

EXECUTIVE SESSION MINUTES

2018

**EXECUTIVE SESSION
SELECT BOARD MEETING
February 26, 2018**

The Board went into Executive Session at 9:01pm under Mass General Laws Chapter 30A, Section 21(a), Exception 6.

Chair Harry Brooks, Vice-Chair Dianna Provencher, 2nd Vice-Chair Sandy Wilson, Selectman Doug Belanger, Selectmen Brian Green, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

A motion was made by Mr. Green and seconded by Ms. Provencher to approve the minutes of December 4, 2017. Roll Call: All Ayes. The motion carried unanimously.

Exception #6 – Consider the Purchase, Exchange, Lease or Value of Real Property

The Town has received a letter giving the Town 90 days to exercise their option to purchase the house at Hillcrest for \$100,000. Town Meeting has already authorized this debt and it would likely be folded into the library borrowing. Mr. Brooks asked Mr. Genereux to offer \$50,000 for the property as they did not put work into the building and it's not worth \$100,000 plus the Town must knock it down. Ms. Wilson asked if the owners would be willing to tear it down as they did not maintain the house and never tied into water or sewer. Mr. Belanger noted these ideas could be floated but he doesn't want to lose the option. Mr. Genereux will call Bob Gallo to discuss these options.

A motion was made by Mr. Belanger and seconded by Ms. Provencher to go out of executive session at 9:16pm. Vote by Roll Call: All Ayes. The motion carried unanimously.

**EXECUTIVE SESSION
SELECT BOARD MEETING
March 12, 2018**

The Board went into Executive Session at 9:06pm under Mass General Laws Chapter 30A, Section 21(a), Exceptions 2, 3 and 6.

Chair Harry Brooks, Vice-Chair Dianna Provencher, 2nd Vice-Chair Sandy Wilson, Selectman Doug Belanger, Selectmen Brian Green, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

A motion was made by Mr. Brooks and seconded by Ms. Wilson to approve the minutes of February 26, 2018. Roll Call: All Ayes. The motion carried unanimously.

Exception #2 – Conduct strategy sessions in preparation for negotiations with nonunion personnel

Mr. Genereux discussed the Building Inspector's contract which expires on June 30, 2018. Mr. Taylor states his current contract incorrectly states he work 35 hours per week as he works 32 hours since he has two other jobs. Mr. Taylor stated he was told the Board was happy to have him part time as long as the work gets done. Ms. Wilson noted he has a full-time salary and full benefits and is not a part time employee. Ms. Wilson added he has been stripped of all managerial responsibilities due to conflicts with staff. Mr. Belanger noted the Town should strictly either enforce and document Mr. Taylor's hours at work or not renew his contract. Ms. Wilson felt that Mr. Taylor should document his hours and he should be paid only for those hours worked and if it's less than 20 hours a week he should lose his benefits. Progressive discipline as an option to enforce the current contract was discussed. Mr. Belanger noted he has received complaints from businesses regarding Mr. Taylor's availability for inspections and Mr. Genereux added he has received unsubstantiated reports about Mr. Taylor conducting drive by inspections. Mr. Belanger noted department heads who come and go on their own schedule are killing morale. Mr. Genereux noted he has set stricter parameters for time accountability and the building inspector is not following them. Ms. Wilson suggested if he can't follow the hours required in his current contract then perhaps his next contract could have reduced hours and a reduced salary. The Board requested Mr. Genereux provide salary and hours information from other Towns.

Exception #3 – Discuss strategy with respect to litigation

The Town has requested Context Architecture pay \$22,624 for issues caused during the construction of the Fire & EMS HQ project. Context Architecture claims they are not responsible for these issues. Ms. Wilson noted originally the Architect said this would be no issue and they would simply file a claim with their insurance company. Context then brought in their attorney and bonding agency and stated they were highly insulted by our claim. Mr. Genereux noted the Town can pay Town Counsel to fight in court or decide to not seek the \$22,624 claim. Ms. Wilson stated these are items they dropped the ball on that cost the Town money and came out of the project contingency. Context Architecture is threatening to countersue the Town for \$105,000 plus \$22,000 for their engineering firm GGD should the Town file a claim for the \$22,624. Ms. Wilson noted the Town already asked Context to split the expense and they refused. Ms. Wilson noted the funding used to pay these costs was allocated for the radios at the Station and additional funding will need to be allocated to the project by Town Meeting. The Board authorized Mr. Genereux to have Town Counsel take one more pass at resolving this issue.

Mr. Genereux discussed the cell tower lawsuit. It would cost \$5,000 to \$10,000 to have an expert review and testify on the tower location plus another \$5,000 for Joe Cove to continue to defend the case. Mr.

Belanger felt the Town is close to having the counts thrown out and the neighborhood would be extremely upset if we dropped the case at this point. Mr. Genereux suggested the Town could get a third-party opinion. Mr. Brooks asked if we drop the case does it give the site owner more justification to sue us. Ms. Wilson noted the Town could ask for a settlement whereby there are no further lawsuits against the Town. Mr. Genereux noted the other side would be the fallout from the ZBA and the neighborhood. Mr. Belanger and Ms. Provencher were supportive of having Town Counsel hire the radio frequency engineering expert. Mr. Belanger noted that winning this lawsuit makes it harder to make the case for the subsequent lawsuit against the Board. Mr. Belanger added that if this case is determined to be frivolous the Town has a good case for suing the property owner for damages. Mr. Brooks agreed that the Town should pay for the expert. Mr. Green and Ms. Wilson were opposed to continuing the court case.

Exception 6 - To consider the purchase, exchange, lease or value of real property

The Board discussed the option to purchase the house at Hillcrest. Ms. Wilson noted the Fire Department has said it would be a great house to run drills in but it can't be burnt down. Mr. Genereux noted the Town has a borrowing option of \$100,000 which does not leave any funding to take down the building. The building could be boarded up until there is funding to do so. Mr. Genereux noted that Mr. Gallo refused to reduce the price or tear the house down. The Board, except for Mr. Brooks, was in favor of purchasing the house.

A motion was made by Mr. Belanger and seconded by Ms. Provencher to go out of executive session at 10:16pm. Vote by Roll Call: All Ayes. The motion carried unanimously.

EXECUTIVE SESSION MEETING MINUTES
MARCH 26, 2018 at 6:00pm
TOWN HALL, SELECT BOARD CONFERENCE ROOM

The Board went into Executive Session at 8:41pm under Mass General Laws Chapter 30A, Section 21(a), Exception 7.

