

**BOARD OF SELECTMEN  
MINUTES**

**NOVEMBER 30, 2010**

**EXECUTIVE SESSION # 1 OF 2**

At about 8:03 pm, Mr. Allen called the Executive Session to order under Exemption Three of the Open Meeting Law:

**Exception Three** - "To discuss strategy relating to collective bargaining or to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body, to conduct strategy sessions in preparation for negotiations with nonunion personnel, to conduct collective bargaining sessions or contract negotiations with nonunion personnel."

**Purchase of 3, 5, 7 Prouty Street:**

A counteroffer has been received from the sellers. The following is Mr. O'Connell's interpretation of the new offer.

- The sellers agreed to "assist" the Town in the CMRPC Phase I Brownfield assessment;
- The sellers give the Town permission to do a home inspection and a percolation test at its own expense;
- The sellers give the Town until April 1, 2011 to complete the purchase process;
- The sellers agree to assist the Town in the Phase II assessment should it be recommended as long as they aren't liable for the result. (Mr. O'Connell said that a representative of Fuss & O'Neill has already stated that it is "nearly certain" that a Phase II will be recommended. Legally, the owners are responsible for the result of the Phase II and the Town cannot relieve them of that responsibility even if it wanted to);
- The sellers seem to be agreeing to negotiate a lower purchase price and set conditions on how low the price can go (if contamination is found) as long as the Town accepts responsibility of paying for contamination clean-up.
- The sellers can lease the property for one year or longer; and
- The sellers can rescind the sale to the Town at any time if they reimburse the town for expenditures related to the Brownfield assessments.

It was noted that the assessed value of the property (lots including the dwelling only) is \$144,000 and about \$200,000 for all three lots. The valuation of the property where the police station is currently is \$206,300; this does not include the small parcel where the ATM is located. The last offer to the Town for the purchase of this property was \$290,000.

The Board that they would again review the offer from the sellers and this would go on the agenda for December 8<sup>th</sup> under Executive Session for further discussion.

At approximately 8:27 pm, Mr. Allen moved at adjourn the Executive Session and move to the second session; Mr. O'Connell seconded; so voted with Mr. Allen voting Aye and Mr. O'Connell voting Aye.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: \_\_\_\_\_

Date Released: December 11, 2012