

Executive Session  
Georgetown Planning Board  
February 25, 2004

**MEETING**  
**GEORGETOWN PLANNING BOARD**  
**Executive Session**  
**Town Hall Basement Meeting Room**  
**February 25, 2004**

**Mr. Moultrie made a motion to enter executive session.**  
**The board voted as follows in favor of entering executive session.**

<b>Mr. Gerraughty</b>	<b>yes</b>
<b>Mr. Hopkins</b>	<b>yes</b>
<b>Mr. Moultrie</b>	<b>yes</b>
<b>Mr. Evangelista</b>	<b>yes</b>
<b>Mr. Hoover</b>	<b>yes</b>

The planning board has copies of a letter from Joel Bard regarding the settlement between King and Spear.

Mr. Moultrie expressed his concern with signing something that he does not know the ramifications of.

Mr. Gerraughty pointed out that the last paragraph seems to imply that we would be open to suit if we didn't sign.

Mr. Moultrie said that he thinks the planning board has the right to know what is going on and what the document says.

Mr. Hopkins said that the letter from Mr. Bard indicates that the planning board is out of the litigation and that the parties have settled. The board can ask for details of the settlement. The board is the client and has the right to see the settlement. But the bottom line is the town does not have to pay anything.

Mr. Moultrie asked if this action was in superior court or land court?

It's in both.

Mr. Moultrie asked if the information was public.

The settlement agreement will not be. The dismissal will be.

Mr. Moultrie asked if the board should request a copy of the settlement.

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Mr. Hopkins said that he feels the board does not need to know how much money exchanged hands.

Ms. Byerley said that the reason the board did not get a copy of the settlement was because once this executive session was over, all the information discussed about this litigation would be public record.

Mr. Moultrie said he feels as though the information is being withheld from the planning board.

Ms. Byerley said that the information is not being withheld. Mr. Bard is just protecting the settlement agreement.

Mr. Moultrie asked for clarification. As he understands it, the board is not being vindicated, King is dropping the suit, and the board is paying legal fees.

Mr. Hopkins said right.

Mr. Moultrie said that he is willing to trust Mr. Hopkins expertise.

The board needs to leave executive session to vote on the matter.

**Mr. Moultrie made a motion to close the executive session.  
The board voted as follows in favor of closing the executive session.**

<b>Mr. Hoover</b>	<b>yes</b>
<b>Mr. Evangelista</b>	<b>yes</b>
<b>Mr. Moultrie</b>	<b>yes</b>
<b>Mr. Hopkins</b>	<b>yes</b>
<b>Mr. Gerraughty</b>	<b>yes</b>

The Board closed the executive session.