Chair Harry Brooks, Vice-Chair Dianna Provencher, 2nd Vice-Chair Sandy Wilson, Selectman Doug Belanger, Selectmen Brian Green, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

A motion was made by Ms. Provencher and seconded by Mr. Belanger to approve the minutes of March 12, 2018. Roll Call: All Ayes

Exception 7 – To comply with or act under the authority of any general or special law

Mr. Genereux discussed contract negotiations with Cultivate regarding the adult use/recreational marijuana host agreement. Mr. Genereux noted Cultivate originally started at 1% of gross sales and the Town was able to get them up to 3% of gross sales based on other area host agreements that have been negotiated to date. The proposed terms include a \$75,000 minimum amount with a \$250,000 ceiling which would require \$8.3 million in sales to hit. The Board felt the agreement should be specific to this location on Main Street and that any new locations would be subject to a new host agreement. The Board was comfortable with the ceiling proposed and noted if Cultivate had a large boon in sales the Town could ask them to help out with community events/projects. Mr. Genereux stated he will work to add the specific location to the agreement and work out a plan where some of the money would come to the Town upfront with the balance due at the end of the fiscal year.

A motion to adjourn was made by Mr. Belanger and seconded by Ms. Wilson at 8:55pm. Roll Call: All Ayes

EXECUTIVE SESSION MEETING MINUTES
MAY 15, 2018 at 6:00pm
TOWN HALL, SELECT BOARD CONFERENCE ROOM

The Board went into Executive Session at 6:00pm under Mass General Laws Chapter 30A, Section 21(a), Exception 7.

Chair Harry Brooks, Vice-Chair Dianna Provencher, 2nd Vice-Chair Sandy Wilson, Selectman Doug Belanger, Selectmen Brian Green, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

Exception 7 - To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements

Mr. Genereux presented two host community agreements with East Coast Organics and Cannassist for a marijuana cultivation and production facility at 88 Huntoon Memorial Highway. Mr. Genereux provided an overview of other host community agreements he had researched and their value. Some agreements are based on a percentage of sales and some are based on a specific dollar amount. Most agreements have a cap of \$200,000 (one agreement had a cap of \$300,000). East Coast Organics was not interested in basing the agreement on a percentage of sales. Mr. Genereux opened the negotiation at \$250,000. The two companies agreed upon \$150,000 each for a total of \$300,000. The \$300,000 is divided 50/50 between cultivation and production from each agreement.

Mr. Genereux expressed concerns that CannAssist may not be a viable legitimate company but noted if they were to back out, the Town would still receive \$150,000 from East Coast Organics for their use of a portion of the building at 88 Huntoon. Mr. Belanger noted that East Coast Organics is representing CannAssist and CannAssist has a location in the Boston area already. This deal would put the vacant Millbrook building back on the tax roles. Mr. Belanger stated he is pleased with the agreements. Mr. Green stated Cultivate is 3,000 square feet and have proposed to expand up to 7,000 square feet and pay up to \$250,000 per year with a floor of \$75,000. Mr. Brooks noted East Coast Organics stated they will be a good neighbor and will give back to the community if sales are high. Mr. Genereux spoke to the difficulty of quantifying impacts to the community and that there are unlikely to be any impacts and Mr. Brooks concurred. Ms. Wilson asked if the facility expands could the fee be renegotiated and made progressive based on the number of square feet they occupy. Mr. Genereux expressed concern that the businesses could walk if the Town pushes the impact fee too far and in five years the Town will have to renegotiate the agreement and can look at their square footage and sales at that time. Mr. Green believes the two businesses want the facility and the Town should negotiate up to \$250,000 per agreement. Mr. Belanger thinks that Mr. Genereux did a great job and got the most he was going to get out of the businesses but the Town could ask the company if they would look at the fee after 3 years. Mr. Genereux noted he already floated the \$250,000 for just the one company (two licenses) and they said \$150,000 and Mr. Genereux refused. Then they explained the second group. Mr. Green believes given the 100,000 square feet the fee should be higher. The Board decided to listen to the businesses in open session.

A motion was made by Ms. Provencher and seconded by Mr. Green at 6:45pm to go out of executive session and resume in open session. Roll Call: All Ayes

EXECUTIVE SESSION MEETING MINUTES
JUNE 11, 2018 AT 6:30PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM

The Board went in to Executive Session at 10:36pm under Mass General Laws 30A, Section 21(a), Exceptions 2 and 7.

Chair Harry Brooks, Vice-Chair Dianna Provencher, 2nd Vice-Chair Sandy Wilson, Selectman Doug Belanger, Selectmen Brian Green, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

Exception 2 – Strategy sessions in preparation for negotiations with nonunion personnel

The Board discussed the proposed one year contract with Building Inspector Jeff Taylor. Mr. Taylor has stated he will work a 32 hour week, conduct his inspections in the morning and start at 8am. Mr. Genereux noted that under State law, the Building Inspector must report directly to the Appointing Authority and can't fall under the DIS Director. Mr. Taylor's hours will be Monday 8-5, Tuesday 8-4, Wednesday 8-4 and Thursday 8-3. There will be a performance review at the end of the contract. Mr. Belanger asked if there was a backup plan and Mr. Genereux responded that we could contract out with another Town for interim services and advertise the permanent position. The Board was generally inclined to not renew the contract. Mr. Genereux noted that there has been a historically permissive culture at Town Hall and although Mr. Taylor has been here 20 years he has not been given direction up to this point. The Board discussed a reduction in pay as the proposed hours would go from 35 in the current contract to 32 in the proposed new contract. Mr. Genereux stated he will have further discussions with the Building Inspector and bring this back to the Board.

Exception 7 - To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements

The Board discussed concerns with the cultivation and production facility proposed by Chilly Farms. Mr. Belanger stated they did not seem to have their act together and did not know their numbers. The Board felt they should come back with a better presentation. Mr. Green recommended coming up with a formula by square footage for 7k, 15k and 100k grow host community agreements. The Board was polled and directed the Town Administrator to negotiate a host community agreement with Chilly Farms. All were in favor except Mr. Green.

