

IN BOARD OF SUDBURY SELECTMEN

EXECUTIVE SESSION

TUESDAY, AUGUST 4, 2020

VIRTUAL MEETING

Present: Chairman Daniel E. Carty, Vice-Chairman Patricia Brown, Selectman Janie Dretler, Selectman William Schineller, Selectman Jennifer Roberts, Town Manager Henry L. Hayes, Jr., Assistant Town Manager/HR Director Maryanne Bilodeau, Director of Planning and Community Development Adam Duchesneau, Environmental Planner Beth Suedmeyer, Town Counsel Lee Smith and Recording Secretary Deb Takacs

Executive Session

The statutory requirements as to notice having been complied with, the meeting was convened at approximately 5:30 p.m.

Chairman Carty called the meeting to order, with confirmed attendance and each person was alone: Carty-aye, Brown-aye, Dretler-aye, Roberts-aye, Schineller-aye, Duchesneau-aye, Suedmeyer-aye, Smith-aye, Hayes-aye and Takacs-aye

Open in regular session and immediately vote to enter executive session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (proposed Eversource transmission line), pursuant to General Laws chapter 30A, §21(a)(3).

Continue in executive session to discuss the purchase, exchange, lease or value of real property and that the chair declare that an open meeting may have a detrimental effect on the negotiating position of the body. Also discuss strategy relative to litigation and that the chair declare that an open meeting may have a detrimental effect on the litigating position of the body. And to meet with Legal Counsel (Lampke Law LLC) and obtain legal advice relative to same.

Present: Daniel Lampke and James Lampke, Attorneys from Lampke Law LLC

Chairman Carty confirmed the attendance and each person was alone for the purposes of the presented agenda item: Daniel Lampke-aye, James Lampke-aye

Vice-Chair Brown stated that the current LSRHS agreement did not guarantee representation by Sudbury or Lincoln and inquired about the legal obligation to the Town of Lincoln.

Vice-Chair Brown stressed the three areas that Lampke Law, LLC might clarify:

- Representation not guaranteed
- The responsibility for vocational education
- Related timeline of the district budget

Selectman Schineller inquired about the process if changes were made to the LSRHS Agreement.

Attorney James Lampke responded that under the current conditions of the Agreement, change can be initiated by BOS or the School Committee. He suggested the Board ask the Lincoln Board of Selectmen and School Committee if they have issue with the present agreement. Vice-Chair Brown responded it would be likely the

members of the Lincoln Board of the Selectmen and School Committee would indicate they had not problems with the existing Agreement.

Attorney James Lampke suggested that he could draft a letter to the Lincoln School Committee/BOS asking about the compliance aspects of the Agreement and the scheduling of Lincoln Town Meetings. He also requested reaching out to MA DESE (Department of Elementary and Secondary Education). He also recommended that an accountant compile a list of numbers to determine if an alternate agreement would be financially beneficial for the Town. Vice-Chair Brown stated that she would compile such a list.

Chair Carty stated that Attorneys James and Daniel Lampke follow-up with the Board in Executive Session.

Attorney James Lampke recommended that the Board submit their related concerns/questions to Town Manager Hayes.

Town Manager Hayes expressed his interest in the vocational education piece.

Selectman Roberts stated that she would like to discuss the questions/concerns with other Board members before meeting with the attorneys again.

Vice-Chair Brown maintained that all related communication would go through Town Manager Hayes.

Continue in executive session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, pursuant to General Laws chapter 30A, §21(a)(exception 6) with respect to the Sudbury portion of the CSX rail corridor.

Also to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Minutes – December 3, 2019

Selectman Dretler moved to approve the executive session minutes of December 3, 2019 as amended. Vice-Chair Brown seconded the motion.

It was on motion, 5-0; Dretler-aye, Roberts-aye, Brown-aye, Schineller-aye, Carty-aye

VOTED: To approve the executive session minutes of December 3, 2019 as amended.

Town Manager Hayes noted that the power at LSRHS was out due to storms.

Vote to close executive session and resume open session

Chair Carty motioned to close executive session and resume in open session. Vice-Chair Brown seconded the motion

It was on motion, 5-0; Brown-aye, Schineller-aye, Dretler-aye, Roberts-aye, Carty-aye

VOTED: To close executive session and resume in open session.

There being no further business, executive session was adjourned at approximately 6:54 p.m.