

**BOARD OF SELECTMEN
EXECUTIVE SESSION
FEBRUARY 14, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 8:20 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA , under MGL Chapter 39, S. 23B #3 Litigation and under MGL Chapter 39, S. 23B #6 Land Acquisition--not to return to open session. **Present:** Messrs. Collins, Boucher, Mellor, and Ampagoomian.

Also present: Michael J. Coughlin, Jr., Town Manager

The Selectmen met to discuss strategy with respect to the upcoming mediation involving the settlement of claims related to the construction of the new High School. The Board reached a consensus that Selectman Montecalvo should attend the mediation along with David Morrow, Vice Chairman - Building, Planning & Construction Committee. The principal concern of the Board of Selectmen was to reach a settlement that would deliver both the athletic fields to the citizens of Northbridge as well as to deal with the drainage issues associated with that project.

Next, Town Manager Coughlin briefed the Selectmen as to the status of issues relative to the purchase of the Puccio property. The Board agreed that the proposal should be brought before the Fall Annual Town Meeting as opposed to the upcoming Spring Town Meeting. Although related to the overall proposal, Mr. Coughlin outlined a new proposal, which would allow the Town of Northbridge to take possession of land that would be an ideal site for a new Fire Station at no cost to the Town.

The Board also discussed the report drafted by the Town Attorney regarding his inquiry into the collection of delinquent taxes. The Board issued unanimous guidance to the Town Manager that the issue should be referred to the Ethics Commission for review of the legal conclusions rendered by the Town Attorney in his January 21, 2005 report.

Executive Session Adjourned: 8:50 PM

Respectfully submitted,

Robert M. Mellor, Clerk

s/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
MARCH 28, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 7:50 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA , under MGL Chapter 39, S. 23B #3 Litigation and under MGL Chapter 39, S. 23B #3 Litigation [Joint Meeting with Building, Planning & Construction Committee]--not to return to open session. **Present:** Messrs. Collins, Boucher, Mellor, and Ampagoomian.

Also present: Michael J. Coughlin, Jr., Town Manager

Town Manager Coughlin updated the Board with respect to the State Inspection of Town Hall by the Architectural Access Board [AAB]. He reminded Board members that politics was behind the call to the State AAB and that the people who called in the State were looking to have a push button installed at the main entrance to Town Hall, however, the AAB said it was not required **but** that a handicapped accessible bathroom on the ground floor of Town Hall was. On that note, Mr. Coughlin explained that back in 1998, the Town was mandated by the AAB to put in handicapped accessible bathrooms though Northbridge was granted a one-year extension to comply with the order. He also remarked that he couldn't understand why the issue was never appealed.

Continuing, Mr. Coughlin advised that the Building Inspector also called the State AAB who indicated that the Town would not be fined as the Town was making progress toward the findings contained in the AAB's report. The Town Manager pointed out that an article has been placed on the Spring Annual Town Meeting Warrant relative to the installation of a unisex handicapped accessible bathroom. Chairman Montecalvo asked why that project couldn't wait until the Fall Annual Town Meeting and Mr. Coughlin responded that the State would more than likely hit the Town with large fines—better to move forward on June 7th.

In addition to his previous comments, Town Manager Coughlin mentioned that unfortunately the AAB was given a lot of misinformation by the person(s) who called the State in the first place. However, Linda Bock, Telegram & Gazette reporter, wrote and explained the entire issue to the AAB, informing them of the political climate in Northbridge and suggested that the State come back and take another look for themselves.

Selectman Boucher asked what has been done thus far relative to the findings by the State AAB and Mr. Coughlin answered that several issues have been resolved, i.e. chair removed from bathroom, and the main entrance door pressure has been adjusted.

8:10 PM – Joint Executive Session with Building, Planning & Construction Committee.