A motion was made by Mr. Belanger and seconded by Ms. Provencher to go out of executive session at 11:09pm and resume in open session. Roll Call: All Ayes

EXECUTIVE SESSION MEETING MINUTES
JUNE 25, 2018 AT 6:30PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM

The Board went in to Executive Session at 8:48pm under Mass General Laws 30A, Section 21(a), Exceptions 2 and 3.

Chair Dianna Provencher, Vice Chair Sandra Wilson, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

Exception 2 – Strategy sessions in preparation for negotiations with nonunion personnel

The Board discussed the proposed one year contract with Building Inspector Jeff Taylor. Mr. Genereux stated his proposed contract has been reduced to 32 hours and he would go down approximately \$4,000 in pay. Mr. Taylor agreed to the terms of the contract including a revised work schedule and a new termination without cause clause which would require he be given a 30 day notice and three months severance pay. This would require a vote of the Board. This does not apply if Mr. Taylor were to be terminated for cause.

Mr. Genereux also presented a three year contract with Treasurer/Collector Amy Perkins. Mr. Genereux noted while Ms. Perkins is green and there are treasurer/collector duties she has never done like borrowing, he has been bringing her up to speed and feels it is the issues in the office that have delayed her growth. Mr. Genereux noted she needs a greater understanding of insurance and tax title but he is working with her. Mr. Genereux added that Ms. Perkins reconciles cash on a timely basis which Mr. Genereux stated is immeasurably important as many cities and towns do not have monthly cash reconciliations. Ms. Wilson stated that the office is writing checks for betterments to the wrong water and sewer districts and these checks are not coming regularly.

Exception 3 – Discuss strategy with respect to litigation

The Board discussed the Verizon Cell Tower Litigation. Verizon has offered a settlement to put up a 130' pole instead. Town Counsel Joe Cove [REDACTED] but the Zoning Board of Appeals had a public hearing and voted to continue with the lawsuit. [REDACTED]

[REDACTED]. Mr. Genereux noted the Town has spent about \$50,000 on this case to date. The Select Board directs Town Counsel and the Board discussed the pros and cons of continuing with litigation. Mr. Genereux recommended staying the course with one attorney only. A motion was made by Mr. Brooks and seconded by Ms. Provencher to proceed with one attorney. The motion carried 3:2 with Ms. Wilson and Mr. Antanavica casting the opposing votes.

A motion was made by Mr. Brooks and seconded by Ms. Wilson to go out of executive session at 9:37pm and to resume in open session. Roll Call: All Ayes

**EXECUTIVE SESSION MEETING MINUTES
AUGUST 6, 2018 AT 6:30PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

The Board went in to Executive Session at 10:08pm under Mass General Laws 30A, Section 21(a), Exceptions 2 and 3.

Chair Dianna Provencher, Vice Chair Sandra Wilson, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

A motion was made by Ms. Provencher and seconded by Mr. Brooks to approve the executive session minutes of March 26, 2018, May 15, 2018, June 11, 2018 and June 25, 2018. Roll Call: All Ayes.

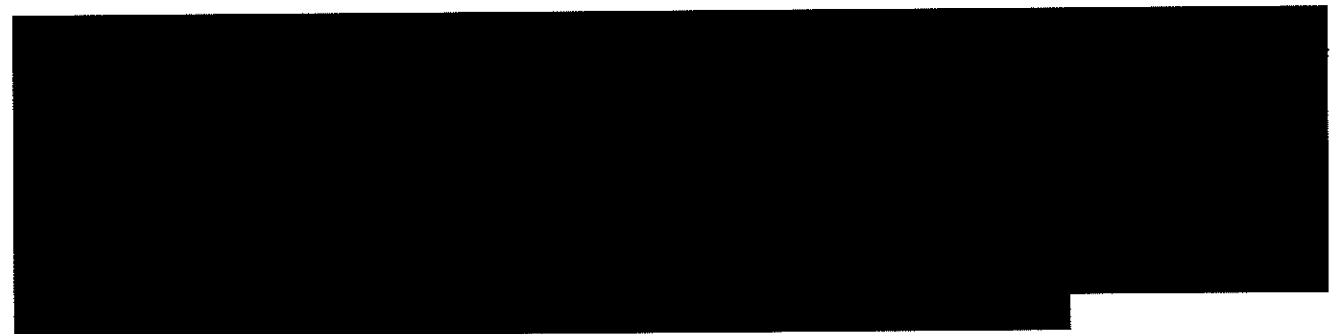
Exception 2 – Strategy sessions in preparation for negotiations with nonunion personnel (DIS Director & Updated Classification & Compensation Plan)

Mr. Genereux outlined the updated classification and compensation plan which is based off a plan developed by Don Jacobs in 2016. He further explained that he updated it with cost of living increases of 4% and broke it into five steps as opposed to the original three. Wage increases were assigned to existing employees based on their experience level and current pay grade with the goal of putting the vast majority of employees at the benchmark or step 3. Mr. Genereux further explained that funds to pay for these increases would need to be raised at the fall Special Town Meeting and that most raises would be effective January 1, 2019.

Mr. Genereux presented a standard three year contract for Development & Inspectional Services Director Michelle Buck at her current salary of \$82,000 per year. The only change to the standard contract was that Ms. Buck requested a 30 day notice instead of a 45 day notice of resignation.

Exception 3 – Discuss strategy with respect to litigation (Verizon Cell Tower Litigation, Builder Systems Inc. Litigation)

The Board discussed the Verizon Cell Tower Litigation. The Town is currently waiting for judgement in the case and has spent approximately \$67,000 to date in legal fees. Mr. Genereux has told Town Counsel Joe Cove he will not pay the last invoice from Isotrope (radio consultant) as they were not used in the court proceedings and he felt the charges were excessive. Mr. Cove stated he would go back and discuss the matter with Isotrope.



A motion was made by Ms. Wilson and seconded by Mr. Brooks to go out of executive session at 11:27pm and to resume in open session. Roll Call: All Ayes

EXECUTIVE SESSION MEETING MINUTES
September 10, 2018 at 6:30pm
TOWN HALL, SELECT BOARD CONFERENCE ROOM

A motion was made by Mr. Brooks and seconded by Ms. Wilson to enter into executive session at 6:30pm under Mass General Laws 30A, Section 21(a), Exception 2. The Chair declared that to discuss these matters in open session would compromise the position of the Town. Roll Call: All Ayes.

