

Select Board  
Executive Session Meeting Minutes  
Thursday, June 8, 2023  
Stow Town Building

Present in the Warren Room: Cortni Frecha, Megan Birch-McMichael, Hector Constantzos, John Toole, Ingeborg Hegemann Clark, and Town Administrator Denise Dembkoski

At 5:00p.m. Ms. Hegemann Clark moved to enter into Executive pursuant to MGL c. 30A, Section 21 (a) (3) for the purpose of discussing strategy with respect to litigation (Stow v. Howard Stein Hudson) – Votes may be taken, and pursuant to MGL c. 30A, Section 21 (a) (3) for the purpose of discussing strategy with respect to litigation (Commonwealth v. Pamela Landry) – Votes may be taken, and pursuant to MGL c. 30A, Section 21 (a) (3) for the purpose of discussing strategy with respect to collective bargaining as the Chair has determined that an open meeting may have a detrimental effect on the negotiating position of the public body with regards to these matters – Votes may be taken, and pursuant to MGL Chapter 30A, 21 (a) (7) to review and vote on Executive Session minutes per MGL Chapter 30A, sections 22(f), (g) for the meetings on February 14, 2023, and March 27, 2023.

Ms. Birch-McMichael seconded the motion, and it was unanimously approved on a roll call vote.

Discussing strategy with respect to litigation (Stow v. Howard Stein Hudson):

Attorney Rick Holland, Town Counsel joined the meeting via Zoom

Attorney Holland discussed the settlement agreement negotiated with HSH. He outlined the terms of the agreement and discussed the final settlement that has been accepted for just over \$1M. Attorney Holland stated that there is no non-disparagement clause, however, it's probably in everyone's best interest to just move forward and not focus on what happened in the past.

Mr. Toole made a motion to accept the settlement payment and settlement agreement as presented between HSH and the Town. Seconded by Ms. Birch-McMichael and it was unanimously approved on a roll call vote.

Attorney Holland left the meeting.

Ms. Dembkoski gave the Board a draft press release on the settlement agreement that will be going out after the agreement is ratified on Tuesday. There were no comments or questions on the release.

Discussing strategy with respect to litigation (Commonwealth v. Pamela Landry):

Ms. Dembkoski gave the Board an update on the case of the former Treasurer/Collector, Pamela Landry. Ms. Dembkoski attended her hearing on Monday, June 5<sup>th</sup> and provided a victim's statement on behalf of the Town. She informed the Board that the judge would only accept a plea deal from Ms. Landry that included a guilty plea. Ms. Landry declined and the matter will now go to a trial. At that time it is expected that a number of employees and former employees would be called as witnesses, and all the evidence, including falsified bank statements would be used as evidence. Ms. Dembkoski will keep the board apprised of the trial information, but plans to attend the trial on behalf of the Town.

Discussing strategy with respect to collective bargaining as the Chair has determined that an open meeting may have a detrimental effect on the negotiating position of the public body with regards to these matters:

Ms. Dembkoski presented the Board a draft of the Collective Bargaining Agreement with the Police Officer's Association. She discussed the changes since the last draft was discussed and that this current agreement is only for one year, as there is not a lot of consensus among union members right now. If there are no concerns, Ms. Dembkoski will add this to Tuesday's agenda to be approved.

To review and vote on Executive Session minutes per MGL Chapter 30A, sections 22(f), (g) for the meetings on February 14, 2023, and March 27, 2023:

Ms. Hegemann Clark made a motion to accept and release the minutes of February 14, 2023, and March 27, 2023. It was seconded by Ms. Birch-McMichael and unanimously approved on a roll call vote.

At 5:40p.m, Ms. Birch-McMichael made a motion to close the Executive Session and adjourn the meeting. The motion was seconded by Mr. Toole and it was unanimously approved on a roll-call vote.

Respectfully submitted,

Denise M. Dembkoski  
Town Administrator