

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
MARCH 12, 2012

EXECUTIVE SESSION

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

Others Present: Peter Fohlin, Tim Kaiser

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

Town Manager Peter Fohlin opened by stating “I want to suggest a 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.”

Town Manager Fohlin proceeded to describe his meeting with FEMA and MEMA in Framingham on February 17 “to turn over every last rock in the search for assistance for survivors of TS-Irene”, and then again along with DPW Director Tim Kaiser on March 5 to confirm their understanding of possible grant opportunities.

The essence of the proposed plan includes a HMGP application for three-quarters of the pre-disaster value of The Spruces ($\$4,674,750 = \$6,233,000 \times .75$). 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).

Fohlin and Kaiser along with Patricia Cantor of Kopelman and Paige, LLC met with two Assistant Attorneys General at the AGO on March 7. While making no commitments to release Morgan Management or toward the Town, the AAG’s gave the requested “yellow light” to advance the grant application with caution and at the Town’s own risk.

The Selectmen gave their unanimous support to proceeding with the HMGP grant application which is due April 2.

No votes were taken.

Ms. Allen moved to adjourn the meeting at 9:00 p.m. Mr. Rempell seconded and the motion carried by roll call vote, Aye, Thomas Sheldon, Aye, David Rempell, Aye, Jane Allen, Aye Tom Costley, and Aye, Ronald Turbin.

Respectively submitted,

Tom Costley
Secretary