Chair Dianna Provencher, Vice Chair Sandra Wilson, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

Exception 2 – Strategy sessions in preparation for negotiations with nonunion personnel

The Board discussed the resignation notices given by the Veterans Service Agenda Tim Hickey and Police Chief Jim Hurley. Mr. Genereux discussed the reasons for the Chief's resignation with him and they were threefold: lack of departmental funding, the rift between the Police Department and Fire/EMS and micromanagement by the Board. This is part of a larger issue of silos between departments, employees in self-defense mode and infighting which Mr. Genereux stated he is working to address. Mr. Genereux expressed concerns that a long-term employee is leaving out of frustration and it is symptomatic of the culture in the Town. Board interference in department issues was discussed along with issues between the Police and Fire Departments and micromanagement by the Board. Departments should be working together to serve the community. The Board discussed appointments to the Board of Fire Engineers.

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to find information on a consulting group to help the board and/or departments to work together and to get designees from Police and Fire to start discussing issues and finding common ground and to look into finding outside Fire Engineers. Under discussion, Ms. Wilson mentioned having someone come in to the Board workshop to give ideas. Mr. Genereux recommended getting a designee from Police and Fire to start discussing the issues and find common ground with the Town Administrator and to possibly form a public safety committee. The Board agreed to discuss this further in open session at the next meeting. Mr. Genereux noted the Board and Town Administration must set the tone and be respectful and also control the audience.

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to send the Chief a letter of support from the Board. Under discussion, Mr. Brooks asked about the contents of the letter of support and Mr. Genereux responded that it would be drafted and sent to all members for their review. Roll Call: All Ayes.

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to go out of executive session at 8:07pm and to resume in open session. Roll Call: All Ayes

A motion to adjourn was made by Mr. Brooks and seconded by Mr. Green at 8:07pm. The motion carried unanimously.

EXECUTIVE SESSION MEETING MINUTES
October 1, 2018 at 6:30pm
TOWN HALL, SELECT BOARD CONFERENCE ROOM

A motion was made by Ms. Wilson and seconded by Mr. Brooks to go into executive session at 6:32pm under Exception 2, to conduct strategy sessions in preparation for negotiations with nonunion personnel (Treasurer/Collector) and Exceptions 3 & 7, to discuss strategy with respect to litigation (Verizon Cell Tower Litigation); meeting with Town Counsel pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss pending litigation in the case of BSI v. Town of Leicester, Civil Action No. 1885CV00985; and to obtain legal advice regarding potential disposition of 1 Paxton Street. The Chair declared that to discuss these matters in open session would compromise the position of the Town. Roll Call: All Ayes

Chair Dianna Provencher, Vice Chair Sandra Wilson, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Council Chris Petrini, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

Executive Session Minutes

A motion was made by Ms. Wilson and seconded by Mr. Antanavica to approve the executive session minutes of August 6, August 16 (adding in 8:15pm as the time the Board went out of executive session), August 27 and September 10. Roll Call: All Ayes

Exception 2 – Strategy sessions in preparation for negotiations with nonunion personnel (Treasurer/Collector)
Mr. Genereux presented a draft agreement with proposed Treasurer/Collector Melanie Rajaniemi. The Board discussed the proposed salary of \$61,610. A motion was made by Mr. Brooks and seconded by Mr. Antanavica to sign the contract with Ms. Rajaniemi subject to a 90 day probationary period. Roll Call: All Ayes

Exceptions 3 & 7 – Discuss strategy with respect to litigation (Verizon Cell Tower Litigation); meeting with Town Counsel pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss pending litigation in the case of BSI v. Town of Leicester, Civil Action No. 1885CV00985; and to obtain legal advice regarding potential disposition of 1 Paxton Street

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Genereux discussed the future of 1 Paxton Street with auctioneer Paul Zekos who looked it over and believes there would be interest if put out to auction. There is a warrant article on Fall Town Meeting to authorize disposition of the property. The warrant article allows for an auction and for the Board to place preservation restrictions on the property. The Board will need to consider the scope of the preservation restriction because the stricter the Town is the less likely they are to get a buyer. Preservation restrictions could include requirements for exterior or interior decor, changes in appearances and limits on uses of the building. Mr. Petrin recommended [REDACTED]

Mr. Genereux discussed the Isotrope bill for the Verizon Cell Tower litigation radio expert. Town Counsel Joe Cove [REDACTED]

A motion was made by Ms. Provencher and seconded by Mr. Green to pay the final Isotrope bill. Roll Call: 3:2:0 (Mr. Brooks and Ms. Wilson were opposed).

A motion to adjourn executive session and resume in open session was made by Mr. Brooks and seconded by Mr. Green at 7:33pm. The motion carried unanimously.

EXECUTIVE SESSION – SELECT BOARD & PLANNING BOARD
OCTOBER 11, 2018 AT 6:30PM
SELECT BOARD CONFERENCE ROOM

Select Board members Dianna Provencher, Sandy Wilson, Brian Green, Rick Antanavica and Harry Brooks were in attendance. Planning Board members Alaa Abusalah, Robin Zwicker, Andrew Kularski, Jason Grimshaw and Sharon Nist were in attendance. Also in attendance were Town Administrator David Genereux, Town Planner/DIS Director Michelle Buck and Assistant to the Town Administrator Kristen Forsberg.

A motion was made by Ms. Provencher and seconded by Ms. Wilson to enter into executive session at 6:34pm for a Meeting with Town Counsel Pursuant to G.L. c. 30A, §21(a)(3),(7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to Discuss Land Use Potential Litigation Matter. Roll Call: All Ayes

Mr. Genereux stated that a property owner on Green Street has put in a bid to receive fill from the South High construction project site in Worcester. The property owner has stated the Green Street property can take up to a million yards of fill. This particular project will generate 80,000 yards of fill which would be 5,000 truck trips into Town. Mr. Genereux noted the property owner has expressed willingness to put up as \$25,000 bond for any damage to Green Street (which was recently paved with new drainage).

Upon learning of this potential project, Mr. Genereux contacted Town Planner to discuss Town Bylaws relative to requiring permits for soil importation, requirements for soil testing, limits on hours of operation, etc. Mr. Genereux stated that soil importation projects bring concerns including truck traffic and water/soil pollution. At this time, the Town does not have any meaningful regulation relative to soil importation.

