

**Board of Selectmen
Regular Minutes
December 21, 2020**

Present, Chair Brian R. Keyes, Selectman Louis J. Arcudi, III, Selectman Glenda Hazard, Town Administrator Diana Schindler

Chair Keyes called meeting to order at 7:00PM

Pledge of Allegiance

Chair Keyes welcomed the newest member of the Board, Glenda Hazard. Chair Keyes congratulated her on winning the Selectman position. Selectman Arcudi echoed Chair Keyes sentiments.

A. Consent Items

1. Approval of November 23, 2020 Regular Minutes

Before approving the minutes, Selectman Arcudi instructed the Executive Assistant to make an addition, that he thanked Christine Burke for her service to the Town, not just as a Selectmen but also as Water and Sewer as well as her Stewardship to the Town during the November 23, 2020 Regular Minutes. Chair Keyes asked to note that he echoed Selectman Arcudi's sentiments.

Selectman Arcudi made it known that Selectman Hazard will not be able to vote on items 1-2 because she was not present as a Selectman during those meetings.

Selectman Arcudi made a motion to approve the November 23, 2020 regular minutes, with the addition he had. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes - Aye

2. Approval of November 30, 2020 Regular Minutes

Selectman Arcudi and Chair Keyes stated that they both have read the November 30, 2020 regular minutes.

Selectman Arcudi made a motion to approve the November 30, 2020 Regular Minutes. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye

3. Approval of the Amended October 13, 2020 Regular Minutes

Selectman Arcudi made a motion to move items 3, 4 and 5 to New Business "C,3" because it relates to that item (Open Meeting Law Complaint and Response). Selectman Arcudi stated that the Board could vote on these items once the Board has acknowledged the Item New Business "C,3" Open Meeting Law Complaint and Response. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye

4. Approval of the Amended October 20, 2020 Regular Minutes

5. Approval of the Amended October 30, 2020 Regular Minutes

6. Accepting the \$50 Donation to the Bancroft Library from Linda Norton. (Letter Attached)

Chair Keyes read the letter from Robyn York regarding the donation by Linda Norton. Chair Keyes thanked Linda Norton for the kind donation and support for the Bancroft Library.

Selectman Arcudi made a motion to accept the \$50 donation from Linda Norton to the Bancroft Memorial Library. Chair Keyes seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

7. Hopedale Girl Scouts, Drive-By Cookie Booths at the High School to take place on Saturday, weather permitting, from January 15- March 10, 2021 from 10 am-1 pm. Practices will be COVID compliant. Health Agent has approved with stipulations, attached.

Chair Keyes thanked the girl scouts for all their efforts.

Selectman Hazard made a motion to approve the Hopedale Girl Scouts, Drive-by Cookie Booths at the dates and location mentioned. Selectman Arcudi seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

B. Appointments and Resignations

1. Appointment of Call Fire Candidate, Alex Carchio (Letter Attached)

Present: Chief Tom Daige.

Chair Keyes thanked Chief Daige and his Department for all of their efforts during the challenging weather Hopedale has recently gotten. Chair Keyes went on to read the appointment/recommendation letter for Alex Carchio, sent in by Chief Daige.

Chief Daige stated that Alex Carchio is a good addition to the Hopedale Fire Department, and he is excited to have him on Board. Alex could not make the meeting tonight because he is currently in training.

Selectman Arcudi appoint the Call Fire Candidate Alex Carchio, effective December 1, 2020. Selectmen Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

2. Appointment of Call Fire Candidate, Jennifer Richard (Letter Attached)

Present: Chief Tom Daige

Chair Keyes read the appointment/recommendation letter for Jennifer Richard, sent in by Chief Daige.

Selectman Hazard made a motion to appoint Jennifer Richard as a Call Fire Candidate, effective December 1, 2020.

