

WELLESLEY PLANNING BOARD
REGULAR MEETING
WEDNESDAY, MARCH 19, 2014, 7:30 PM
GREAT HALL - TOWN HALL

MINUTES

Planning Board Present: Jeanne Conroy, Sara Preston, Deborah Carpenter, Catherine Johnson, and Neal Glick

Staff Present: Michael Zehner, Ethan Parsons, Hans Larsen, Tom Harrington (Special Town Counsel)

1. Call to Order

Ms. Conroy called the meeting to order at 7:30 p.m.

4. Old Business

a. Open Meeting Law Complaint - Discuss Appointment of Outside Counsel

Ms. Conroy indicated that the Board would take an item on the agenda out of order and discuss the consideration and appointment of outside counsel to address the Open Meeting Law complaint filed against the Board. Ms. Conroy reviewed Mr. Brian Falk's experience for the Board, noting that she, Mr. Zehner, Ms. Carpenter, and Mr. Larsen had met with Mr. Falk earlier in the day.

Ms. Conroy indicated that she would like the Board to retain Mr. Falk, and that the Board of Selectmen would need to appoint Mr. Falk, which they could do at their meeting on Monday, March 24.

Mr. Glick noted the location of Mr. Falk's firm, and expressed concerns regarding travel time and associated costs to the Town.

The Board consented to support the request to the Board of Selectmen that Mr. Falk be appointed as Special Counsel for the Planning Board to assist with the Open Meeting Law complaint.

The Board further discussed scheduling associated with the Attorney General's consideration of the Open Meeting Law complaint.

2. Public Comments on Matters Not on the Agenda

Ms. Conroy called for public comment. Hearing no comments, Ms. Conroy moved to the next item on the agenda.

3. New and Other Business

a. Discuss and Consider Litigation Pertaining to PBC-14-01 - ANR for 910 Washington Street - As authorized by M.G.L. c. 30A, § 21 (a) 3., an executive session is contemplated

to discuss strategy with respect to the litigation since discussion within an open meeting may have a detrimental effect on the litigating position of the Board

Ms. Conroy introduced Mr. Harrington, noting that Mr. Harrington has been counseling the Board of Selectmen with regard to the pending litigation. Ms. Conroy indicated that it is appropriate to enter into executive session to discuss the Board's strategy with respect to the pending litigation with Mr. Harrington.

Ms. Conroy took a roll call vote of the Board to enter into executive session for the stated reason: Mr. Glick: yes; Ms. Johnson: yes; Ms. Conroy: yes; Ms. Preston: yes; Ms. Carpenter: yes

The Board convened an executive session, suspending the open session.

Note: Minutes of the executive session will be maintained and considered separately by the Board.

After conducting an executive session for approximately 1 hour, the Board reconvened in open session.

5. Adjourn

The Board agreed that all business on the agenda had been addressed.

Ms. Johnson made a motion to adjourn. Ms Carpenter seconded the motion. Ms. Conroy called for a vote. The motion was approved unanimously, 5-0.

Meeting Adjourned: 8:40 p.m.

Next Meeting: March 24, 2014

Minutes Approved: December 1, 2014

Note: A recording of this meeting is available from the Planning Department.

Michael D. Zehner, AICP
Planning Director