

**BOARD OF SELECTMEN
EXECUTIVE SESSION
January 14, 2008**

REDACTED

An Executive Session of the Board of Selectmen was called to order by Chairman William Audette at 10:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Litigation and Negotiations, and M.G.L. Chapter 39, S. 23B #6 (Land) not to reconvene in Open Session. Present: Messrs. Montecalvo, Ampagoomian, Marzec and Davis.

Also Present: Theodore D. Kozak, Town Manager.

M.G.L. Chapter 39, S. 23B, #6 – Land. Present: Fire Chief Gary Nestor.

Town Manager Kozak provided a report concerning the property with the fly ash. He contacted two companies that remove this type of soil, Northbridge Redevelopment Corporation and New England Disposal. Both companies said prior to moving this soil, extensive testing must be done and that the previous testing that was done by the owner [Len Jolles] is not sufficient for a landfill to accept this material. The cost to dispose of the material would range from \$500,000 to \$700,000 depending upon the content of the soil and location. Additionally, it would cost \$200,000 to haul the material to a landfill site. Based on this information, to accept this property would be a potential financial liability to the Town and the manager recommends we look for another site. The Fire Chief concurred with this report and the Board of Selectmen discussed other potential sites on where the Fire Station may be located.

M.G.L. Chapter 39, S.23B #3. Executive Session Minutes. Town Manager Kozak asked the Board of Selectmen if they would accept the recommendations of Town Counsel for the release of the redacted Executive Session minutes. After a brief discussion, a motion/Mr. Montecalvo, seconded/Mr. Ampagoomian to release the redacted portions of the Executive Session Minutes as recommended by Town Counsel. Roll Call Vote: Mr. Montecalvo/Yes, Mr. Davis/Yes, Mr. Marzec/Yes, Mr. Ampagoomian/Yes, and Mr. Audette/Yes. Selectman Davis suggested that the Town Manager notify other Boards and Committees that have Executive Session minutes and follow Town Counsel's advice on the release of Executive Session Minutes. The Board agreed to this.

A motion/Mr. Marzec, seconded/Mr. Montecalvo to adjourn the Executive Session meeting and not return to open session. Roll Call Vote: Mr. Montecalvo/Yes, Mr. Davis/Yes, Mr. Marzec/Yes, Mr. Ampagoomian/Yes, and Mr. Audette/Yes.

Meeting Adjourned: 11:10 P.M.

Respectfully submitted,

Joseph J. Montecalvo, Clerk

**BOARD OF SELECTMEN
EXECUTIVE SESSION
March 24, 2008**

RELEASED IN FULL

An Executive Session of the Board of Selectmen was called to order by Chairman William Audette at 6:03 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Negotiations and to reconvene in Open Session. Present: Messrs. Montecalvo, Ampagoomian, Marzec and Davis.

Also Present: Theodore D. Kozak, Town Manager.

M.G.L. Chapter 39, S. 23B, #3 – Negotiations. Present: Cable Committee Members: Sharron Ampagoomian - Chairman, Ronald Guillaume, David Miedema, Jerry Bagdasarian and Steven Holm. Attorney Bill August, Epstein and August, LLP.

Attorney August reviewed the details of the cable license renewal contract. Mr. Guillaume pointed out the major points of the contract. The Cable Committee members asked various questions and mentioned they would allow follow-up questions during the public hearing to be held during the Board's regular open session this evening.

Executive Session adjourned: 7:00 P.M.

Open Session reconvened: 7:02 P.M.

Open Session adjourned: 9:39 P.M.

Executive Session Reconvened: 9:45 P.M.

M.G.L. Chapter 39, S. 23B, #3 – Negotiations. Town Manager's Contract.

A discussion took place on Town Manager Kozak's salary. A motion/Mr. Montecalvo, seconded/Mr. Davis to increase the Town Manager's salary by 4%, retroactive to February 4, 2008. Vote yes/Unanimous. A motion/Mr. Davis, seconded/Mr. Marzec to extend the Town Manager's contract to June 30, 2011. Vote yes/Messrs. Montecalvo, Davis, Marzec and Audette. Vote no/Mr. Ampagoomian.

A motion was made and seconded to adjourn the Executive Session and not return to open session. Roll Call Vote: Mr. Montecalvo/Yes, Mr. Davis/Yes, Mr. Marzec/Yes, Mr. Ampagoomian/Yes and Mr. Audette/Yes.

Meeting Adjourned: 10:00 P.M.