Selectman Arcudi seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

3. Resignation of Brian R. Keyes from the Field Ad Hoc Committee, effective November 25, 2020

Chair Keyes stated that he spoke with the Field Ad Hoc Committee regarding his resignation, he feels that he can no longer participate in this Committee. Chair Keyes applauds the efforts of the Field Ad Hoc Committee and the Committee's accomplishments, from grants to the field improvement at Mellen Street or Phillips Street. Chair Keyes stated that there is a vacancy in the Field Ad Hoc Committee if anyone is interested.

Selectman Arcudi thanked Chair Keyes for his service and passion on the Field Ad Hoc Committee.

Jim Abbruzzese, a member of the Field Ad Hoc Committee thanked Chair Keyes on behalf of the Co-Chair and the rest of the Committee for his participation and guidance in the Committee.

Selectman Arcudi made a motion to accept the resignation of Brian R. Keys from the Field Ad Hoc Committee, effective November 25, 2020. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Refuse

4. Resignation of Cody Carneiro from the Hopedale Police Department effective November 23, 2020

Present: Police Chief Giovanella

Chief Giovanella thanks Cody for his service to the Town of Hopedale. He added that Cody was a great asset to the Department, and he was always helpful. He assisted Lt. Martin in obtaining the COPS grant. Chief Giovanella stated that Cody started with the Town about 18 months ago.

Chief Giovanella brought to the Boards attention, that there seems to be a pattern that Hopedale Police Department becomes a training ground. The Police Department is losing outstanding officers to the surrounding areas. Chief Giovanella stated that he looks forward to future conversations with the Board to create a way to rectify this pattern. Chief Giovanella stated that other agencies are able to pay their Officers more than what Hopedale can offer.

Chair Keyes stated that this can be discussed and will be taken into consideration during the next budget cycle. Chair Keyes stated that if Hopedale is not financially competitive or benchmarked then we are not going to be able to hold onto talented Officer's that want to move forward in their careers.

Selectman Arcudi recognized that the exit interviews for Hopedale's Officers are very complimentary with letters regarding Chief Giovanella, the staff, the Town and the residents. Selectman Arcudi asked Chief Giovanella if he is able to provide benchmark statistics regarding what the cost is to train an officer for 18 months and then have them move on. Selectman Arcudi stated that without increases in salary, the Town is probably spending the same amount to train Officers, only to have them move on instead of increasing the salaries. Chief Giovanella expanded on Selectman Arcudi's statements, he stated that when an officer is hired, they are sent to the Academy for 26 weeks which costs \$3,500. The Officer is receiving a regular salary while at the Academy from the Hopedale Police Department. The Police Department also purchases the Officers equipment. While the Officer is at the Academy, to cover shifts so that at least two (2) officers are working in Town, the Police Department needs to backfill the shifts. Chief Giovanella stated that this roughly equals to \$40,000.

Selectman Arcudi stated that this information is very helpful when thinking of next years budgets. Selectman Arcudi thanks Chief Giovanella and his team for their time and service to the Town of Hopedale. Chair Keyes read the resignation letter by Cody Carneiro to the residents.

Selectman Arcudi made a motion to accept the resignation of Cody Carneiro from the Hopedale Police Department, effective November 23, 2020. Selectman Hazard seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

C. New Business*

1. 2020 Annual ABCC License Renewals; Sign ABCC Retail Liquor License Renewal Application Form (Vote)

Selectman Arcudi made a motion to accept the Hopedale Country Club, Inc ABCC license renewal to go into effect January 1, 2021. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Selectman Arcudi made a motion to accept 404 Main Street, Hopedale LLC, DBS Brother's Liquors ABCC license renewal to go into effect January 1, 2021. Selectman Hazard seconded the motion

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Selectman Arcudi made a motion to accept the J&M and Sons Inc ABCC license renewal to go into effect January 1, 2021. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

2. Sign ABCC 2020 Seasonal Population Increase Estimation Form (Vote)

Selectman Arcudi made a motion to approve the Seasonal Population Increase Estimation Form. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

3. Acknowledge Open Meeting Law Complaint and Response (Vote)

Present: Attorney Brian Riley, KPLaw

Attorney Riley welcomed Glenda Hazard to the Board of Selectmen. Town Administrator, Diana Schindler gave some background regarding this item. She stated that the Town received an Open Meeting Law complaint that had to do with how some of the meeting minutes were published. She stated that Attorney Riley will be able to explain how we had to amend the minutes.