Town Counsel discussed [REDACTED]

[REDACTED] Mr. Genereux added that any activity that begins prior to the bylaw being enacted would be grandfathered and shielded from this bylaw's regulations. Mr. Antanavica stated that a similar issue came up in the past where soils highly contaminated with arsenic were brought into Town and infiltrated wells in the area. Mr. Genereux noted important things to consider with respect to soil importation projects include the possibility of spillage on town roads, requiring the property owner to hire a Licensed Site Professional (LSP) to test and monitor the incoming soil for contamination, ensuring funds are set aside for damages to any Town property including roadways, traffic control measures (e.g. days and times) and charging a fee per tonnage of imported soil.

The proposed permitting bylaw would not require special permits for soil importation projects under 1000 cubic yards, or 83 truckloads, exempt earth removal/importation for new subdivisions, the installation of specific systems, foundations for new buildings and additions, conservation land and less than 2,000 cubic yards moved around on an owner's property.

Mr. Genereux added that the proposed soil importation project in Town would result in 2-3 years of truck traffic and that DEP only requires testing of 1 in 500 loads. Planning Board Chair Jason Grimshaw expressed concerns for abutters and wells and agreed with putting regulations in place to ensure the safety of the town and quality of abutting land.

Members from both Boards expressed concerns about the process being rushed and not transparent. Adding a second fall town meeting later in the year for this bylaw was discussed after it had been fully vetted through the Planning Board.

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to add the longer Earth Filling Bylaw requiring a special permit process to be added to the October 30, 2018 Special Town Meeting.

Roll call: 8:2:0 (Ms. Provencher and Mr. Kularski were opposed).

A motion to go out of executive session was made by Mr. Brooks and seconded by Mr. Antanavica at 8:11pm. Roll Call: All Ayes

A motion to adjourn was made by Mr. Brooks and seconded by Ms. Provencher at 8:11pm. Roll Call: All Ayes

**EXECUTIVE SESSION – SELECT BOARD & PLANNING BOARD
DECEMBER 10, 2018 AT 6:30PM
SELECT BOARD CONFERENCE ROOM**

Select Board members Dianna Provencher, Sandy Wilson, Brian Green, Rick Antanavica and Harry Brooks were in attendance. Also in attendance were Town Administrator David Genereux, and, representing Town Counsel, Attorney Peter Mello.

A motion was made by Ms. Wilson, seconded by Mr. Green to enter into executive session at 6:34pm for a meeting with Town Counsel Pursuant to under Exceptions 3 & 7 of the Open Meeting Law to meet with Town Counsel pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss pending litigation in the case of BSI v. Town of Leicester, Civil Action No. 1885CV00985, to discuss strategy in preparation for negotiations with nonunion personnel (Senior Center Director, Interim Police Chief and to discuss strategy with respect to collective bargaining (Interim Police Lieutenant). A roll call vote was taken. All board members voted in the affirmative, 5-0-0.

Attorney Mello updated the Board on the status of the BSI case thus far and explained that Context Architecture was now interested in entering into a joint defense and tolling agreement, as subcontractors have filed claims against them, making them a party to the BSI lawsuit. Context has not yet filed an answer to the complaint filed against them. BSI served an answer to the Towns request for documents.

Attorney Mello then explained the conflict waiver letter, regarding Counsel's involvement with ACG in another case. He cited independent counsel Attorney Doneski's letter that opined that the Town could into a joint defense and tolling agreement with ACG and that P&A could represent the Town in this regard. Mr. Brooks made the motion that Mr. Genereux be authorized to sign the conflict waiver letter dated 10/08/18. Seconded by Mr. Green, the motion passed 5-0-0.

Attorney Mello asked the Board to authorize the negotiation of a joint defense and tolling agreement with ACG. A motion was made by Ms. Wilson that the Board authorize Counsel to draft, and Mr. Genereux to sign, a joint defense and tolling agreement with ACG. Seconded by Mr. Brooks, the motion passed 5-0-0.

Attorney Mello than told the Board of a conversation that he had with Mr. Genereux regarding a new development in the BSI case. Mr. Genereux explained that he had been approached by a third party, a resident in Town, who is a respected member of the building/construction community, about reopening a dialog with BSI. The resident claimed to have spoken with the principals at BSI, and they were interested in negotiating a settlement. Attorney Mello stated that the firm could reach out the BSI's attorney to explore the possibility of further negotiations.

Mr. Mello discussed the joint defense and tolling agreement with Context. He stated that the agreement would still leave the Town the ability to pursue Context for damages, and that it would require Context to contribute to the defense of the case with BSI, specifically relating to attorney's fees and gathering of documentation

Attorney Mello suggested that the Board make the authorization to enter into a joint defense and tolling agreement with Context, but forestall action until Counsel determines whether BSI is interested

in re-opening settlement discussions. Mr. Brooks asked if a meeting takes place, who would be attending. Mr. Genereux responded that he and counsel would attend, and a Board member would be welcome as well. After discussion, it was agreed that Ms. Wilson, as the member who was most versed on the project, would also attend. Motion Made by Mr. Brooks, that the Board authorize the Town Administrator to sign the joint defense and tolling agreement with Context, to be held until after the proposed settlement negotiation with BSI. Seconded by Mr. Antanavica, the motion carried 5-0-0.

Mr. Antanavica questioned a long crack running down the center of the apparatus bay of the station, as well as cracks on each wall. Ms. Wilson stated that the warranty was expiring as of today. Mr. Genereux stated that he would contact the Fire Chief to get information and get it to Counsel to ensure that it gets addressed.

Mr. Genereux presented the Board with a proposed contract for the Senior Center Director. Mr. Brooks questioned why there was contract, as Mr. Genereux had previously stated that such contracts were not required. Mr. Genereux responded that the Director was the only department head without a contract, and that while a contract for a senior center director is not required by MGL, the Town has a bylaw that grants contracts to all department heads. The Board agreed to take the contract up in open session later that evening.

Mr. Antanavica announced that he was leaving the room when the next topic of discussion, the Interim Police Chief and Interim Police Lieutenant was presented. After Mr. Antanavica left the room, Mr. Genereux explained to the Board that the positions had been posted, and that resumes were due on Thursday December 13th. Mr. Genereux stated that, as Chief Hurley's retirement is effective December 30, time was of the essence. Mr. Genereux stated that he would do interviews on December 17th, with candidates being brought to the Board at that evening's meeting. He reminded the Board that it previously agreed that the process would be an internal search only, which was supported by Chief Hurley, and the Police supervisory union.

