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DUXBURY, MASS.

Town of Duxbury Community Preservation Committee

Executive Session Minutes of January 25, 2021

The Community Preservation Committee (CPC) met on Monday, January 25 at 6:00 PM by Zoom remote videoconference. This meeting was held concurrently with the Board of Selectmen meeting.

Members Present: Holly Morris; Cynthia Ladd Fiorini; Tony Kelso; Kathy Cross; Paul McCormack; Kathy Palmer

Members Absent: none

Staff Present: Joe Grady, CPC Administrator; Catherine Colliton, Administrative Assistant

Others in attendance: Amy McNab; John Adams; Rene Read; Attorney Jeff Blake; Nancy O'Connor; Ted Flynn; Dave Madigan; Martha Himes Riegelhaupt; Diane Bartlett; Attorney Matt Walsh

Holly Morris moved that the meeting go into Executive Session to discuss strategy with respect to threatened or pending litigation since an open meeting may have a detrimental effect on the Town's litigating position, if the Chair so declares, regarding the following: 761 Temple Street property, in accordance with Mass. General Laws Chapter 30A, Section 21, and that the Board will reconvene in Open Session.

Holly Morris stated: "As Chair, I declare that the necessity for an Executive Session to discuss strategy with respect to litigation, as to do so in an Open Session may have a detrimental effect on the Town's litigating position."

Cynthia Ladd Fiorini made a motion to enter Executive Session, seconded by Paul McCormack. The roll call vote was; Holly Morris, yes; Kathy Cross, yes; Cynthia Ladd Fiorini, yes; Tony Kelso, yes; Paul McCormack, yes; Kathy Palmer, yes. The motion carried 6-0.

The CPC continued to discuss issues related to the 761 Temple Street property with the Board of Selectmen.

Attorney Jeffrey Blake summarized the situation: Jonathan Buchman and Nathan Harrington had an agreement for potential sale that expired. Mr. Harrington returned a deposit, but Mr. Buchman has pursued Mr. Harrington for damages. The town acquired the property after Mr. Buchman relinquished his right to purchase. Mr. Blake suggested a letter acknowledging the suit, and stating that the Town operated lawfully and Mr. Buchman has no lawful claim to the property.

The Board of Selectmen voted to have Mr. Blake respond to Mr. Buchman. Please refer to the Board of Selectmen Executive Session minutes for the same date for further information.

Holly Morris made a motion to exit the Executive Session and return to open session to adjourn the meeting. The motion was seconded by Tony Kelso. The roll call vote was; Holly Morris, yes; Kathy Cross, yes; Cynthia Ladd Fiorini, yes; Tony Kelso, yes; Paul McCormack, yes; Kathy Palmer, yes. The motion carried 6-0.