

Selectmen' Meeting  
Tuesday, June 21, 2016  
Selectmen's Meeting Room – 11:12 p.m.  
Executive Session

Approved  
Not Released: 8/16/16 BOS 11/7

Approved  
Released on: 10-3-17

The meeting was called to order by roll call vote at 11:12 p.m. the chair having declared that holding the meeting in open session would have a detrimental effect on the litigating position of the public body relative to discussing pending litigation -Hegner.

The following members were present: Anthony Vegnani, Chair, Martin O'Toole, John Danehey, and Shawn Harris. Maura Curran was absent.

Also present was Patricia Vinchesi and Attorney Brandon Moss.

Shawn Harris	aye
John Danehey	aye
Marty O'Toole	aye
Anthony Vegnani	aye

#### Hegner Lawsuit

Attorney Brandon Moss from Murphy, Hesse, Toomey and Lehane, introduced himself to Board members and updated them on the status of the Hegner lawsuit. This suit related to Mr. Hegner being removed from his mooring by the Harbormaster as he did not own the mooring but had a third party agreement with another individual, John Ulanowski, that reflected Mr. Hegner's 1% ownership of a boat and Mr. Ulanowski owning 99%. Mr. Ulanowski did not have a boat on the mooring; Mr. Hegner had his on it. However, no paperwork existed in the Harbormaster's Office with Mr. Hegner's information and he was subsequently removed. When the Harbormaster, Stephen Mone, declined to reinstate the mooring and Mr. Ulanowski subsequently voluntarily surrendered his mooring Mr. Hegner filed suit alleging that Mr. Ulanowski was coerced into surrendering the mooring by the Harbormaster and that Mr. Ulanowski suffers from dementia. As of this date, Mr. Mone has been deposed and Ms. Vinchesi has been deposed. The Town is awaiting deposing of Mr. Ulanowski. Attorney Moss stated that he hoped to learn more from Mr. Ulanowski but that Mr. Hegner's agreement with him was not in compliance with the mooring regulations.

Selectman Harris inquired if this situation would have existed if there mooring regulations changed and was informed that it would. Ms. Vinchesi noted that a lack of enforcement in the administration of the slips and moorings over the years had led to a number of "private" arrangements and that the new Harbormaster was addressing them and not everyone was happy.

Selectman Harris asked if the mooring regulations in other communities could also be investigated for situations that might be similar to this. Selectman Danehey stated that Mr.

Hegner was attempting to work outside the system and that is was not legal as his name was not on any of the paperwork.

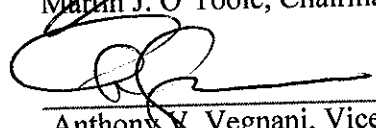
The Board asked to be briefed again after Mr. Ulanowski's deposition was in hand.

On a motion by Selectman Danehey, seconded by Mr. Vegnani, the Board voted to adjourn the meeting at 11:40 a.m.

Patricia Vinchesi  
Recorder

Board of Selectmen Executive Session Meeting Minutes for June 21, 2016

BOARD OF SELECTMEN

  
\_\_\_\_\_  
Martin J. O'Toole, Chairman  
\_\_\_\_\_  
Anthony V. Vegnani, Vice Chairman

Not in attendance

\_\_\_\_\_  
Maura C. Curran, Clerk

  
\_\_\_\_\_  
John F. Danehey  
\_\_\_\_\_  
Shawn Harris