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EXECUTIVE SESSION

BOARD OF SELECTMEN

NOVEMBER 12, 2013

Present: Shawn Harris, Chairman; John F. Danehey, Richard W. Murray,
Martin J. O'Toole, Anthony V. Vegnani

Patricia A. Vinchesi, Town Administrator
James Toomey, Town Counsel
Lisa Fenton, Chairperson, CPAC
Frank Snow, Chairman, Conservation Commission
Pat Gallivan, Conservation Agent

The Board of Selectmen entered Executive Session via roll call at 9:12 PM with Shawn Harris, John F. Danehey, Richard W. Murray, Martin J. O'Toole and Anthony V. Vegnani all answering "yes".

The purpose of this Executive Session is to consider the purchase, exchange, lease or value of real property because an Open Meeting will have a detrimental effect on the negotiating position of the public body – Conservation Commission.


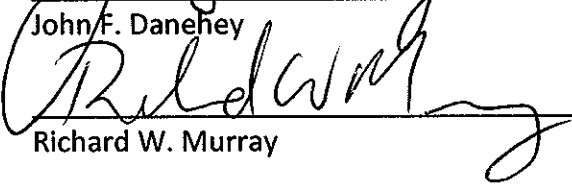
Mr. Toomey explained that there have been some problems "closing the deal" on some of the Community Preservation Act acquisitions due to conservation restrictions. The restrictions are very lengthy and require state approval. Most of the conservation restrictions are assigned to The Maxwell Trust as the "local land trust" who watches over what is going on with the properties. Conservation restrictions must be held by a third party. Mr. Toomey went on to explain the recent court judgment against The Maxwell Trust for over \$1 million. The Maxwell Trust's financial viability and solvency going forward was also discussed. Ms. Fenton stated that CPA has had 13 properties "held up" for over two years due to the conservation restriction piece in each case. She noted that the Town of Cohasset's Water Commissioners want to hold the conservation restriction on one piece partially located in their watershed. She hopes that the Selectmen will continue to allow The Maxwell Trust to hold the conservation restrictions. Discussion on what will happen to the conservation restrictions if The Maxwell Trust dissolves. Mr. Snow spoke about the complexities of conservation restrictions and noted that the State is still willing to work with The Maxwell Trust. He would not like to see the Town turn their backs on the Trust. Discussion continued on the "pros" and "cons" of continuing the relationship with Trust. The Selectmen concurred that (1) Town Counsel would check on whether Trustees of Reservations would take over if The Maxwell Trust dissolved and (2) that Mr. Snow would check on a former Scituate land trust.

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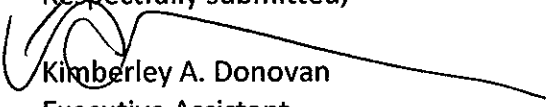
Executive Session – Board of Selectmen – 11/12/13

The Board of Selectmen exited Executive Session via roll call at 10:02 PM with Shawn Harris, John F. Danehey, Richard W. Murray, Martin J. O'Toole and Anthony V. Vegnani all answering "yes".

BOARD OF SELECTMEN


Shawn Harris
Martin J. O'Toole
John F. Danehey
Anthony V. Vegnani
Richard W. Murray

Respectfully submitted,


Kimberley A. Donovan
Executive Assistant