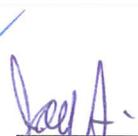



Carl L.


Jay S.


B. Bilotta


D. MacDonald

TOWN OF LUNENBURG
SEWER COMMISSION

EXECUTIVE SESSION
9/28/10

The Sewer Commission met in Executive Session in Town Hall following the conclusion of the regular Sewer Commission meeting with Carl Luck, Butch Bilotta, David MacDonald & Jay Simeone present. Chairman, Robert Ebersole, had recused himself.

Vice-Chairman Luck opened Executive Session at 8:05 P.M, stating the purpose of this Executive Session to be for discussion of the status of the Stone Farm case as it relates to the Commission's decision to deny the deferral of betterments on 9/15/10.

Barb advised that she had spoken with Counsel, Jeff Blake of Kopelman & Paige, regarding the decision and he had referred us to Chapter 40, Section 57, authorizing the Town to set up a payment plan which, once established, would allow an applicant to be eligible to apply to the Town for permitting. He mentioned that Stone Farm's attorney would likely be in contact to set that up.

Commission discussed that Stone Farm had recently been allowed occupancy permits with outstanding betterments owed and that they were adamant that no further occupancy permits should be issued until a payment plan was in place. They asked that Barb communicate this to Kerry Speidel and Jeff Ugalde. Also, Barb should contact Town Counsel and advise that the Commission has determined that **they will not reconsider this decision to deny the deferral of betterments, that they have requested no further permits are issued, and request of Counsel that a 'hold harmless' caveat be added to the payment plan to discourage further litigation on this issue.** Carl asked if there was a motion for a vote on this recommendation. **Butch Bilotta made the motion, Dave MacDonald seconded.** Discussion followed and determined that **the Commission requested that the payment plan span no longer than two(2) years be added to the recommendation .** **Vote taken by roll call: Jay Simeone, yes; Butch Bilotta, yes; Dave MacDonald, yes; and Carl Luck, yes. Vote was unanimous.**

Carl asked for a motion to adjourn. Butch Bilotta made the motion, Dave MacDonald seconded. Vote taken by roll call: Jay Simeone, yes; Butch Bilotta, yes; Dave MacDonald, yes; and Carl Luck, yes. Vote to adjourn unanimous.

Executive session was adjourned at 8:27 pm.

Respectfully submitted,


Barb Lefebvre for the Lunenburg Sewer Commission