Present: David Morrow, Faith Lane , and Attorney Ed Vena [Vena, Riley, and Deptula]. With respect to the High School Litigation, Attorney Vena announced that mediation with Judge James Ryan would take place on April 7th at One Beacon Street, Boston, MA. When asked who would attend on behalf of the Town, Chairman Montecalvo [BOS Rep.] and David Morrow [BPCC Rep.] said they would attend. Continuing, Attorney Vena assured the Board of Selectmen that the Mediator knew the case very well and then provided a brief explanation of how mediation worked. Under normal conditions, Attorney Vena stated that each side would present their case, however, he did not know how much time would be available to do that and suggested that the parties get right into the negotiating process. He further stated that the Town was the plaintiff in this case and therefore the Mediator would ask for demands from the plaintiff first which in the Town's case was just under \$1 million dollars [very aggressive numbers]. **[Ledge: \$242,624.68; Athletic Fields: \$647,507.20; and Infiltration: \$100,000].** On the other hand, Attorney Vena said that the Defendant's claim against the Town was for \$225,000 [Architectural fees], part of which was for additional reimbursement charges, however, he indicated that would be challenged because the contract [which was very clear] did not provide for reimbursement charges. For the record, he noted that at the end of the job the Architect was due to be paid \$32,000, but design flaws began to manifest themselves and that money was not paid. Attorney Vena also pointed out that if the case was settled, the Town would have to pay out the \$32,000. When asked where the \$32,000 was and whether it was still in the BPCC budget, Mr. Morrow stated that the BPCC was relying on money from the settlement to pay it. That being said, Attorney Vena pointed out that Insurance does not offset the settlement—they pay us, we pay them, period—the Town does not pay the Defendant out of the settlement proceeds. Moving ahead, Attorney Vena expressed the fact that it was very important that someone with authorization be present at mediation because they will want to make and seal a deal on April 7th. He also noted that Tappé Associates would be represented by the law firm of Dunham & Needham **[Dolan & Regan??]**—and emphasized

they are very good at what they do. Next, Attorney Vena advised the Board to determine what their goal was with respect to the settlement. He said the case was worth \$200,000 to \$300,000 and strongly recommended that the Selectmen set their goal above that amount. He further reminded the Board that the Town was not the aggressor in this case, that Tappé Associates and Jackson Construction sued and so the Attorneys had to deal with it. Selectmen Ampagoomian then asked the Building, Planning & Construction Committee what they thought about this whole issue. Mr. Morrow replied that Vena, Riley, and Deptula have some great people working on this case. He also mentioned that the BPCC was looking for a settlement in the range of \$400,000 to \$600,000 to get everything done right. In addition, they would like to see the Town get back the \$75,000 they borrowed for legal expenses related to pursuing this case. Selectman Collins concurred and said that he would not accept less than \$500,000.

In closing, Attorney Vena encouraged the Board of Selectmen to call him with **any** questions they may have prior to April 7th and asked those attending the mediation to meet him at 8:30 AM.

Executive Sessions Adjourned: 9:30 PM

Respectfully submitted,

Robert M. Mellor , Clerk

s/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
APRIL 11, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 8:20 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA , under MGL Chapter 39, S. 23B #3 Litigation--not to return to open session. **Present:** Messrs. Collins, Boucher, Mellor, and Ampagoomian.

Also present: Michael J. Coughlin, Jr., Town Manager

Town Manager Coughlin briefed the Board of Selectmen with respect to a complaint filed by the Architectural Access Board [AAB] regarding handicapped compliance in Town Hall. The complaint was filed by the Massachusetts Office of Disability [MOD] after an inspection of Town Hall. The MOD purportedly initiated the inspection after an anonymous phone call they received. Mr. Coughlin then outlined the steps needed to address both the issues and complaint as follows: proper signage, entry door pound pressure, counter height in the Town Clerk's Office, and construction of a handicapped bathroom on the ground floor of Town Hall. That, the Town Manager explained was the motivation behind his request that the Selectmen sponsor Article 12 on the Spring Annual Town Meeting warrant, which would add a handicapped bathroom in the basement of Town Hall.

Executive Sessions Adjourned: 8:35 PM

Respectfully submitted,

Robert M. Mellor, Clerk

s/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
APRIL 25, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 7:55 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA , under MGL Chapter 39, S. 23B #3 Litigation--not to return to open session. **Present:** Messrs. Collins, Mellor, and Ampagoomian. Vice Chairman Timothy L. Boucher was absent and it is duly recorded.

Also present: Michael J. Coughlin, Jr., Town Manager, and members of the Building, Planning & Construction Committee (Faith Lane and George Murray).

