

Date: November 1, 2010

*Date Minutes Approved: November 8, 2010, to remain sealed until the need for confidentiality has passed
Date Minutes Released: 04-30-12 (upon approval of 02-27-12 Exec. Session Minutes)*

**BOARD OF SELECTMEN MINUTES
EXECUTIVE SESSION (A: REAL PROPERTY)**

Present: Shawn Dahlen, Chair; Elizabeth Sullivan, Vice-Chair, and Christopher Donato, Clerk.

Absent: No members were absent.

Staff: Richard MacDonald, Town Manager; John Madden, Finance Director; Robert S. Troy, Duxbury Town Counsel; and Barbara Ripley, Executive Assistant.

VOTE TO ENTER EXECUTIVE SESSION

At 7:25 P.M., Mr. Dahlen moved that the Board enter Executive Session in order to consider the purchase, exchange, lease or value of real property since an open meeting may have a detrimental effect on the Town's negotiating position; and to discuss strategy with respect to litigation since an open meeting may have a detrimental effect on the Town's litigating position, and to adjourn immediately afterward, in accordance with Massachusetts General Laws Chapter 30a, Section 21, Paragraphs 6 and 3. Second by Mr. Donato. Roll Call Vote: Mr. Donato—aye; Ms. Sullivan—aye; Mr. Dahlen---aye.

(Note: The King Caesar matter, originally on the agenda, was resolved prior to the meeting. The real property issue was not on the original agenda, because the issue appeared over the weekend.)

EXECUTIVE SESSION A (REAL PROPERTY)

Property Adjacent to Howland's Landing

Ms. Holly Morris, Chairman of the Community Preservation Committee was present. Ms. Morris explained that the Town has been interested in this property for many years. It is comprised of three parcels, and is situated at the corner of Howland's Landing Road and Crescent Street. She said that it would make a wonderful recreation area, and would provide additional access to the Bay for residents. The property is currently owned by the Massachusetts New Church Union. Over the weekend, the Church offered to sell the property to the Town for three million dollars. Ms. Sullivan and Ms. Morris agreed that this is a very good price.

Ms. Morris said that this would be a Community Preservation Fund purchase. There is currently enough money in the fund to accomplish the purchase. However, there are also other projects under consideration for the 2011 Annual Town Meeting. This project would qualify for borrowing, if that is determined to be an optimal solution.

It was noted that there are two buildings on the property. One would be recommended for demolition. The other is currently being rented as a family dwelling. If the Town makes the purchase, this second building would be ideal for committee meetings, and possible Harbormaster office space.

Mr. Dahlen commented that land purchase opportunities should be seized when they become available. They are often one-time opportunities.

Ms. Sullivan moved that the Board support the purchase of the 3 parcels adjacent to Howland's Landing, which are currently owned by Massachusetts New Church Union, in the amount of three million dollars, and that Town Counsel be directed to draw up a Purchase and Sale agreement. Second by Mr. Donato. Roll Call Vote: Mr. Donato---aye; Ms. Sullivan--aye; Mr. Dahlen---aye.

EXECUTIVE SESSION B (LITIGATION----Minutes files separately)

END EXECUTIVE SESSION

At 8:32 PM, Mr. Donato moved to end Executive Session and to adjourn the Selectmen's meeting. Second by Ms. Sullivan. Roll Call Vote: Mr. Donato---aye; Ms. Sullivan---aye; Mr. Dahlen---aye.

LIST OF DOCUMENTS

- 1) Pages 3 & 4 of Property Appraisal by C. LoConte (Standish Appraisal, Inc.), 9-7-10***
- 2) Aerial Photo of Property***
- 3) Sketch Plan of Land, Located on Crescent Street & Howlands Landing, prepared for Massachusetts New Church Union on March 10, 2003***