Attorney Riley stated that there were five (5) complaints regarding five (5) separate meetings that raised certain problems that, that party thought the Board had done incorrectly. Attorney Riley stated that there were a few instances where the Board was discussing the 364 West Street property. However, this was not specified on the agenda or meeting minutes when moved into Executive Session. When discussing the value, buying, or selling property, if there is a reason where you do not want to hurt your negotiating position, then the property location does not need to be stated. However, as soon as that is not an issue the property location needs to be identified during regular and executive session. Attorney Riley stated that the same standard applies to litigation as soon as stating the case name is not an issue, then the case name needs to be identified when moving into executive session. Attorney Riley stated that he feels the complaint was correct that the agenda and the minutes should have the address of the property identified because the Board was discussing 364 West Street and certain aspects of the property during open session.

Attorney Riley's recommendation is to amend the meeting minutes, so they are compliant with open meeting laws.

Selectman Arcudi asked Attorney Riley if the law offices that sent in the complaint have responded to Attorney Riley's letter response, sent to them on December 10, 2020? Attorney Riley stated that he did not send the letter to the law offices yet because he needs approval from the Board. The December 14, 2020 meeting was cancelled so Attorney Riley asked for an extension on the response deadline. Attorney Riley confirmed that the Board needs to vote and approve his letter response so that he can send it to the law offices. Attorney Riley also confirmed with Selectman Arcudi that he feels that the amendments to the October 13, 2020, October 20, 2020 and October 30, 2020 minutes are correct.

Selectman Arcudi made a motion to approve the Open Meeting Law Complaint Response by Attorney Riley, KPLaw. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Chair Keyes stated that Selectman Hazard can acknowledge the vote regarding item "C,3" Acknowledge Open Meeting Law Complaint and Response (Vote) but cannot vote on the consent items A-C because she was not present as a Selectmen during those meetings.

a. Approval of Amended October 13, 2020 Regular Minutes

Selectman Arcudi made a motion to accept the amended October 13, 2020 minutes. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye

b. Approval of Amended October 20, 2020 Regular Minutes

Selectman Arcudi made a motion to accept the amended October 20, 2020 minutes. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye

c. Approval of Amended October 30, 2020 Regular Minutes

Selectman Arcudi made a motion to accept the amended October 30, 2020 minutes. Chair Keyes seconded the motion.

Arcudi – Aye, Keyes – Aye,

D. Old Business

1. Town Hall COVID Update: Town Hall closed to the public effective December 14, 2020; Departments are available by appointment only.

Town Administrator Diana Schindler stated that we have followed our neighboring communities last week by opening the Town Hall up for appointments only with staff being staggered (one person per office and remote work). We asked the restaurant that is located in Town Hall, Beyond Full, to do take out service only, and they complied. We also asked for Public Works to be diligent by being COVID compliant and to not have multiple people in work vehicles because they are not able to work remotely. Regarding the time frame, we are going to follow these guidelines into next year and will revisit this topic during next weeks meeting on December 28, 2020. The Town Administrator stated that she feels we should follow these guidelines for a few weeks with the possibility of opening Town Hall back up for limited hours at some point in the near future depending on the Governors orders. Chair Keyes asked for the Town's patience as we work through this period of being shut down again.

2. Green Communities Designation; Energy Reduction Plan Presentation & Adoption (Vote), *Mimi Kaplan, Associate Planner, CMRPC*

Present: Mimi Kaplan, Associate Planner, CMRPC

Mimi Kaplan shared the Energy Reduction Plan with the Board and the residents. Mimi stated that the energy reduction plan will be submitted with the Designation Application tomorrow. The energy reduction plan is the last piece for this application, everything else has been received. Mimi stated that for the energy reduction plan, we needed to establish the baseline usage. There are fifteen (15) Town owned buildings that use energy, as well as Town vehicles, traffic lights and other mechanisms. Mimi stated that the baseline energy usage is 23,582, split between the different energy users. Guardian Energy was the vendor that chosen to perform the audits and provided the Town with a table of about twenty (20) energy conservation measures that would provide about 24% energy savings from the baseline over five (5) years. Mimi stated that she had met with members of the Town that she has been working with to go over a list of which items will be implemented and when. Mimi stated that the project order can be modified. When the Town becomes designated, which is typically around February, the Town will be awarded a designation grant of approximately \$135,000. When the Town expends these funds, the Town will then be eligible to apply for competitive grants on a yearly basis.