Chairman Montecalvo reported that the mediation hearing held a couple weeks ago with respect to the High School, did not go as planned. He stated that the most money the Town was offered was \$300,000. Continuing, the Chairman mentioned that at a meeting with Peter Barbadora--he was very confident that all corrections could be done somewhere between \$400,000 and \$500,000. Mr. Montecalvo advised Mr. Barbadora that if he were comfortable with that scenario, then he would advise the Selectmen of such.

In speaking with the Town's attorney, Chairman Montecalvo told him that the original figure was \$1.3 million [for all corrections to be made] but that the Board agreed to settle for \$600,000. The attorney said fine but it did not go anywhere.

Chairman Montecalvo described the hearing as there being two different lawyers and three different groups involved: the Architect, Landscaper, and one other group. He felt that what happened at the meeting was the groups were fighting amongst themselves about where to place the blame. Therefore, when the \$300,000 was offered to the Town, we said fine, just fix it, however, they would not do that and a deal was not reached.

Chairman Montecalvo explained that in order to save legal fees, the Building, Planning & Construction Committee was trying to accomplish things over the phone—to settle somewhere between \$450,000 and \$500,000. Faith Lane confirmed same.

Chairman Montecalvo further noted that if the case was delayed until 2006, the figure could potentially go higher due to added interest.

At the conclusion of the discussion, Mr. Montecalvo [speaking on behalf of the Board of Selectmen] stated that if the Building, Planning & Construction Committee was sure that the High School project problems could be corrected for \$450,000-\$500,000, then the Board was in agreement.

Executive Session Adjourned: 8:25 PM

Respectfully submitted,

Robert M. Mellor, Clerk

s/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
JUNE 20, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell D. Collins at 9:50 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA , under MGL Chapter 39, S. 23B #3 Litigation--not to return to open session. **Present:** Messrs. Montecalvo, Audette, Davis, and Ampagoomian.

Also present: Michael J. Coughlin, Jr., Town Manager and Attorney Jason Talerman, Kopelman & Paige.

The Board heard from Town Counsel Attorney Jason Talerman on a proposal from the Granite Hill Development Corporation to withdraw their proposed 40B application in favor of an active adult community. There would be no access onto Rumonoski Drive. **[Please see attached Fact Sheet regarding their proposal for additional details.]**

The consensus of the Board was to allow the developer to meet with the neighborhood. As such, the Town will hold off taking legal steps up to and including seeking a Superior Court interpretation of the Town's concerns regarding Mass. Housing's decision to issue site eligibility.

Executive Session adjourned: 10:30 PM

Respectfully submitted,

John A. Davis, Clerk

s/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
JULY 25, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell D. Collins at 8:30 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under MGL Chapter 39, S. 23B #6 – Land Acquisition (Fire Station)--not to return to open session. **Present:** Messrs. Montecalvo, Audette, Davis, and Ampagoomian.

Also present: Michael J. Coughlin, Jr., Town Manager.

The Selectmen discussed the possible conflict of interest with Mr. Ampagoomian and the property in question. No one had a problem with Mr. Ampagoomian taking part in the discussion/vote.

The discussion centered on the potential traffic impact into downtown and the division of the parcel(s) for the fire station and future use for schools. The fire station has band-aids now that must be acted upon. The study done in 2001 looked at this site as well as other parcels with at least 1-2 acres in the town. The Selectmen are looking to keep the new Fire Station in Whitinsville. They continued to discuss what the parcels in that area could be and how they carved it up would determine how many acres each parcel would be. A point was made that swapping things around to get a playground and to keep the children off the main street was a top consideration.

A design for the Fire Station is needed and a future school ~~*on West Street~~ must be considered in that design. The next step would be to get an article on the warrant for the Town Meeting to change the zoning for that parcel(s) of land. A meeting with the various departments is needed to get them on board with the project. Draft proposals on this and West End will be created and then the sign-offs can be acquired. A PowerPoint presentation should be created to present at the Town Meeting, which will help to convince to the town to accept the article at the Town Meeting.

A motion was made and seconded to continue this discussion to the next meeting. Roll Call Vote: Mr. Ampagoomian/Yes, Mr. Davis/Yes, Mr. Audette/Yes, Mr. Montecalvo/Yes, and Mr. Collins/Yes.

