

LUNENBURG PLANNING BOARD TOWN OF LUNENBURG

Lynn F. Sallee, Chair
Emerick R. Bakaysa, Vice-Chair
James A. Halloran, Clk.
Robert J. Saiia, Mbr.
Joanna L. Bilotta, Mbr.
Marion M. Benson, Planning Director



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Executive Minutes
November 27, 2006

Chair requested Motion to open Executive Session for the purpose to discuss litigation. Motion made by Ms. Bilotta, Second, Mr. Halloran, Roll Call vote, all Yea.

Director presented a correspondence from Brackett & Lucas that contained a Filing by the Plaintiff, June Riddle, Attorney, addressing the dismissal of the lawsuit against Global Property Developers and the Planning Board with seating members Lynn Sallee, Deborah Seeley, James Halloran, Emerick Bakaysa and Gary Prime.

The Filing noted four counts: 1) violation of the Open Meeting Law, 2) violations of the Lunenburg Zoning Bylaw, 3) violation of Massachusetts General Laws Chapter 40A. Section 11, and, 4) the Lack of Jurisdiction over the Site/Gross Negligence.

Director noted that there is no clear understanding on her part to this legalese and attempted to contact the Town Attorney, Elaine Lucas. Following routine procedure, she notified the CAFO who stated he would talk to Ms Lucas.

Discussion ensued and the point was made that in this case the Planning Director has direct access to Ms. Lucas and Ms. Lucas noted in her correspondence, "Please do not hesitate to contact me if you wish to discuss this further".

The Board directed Ms. Benson to contact Ms. Lucas tomorrow (November 28th).

The Director noted that in attempting to gain the meaning of this Filing, she made other inquiries. It appears that this Filing has some connection with a final judgment on the dismissal within a legal process that makes the dismissal a closure item.

The Vice Chair requested a Motion to adjourn the Executive Session. Motion, Ms. Bilotta, Second, Mr. Saiia, Roll Call vote- all Yea.

Adjournment: 10:57 PM.

Minutes/ex11-27-06