

**Select Board Executive Session Meeting Minutes
Tuesday, June 22, 2021
Select Board Hearing Room, In person Meeting**

In attendance: Ms. Connolly, Chair, Mr. Goodrich, Clerk
Mr. Vegnani, Ms. Curran and Jim Boudreau, Town Administrator

Ms. Canfield, Vice Chair, participated via remote participation as did Cindy Amara, Town Counsel.

EXECUTIVE SESSION

To consider the purchase, exchange, lease or value of real property - 0 Border Street

The Board voted to enter into Executive Session at 10:23 PM and will not reconvene.

Move that the Select Board go into executive session pursuant to purpose 6 of the Open Meeting Law to consider the purchase, exchange, lease or value of real properties, known as 0 *Border Street*, and we declare that an open meeting may have a detrimental effect on the negotiating position of the Board in connection with this matter. The board will not reconvene in open session.

This requires a roll call vote.

Motion by: Ms. Curran

Second by: Mr. Goodrich

Roll call vote:

Ms. Connolly yes

Ms. Canfield yes

Mr. Goodrich yes

Mr. Vegnani yes

Ms. Curran yes

Unanimous (5-0)

The offer on the east fields is accepted by the seller and they notified the town as we have first right of refusal. Contingency offer is that the buyer needs approval for six lots. Town Counsel has the opinion that it's not a bona fide offer because it has a contingency. Cindy Amara, Town Counsel asked if the board has any interest.

Mr. Boudreau said we have the following options:

1. Counsel informs seller this isn't a bona fide offer, and we're not doing anything, we're not required to.
2. Counsel exercises first right of refusal, or declines offer.
3. We give to a 3rd party to exercise on town's behalf.

Ms. Amara noted that the issue isn't the price, it's the contingency that makes it not a bona fide offer. The question is whether the town has any interest in purchasing property. If not, waive the right of first refusal.

Mr. Boudreau said the current owners could take the property out of 61A, pay roll back taxes, and then move forward with whatever they want. The price is 2.3 million and we would have to get approval at Special Town Meeting, using CPC money, and then what happens if another property comes along that is of interest. Mr. Boudreau noted there could be other properties that we miss out on, for example The Barker Tavern is on the market for 3 million.

Ms. Connolly fears that our current deal with Mordecai Lincoln could fall apart as we don't have a signed P&S yet.

Mr. Vegnani says the bigger issue is why do want to buy this land? Is it terrible that 6 homes are going in which is relevant in that area?

Ms. Canfield said we bought the Sunset Rd. property so we had a valuable vista. Ms. Canfield said that the field is a scenic way, and is the only agricultural vista in the community. She feels this is a special and unique property and needs special consideration. The private fundraising group could come up with funds. She does not want to waive her rights.

Ms. Curran said we need to preserve the integrity of the town. The more we tear down we start to look like an inland community. If we can, we should prevent six homes in a fiscally responsible way.

Ms. Amara asked if the Board thinks they would have Town Meeting support. They feel most likely, but if not, it is what it is.

Mr. Boudreau said Cohasset isn't too interested because the property next to the river is protected and this land is across the street. We need to be cautious of our sewer discussion with them because they want to sewer Border St. If we tell them it's not a bona fide offer, they could then get an offer for 25 houses.

Move that the Board vote to have Town Counsel direct a letter to the seller that we don't believe they have a bona fide offer, therefore time limits under 61A have not been initiated at this time. We will wait until a bona fide offer is received to act on this property.

Motion By: Ms. Curran Second By: Ms. Canfield

Roll Call Vote

Ms. Connolly yes

Ms. Canfield yes

Mr. Goodrich yes

Mr. Vegnani yes

Ms. Curran yes

Unanimous (5-0)

Move to adjourn the Executive Session at 10:53 PM and not reconvene in open session.

Motion by Ms. Curran Second By: Mr. Goodrich

Roll call vote

Ms. Connolly yes

Ms. Canfield yes

Mr. Goodrich yes

Mr. Vegnani yes

Ms. Curran yes

Unanimous (5-0)

Respectfully Submitted,

Michele Seghezzi, Recorder

List of Documents for the June 22, 2021 Executive Session Select Board Meeting

- Resident Email, Holly Smith
- Resident Letter, Marjorie and Brian Ebdon, 32 Tanglewood Dr.
- Correspondence Kathleen O'Donnell, Esq. Notice of Intent to Sell – Parcel 6-1-3, 0 Border St.
- Waiver of Rights Under M. G.L. 61A Section 14, 0 Border St.
- Town Counsel explanation of process

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SELECT BOARD

Karen E. Connolly, Chair

Karen B. Canfield, Vice Chair

Andrew Goodrich, Clerk

Maura C. Curran

Tony Vegnani