Mr. Brooks questioned why the Board wasn't doing the interviews, to which Mr. Genereux responded that the Board had not followed that process when selecting an Interim Accountant or Interim Treasurer. Mr. Brooks responded that this position was different, and it should occur. Mr. Genereux responded to comments regarding the Town's ability to afford the Lieutenant's position by stating that the pay levels would be lower, and that the Town, by agreement with the supervisor's union, would not be filling the second Sargent's position after internal candidates had been selected through the Civil Service process for the permanent positions. He further explained that there would be no promotions or hiring of new personnel during the interim period. After further discussion, it was agreed that the while the Board would not be doing interviews, they would ask the candidates for the interim positions a few questions before voting on the appointments. Mr. Genereux reminded the Board that their participation would be more robust during the permanent hiring process through the assessment center.

With all executive session business concluded, Ms. Wilson made the motion to adjourn the executive session at 7:24 PM Seconded by Mr. Brooks, the roll call vote was unanimous 4-0-0.

**EXECUTIVE SESSION – SELECT BOARD
DECEMBER 17, 2018 AT 6:30PM
PLANNING BOARD CONFERENCE ROOM (ROOM 3)**

Select Board members Dianna Provencher, Sandy Wilson and Brian Green were in attendance in addition to Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg.

A motion was made by Ms. Wilson and seconded by Mr. Green to enter into executive session at 6:32pm under Mass General Law Chapter 30A, Section 21A Exceptions 2 and 3 to discuss strategy in preparation for negotiations with nonunion personnel (Interim Police Chief), to discuss strategy with respect to collective bargaining (Interim Police Lieutenant) and to review executive session minutes. The Chair declared that to discuss these matters in open session would compromise the position of the Town. Roll Call: 3:0:0 (Mr. Antanavica and Mr. Brooks did not attend executive session).

A motion was made by Ms. Wilson and seconded by Mr. Green to approve the executive session minutes of October 1, 2018 with the following change: add a list of those in attendance. Roll Call: 3:0:0.

A motion was made by Ms. Wilson and seconded by Ms. Provencher to approve the executive session minutes of October 11, 2018 with the following change: vote taken by the Planning Board and Select Board to place the earth filling bylaw on the Fall Town Meeting warrant was taken by roll call and should be reflected as such. Roll Call: 3:0:0.

A motion was made by Mr. Green and seconded by Ms. Wilson to approve the executive session minutes of December 10, 2018. Roll Call: 3:0:0.

Exceptions 2 & 3 – Meeting to discuss strategy in preparation for negotiations with nonunion personnel (Interim Police Chief) and to discuss strategy with respect to collective bargaining (Interim Police Lieutenant)

Mr. Genereux noted both the Interim Chief and Interim Lieutenant positions were posted and he received one resume for each position. Mr. Genereux conducted interviews with Sgt. Ken Antanavica (sole applicant for Interim Chief position) and Sgt. Paul Doray (sole applicant for Interim Lieutenant position). Mr. Genereux stated he negotiated an Interim Police Chief contract with Sgt. Antanavica with a salary of \$120,000 and a termination date of one year from execution of the contract or when a permanent chief is appointed. The Interim Police Chief will not be eligible to receive overtime or detail pay. Mr. Genereux added that while Sergeant Antanavica does not have a degree in criminal justice he meets all of the criteria in the posted position including experience and required certifications. There is specific language in the contract retaining Sgt. Antanavica's current position without losing seniority should he ultimately not become the permanent Chief.

Mr. Genereux stated that there is an MOU with the Police Sergeants union in place that calls for the creation of a lieutenant position and that an existing sergeant is to be promoted to that position. The MOU does not stipulate the pay increase, however, which will require negotiation. Mr. Genereux noted that sergeants get paid 18.5% more than patrolmen and the sergeants are asking that the lieutenant position follow suit (e.g. 18.5% more than the sergeants' pay). If approved, this would put the lieutenant salary at \$89,804 plus stipends, overtime and detail pay, which the lieutenant would remain eligible to receive. All sergeants currently make \$75,000. The sergeants have agreed that with the creation of a lieutenant, there will only be 4, not 5 sergeants. Mr. Genereux informed Sgt. Antanavica and Sgt. Doray that their department budget can't go up with the creation of this position and some funding may need to be given up in the tight FY20 budget.

Mr. Genereux noted he had a lengthy conversation with Sgt. Antanavica regarding institutional change, coordination with the Fire Department, taking a team approach, spreading out responsibilities and creating a path for career advancement by growing internal department staff. Mr. Genereux also discussed budgetary issues and the establishment of a public safety committee consisting of representatives from police, highway and fire to address resident issues.

A motion was made by Ms. Wilson and seconded by Mr. Green to go out of executive session at 7:11pm and to resume in open session. Roll Call: 3:0:0.

**EXECUTIVE SESSION MEETING MINUTES
AUGUST 16, 2018 AT 6:30 PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

The Board went in to Executive Session at 6:36 pm under Mass General Laws 30A, Section 21(a), Exception 3.

Chair Dianna Provencher, Vice Chair Sandra Wilson, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux and Town Counsel Chris Petrini were in attendance.

Exception 3 – Discuss strategy with respect to litigation - Builder Systems, Inc. vs. Town of Leicester

The Board discussed the litigation between Builders Systems Inc. (BSI) and the Town. [REDACTED]

[REDACTED] There was discussion concerning regarding Context's role in the case.

Ms. Wilson discussed the height of the building and its effect on the cost of the project.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The Board then voted on options recommended by Attorney Petrini:

- A motion was made by Mr. Antanavica that we work with the Town's insurer to defend against the suit. Seconded by Mr. Green, the motion carried by roll call 5-0-0.
- A motion was made by Mr. Antanavica that the Town offer BSI return of its liquidated damages, up to \$202,000, in return for assigning the Town's interest in the suit to BSI for action against Context and ACG, in exchange for dismissal with the understanding that town meeting appropriation would be required to fund the settlement. Mr. Genereux recommended that Attorney Petrini be given the latitude to negotiate further if the opportunity was available. Motioned amended by Mr. Antanavica, seconded Mr. Green, the motion carried by roll call 5-0-0.
- A motion was made by Ms. Wilson, that if the settlement offer fails, to authorize Counsel to respond to the BSI complaint and prepare and serve notice of discovery. Ms. Wilson pointed out that the Town was up against the original deadline date for response, to which Attorney Petrini responded that they would obtain an extension. Seconded by Mr. Antanavica, the motion carried by roll call 5-0-0.
- A motion was made by Mr. Antanavica that, if the settlement offer fails, to authorize Counsel to prepare and file a third party complaint against Context, including a claim regarding the issue with the retention ponds. Discussion ensued regarding the ponds and their failure to drain, and whether it was a design issue or construction issue. Seconded by Mr. Green, the motion carried by roll call 5-0-0.

