

*SELECT BOARD
EXECUTIVE SESSION MEETING MINUTES
Monday, August 30, 2021
Stow Town Building
380 Great Road
Stow, MA 01775*

ATTENDANCE: Megan Birch-McMichael, Cortni Frecha, James Salvie, and Zack Burns.

ABSENT: Ellen Sturgis

Also in attendance was Town Counsel, George Pucci, and members of the Zoning Board of Appeals, Mark Jones, Ernie Dodd, Bill Byron, Andrew DeMore, David Hartnagel, and Lenny Golder. Lori Clark, Planning Board Chair participated via Zoom.

Select Board Member Salvie made a motion to convene in Executive Session, pursuant to MGL Chapter 30A, Sec. 21 (a) (3) for the purpose of discussing strategy with respect to ongoing litigation with the Collings Foundation and votes may be taken. The motion was seconded by Member Frecha and it was unanimously approved on a roll call vote.

With the absence of the Chair, Clerk Birch-McMichael assumed the role of Chair at the meeting and announced that the meeting was being recorded only for the purpose of producing the minutes.

Chair Birch-McMichael opened the meeting with setting some ground rules. She articulated that she'd like the meeting kept to an hour, and although the Zoning Board is the defendant in the case, the Select Board are the fiduciary role when it comes to litigation and it is ultimately their decision that will go forward.

The Chair then turned the meeting over to Attorney Pucci to present the facts and his recommendations on the case.

Chair Birch-McMichael asked Mr. Jones if he had anything he wanted to add to the discussion. Mr. Jones touched on a few topics, and then deferred to Ms. Clark to weigh-in on the discussion.

The parties discussed with Counsel how the existing settlement with the Collings Foundation impacts this ongoing case. Additionally, the group discussed the overall concerns about the airfield and possible settlement items that could be proposed.

Chair Birch-McMichael asked the Select Board members if they had questions for counsel, the ZBA, or the Planning Board. SB Members then had the opportunity to ask their questions and gather the information they needed to make their decision.

The Board members also discussed who would participate in the mediation with Town Counsel and it was decided that it would be the Town Administrator and Town Planner that would attend on behalf of the Town.

Member Salvie made a motion to direct town counsel to enter into mediation on the Collings Foundation litigation and to keep the Board apprised of the results thereof. Seconded by Member Frecha. The motion was unanimously approved on a roll call vote.

Member Salvie made a motion to adjourn at 7:59pm, seconded by Member Frecha. The motion was approved on a roll call vote.

Respectfully submitted,
Denise M. Dembkoski
Town Administrator