

**EXECUTIVE SESSION**

**BOARD OF SELECTMEN**

**JANUARY 22, 2013**

**Present:** Joseph P. Norton, Chairman; John F. Danehey, Shawn Harris, Anthony V. Vegnani

Patricia A. Vinchesi, Town Administrator

Albert Bangert, Director/ Department of Public Works

James Toomey, Town Counsel

John Davis(attorney), Seth Barnett(attorney)Pierce, Davis & Perritano, LLP  
(counsel for Scituate Wind)

Mr. Norton announced that the Board of Selectmen would be entering Executive Session to discuss strategy with respect to litigation because an open meeting will have a detrimental effect on the litigating position of the Town – McKeever et al. vs. Scituate Board of Health, Town of Scituate – wind turbine. He also announced that the Selectmen would return to regular session at approximately 7 PM this evening.

**The Board of Selectmen entered into Executive Session at 6:06 PM via roll call with Joseph P. Norton, John F. Danehey, Shawn Harris and Anthony V. Vegnani all answering “yes”.**

The case filed by the McKeevers asks that the court order the wind turbine to be shut down. Town Counsel asked McKeever’s attorney (Tanya Trevisan)for “professional courtesy” in allowing time to prepare opposition and was told “no”. In addition, a huge public records request was made of Town departments by Attorney Trevisan. Over the past weekend, Town Counsel worked with co-counsel for Scituate Wind in preparing opposition and met in court on Monday. After the judge heard both sides, he dismissed the case stating that there is a process currently in place by which the Board of Health will move forward on the testing. It would be “premature for the court to intervene” at this juncture. Discussion continued on whether the case could be dismissed without prejudice. The Falmouth, MA turbines, decibel levels and insurance deductibles were discussed. The impacts of a total shut down and a partial shutdown were examined.

Mr. Harris exited Executive Session at 6:23 PM and re-entered at 6:25 PM.

Mr. Danehey strongly suggests that Town Counsel attend future Board of Health meetings at which the turbine is scheduled to be discussed.

**Mr. Danehey made a MOTION that the Board of Selectmen VOTE to AGREE to the Stipulation of Dismissal without prejudice and without cost. SECONDED by Mr. Vegnani. No discussion. Unanimous vote.(4-0) Danehey, Vegnani, Norton and Harris voting.**

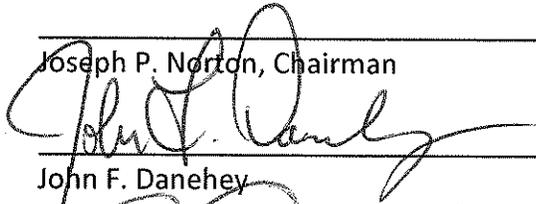
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Board of Selectmen – Executive Session – 1/22/13

The Board of Selectmen exited Executive Session at 6:49 PM via roll call with Joseph P. Norton, John F. Danehey, Shawn Harris and Anthony V. Vegnani all answering “yes”.

BOARD OF SELECTMEN

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Joseph P. Norton, Chairman

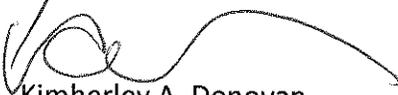
  
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John F. Danehey

  
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Shawn Harris

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Richard W. Murray

  
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Anthony V. Vegnani

Respectfully submitted,

  
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Kimberley A. Donovan  
Executive Assistant

EXECUTIVE SESSION

BOARD OF SELECTMEN

MARCH 5, 2013

**Present:** Joseph P. Norton, Chairman; John F. Danehey, Shawn Harris,  
Richard W. Murray, Anthony V. Vegnani

Patricia A. Vinchesi, Town Administrator

The Board of Selectmen entered Executive Session via roll call at 10:54 PM with Joseph P. Norton, John F. Danehey, Shawn Harris, Richard W. Murray and Anthony V. Vegnani all answering "yes".

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R. O'Brien – Ms. Vinchesi noted a recent letter from the Town's insurance company and wanted to confirm that the Board of Selectmen did not agree to settle this case at this time. The Board re-affirmed this position.

No votes were taken.

The Board of Selectmen exited Executive Session via roll call at 11:04 PM with Joseph P. Norton, John F. Danehey, Shawn Harris, Richard W. Murray and Anthony V. Vegnani all answering "yes".

