

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
March 26, 2012

EXECUTIVE SESSION

Present: Thomas E. Sheldon, Chair, Ronald Turbin, Jane B. Allen, David A. Rempell

Absent: Tom Costley

Others Present: Peter Fohlin

Ms. Allen moved to go into executive session at 8:45 p.m. to discuss strategy with respect to litigation (Morgan Management v. Town) and not reconvene in open session. Mr. Rempell seconded and the motion carried by roll call vote, Aye, David Rempell, Aye, Ronald Turbin, Aye, Thomas Sheldon, and Aye, Jane Allen.

Mr. Fohlin updated the Board on the plan to resolve the Morgan Management lawsuit against the Town and the Commonwealth, and to provide safe, affordable housing out of harm's way for former and current residents of The Spruces.

As explained by Mr. Fohlin at the Executive Session on March 12, 2012, the essence of the plan includes an HMGP application for three-quarters of the pre-disaster value of The Spruces (\$4,674,750 = \$6,233,000 x .75). Kevin Morgan of Morgan Management agreed in a telephone conversation on February 28 to relinquish The Spruces as-is to the Town for \$600,000.

The approximately \$4MM balance would be used by the Town for site cleanup (\$1MM?) and \$3MM toward disaster replacement and affordable housing on the Lowry property (which would be swapped with the Conservation Commission for The Spruces property) or other site(s).

Mr. Fohlin reported on recent conversations he had with Kevin Morgan of Morgan Management and David Moore, Executive Vice-President and Chief Credit Officer of International Bank of Commerce in Oklahoma City, OK (bank holding the mortgage for The Spruces). He said progress was uncertain because, even though Morgan Management has expressed their support of the plan, no paperwork has been signed.

The Board urged Mr. Fohlin to reiterate with Kevin Morgan the April 2 deadline for the grant application and the need for written acceptance by Morgan Management by the end of the week.

No votes were taken.

Mr. Rempell moved to adjourn at 9:30 p.m. Mr. Turbin seconded and motion carried unanimously by roll call vote, Aye, David Rempell, Aye, Ronald Turbin, Aye, Thomas Sheldon, and Aye, Jane Allen.

Respectively submitted,

Jane B. Allen
Secretary pro tempore