Respectfully submitted,

Joseph J. Montecalvo, Clerk

**BOARD OF SELECTMEN
EXECUTIVE SESSION
April 14, 2008**

REDACTED

An Executive Session of the Board of Selectmen was called to order by Chairman William Audette at 6:16 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Litigation and Negotiations and to reconvene in Open Session. Present: Messrs. Montecalvo, Ampagoomian, Marzec and Davis.

Also Present: Theodore D. Kozak, Town Manager.

M.G.L. Chapter 39, S. 23B, #3 – Contract Negotiations. Town Manager Kozak provided an overview of the Police and Fire negotiations that are currently underway.

A motion/Mr. Davis, seconded/Mr. Marzec to adjourn the Executive Session and return to open session. Roll Call Vote: Mr. Montecalvo/Yes, Mr. Davis/Yes, Mr. Marzec/Yes, Mr. Ampagoomian/Yes and Mr. Audette/Yes.

Executive Session adjourned: 6:50 P.M.

Respectfully submitted,

Joseph J. Montecalvo, Clerk

/dmg

*per Board of Selectmen's review and vote of November 9, 2015


James Athanas, Clerk

**BOARD OF SELECTMEN
EXECUTIVE SESSION
May 19, 2008**

REDACTED

An Executive Session of the Board of Selectmen was called to order by Chairman William Audette at 6:33 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Litigation and Negotiations and to reconvene in Open Session. Present: Messrs. Montecalvo, Ampagoomian, Marzec and Davis.

Also Present: Theodore D. Kozak, Town Manager.

M.G.L. Chapter 39, S. 23B, #3 – Litigation. Francine O'Brien vs. Town of Northbridge. Present: Director of Public Works Richard Sasseville. Town Manager Kozak mentioned he received notice that a decision from the Commonwealth of Massachusetts, County of Worcester, (Superior Court) on the O'Brien case. The judgment was for \$45,000, which will come from the Sewer Enterprise Fund [Edgemere Sewer Project].

M.G.L. Chapter 39, S. 23B, #3 – Litigation. St. Patrick's Church Lease. Town Manager Kozak mentioned this is not resolved yet and the current lease increases \$2,500 per year. Still needs to be negotiated by School Committee and Town Manager (Procurement Officer).

Chairman Audette recused himself from this discussion and left the room.

M.G.L. Chapter 39, S. 23B, #3 – Retirees Health Insurance. The Town was notified by the Collective Bargaining Units that the retiree's contribution to their health insurance will increase 5% for the next three fiscal years.

A motion/Mr. Davis, seconded/Mr. Montecalvo to adjourn the Executive Session and return to open session. Roll Call Vote: Mr. Montecalvo/Yes, Mr. Davis/Yes, Mr. Marzec/Yes, Mr. Ampagoomian/Yes and Mr. Audette/Yes.

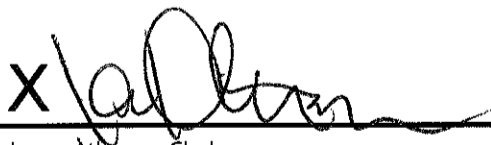
Executive Session adjourned: 6:50 P.M.

Respectfully submitted,

Joseph J. Montecalvo, Clerk

/dmg

*per Board of Selectmen's review and vote of November 9, 2015


James Athanas, Clerk

**BOARD OF SELECTMEN
EXECUTIVE SESSION
June 23, 2008**

RELEASED IN FULL

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph Montecalvo at 6:30 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Litigation and Negotiations and to reconvene in Open Session. Present: Messrs. Ampagoomian, Melia, and Nolan. Selectman Marzec was absent and is duly noted.

Also Present: Theodore D. Kozak, Town Manager; Mary Contino, Chairman Northbridge School Committee; Melissa Walker, Supervisor of Administrative Services, Northbridge Public Schools.

M.G.L. Chapter 39, S. 23B, #3 – Negotiations [St. Patrick's Lease].

Town Manager Kozak stated the current negotiations have arrived at a tentative agreement for a 5-year lease, with an increase of \$500 per annum. The board expressed concern regarding the length of the contract locking us in when we are unable to forecast the enrollment of the school system out that many years. A comparison was made to the situation with the St. Peter's School in Rockdale, and the lawsuit against the town resulting. Chairman Contino stated she did not foresee that a new school would be needed, planned and built within that 5-year timeframe. When asked about the possibility of a drop in enrollment, it was stated that the numbers could be made up with School Choice, as there is a waiting list at the elementary level. Town Manager Kozak was directed to re-approach Attorney Timothy Wickstrom to negotiate the agreement with the escape clause or a 3-year term if possible. A request was also made for additional information regarding the modular classrooms, and specific numbers regarding the use and enrollment at the school. It was stated that the Board of Selectmen/Town Manager had negotiated thus far, but the article passed at Town Meeting allowed for either the Board of Selectmen and/or School Committee to sign the lease.