Executive Session adjourned: 9:10PM.

Respectfully submitted,

John A. Davis, Clerk

bak/

* At their March 27, 2006 meeting, the Board of Selectmen voted to amend the July 25, 2005 Executive Session minutes as follows: 1) by deleting the words “on West Street” and 2) by deleting the last paragraph that reads: “Next, discussed the payment of a check and when the payment was earned. Was it double payment? She received a flat fee and then requested earned monies for several hours here and several hours there”.

**BOARD OF SELECTMEN
EXECUTIVE SESSION
AUGUST 8, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell D. Collins at 8:25 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under MGL Chapter 39, S. 23B #6 – Land Acquisition (Fire Station)--not to return to open session. **Present:** Messrs. Montecalvo, Audette, Davis, and Ampagoomian.

Also present: Michael J. Coughlin, Jr., Town Manager.

A brief summary was given on where they are at in the process of the land acquisition for the fire station.

The Selectmen met with DEP and found out that DEP has deemed the stockpile not contaminated and the Conservation Commission steadfastly wants the stockpile removed. The soil is fly ash (fill, but not clean fill). The Notice of Intent filed for the spreading of the stockpile has been denied 4 times. Removal of the stockpile was part of the original agreement and it should be upheld.

The discussion continued on the lease agreement and where the soccer field would possibly be located (stockpile area). The next step is that it needs to be put in writing that the Selectmen are willing to acquire the land. A 21E is needed and it should be contingent upon what the 21E results are. The amount of \$75,000 has been estimated for debris removal. The site is for the West End school property and the 99-year lease is for the remaining property.

The Board voted unanimously to adjourn the meeting.

Executive Session adjourned: 9:00PM.

Respectfully submitted,

John A. Davis, Clerk

bak/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
AUGUST 22, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell D. Collins at 9:30 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under MGL Chapter 39, S. 23B #6– Land Acquisition (Fire Station)--not to return to open session. **Present:** Messrs. Montecalvo, Audette, Davis, and Ampagoomian.

Also present: Michael J. Coughlin, Jr., Town Manager, Ed Renaud, and Fire Chief Gary Nestor

The Town Manager briefed the Selectmen on various strategies with respect to a proposal by Mr. Len Jolles to donate or gift a parcel of land to be used as a Fire Station. The land consists of three parcels owned by Mr. Jolles or legal entities controlled by Mr. Jolles. One is the site of the old Water Street Elementary School. The second parcel concerns Water Street itself. The final parcel is land contained a mound fly ash deposited on Mr. Jolles' property during the construction of a warehouse.

*The Board of Selectmen discussed the 2 Fire Stations, a DPW facility, new Middle School, and two roof replacements.

The cost of removing the fly ash was estimated at around \$75,000. There was a discussion over dealing with the fly ash issue as part of the land acquisition negotiations or to leave the issue to be dealt with outside of the negotiations. There was also a discussion over the offer of Heritage Design to donate site design service and environmental review of the property.

Finally, there was a discussion of the plans as it relates to an overall proposal to acquire property owned by the Puccio Brothers and rezoning adjacent property owned by Mr. Jolles. A portion of Mr. Jolles' property would be rezoned and the balance left to provide for the community's future land needs and to provide potential cross-town access between Linwood Avenue and Providence Road to remove congestion from Church Street.

There was further discussion about keeping the separate proposals together or separating them as individual initiatives. There was also a discussion about scheduling a special town meeting after the Annual Town Meeting to deal with these issues. At the conclusion of the discussion, it was left that the Fire Chief would continue to work with Heritage Design.

Executive Session Adjourned: 10:15 PM

Respectfully submitted,

John A. Davis, Clerk

s/

*At their March 27, 2006 meeting, the Board of Selectmen voted to amend the August 22, 2005 Executive Session minutes as follows: by inserting the following information, "The Board of Selectmen discussed the 2 Fire Stations, a DPW facility, new Middle School, and two roof replacements".

**BOARD OF SELECTMEN
EXECUTIVE SESSION
SEPTEMBER 26, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell D. Collins at 8:20 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under MGL Chapter 39, S. 23B #6 – Land Acquisition and under MGL Chapter 39, S. 23B #3 (Litigation – N.H.S. Close Out)—with a possible return to open session. **Present:** Messrs. Montecalvo, Audette, Davis, and Ampagoomian.

