

PLYMPTON BOARD OF SELECTMEN
EXECUTIVE SESSION MEETING MINUTES
SESSIONS I & II
April 02, 2012

Attendees: John Henry, Joe Freitas and Barry DeCristofano Session I

The Chairman declared that:

- Under G.L. c.30A, §21(a)(3), the purpose 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

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), for the purposes and reasons declared by the Chairman, as stated above. Roll call vote: Mr. DeCristofano – yes, Mr. Freitas – yes, Mr. Henry – yes.

Dale Pleau (Town Coordinator) was present.

Mr. Henry reported that Rocky Harvest LLC wants to sell the water Farm to the Town or to Sysco.

Under the advisement of Town Counsel, Ms. Quirk recommended the Town bring this case to the State Court to petition Court to sort the matter out.

There is an Insurance Representative that will testify to the 225 acre settlement.

VOTED: Motion made by Mr. Freitas to accept the Executive Session Meeting Minutes of March 26, 2012 as printed. Second Mr. DeCristofano. 3-0-0.

VOTED: Motion made by Mr. DeCristofano to ratify Mr. Henry's action to tell Town Counsel to delay in making the settlement offer of March 26, 2012 to Rocky Harvest LLC. Second Mr. Freitas. 3-0-0.

The Board continued onto their next topic in Executive Session II:
Aerosmith Real Estate (#6)

The Aerosmith property contains approximately 77 acres off Main Street and Ring Road. This property is listed on a Plympton map, dated 1879 as "Ridge Hill" not "Cato's Ridge." Mr. Henry had maps of the property for all present to view. This is the same land that the Plympton Open Space Committee is presenting as conservation land project "Churchill Park and Cato's Ride," at Town Meeting for approval.

There was some question as to what percentage of land may be in the wetlands.

The Board is waiting to hear from an engineer regarding metes and bounds of property. Access to property may be of concern.

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VOTED: Motion made by Mr. Freitas to adjourn and leave Executive Session at 8:50 PM
Second Mr. DeCristofano. 3-0-0

Roll call vote: Mr. Freitas – yes, Mr. DeCristofano – yes and Mr. Henry– yes.

Respectfully submitted,
Lisa Krance
Selectmen's Assistant