

**TOWN OF MILLVILLE  
BOARD OF SELECTMEN**

**EXECUTIVE SESSION MINUTES**

**May 21, 2018**

**Board Members Present:** Chairman Joseph Rapoza; Vice Chairman Jennifer Dean Wing;  
Secretary Thomas Houle, Members Andrew Alward & Erica Blake

**Others Present:** Town Administrator Jennifer Callahan; Chief Ronald Landry; Town  
Counsel, Brian Maser (remote participation)

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Chair Rapoza called the meeting to order at 6:04 PM. He reads the following before entertaining a motion to enter into Executive Session:

“Per MGL c.30A §21 ¶3-- To discuss strategy with respect to litigation concerning zoning enforcement & public safety matters in which the Chair declares an open meeting may have a detrimental effect on the litigating position of the Town.”

***On a motion made by Jennifer Dean Wing, seconded by Joseph Rapoza the Board voted unanimously (5-0) to enter into Executive Session at 6:05 PM.***

**Roll Call Vote:**

Joseph Rapoza	<i>Aye</i>
Jennifer Dean Wing	<i>Aye</i>
Thomas Houle	<i>Aye</i>
Erica Blake	<i>Aye</i>
Andrew Alward	<i>Aye</i>

The Chair directs Town Administrator to contact Attorney Brian Maser on telephone. Chief Landry reviewed background of former Police Chief Timothy Ryan's recent request for a Retirement Enforcement Police ID to be issued to both him and his brother, who also was a former employee of the Town. The Chief noted several reasons he came to the conclusion he would not issue Mr. Ryan's request, including Ryan does not meet the definition as a qualified law enforcement officer for such an ID. Mr. Ryan resigned from his position versus facing termination during disciplinary hearing in which he was found to lie and apologize for his actions. Mr. Ryan did not leave in good standing. A question about whether it is the Chief or Board of Selectmen who authorizes the issuance of such an ID was raised. The issuing of such an ID is at the discretion of the Police Chief, who considers a number of things prior to approving the issuance upon request. Attorney Maser noted the Chief can refuse to not issue such an ID. Given the nature of the settlement agreement in which Mr. Ryan apologized for his actions prior to his resigning, the Chief would be within his judgment to determination not to issue one. The Chief also noted Mr. Ryan is not currently retiring from active employment in Millville and has had several other places he has been employed, since resigning from town service. Mr. Maser noted he expects Mr. Ryan's legal counsel to initiate action in Superior Court to request a court to order the Chief to issue a retirement enforcement badge. Mr. Maser noted this could take some time in terms of a lengthy discovery period, perhaps 6 months to a year. Mr. Maser noted it was not necessary to vote in support of the Chief, since the actual action Mr. Ryan would likely seek would be filed versus the Town of Millville, not the Chief individually. The conversation was concluded and the Building Commissioner was asked to enter the room to

discuss enforcement cases which have pending legal action. Commissioner Barber asked the Town Administrator to meet with the Board in order to update them on several zoning violation cases which will continue to require legal counsel resources. He wanted the Board to be apprised of his priorities for enforcement as he seeks legal remedies for compliance through court proceedings. Board members verbally indicated continued support for the Commissioner's actions because they believe successful enforcement is an important goal for gaining compliance with the Town's bylaws.

***On a motion made by Jennifer Dean Wing, seconded by Andrew Alward the Board voted unanimously (5-0) to exit Executive Session at 7:23 PM.***

**Roll Call Vote:**

Joseph Rapoza	Aye
Jennifer Dean Wing	Aye
Thomas Houle	Aye
Erica Blake	Aye
Andrew Alward	Aye

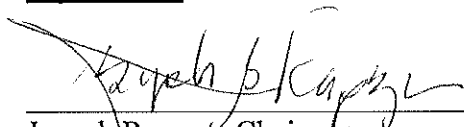
**ADJOURN:**

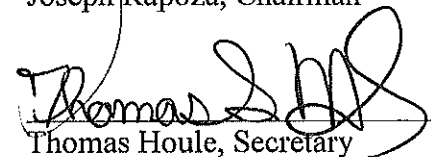
***At 7:24 PM, on a motion made by Jennifer Dean Wing, seconded by Andrew Alward the Board voted unanimously (5-0) to adjourn the meeting.***

Respectfully submitted,

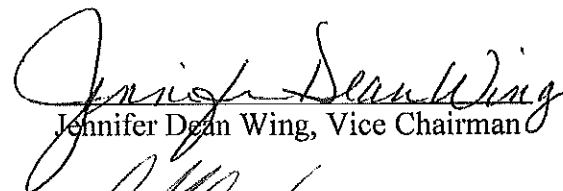
Jennifer Callahan

**Signatures:**

  
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Joseph Rapoza, Chairman

  
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Thomas Houle, Secretary

  
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Andrew Alward, Member

  
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Jennifer Dean Wing, Vice Chairman

  
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Erica Blake, Member