

# ***LUNENBURG PLANNING BOARD TOWN OF LUNENBURG***

Lynn F. Sallee, Chair  
Emerick R. Bakaysa, Vice-Chair  
James A. Halloran, Clk.  
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## **Executive Session Minutes April 9, 2007**

Chair requested Motion to go into Executive Session at 8:05PM for purpose of litigation not to return to general session. See Motion in general session minutes.

Chair requested Motion to open Executive Session. Motion, Member Bilotta, Second, Member Saiia. Roll call vote. Chair Sallee, Aye, Vice Chair Bakaysa, Aye, Member Halloran, Aye, Member Bilotta, Aye and Member Saiia, Aye.

Discussion: Litigation- Emerald Place: Director read correspondence from Town Counsel Elaine Lucas regarding filing for surety bond by Global. This suit for performance due to Global's claim to construction delay caused by two lawsuits that were dismissed. Discussion ensued on the Planning Board's participation in the litigation. The status of Planning Board participation remains the same.

Discussion: Litigation- N.E.W.S.: Director read correspondence from Town Counsel Elaine Lucas for this filing. Director read correspondence sent to Attorney Heather White's (Town Counsel) request for a complete file on the Telecommunications Tower appeal on Electric Avenue. Correspondence also contained the dates that the Board Members received their copies of the filing. Also noted in the correspondence was the distance of Mr. Bakaysa's residence from the tower on Chase Road. It was further noted that the filing is for the proposed tower on Electric Avenue, not Chase Road. Discussion ensued on the Planning Board's participation in the litigation. The status of the participation is the same as the above litigation until otherwise directed by Town Counsel.

Chair requested a Motion to adjourn the Executive Session. Motion to adjourn made by Member Bilotta, Second, Member Saiia, Motion passed. Adjournment was at 8:33PM. Roll call vote, Chair Sallee, Aye, Vice Chair Bakaysa, Aye, Member Halloran, Aye, Member Saiia, Aye and Member Bilotta, Aye.