Selectman Hazard asked Mimi if it is guaranteed that the Town will receive funding when applying for competitive funding? Mimi responded that it is not guaranteed, however, every Town she has worked with has received what they requested or close to what they requested. She has not heard of a Town being completely turned down. Selectman Arcudi asked the Town Administrator if the Capital Finance Committee has been participating in this? The Town Administrator stated we could get them involved and add to the Capital Plan. Selectman Arcudi thanked Mimi Kaplan for all her assistance with this.

Selectman Hazard made a motion to adopt the Energy Reduction Plan as presented. Selectman Arcudi seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

3. Accept Donation to the Town of Hopedale from an Anonymous Donor with following conditions:
 - a. For paying all fees, related to litigation, incurred to secure the 364 West Street Land Purchase as voted at Special Town Meeting on October 24, 2020, without limit.
 - b. All legal fees for Special Counsel incurred through December 10, 2020 will be paid within two weeks of presentment of invoice.
 - c. Quarterly payments to be direct deposited into Town revenue account in advance based on previous three-month average (if purpose remains consistent).
 - d. To be revisited by Board of Selectmen quarterly. (Vote)

Chair Keyes asked the Town Administrator to provide a summary, he stated that he has not been a part of any meetings with the donor or the donor's liaison. The Town Administrator stated that there have been litigation costs incurred through

December 2020, totaling \$109, 681.40. She asked that the Selectmen vote to accept the donation totaling this amount so we can get an invoice or similar so the donor and have the money transferred over. Resident, Liz Reilly, Liaison to the donor stated that they were not aware of this amount, however, to please forward her the invoices and she will give the invoices to the donor to get them paid. Chair Keyes stated the Board will vote to accept the donation once they have received the invoices and get the money forwarded to the Town. Chair Keyes thanked Liz for her assistance with the donor.

4. Green River Cannabis: Request to Address Community Host Agreement issued by the Town of Hopedale, *Constant Poholek, Owner*
 - a. A request to transfer the Host Agreement to another address in the Town of Hopedale. The Special permit was not granted by the Zoning Board of Appeals for 54 Mellen Street on December 9, 2020, and we are currently awaiting the transcript of the meeting and contemplating an appeal regarding the adverse decision by the Board.
 - b. It is in the best the interest of the Green River Cannabis Company Inc. and the Town of Hopedale to transfer said Host Agreement to another location in Town, selected by the Green River Cannabis Company Inc. appropriately zoned, that would be more suitable for the Company and residents within the Town of Hopedale.

Present: Attorney Brian Riley, Town Counsel and Constant Poholek, Owner of Green River Cannabis

The Town Administrator stated that Constant has expressed to her, his desire to potentially appeal the Zoning Board decision that was made two (2) weeks ago (his location was denied by the ZBA) or to possibly move to another location. Diana Schindler explained that Green River Cannabis has applied for a location at 54 Mellen Street in Hopedale as a potential retail marijuana establishment. the Zoning Board denied their request for a special permit, more details of this can be found in the Zoning Boards meeting minutes. If Constant decides to change his location, this will require his Host Community Agreement to be updated. Constant also needs to update his Host Community Agreement regarding the timeline, the current host community agreement states that Green River Cannabis will be operational by early 2021. Constant stated that he is requesting from the Board that 54 Mellen Street or any other facility that would be acceptable to the Town. He is looking to possibly to transfer the host agreement to another location, Constant stated that he has a couple addresses within the Town that are a possibility and allowed within the Zoning Bylaws. Constant stated that the host agreement needs to be amended regarding the timeline, with no location secured he will not be able to be operational by early 2021. Chair Keyes stated that if Constant were to appeal then he would be willing to allow, with other Board members approval, an extension on his host community agreement. Chair Keyes stated that he would not entertain a change of address for the retail marijuana store until he has received a final decision from the Zoning Board of Appeals. Constant stated that a possible alternative location he is interested in is 54 Hopedale Street, which is behind a medical office. This would be an adult retail store but, in the future, possibly move towards medical marijuana. Selectman Arcudi stated that he is not in favor of 54 Hopedale Street as a possible location. It is located near schools and libraries.

