John Henry, Joe Freitas and Barry DeCristofano

The Board met at 7:00 p.m. for its regular meeting and at 9:00 p.m. the Chairman declared that:

- Under G.L. c.30A, §21(a)(3), the purpose of this part of the executive session would be to discuss litigation strategy regarding pending and potential further litigation regarding land on Brook Street, known as: Robert F. Smith, Trustee of R&M Realty Trust v. Town of Plympton Zoning Board of Appeals and Building Department, United States District Court (D. Mass.) C.A. NO. 2001-10037-GAO.
- A discussion of the foregoing in open session may have a detrimental effect on the litigation position of the Town; and
- The Board shall continue in executive session at the conclusion of discussion and that,
- Under G.L. c.30A, §21(a)(6), the purpose of the first part of executive session would be to consider the exchange or value of real property, the property being the upland portion of a Town-owned 77-acre lot.
- A discussion of the foregoing in open session may have a detrimental effect on negotiating position of the Town; and
- The Board shall adjourn at the conclusion of the executive session.

Following the Chairman's declaration, it was moved by Mr. DeCristofano, seconded by Mr. Freitas and voted unanimously, upon a roll call vote, that the Board of Selectmen go into executive session, under G.L. c.30A, §21(a)(3) then continue under G.L. c.30A, §21(a)(6), for the purposes and reasons declared by the Chairman, as stated above, and with the Board to adjourn at the conclusion of the executive session. Roll call vote: Mr. DeCristofano – yes, Mr. Freitas – yes, Mr. Henry – yes.

Ilana Quirk (Town Counsel) was present.

As Town Counsel had not yet prepared the documents to file for a declaratory judgment against Rocky Harvest, this discussion topic was closed and at 9:05 p.m., the Board took up the second topic of the executive session.

The Board discussed its options regarding keeping all or a portion of the 77-acre T.L. Edwards lot. They are: 1) to amend the citizens' petition from the floor at Town Meeting to hold back a portion of the land, 2) use the warrant article placeholder to try to either keep all or a portion of the land out of conservation for the coming year, 3) place a new article on the Special Town Meeting warrant, or 4) do nothing. The Board will consider these options prior to signing the Warrant the following week.

At 10:02 p.m., the Board left Executive Session and adjourned, on a motion by Mr. DeCristofano, second – Mr. Freitas (Roll call vote: Mr. Henry – yes, Mr. Freitas – yes and Mr. DeCristofano – yes).

Respectfully submitted,
Barry DeCristofano
Selectman