

EXECUTIVE SESSION

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The Board of Assessors met in Executive Session on Wednesday, ~~September 6, 2017~~ at approximately 6:20 p.m. Present were Chairman McCarthy, Clerk Smith, Member Bunker and Principal Assessor Donahue. WESTPORT, MA

Before any other discussion took place, Clerk Smith responded to the unanticipated outburst that had just occurred as the Board was transitioning from Open Session into Executive Session (see Open Session minutes). Ms Smith stated that she felt threatened by Mr. Reyes' actions and comments. She stated that Mr. Reyes looked directly at her when he shouted "You better not talk about my wife; I better not hear about it!" as he exited the meeting room. Chairman McCarthy stated that he also felt threatened and that the Board would deal with the matter at an appropriate time after conducting its business at hand.

The Board proceeded to review a Draft response to an Open Meeting Law (OML) complaint filed by Ms. Denise Reyes on August 8, 2017, in which she alleged, among other things, that the Board did not allow public participation at its August 2nd meeting, and that the Board failed to advise the public in attendance that it had reconvened in open session after the conclusion of its executive session. Principal Assessor Donahue presented copies of a recently revised version of the Draft response letter, explaining that that latest revision represented his attempt to make the response less "wordy". Member Smith made a motion to amend the response by deleting the last sentence of the second paragraph in the CONCLUSIONS section and inserting in its place the following sentence: "McCarthy and Smith contend that Bunker was not implicated as a co-conspirator because Reyes and Bunker have a personal relationship with one another."

Principal Assessor Donahue recommended another revision by substituting the phrase "Principal Assessor" in the place of the word "Chairman" in the NOTA BENE section of the proposed response letter.

A motion was made by Clerk Smith and seconded by Chairman McCarthy to approve the Board's written response to an OML complaint filed on August 7, 2017 by Ms. Reyes, in Open Session, as amended, and to submit a copy of the response packet to the complainant and to the Attorney General's Office. The motion passed by a vote of 2 in favor (McCarthy and Smith) and 1 opposed (Bunker).

Chairman McCarthy made a motion to reconvene in Open Session in order to vote upon the Board's written response to the OML complaint, as amended. The motion was seconded by Clerk Smith and a roll call was taken as follows: Chairman McCarthy = affirmative, Clerk Smith = affirmative, Member Bunker = affirmative.

The Board reconvened in open session at approximately 6:45 p.m. A motion was made by Clerk Smith and seconded by Chairman McCarthy to approve a written response to an OML complaint filed on August 7, 2017 and to submit a copy of the response packet

to the complainant and to the Attorney General's Office. The motion passed by a vote of 2 in favor (McCarthy and Smith) and 1 opposed (Bunker). (NOTE: A copy of the response packet was also timely submitted to the Town Clerk's Office).

Clerk Smith then made a motion to re-enter Executive Session relative to Purpose 7, to discuss Applications for Abatement and pending Appellate Tax Board (ATB) cases. Member Bunker seconded the motion. A roll call was as follows: Clerk Smith = affirmative, Member Bunker = affirmative. Chairman McCarthy recused himself in order to avoid the appearance of any potential conflict of interest and immediately exited the meeting room.

The Board of Assessors met with Attorney Hobert and her client regarding Application for Abatement #37. After Attorney Hobert and her client presented their respective reasons why they believed the subject property was overvalued the Board Members asked several questions regarding the overall condition of the property. After further discussion, the Board determined a course of action to instruct the Principal Assessor to inspect the property in the field and to report back to the Board with his observations and findings. The Board took the matter under advisement pending a field review of the subject property by the Principal Assessor.

Clerk Smith made a motion to adjourn. Member Bunker seconded the motion. The roll call was as follows: Clerk Smith = affirmative, Member Bunker = affirmative. The meeting was adjourned at approximately 7:10 p.m.

I certify that the minutes of this meeting are true and accurate to the best of my recollection.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cheryl A. Smith", written over a horizontal line.

Cheryl A. Smith, Clerk