Attorney Riley stated that there is no issue with the Board approving an extension to Green River's host agreement and that at some point in time changing the address for Green River is a possibility as well.

Chair Keyes stated that the Board will extend until December 21, 2021 the current host agreement with the current address of 54 Mellen Street. Constant will make a decision as an operation whether to appeal or not and to entertain another location that he'll come back to the Board to discuss if that is something he is looking to do.

Selectman Hazard made a motion to extend the host agreement with Green River Cannabis until December 21, 2021. Selectman Arcudi seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

5. Statement from Town Counsel re: Resignation of Christine Burke

Present: Attorney Brian Riley, KPLaw

Attorney Riley read a statement from Town Counsel regarding the resignation of Christine Burke, the Town Administrator provided the letter on the screen for viewers. This letter can be found on the Hopedale Website within the packet attached at <https://www.hopedale-ma.gov/administrator-selectmen/agenda/board-selectmen-133>. Attorney Riley stated that to summarize the resignation of Christine Burke did not warrant any sort of legal ramifications. Selectman Arcudi thanked Christine Burke for all of her work and involvement with the Town of Hopedale. Ed Burt, Chair of the Water and Sewer Commission, praised Christine's accomplishments and hard work while serving Hopedale. Ed stated that when Christine sold her home, she still rented in Hopedale. Selectmen Hazard read a letter from Christine Burke regarding Christine's response to this complaint.

6. Right of First Refusal, 364 West Street, *Attorney Peter F. Durning, Special Counsel*

Present: Attorney Peter F. Durning

Attorney Durning shared with the public that on Thursday, December 17, 2020 he conducted the mediation screening with the Real Estate Board Association's dispute resolution services which was the organization that Judge Rubin had suggested but not required the parties to select. The mediation screening was primarily administrative, the parties discussed selecting a third party neutral and a potential schedule for mediation. At the mediation screening, before the Real Estate Board Association, Attorney Durning reserved making a firm commitment as to whether the Town will participate in the mediation pending review by the Board of Selectmen this evening. Attorney Durning stated that this is the issue at this time, whether to participate in a mediation session with the Grafton Upton Railroad before a retired land court Judge. Attorney Durning stated that from his perspective, participating in the mediation is a worthwhile endeavor. Attorney Durning stated that Judge Rubin was direct in her comments and instructions that the parties should think seriously about a negotiated solution, however, this was not an order. Attorney Durning stated that with mediation both parties do not get everything that they want but there could be potential solutions that could be achieved through this process. Regarding litigation, the Town has strong arguments on the application of general laws Chpt. 61 and its reservation of a right of first refusal to the Town but there is a risk that either the Service Transportation Board or the land court will rule in the Railroads favor. Attorney Durning feels that we have a strong argument that Hopedale is entitled to exercise its right of first refusal and maintain these lands at 364 West Street in forestry conservation for the benefit of the Town's current and future water supply. As stated in previous meetings, Railroads do have some protection from local and state regulations under the Interstate Commerce Commission Termination Act, however, Attorney Durning feels that we have strong arguments why the operation of general law Chapt 61 is not like state and local regulations that railroad have superseded due federal preemption in the past these issues are complex. Judge Rubin telegraphed this in her spoken and written comments at the land court. Attorney Durning believes that this is an issue of first impression as to whether or not the doctrine of federal preemption extends to a Town's right of first refusal. With that, the likelihood of appeals even after the conclusion of a adjudication of a land court or the Service Transportation Board is likely. This may add to the cost of litigation and the length of the appeal process. Attorney Durning stated that in his opinion he feels that it is prudent for the Board to take this opportunity to explore the possibility of a negotiated solution. He feels that a negotiated solution that preserves water quality in the aquifer and secures access to future water supply, while providing some accommodation to expand rail service should be achievable on a parcel of this size. Attorney Durning stated that if Grafton Upton Railroad is serious about making an agreement that could provide these benefits to Hopedale, we should be willing to have that discussion with them and a third party neutral. Therefore, Durning recommends that the Town agrees to conduct a mediation with the railroad to see if there is a sensible solution that can accomplish the goals of the Town and meet the concerns of the railroad.