There was discussion on whether to make a motion to file a third party complaint on ACG. The Board made no motion.

A motion was made by Ms. Wilson to go out of executive session at 8:15pm and to resume in open session for the purpose of adjournment. Seconded by Mr. Antanavica, the motion carried by roll call 5-0-0.




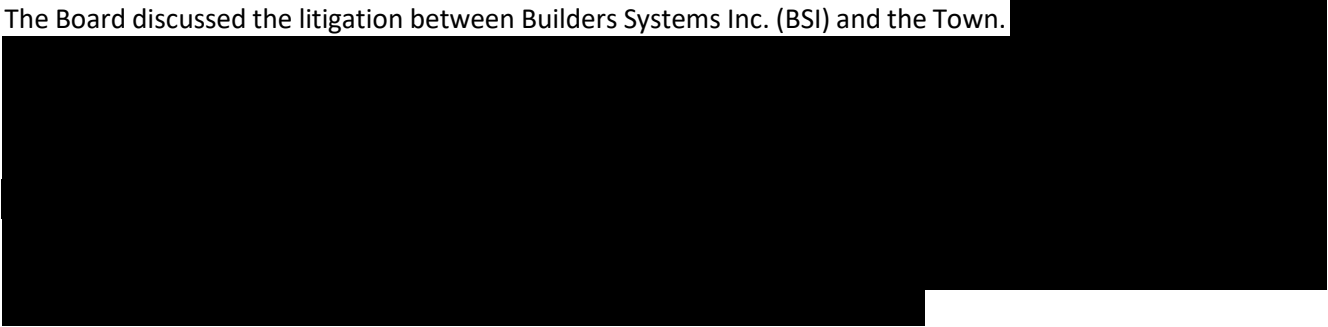
**EXECUTIVE SESSION MEETING MINUTES
AUGUST 27, 2018 AT 6:30PM
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

The Board went in to Executive Session at 6:31 pm under Mass General Laws 30A, Section 21(a), Exception 3.

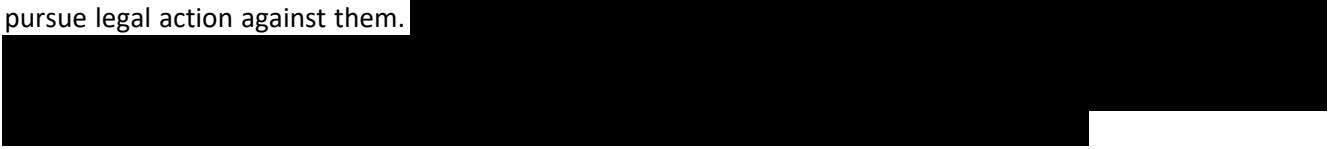
Chair Dianna Provencher, Vice Chair Sandra Wilson, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux and Town Counsel Chris Petrini were in attendance.

Exception 3 – Discuss strategy with respect to litigation - Builder Systems, Inc. vs. Town of Leicester

The Board discussed the litigation between Builders Systems Inc. (BSI) and the Town.



Mr. Antanavica motioned that Attorney Petrini answer and file a counter claim against Context; seconded by Mr. Green. During discussion Ms. Wilson stated that most of BSI's claims were untrue, and that we should pursue legal action against them.



Mr. Brooks asked Ms. Wilson to explain why she believes that BSI's claims have no merit. Ms. Wilson explained that she believed that BSI was responsible for its own issues because they allowed the glacial till on the site to get wet when they delayed site work to October; that their footings contractor quit 2 days into the job; that they underbid the project by \$600,000 compared to the next lowest bidder on a 5.2 million dollar contract; and that they maintained that bid, even when given additional time to withdraw it. Ms. Wilson stated that the Town's only issue was the height of the building that was not brought to ZBA for a variance, at a cost of about 24k.

Mr. Brooks then discussed a settlement of liquidated damages and 20% of the amount claimed by BSI. Ms. Wilson stated that the daily cost the town due to delay was \$1,600 per day, while the liquidated damages were only \$1,000.

At the conclusion of the discussion the Board voted by roll call 5-0-0 to answer the claim and file a countersuit against BSI.

Attorney Petrini then asked the Board for motions and votes on specific actions, to which the Board complied:

Mr. Antanavica motioned to file a countersuit against Context. Seconded by Mr. Green, the motion carried by roll call 5-0-0.

Mr. Brooks motioned that the Town Administrator seek another attorney for an opinion on whether ACG should be brought in as a defendant in the case via countersuit, and to authorize the Town Administrator to expend up to \$5,000 obtaining that opinion. Seconded by Mr. Antanavica, the motion carried by roll call 5-0-0.

Mr. Brooks motioned that the Board retain Arcadis as a consultant at the proposed contract cost. Seconded by Ms. Wilson, the motion carried 5-0-0.

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to go out of executive session at 6:57pm and to resume in open session. Seconded by Mr. Antanavica, the motion carried by roll call 5-0-0.

EXECUTIVE SESSION MEETING MINUTES
October 1, 2018 at 6:30pm
TOWN HALL, SELECT BOARD CONFERENCE ROOM

A motion was made by Ms. Wilson and seconded by Mr. Brooks to go into executive session at 6:32pm under Exception 2, to conduct strategy sessions in preparation for negotiations with nonunion personnel (Treasurer/Collector) and Exceptions 3 & 7, to discuss strategy with respect to litigation (Verizon Cell Tower Litigation); meeting with Town Counsel pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss pending litigation in the case of BSI v. Town of Leicester, Civil Action No. 1885CV00985; and to obtain legal advice regarding potential disposition of 1 Paxton Street. The Chair declared that to discuss these matters in open session would compromise the position of the Town. Roll Call: All Ayes

Chair Dianna Provencher, Vice Chair Sandra Wilson, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Council Chris Petrini, Town Administrator David Genereux and Assistant to the Town Administrator Kristen Forsberg were in attendance.

