



BOARD OF SELECTMEN

MAY 6, 2019

7:40 PM

MEETING ROOM, ACTON MEMORIAL LIBRARY, 486 MAIN STREET
EXECUTIVE SESSION

Present: Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin, Town Manager
John Mangiaratti, Special Counsel Jeffrey Roelofs
Absent: None

1. Opening

Ms. Gardner opened the meeting at 7:40 PM and state that there will be a need for an Executive Session to discuss the Town's strategy with respect to litigation (purpose3), namely *Town of Concord v. Littleton Water Department* land court case No. 18-MISC-00596 [JSDR] and consider the purchase, exchange, lease or value of real property (Purpose 6) located at 19-21 Maple Street, where an open meeting on either topic may have a detrimental effect on the negotiating position of the Town.

Mr. Charter called roll:

Mr. Martin - ave

Mr. Berry - aye

Ms. Gardner - ave

Mr. Gardner - ay
Mr. Benson - ay

Mr. Benson - ave

A. Executive Session



Mr. Charter called roll:

Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye

Mr. Benson – aye

Mr. Charter – aye

The motion carries.

[REDACTED]

Mr. Mangiaratti spoke to the Board in regard to the result of the due diligence at the property at 19-21 Maple Street. Title search, phase I completed. Recommend additional testing of the sub-surface which can be completed within the next 30 days and will inform further regarding concerns with form oil, and historical use of the property. The purpose for acquisition is for parking and other uses may require additional remediation. Mr. Benson recommends to do the phase II and understands what we (the town) are dealing with. Phase II cost is estimated between \$10-12 K . If we find a problem, it may require re-negotiating with the owner. The Board is inclined to move forward with the phase II to see what the town may be up against.

Mr. Benson motions to exit Executive Session, Mr. Berry seconds.

Mr. Charter called roll:

Ms. Gardner – aye

Mr. Benson - aye

Mr. Berry – aye

Mr. Martin – aye

Mr. Charter - aye

Mr. Berry moves to adjourn, Mr. Benson seconds. The Board voted 5-0. The motion carries.
Meeting adjourned at 8:44 PM