Selectman Hazard asked Attorney Durning why should we move for mediation? The environmental partners study told us that we need the whole parcel to maintain our water supply, we have donors willing to pay for the land and the litigation fees. Attorney Durning responded that the environmental partners study strongly emphasizes the portion of the rail that is to the east of the tracks that that is the most proximate portion to the water supply. In some of the figures that the environmental partners provided, they discussed what would be necessary to secure the greatest advantageous area for the exploration of future water supply and that is focuses on the portion of parcel that is proximate to the pond and the wetlands. Durning feels that there is a potential for emphasizing those areas that are particularly important to the Town's water supply. Selectman Hazard stated that she is uncomfortable with the position we are in now; she is not sure how we can negotiate when she is not sure what we could offer. Durning responded one of the things he emphasized during the summer that railroads do not have to comply with state and local wetlands. If the Town were working in cooperation with the railroad, the Town could impose certain requirements that would be subject to a private agreement (between the Town and the railroad) as opposed to relying on the state and local wetlands regulations, this may provide greater protection for the Town's resources.

Selectman Arcudi asked Attorney Durning if the mediation will be non-binding. Attorney Durning confirmed that mediation will be non-binding. It is two parties in a litigation agreeing to go and have a brokered session with a third party neutral, a trained mediator and a retired land court Judge. The third party neutral will likely meet individually with the parties and together and see if there is a way to foster a discussion where the two sides can come to some resolution. Chair Keyes stated that because mediation is non-binding, this is an excellent opportunity to find out what the railroad can bring to the table as part of any kind of negotiation. Chair Keyes stated that there will be plenty of public, Board and Commission's input. Chair Keyes let the residents know that they will not be entering into a binding agreement without hearing input from the public, Boards and Commissions.

Chair Keyes opened the meeting for resident comments.

Selectman Arcudi made a motion to move forward based on the recommendation of Attorney Peter F. Durning to commit to non-binding mediation commencing on January 8, 2021. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

E. Public and Board Member Comments (votes will not be taken)

Selectman Arcudi welcomed Glenda to the Board of Selectmen. Selectman Arcudi thanked the Police and Fire Department for the Hopedale Santa Parade and all their hard work. He stated that the Friends of Historic Hopedale did a great job with the Town wide holiday light contest. He thanked the Highway, Police and Fire for their constant efforts during the recent snowstorm with keeping our roads clean. Chair Keyes stated that he echoes Selectman Arcudi's sentiments.

F. Correspondence and Selectmen Informational Items (votes will not be taken)

1. Donation of two (2) wreaths from the Evergreen Center

Chair Keyes thanked the Evergreen Center for their donation of two (2) wreaths.

2. Welcoming Glenda Hazard as the new Board of Selectmen

G. Requests for Future Agenda Items:

H. Administrator Updates (In Packet)

Selectman Arcudi made a motion to end regular session and move into executive session. Selectman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Chair Keyes dissolved the meeting at 9:44PM

I. Executive Session

Motion: To move into Executive Session, pursuant to M.G.L. c.30A, § 21(a) for item # (3): To discuss strategy with respect to litigation that an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares. Roll Call Vote

Purpose: Litigation strategy re: Town v. Jon Delli Priscoli, Trustee, et als, Attorney Durning present.