BOARD OF SELECTMEN

Joseph P. Norton, Chairman

John F. Danehey

Shawn Harris

Richard W. Murray

Anthony V. Vegnani

Respectfully submitted,

Kimberley A. Donovan  
Executive Assistant

EXECUTIVE SESSION

BOARD OF SELECTMEN

APRIL 2, 2013

**Present:** Joseph P. Norton, Chairman; John F. Danehey, Shawn Harris,  
Richard W. Murray, Anthony V. Vegnani

Patricia A. Vinchesi, Town Administrator

**The Board of Selectmen entered into Executive Session to discuss strategy with respect to Collective Bargaining because an Open Meeting will have a detrimental effect on the bargaining position of the public body – Department of Public Works contract at 8:20 PM via roll call with Joseph P. Norton, John F. Danehey, Shawn Harris, Richard W. Murray and Anthony V. Vegnani all answering “yes”.**

Ms. Vinchesi announced that the Department of Public Works (DPW) contract was ratified on April 1, 2013 and includes the following: 4 year contract, 2% increase for FY13, 1.25% - FY14, 1.5 % - FY15 and 2% - FY16. In the future, earned time will be monthly rather than “front loaded”. GPS will be installed in DPW vehicles, a “standby” increase and clothing allowance increase.

**The Board of Selectmen exited Executive Session at 8:50 PM via roll call with Joseph P. Norton, John F. Danehey, Shawn Harris, Richard W. Murray and Anthony V. Vegnani all answer “yes”.**

The Board returned to Open Session at this time.

BOARD OF SELECTMEN

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Joseph P. Norton, Chairman

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John F. Danehey

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Shawn Harris

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Richard W. Murray

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Anthony V. Vegnani

Respectfully submitted,

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Kimberley A. Donovan  
Executive Assistant

EXECUTIVE SESSION  
BOARD OF SELECTMEN  
MAY 7, 2013

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

Patricia A. Vinchesi, Town Administrator

The Chairman announced that the Board of Selectmen would be entering Executive Session with respect to pending litigation because having this discussion in Open Session would be detrimental to the Town's litigating position – The Glen. The Selectmen will not return to Regular Session this evening.

The Board of Selectmen entered into Executive Session via roll call at 7:50 PM with Shawn Harris, John F. Danehey, Richard W. Murray, Martin J. O'Toole and Anthony V. Vegnani all answering "yes".

Ms. Vinchesi discussed a proposal being made by the owners of The Glen development (Hennessy family) – a payment of \$2,500 water connection fee per unit, loop the water, utilization of ductile piping and to retain of the .92 acres originally slated for Town use. The Selectmen discussed the pros and cons of the proposal and took the following vote.

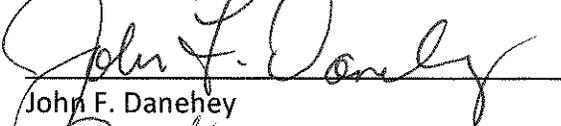
Mr. Murray made a MOTION that the Board of Selectmen VOTE to APPROVE the following in reference to "The Glen" development: .92 acres returned to "The Glen" development, the development's water will be "looped", ductile water piping, \$2,500 per unit water connection fee and a signed "release" from the "The Glen" development group(Hennessy family) that they will not sue the Town of Scituate. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0) Murray, Vegnani, Harris, Danehey and O'Toole voting.

The Board of Selectmen exited Executive Session via roll call at 8:10 PM with Shawn Harris, John F. Danehey, Richard W. Murray, Martin J. O'Toole and Anthony V. Vegnani all answering "yes".

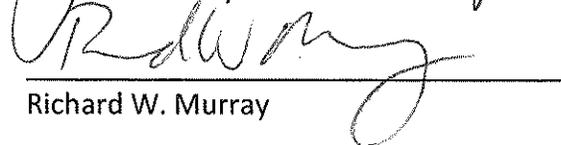
BOARD OF SELECTMEN



Shawn Harris, Chairman



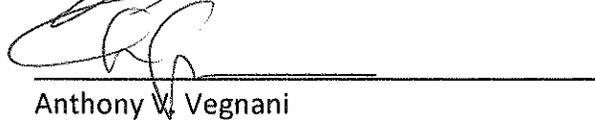
John F. Danehey



Richard W. Murray



Martin J. O'Toole



Anthony V. Vegnani

Respectfully submitted,  
Kimberley A. Donovan, Exec. Assistant