Also present: Michael J. Coughlin, Jr., Town Manager.

Under MGL Chapter 39, S. 23B #6 – Land Acquisition:

The Town Manager briefed the Selectmen on matters related to the lease by the School Department of property owned by St. Patrick's Church. The Town Manager relayed to the Board that the lease was legally deficient, in that it was not executed by the Board of Selectmen and the procedures of the Uniform Procurement Act were not adhered to. There was discussion about these issues and the fact that the leasing arrangement was apparently entered into by the Superintendent on his own. The Town Manager informed the Board that the Town could not properly issue payment to St. Patrick's in the amount of \$17,500 without going through the procurement process.

*Selectman Davis excused himself from the Board and left the room during the following discussion.

There was much discussion about the Town approaching the church to acquire the property or renegotiating the lease arrangement. There was also a discussion comparing this issue to a previous leasing arrangement with St. Peter's and the role of the Bishop. The Town Manager would examine the issues with the Town Attorney and Counsel for St. Patrick's.

*Selectman Davis resumed his position on the Board.

Under MGL Chapter 39, S. 23B #3 – Litigation (N.H.S. Close Out):

A second discussion took place concerning the settlement discussion and the strategy the town would take at an upcoming mediation session. Representing the Board at that issue was Selectman Montecalvo. Selectman Montecalvo briefed the Board of the progress of the settlement discussions and that the town's position should be to insist that the playing fields be delivered to the town in the condition promised. There was also a discussion that monies realized by a separate but interrelated settlement concerning a detention basin be utilized to assist in ongoing litigation costs.

A motion/Mr. Montecalvo, seconded/Mr. Ampagoomian to reconvene in open session. Vote yes/Messrs. Audette, Davis, Montecalvo, Ampagoomian, and Collins.

Executive Session Adjourned: 9:18 PM

Respectfully submitted,

John A. Davis, Clerk

s/

*At their March 27, 2006 meeting, the Board voted to amend the September 26, 2005 Executive Session minutes as follows: by inserting the following information, "Selectman Davis excused himself from the Board and left the room during the following discussion" and "Selectman Davis resumed his position on the Board".

**BOARD OF SELECTMEN
EXECUTIVE SESSION
OCTOBER 3, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell Collins at 9:18 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B, #3 – Litigation (N.H.S.) and under M.G.L. Chapter 39, S. 23B #3 – Litigation (Listerud vs. Town) with a possible return to Open Session.

Present: Messrs. Davis, Ampagoomian, Audette, and Montecalvo.

Also present: Michael J. Coughlin, Jr., Town Manager.

Under M.G.L. Chapter 39, S. 23B, #3 – Litigation (N.H.S.):

A settlement discussion took place concerning Northbridge High School. Selectman Montecalvo as the Board's representative to the settlement discussion went over the issues. The discussion concerned efforts at arriving at a settlement that would deliver playing fields to the town in the condition promised and who would be responsible for making the repairs and doing the work.

Under M.G.L. Chapter 39, S. 23B #3 – Litigation (Listerud vs. Town):

A second discussion ensued about an initiative by WS Development to have the Board of Selectmen revoke the Development Agreement previously signed. A discussion proceeded about the settlement of various appeals and that the developer wished to proceed with the project as it was originally approved by the Planning and Zoning Boards as opposed to proceeding with the Development Agreement. There was also a discussion about the future of Zoning Articles passed at the Spring 2004 Town Meeting. The last topic discussed was about a pledge by WS Development to enhance public safety and first response in the Town of Northbridge.

Executive Session Adjourned: 10:25 PM

Respectfully submitted,

John A. Davis, Clerk

s/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
OCTOBER 24, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell Collins at 9:55PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B, #3 – Litigation (N.H.S.) and under M.G.L. Chapter 39, S. 23B #3 – Litigation (JMJ Realty Trust) and they will not be returning to open session.

Present: Messrs. Davis, Ampagoomian, Audette, and Montecalvo.

Also present: Michael J. Coughlin, Jr., Town Manager.

