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TOWN CLERK

Town of Duxbury Conservation Commission

2021 DEC -1 AM 11:32
DUXBURY, MASS.

Executive Session Minutes of July 25, 2017

The Executive Session began at 7:55 pm during the Tuesday, July 25, 2017 Conservation Commission meeting that began at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Members Present: Corey Wisneski; Sam Butcher; Holly Morris; Scott Zoltowski

Members Absent: Robb D'Ambruoso; Tom Gill; Mickey McGonagle

Staff Present: Joe Grady, Conservation Administrator; Susan Ossoff, Administrative Assistant

Joe Grady reported that the hearing scheduled at the Plymouth Courthouse at 2:00 on July 24 about the McLaughlin case was postponed by the judge. A conference call was held with Attorneys Evan Ouellette and Mark Bobrowski and former Commission Chair Joe Messina to review the current status of the proceedings.

- The Judicial Review of the denial has been stayed.
- Mr. McLaughlin filed for Declaratory Judgment on whether the Orders were issued in a timely way; this is what the hearing is about.
- Attorney Ouellette filed for Summary Judgement
- Mr. McLaughlin's attorneys filed for damages against Commission members under the Civil Rights Act; the hope is that this will be dismissed. Joe Messina asked if individuals are indemnified as individuals when they serve on a Town board; attorney Ouellette said he needed to research this question.

Sam Butcher made a motion to leave Executive Session and reconvene in Open Session to adjourn the meeting; this motion was seconded by Scott Zoltowski. Roll call vote: Corey Wisneski, yes; Sam Butcher, yes; Holly Morris, yes; Scott Zoltowski, yes. The motion passed by a vote of 4-0-0.

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Assessor's Property ID 088-022-000 (20.53 acres), for the appraised value of \$1,350,000 plus \$94,500 for associated costs for Open Space, Water Supply, and Community Housing purposes. The Town Manager is authorized by this vote to enter into a Purchase and Sale agreement contingent on Town Meeting approval. The motion was seconded by Sam Butcher and the roll call vote was: Corey Wisneski, yes; Sam Butcher, yes; Robb D'Ambruoso, yes; Mickey McGonagle, yes; Holly Morris, yes. The motion passed by a vote of 5-0-0.

Connor Land Donation

Joe Grady described a donation of land off Temple Street from the Connor family. There are outstanding taxes due that can be paid out of the Conservation Fund.

Robb D'Ambruoso made the following motion:

To accept the gift of 1.14 acres of land at 0 Temple Street, Assessor's Property ID 023-022-000 from Theodore E. Connor for Open Space Purposes. The motion was seconded by Sam Butcher and the roll call vote was: Corey Wisneski, yes; Sam Butcher, yes; Robb D'Ambruoso, yes; Mickey McGonagle, yes; Holly Morris, yes. The motion passed by a vote of 5-0-0.

Robb D'Ambruoso made the following motion:

To approve the expenditure of \$4,137.72 from the Conservation Fund to pay the Town of Duxbury for outstanding taxes on a parcel of land being donated to the Town known as 0 Temple Street (Lot #023-022-000). The motion was seconded by Corey Wisneski. The roll call vote was: Corey Wisneski, yes; Sam Butcher, yes; Robb D'Ambruoso, yes; Mickey McGonagle, yes; Holly Morris, yes. The motion passed by a vote of 5-0-0.

Robb D'Ambruoso made a motion to leave Executive Session and reconvene in Open Session to adjourn the meeting; this motion was seconded by Sam Butcher. Roll call vote: Corey Wisneski, yes; Sam Butcher, yes; Robb D'Ambruoso, yes; Mickey McGonagle, yes; Holly Morris, yes. The motion passed by a vote of 5-0-0.