

# Sherwood Forest Road Maintenance District

## Executive Session Meeting Minutes

Saturday March 12<sup>th</sup>, 2016

Committee Members Present: Elise Fitzsimmons; Chairman, Howard Lerner; Vice Chair, Joe Gagnon, Vee Cowell, Sandy Cortez-Greig, Stan Taylor, Denielle Morin; Clerk-Treasurer

Committee members absent: Patty Clemons

Public present- Attorney Elizabeth Goodman, Esq.

The meeting is opened at: 1 pm, General Laws Chapter 30A Section 20.

Executive Session- Mrs. Fitzsimmons takes a roll call vote to go into executive session. Howard Lerner moves to go into executive session. Stan Taylor moves to go into executive session. Vee Cowell moves to go into executive session. Elise Fitzsimmons moves to go into executive session. Sandy Cortez-Greig moves to go into executive session.

Mrs. Fitzsimmons expresses concern that people on Wells Rd will be allowed to come to the annual meeting and vote yet they will never see a tax bill. Mr. Taylor expresses concern over liability issues if the district does not tax Wells Rd residents as they stated they would. Mrs. Goodman, the district's lawyer, states that she would like Mrs. Fitzsimmons to go speak to Ed at town hall and get confirmation that they refuse to send tax bills to Wells Rd residents without a court order. Mrs. Goodman expresses that the district has three options. The first option is that the district do nothing. However, she does not advise this option. The second option is a strongly worded letter to the Select Board showing them what the district can prove in court and advise them the district will go to court to enforce taxation if they do not change their decision. The third option is to just file a lawsuit and get a court order to enforce taxation. The lawsuit would interpret the act, tell the district what the act says and order the town to comply. The board decides they will send a strongly worded letter to the Select Board and then proceed to court if that does not work. Mrs. Goodman explains that the best plan of action is to have Mrs. Fitzsimmons speak to Ed at town hall to confirm their intentions, then deliver the letter to the Select Board by way of Ed at town hall, attempt to get on the agenda for the March 16<sup>th</sup> Select Board meeting and then give them Mr. Cortez-Greig's letter for the following Select Board meeting on March 30<sup>th</sup>. Mrs. Goodman states that she agrees with the Kopelman and Paige findings that the land off of Wells Rd is part of the district while the road itself is a town road. Mr. Lerner makes a motion to allow Mrs. Goodman to create a letter to send to the Select Board, allow Mrs. Fitzsimmons to sign the letter and speak to Ed beforehand. The board requests Mrs. Goodman adds to the letter to the Select Board that retroactive taxation may be requested if the issue is forced into court.

July Executive Session Meeting Minutes- Mrs. Fitzsimmons asks if the minutes need to remain executive session minutes. Mrs. Goodman states that it is her opinion that the minutes do not need to be executive session minutes and advises they approve them in the April open meeting.

Adjournment- Mrs. Fitzsimmons calls a roll call to adjourn the executive session. Stan Taylor moves to adjourn the executive session. Joe Gagnon moves to adjourn the executive session. Vee Cowell moves to adjourn the executive session. Elise Fitzsimmons moves to adjourn the executive session. Howard Lerner moves to adjourn the executive session. Sandy Cortez-Greig moves to adjourn the executive session. The meeting is adjourned.

Respectfully Submitted,

Denielle Morin

Clerk-Treasurer