

Voted to release as a  
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6/19/12  
EBM

Town of Rowe – FY2012  
Board of Selectmen  
MINUTES OF EXECUTIVE SESSION  
Wednesday, April 11, 2012 – 9:15pm  
Rowe Town Hall

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**Call to Order:** The Executive Session was called to order by Chairman Abbott at 9:15pm under c.39, §23B(3) "...with respect to...litigation...if an open meeting may have a detrimental effect on the...litigating position of the governmental body..."

**Present:** Chairman Noel Abbott and Selectman Paul McLatchy III and Bob Clancy

**Also Present:** Ellen Miller

**MTRSS Three District Shared Expense Agreement:** This Executive Session was called due to a potential litigation matter concerning the Mohawk Trail Regional School System Three District Shared Expense Agreement (3RDA) between the Mohawk Trail Regional School District (MTRSD), the Hawlemont Regional School District (HRSD) and the Rowe School District (RSD). Unilaterally the MRSD and the HRSD have signed a new 3RDA without input from the RSD, and have signed a new 2RDA between themselves. Mr. Abbott stated that these agreements are not binding. He also reported that a recent MRSD school committee meeting agenda included an item for funding for litigation against Rowe; that Rowe officials have tried to meet with them for three months, but have been unsuccessful; that Rowe is being presented as the aggressor in the newspaper, which is not the case; and that there is now a strong likelihood of litigation. [Matters of litigation fall under the purview of the Selectboard.]

A motion was made and seconded to authorize our legal counsel in the school matter [Brody, Hardoon, Perkins and Kesten LLP] to pursue a legal process to ensure that the Three District Agreement entered into in 2008 is declared valid and enforceable, and to take any legal action in regard to this issue. The vote was unanimous as follows: Noel Abbott – aye, Paul McLatchy – aye, and Bob Clancy – aye.

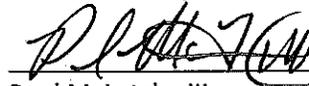
**Adjourn Executive Session:** At 9:36pm the Selectmen voted unanimously (3/0) to adjourn the Executive Session and reconvene in open session.

Respectfully submitted,  
Ellen B. Miller, Town Coordinator

Approved:



Noel R. Abbott, Chairman



Paul McLatchy III

June 5, 2012

Date Approved

Robert J. Clancy

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**Attachment:**

- Three District Shared Expense Agreement dated 2008