Executive Session Minutes

A motion was made by Ms. Wilson and seconded by Mr. Antanavica to approve the executive session minutes of August 6, August 16 (adding in 8:15pm as the time the Board went out of executive session), August 27 and September 10. Roll Call: All Ayes

Exception 2 – Strategy sessions in preparation for negotiations with nonunion personnel (Treasurer/Collector)

Mr. Genereux presented a draft agreement with proposed Treasurer/Collector Melanie Rajaniemi. The Board discussed the proposed salary of \$61,610. A motion was made by Mr. Brooks and seconded by Mr. Antanavica to sign the contract with Ms. Rajaniemi subject to a 90 day probationary period. Roll Call: All Ayes

Exceptions 3 & 7 – Discuss strategy with respect to litigation (Verizon Cell Tower Litigation); meeting with Town Counsel pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss pending litigation in the case of BSI v. Town of Leicester, Civil Action No. 1885CV00985; and to obtain legal advice regarding potential disposition of 1 Paxton Street



A motion was made by Mr. Antanavica and seconded by Ms. Wilson to move forward with a strong Joint Defense Agreement that can be terminated by the Town as proposed by Town Counsel. Roll Call: All Ayes.

Mr. Genereux noted that the Town's insurer has denied the public officials liability claim on behalf of the Board in the BSI vs. Town of Leicester lawsuit adding that this was not a surprise but was worth initially pursuing.

Mr. Genereux discussed the future of 1 Paxton Street with auctioneer Paul Zekos who looked it over and believes there would be interest if put out to auction. There is a warrant article on Fall Town Meeting to authorize disposition of the property. The warrant article allows for an auction and for the Board to place preservation restrictions on the property. The Board will need to consider the scope of the preservation restriction because the stricter the Town is the less likely they are to get a buyer. Preservation restrictions could include requirements for exterior or interior decor, changes in appearances and limits on uses of the building. [REDACTED]

[REDACTED] Mr. Brooks stated he did not have issues with changes to the interior but would like the property to remain standing and the outside to remain the same. [REDACTED]

Mr. Genereux discussed the Isotrope bill for the Verizon Cell Tower litigation radio expert. [REDACTED]

A motion was made by Ms. Provencher and seconded by Mr. Green to pay the final Isotrope bill. Roll Call: 3:2:0 (Mr. Brooks and Ms. Wilson were opposed).

A motion to adjourn executive session and resume in open session was made by Mr. Brooks and seconded by Mr. Green at 7:33pm. The motion carried unanimously.

**EXECUTIVE SESSION – SELECT BOARD & PLANNING BOARD
DECEMBER 10, 2018 AT 6:30PM
SELECT BOARD CONFERENCE ROOM**

Select Board members Dianna Provencher, Sandy Wilson, Brian Green, Rick Antanavica and Harry Brooks were in attendance. Also in attendance were Town Administrator David Genereux, and, representing Town Counsel, Attorney Peter Mello.

A motion was made by Ms. Wilson, seconded by Mr. Green to enter into executive session at 6:34pm for a meeting with Town Counsel Pursuant to under Exceptions 3 & 7 of the Open Meeting Law to meet with Town Counsel pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss pending litigation in the case of BSI v. Town of Leicester, Civil Action No. 1885CV00985, to discuss strategy in preparation for negotiations with nonunion personnel (Senior Center Director, Interim Police Chief and to discuss strategy with respect to collective bargaining (Interim Police Lieutenant). A roll call vote was taken. All board members voted in the affirmative, 5-0-0.

[REDACTED]

[REDACTED]

[REDACTED] r. Brooks made the motion that Mr. Genereux be authorized to sign the conflict waiver letter dated 10/08/18. Seconded by Mr. Green, the motion passed 5-0-0.

[REDACTED]

[REDACTED] A motion was made by Ms. Wilson that the Board authorize Counsel to draft, and Mr. Genereux to sign, a joint defense and tolling agreement with ACG. Seconded by Mr. Brooks, the motion passed 5-0-0.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Motion Made by Mr. Brooks, that the Board authorize the Town Administrator to sign the joint defense and tolling agreement with Context, to be held until after the proposed settlement negotiation with BSI. Seconded by Mr. Antanavica, the motion carried 5-0-0.

Mr. Antanavica questioned a long crack running down the center of the apparatus bay of the station, as well as cracks on each wall. Ms. Wilson stated that the warranty was expiring as of today. Mr. Genereux stated that he would contact the Fire Chief to get information and get it to Counsel to ensure that it gets addressed.

Mr. Genereux presented the Board with a proposed contract for the Senior Center Director. Mr. Brooks questioned why there was contract, as Mr. Genereux had previously stated that such contracts were not required. Mr. Genereux responded that the Director was the only department head without a contract, and that while a contract for a senior center director is not required by MGL, the Town has a bylaw that grants contracts to all department heads. The Board agreed to take the contract up in open session later that evening.

Mr. Antanavica announced that he was leaving the room when the next topic of discussion, the Interim Police Chief and Interim Police Lieutenant was presented. After Mr. Antanavica left the room, Mr. Genereux explained to the Board that the positions had been posted, and that resumes were due on Thursday December 13th. Mr. Genereux stated that, as Chief Hurley's retirement is effective December 30, time was of the essence. Mr. Genereux stated that he would do interviews on December 17th, with candidates being brought to the Board at that evening's meeting. He reminded the Board that it previously agreed that the process would be an internal search only, which was supported by Chief Hurley, and the Police supervisory union.

Mr. Brooks questioned why the Board wasn't doing the interviews, to which Mr. Genereux responded that the Board had not followed that process when selecting an Interim Accountant or Interim Treasurer. Mr. Brooks responded that this position was different, and it should occur. Mr. Genereux responded to comments regarding the Town's ability to afford the Lieutenant's position by stating that the pay levels would be lower, and that the Town, by agreement with the supervisor's union, would not be filling the second Sargent's position after internal candidates had been selected through the Civil Service process for the permanent positions. He further explained that there would be no promotions or hiring of new personnel during the interim period. After further discussion, it was agreed that the while the Board would not be doing interviews, they would ask the candidates for the interim positions a few questions before voting on the appointments. Mr. Genereux reminded the Board that their participation would be more robust during the permanent hiring process through the assessment center.

With all executive session business concluded, Ms. Wilson made the motion to adjourn the executive session at 7:24 PM Seconded by Mr. Brooks, the roll call vote was unanimous 4-0-0.