A motion/Mr. Melia, seconded/Mr. Ampagoomian to adjourn the Executive Session and return to open session. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Nolan/Yes, and Mr. Montecalvo/Yes.

Executive Session adjourned: 6:55 PM.

Respectfully submitted,

Daniel J. Nolan, Clerk

**BOARD OF SELECTMEN
EXECUTIVE SESSION
August 11, 2008**

REDACTED

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 8:03 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Litigation and to not reconvene in Open Session. Present: Messrs. Ampagoomian, Marzec, Melia and Nolan. **Also Present:** Theodore D. Kozak, Town Manager.

Additionally, a discussion regarding Mr. Davis' request to release executive session minutes ensued. A memo of Kopelman & Paige's opinion was reviewed and discussed with that opinion being that release of minutes, which specifically address negotiation strategies, may allow for future negotiations to be impacted. It was brought up that the minutes had been released up to 3/06 already and were on file with the clerk's office. Selectman will have to go through minutes not yet released and individually see which ones can be released. The Board took no further action on this issue.

A motion/Mr. Marzec, seconded/Mr. Ampagoomian to adjourn the Executive Session. Roll Call Vote: Mr. Marzec/Yes, Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Nolan/Yes, and Mr. Montecalvo/Yes.

Executive Session adjourned: 8:25 PM.

Respectfully submitted,

Daniel J. Nolan, Clerk

**BOARD OF SELECTMEN
EXECUTIVE SESSION
September 15, 2008**

REDACTED

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 8:04 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #2 Disciplinary Issue and M.G.L. Chapter 39, S. 23B #3 Litigation, and not reconvene in Open Session. Present: Messrs. Ampagoomian, Marzec, Melia and Nolan. Also Present: Theodore D. Kozak, Town Manager.

Update on the Ken Couture case – The town's insurance company legal representative has issued summary Judgment for the case but has not received a reply from the court; they will keep us abreast if anything new develops.

The board was updated on a claim received today from lawyers representing Mr. Maynard, a previous employee of the Northbridge Fire Department. Selectman Ampagoomian asks if all information collected in the investigation had been given to the town's insurance company.

An update on the J. A. Taylor case was presented by Mr. Kozak, stating our legal representative will prepare and submit a brief on their appeal for the Town (Planning Board declined, developer appealed).

In the Zywiec case, our legal representative filed an appeal on the decision to allow an additional building lot because the judge's decision was not germane to the past case law.

Pulte Homes is appealing the Planning Board's refusal to release building lots in their development.

A motion/Mr. Marzec, seconded/Mr. Ampagoomian to adjourn the Executive Session. Roll Call Vote: Mr. Marzec/Yes, Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Nolan/Yes, and Mr. Montecalvo/Yes.

Executive Session Adjourned: 8:25 PM.

Respectfully submitted,



Daniel Nolan, Clerk

/dmg

**BOARD OF SELECTMEN
EXECUTIVE SESSION
December 22, 2008**

REDACTED

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 8:25 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Negotiations, and not to reconvene in Open Session. Present: Messrs. Ampagoomian, Marzec, Melia, Nolan and Montecalvo. Also Present: Theodore D. Kozak, Town Manager.

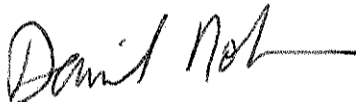
He also stated that the Fire Department negotiations are currently going to be with mediation, but no date set yet.

Mr. Kozak brought up the issue of his deferred compensation, as his contract when renewed did not address the issue. The previous contract had it go up \$120 a year, and he felt he would simply carry that policy forward, if the board agreed. No motion made, as this will be voted on in a future open session.

A motion/ Mr. Marzec, seconded/Mr. Ampagoomian to adjourn the executive session. Roll Call Vote: Mr. Marzec/Yes, Mr. Ampagoomian/Yes, Mr. Nolan/Yes, Mr. Melia/Yes, and Mr. Montecalvo/Yes.

Executive Session adjourned: 8:42 PM.

Respectfully submitted,


Daniel J. Nolan, Clerk

/dmg