



Town of Pepperell

Planning Board

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MINUTES

Executive Session

Monday, January 11, 2010

Town Hall

Members Present: Nick Cate, Dennis Kane, Mark Marston, Rick McHugh, Steve Themelis

Mr. Cate requested an executive session to discuss his recent arrest. He stated that he waived his rights provided under the general laws and asked that Mr. Themelis chair the session.

Mr. Themelis agreed. Mr. Marston seconded the motion. Roll call vote taken, all members voting aye to enter executive session under provisions of MGL Chapter 39, Section 23B(1) and to reconvene in open session at closing.

Mr. Cate explained that he had recently been arrested in New Hampshire for possession of a controlled substance. He said he was at a location where work was being done on his vehicle when police arrived with a warrant and arrested him and the owner. He said he expects to only have to pay a fine for the charges.

Mr. Themelis recommended he get an attorney to try and protect his character and name.

An e-mail was read that had been sent earlier in the day from a town resident, also a member of the Finance Committee, Holly Seiferth, asking for Mr. Cate's resignation or asking for the Selectmen to remove him from office.

It was confirmed that the Selectmen cannot force Mr. Cate to leave his position. Any decision would be that of Mr. Cate.

Mr. Cate stated that he wished to know what the Board wanted him to do.

Mr. Kane stated that nothing that had happened would affect his performance of his duties on the Board.

Mr. McHugh stated he would like to see him stay and supported him 100%.

Mr. Cate stated he would like to finish out his term (to April election) but felt maybe he should step down as Chair.

Mr. Themelis stated that there might be some pressure to the Board if he stays as Chair.

Mr. Kane said that he did not see it was necessary for him to step down.

Mr. Marston stated it may look like an admission of guilt if he resigned.

Consensus of all was that things should remain status quo for now on the Board.

Ms. Snyder was asked if she would be okay with Mr. Cate remaining as Chair on the Board. She agreed it was fine.

Mr. Cate apologized to the Board for his actions and stated he was comfortable with things staying the same on the Board. All members agreed.

Mr. McHugh motioned to close the Executive Session. Mr. Marston seconded the motion. A roll call vote with all voting aye to close the session at 7:32pm.

APPROVED:

Nicholas A. Cate

Mark F. Marston

Dennis A. Kane

Richard C. McHugh, Jr.

Stephen C. Themelis