



STERLING BOARD OF SELECTMEN'S EXECUTIVE MINUTES

July 11, 2018

LMC Realty Trust, et.al. vs Town of sterling

At 9:54 am, Selectman Kilcoyne moved to enter into executive session for exemption #3 for the purpose of discussing strategy with respect to litigation, if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares. (Chairman Lane declared). Selectman Cranson 2nd. Roll Call VOTE: Selectman Kilcoyne - Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion carried.

Executive Session Roll Call: Chairman Lane– Present. Selectman Cranson – Present. Selectman Kilcoyne - Present.

Mediation took place in Boston on Friday, June 15, 2018. Ultimately, an agreement was struck. However, its execution depends upon the signatures of both the Earth Removal Board and Mr. Foley.

The Board of Selectmen is not confident that the Earth Removal Board members will agree to sign the settlement agreement and consequently move forward to issue a new permit to Mr. Foley. Therefore, to investigate all avenues available to the board, Chairman Lane will inquire as to the current Earth Removal Bylaw verbiage, as it seems to indicate that the Board of Selectmen has the authority to intercede in the litigation, in order to best serve the interests of the Town of Sterling.

At 11:19 am Selectman Cranson moved to adjourn from executive session and to reconvene in Public session. Selectman Kilcoyne 2nd. Selectwoman Cranson – Aye. Chairman Lane – Aye. Selectman Kilcoyne - Aye. Motion carried.