

**City of Salem Massachusetts
Executive Session Meeting Minutes**

Board or Committee: Redevelopment Authority, Executive Session
Date and Time: Wednesday, December 9, 2020 at 6:00 PM
Meeting Location: Zoom Virtual Meeting
SRA Members Present: Chair Grace Napolitano, David Guarino, Cynthia Nina-Soto,
Dean Rubin, Russ Vickers
SRA Members Absent: None
Others Present: Tom Daniel – Director of Planning and Community
Development
Kathryn Newhall-Smith – Principal Planner
Mathieu Zahler – Consultant
Recorder: Colleen Brewster

Chair Napolitano calls the meeting to order. Roll call was taken.

Executive Session Meeting

To review and approve draft minutes from the Executive Sessions listed below. These minutes represent Board discussion of the development proposals submitted in response to the Request for Proposals for the redevelopment of real property located at 32-34 Federal Street and 252 Bridge Street, Salem, MA. The Board will review these in Executive Session because an open meeting may have a detrimental effect on the negotiating position of the public body.

Guarino: Motion to enter into executive session.

Seconded by: Rubin.

Roll Call Vote: Rubin, Vickers, Guarino, Nina-Soto, Napolitano. 5-0 in favor.

Chair states that the Open Session will not reconvene at the conclusion of the Executive Session.

Mr. Zahler joined the meeting.

The Executive Session began at 7:30PM.

Minutes

Mr. Daniel stated that with the Board's designation of the preferred developer and back-up developer, the Board needed to review and approve the minutes from all executive sessions associated with the courthouse project.

Draft minutes from the following dates were reviewed and edits were discussed by the SRA. Only Board members present for each meeting are permitted to vote.

1. The minutes of the July 9, 2019 Executive Session were reviewed.
Guarino: Motion to approve the minutes of the July 9, 2019 Executive Session with Guarino, Daniel, and Zahler's edits.
Seconded by: Rubin.

Roll Call: Guarino, Rubin, Napolitano. 3-0 in favor.

2. The minutes of the July 23, 2019 Executive Session were reviewed.
Guarino: Motion to approve the minutes of the July 23, 2019 Executive Session as written.
Seconded by: Rubin.
Roll Call: Guarino, Rubin, Vickers, Napolitano. 4-0 in favor.
3. The minutes of the July 25, 2019 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the July 25, 2019 Executive Session with Daniel's edits.
Seconded by: Guarino.
Roll Call: Guarino, Rubin, Vickers, Napolitano. 4-0 in favor.
4. The minutes of the August 14, 2019 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the August 14, 2019 Executive Session as written.
Seconded by: Vickers.
Roll Call: Guarino, Rubin, Vickers, Napolitano. 4-0 in favor.
5. The minutes of the September 30, 2019 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the September 14, 2019 Executive Session with Daniel's edits.
Seconded by: Guarino
Roll Call: Guarino, Rubin, Vickers, Napolitano. 4-0 in favor.
6. The minutes of the October 9, 2019 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the October 9, 2019 Executive Session with Daniel's edits.
Seconded by: Guarino.
Roll Call: Guarino, Rubin, Vickers, Napolitano. 4-0 in favor.
7. The minutes of the November 13, 2019 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the November 13, 2019 Executive Session as written.
Seconded by: Guarino.
Roll Call: Guarino, Rubin, Napolitano. 3-0 in favor.
8. The minutes of the May 13, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the May 13, 2020 Executive Session as written.
Seconded by: Guarino.
Roll Call: Guarino, Rubin, Vickers. 3-0 in favor.
9. The minutes of the June 10, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the June 10, 2020 Executive Session with Rubin and Daniel's edits.
Seconded by: Guarino.
Roll Call: Guarino, Rubin, Vickers, Napolitano. 4-0 in favor.
10. The minutes of the July 8, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the July 8, 2020 Executive Session as submitted.
Seconded by: Guarino.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.

11. The minutes of the August 12, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the August 12, 2020 Executive Session with Guarino and Daniel's edits.
Seconded by: Vickers.
Roll Call: Nina-Soto, Rubin, Vickers, Napolitano. 4-0 in favor.
12. The minutes of the September 9, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the September 9, 2020 Executive Session as submitted.
Seconded by: Guarino.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
13. The minutes of the September 15, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the September 15, 2020 Executive Session with Zahler's edits.
Seconded by: Guarino.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
14. The minutes of the September 17, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the September 17, 2020 Executive Session with Daniel and Nina-Soto's edits.
Seconded by: Nina-Soto.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
15. The minutes of the September 24, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the September 24, 2020 Executive Session with Chair Napolitano, Rubin and Daniel's edits.
Seconded by: Vickers.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
16. The minutes of the October 7, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the October 7, 2020 Executive Session with Chair Napolitano, Nina-Soto, Daniel, Zahler, and Guarino's edits.
Seconded by: Guarino.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
17. The minutes of the October 26, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the October 26, 2020 Executive Session with Chair Napolitano, Guarino, Daniel and Rubin's edits.
Seconded by: Nina-Soto.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
18. The minutes of the November 10, 2020 Executive Session were reviewed.
Rubin: Motion to approve the minutes of the November 10, 2020 with Guarino, Rubin and Daniel's edits.
Seconded by: Nina-Soto.
Roll Call: Nina-Soto, Rubin, Vickers, Napolitano. 4-0 in favor.

Mr. Guarino asked whether the SRA should keep copies of the Executive Session recordings. Mr. Daniel replied that, while the City does not have all of the recordings, he is discussing this with the City Solicitor. He notes that typically once minutes are approved the recordings are deleted.

Mr. Rubin suggested the Board discuss JHR's request for reconsideration. Mr. Daniel replied that they are not able to discuss it during this executive session since the topic was not properly noticed on the agenda. If there is a threat of litigation the Board could meet in Executive Session to discuss it. Since the Executive Session wasn't noticed in that manner or disclosed during the public session, it shouldn't be discussed. Since the Board took a vote not to reconsider a response letter will be sent.

Mr. Daniel noted that the Board needs to vote to release the minutes. Mr. Zahler asked why the SRA would release or not release the Executive Session minutes. Mr. Daniel replied that Executive Sessions are called for a specific purpose and once the purpose of that Executive Session has been accomplished it no longer needs to be confidential. This Executive Session was called to discuss the selection of a development team and that has occurred. Chair Napolitano added that if the board voted to reconsider their preferred developer selection, the minutes wouldn't need to be released.

Rubin: Motion to release the Executive Session minutes given that the purpose of the Executive Sessions has been accomplished.

Seconded by: Guarino.

Roll Call: Rubin, Guarino, Vickers, Nina-Soto, Napolitano. 5-0 in favor.

Chair Napolitano asked for the statute of limitation that a development team could pursue litigation. Mr. Zahler replied that in some instances the limit can be up to five years. Mr. Daniel thanked the Board for their efforts throughout the entire RFP process.

Adjournment

Rubin: Motion to come out of Executive Session.

Seconded by: Guarino.

Roll Call: Rubin, Guarino, Vickers, Nina-Soto, Napolitano. 5-0 in favor.

Executive Session ended at 9:15PM

Know your rights under the Open Meeting Law M.G.L. c. 30A §18-25 and City Ordinance Sections 2-028 through 2-2033.