

PINK Confidential
Executive Session Minutes

EXECUTIVE SESSION

1/10/08

PAGE 5

In attendance at 8:27 p.m.: J. Arsenault, B. Hopping, D. Ross, E. Traverso, H. O'Flynn, N. Sheppard, J. Loeb, and R. Korb.

LIQUIDATED DAMAGES SUBCOMMITTEE REPORT

*NOT Released
open session*

Mr. Loeb reported that the summary judgment motion taken under advisement by the Liquidated Damages Committee (including representation from the Board of Selectmen and Finance Committee), has lost in Appeals Court. Costs now are almost \$80,000 for FY07. Mr. Korb has asked for financial help from the Town.

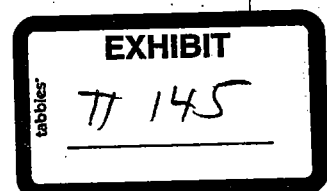
FEOFFEES REPORT

Mr. Loeb reported that, in talking with P. Riley, a Superior Court judge, in the legal case of Tenants vs. Feoffees, the Feoffees are not a public body; therefore, do not have to meet in public session. Mr. Korb, having emailed Jim Foley (Feoffees) regarding the absolute importance that he understand that the non-distribution amounts to \$600,000, has received an optimistic response that there will be a distribution for FY09.

In discussion, the consensus of the members is to "go public" with this issue.

VI. ADJOURNMENT

Mr. Loeb moved, seconded by Mrs. Ross, to adjourn at 8:55 p.m. IN FAVOR - Traverso, O'Flynn, Sheppard, Arsenault, Hopping, Loeb, Ross.



ISC 003376