Under M.G.L. Chapter 39, S. 23B, #3 – Litigation (N.H.S.):

Selectman Montecalvo gave an update as to mediation proceedings and discussions to deliver the playing fields to the town. Selectman Montecalvo outlined a proposal where instead of a monetary settlement, the defendants would do the work to repair and reconstruct the playing fields. It was the consensus of the Board that the objective was to deliver the ball fields and that if a settlement could be achieved that empowered the defendants to do that – it would be agreeable. Selectman Montecalvo concluded that the defendants needed time to look into the design engineering and costs of reconstructing the fields and that further discussions would take place at that time.

Under M.G.L. Chapter 39, S. 23B #3 – Litigation (JMJ Realty Trust):

A second discussion took place regarding the settlement of a lawsuit filed by Attorney Henry Lane on behalf of his client JMJ Realty Trust. The case involved a dispute over a conclusion by the former Treasurer/Collector that JMJ owed taxes that needed to be paid to clear title to property. JMJ Realty paid the taxes to the town so that a land acquisition could proceed but then filed suit to recover those taxes. After review by the Town Attorney, it was determined that the position of JMJ Realty was indeed correct and the money should be returned to JMJ Realty Trust. After discussion, the Town Manager was instructed to work with the Town Attorney to bring closure to the matter.

Executive Session Adjourned: 10:45 PM

Respectfully submitted,

John A. Davis, Clerk

s/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
NOVEMBER 7, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell Collins at 9:27 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B, #6 – Land Acquisition [JMJ Realty Trust; Puccio Property; and Leased premises] not to reconvene in Open Session. **Present:** Messrs. Davis, Ampagoomian, Audette, and Montecalvo.

Also present: Michael J. Coughlin, Jr., Town Manager.

Under M.G.L. Chapter 39, S. 23B, #6 –Land Acquisition [JMJ Realty Trust]

Discussion took place relative to the settlement of the lawsuit filed on Mr. Payne's behalf by Attorney Henry Lane.

Under M.G.L. Chapter 39, S. 23B, #6 –Land Acquisition [Puccio Property]

A brief update was given concerning the Puccio/Jolles proposal including when the proposal may be considered by Town Meeting. In light of the action needed to pursue the Middle School and Police Department roofs and in light of site layout prepared by Heritage Design, it was hoped that they would be advanced in a Special Town Meeting in early 2006.

Under M.G.L. Chapter 39, S. 23B, #6 –Land Acquisition [Leased premises]

A discussion ensued about an issue associated with the School Department's lease of St. Patrick's property for the Primary School.

Executive Session adjourned: 9:50 PM

Respectfully submitted,

John A. Davis, Clerk

bak/

**BOARD OF SELECTMEN
EXECUTIVE SESSION
NOVEMBER 21, 2005**

An Executive Session of the Board of Selectmen was called to order by Chairman Russell Collins at 9:30 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B, #6 – Land Acquisition [Leased premises] and under M.G.L. Chapter 39, S. 23B, #3 – Litigation [W/S Development] and will not return to Open Session.

Present: Messrs. Davis, Ampagoomian, Audette, and Montecalvo.

Also present: Michael J. Coughlin, Jr., Town Manager.

A discussion ensued about the strategy with respect to ongoing issues with St. Patrick's Church regarding property leased by the Northbridge School Department. The Town Manager briefed the Board about the legal notice that had to be published in the Central Register in order to comply with MGL 30B. There was also much discussion about the role of the Bishop and the future position of the town. There was a consensus that the Town should proceed with the procurement so that payment could be issued to the Church. There was a concern about how the former Superintendent came up with the values supporting the present lease payment of \$17,500. There was discussion about the position of the Church that they did not want to sell the property to the town and the selectmen went over various long-term approaches to the issue.

A second discussion concerned WS Development and their proposal that the project go forward under the approvals as initially granted by the Planning and Zoning Boards prior to the initiation of lawsuits against the Town as opposed to the Development Agreement drawn up as a response to Zoning Articles passed at the Spring 2004 Town Meeting. There was also further discussion about the WS Development proposals to enhance public safety.

Executive Session Adjourned: 10:10 PM

Respectfully submitted,

John A. Davis, Clerk

s/