

**IN CITY COUNCIL
EXECUTIVE SESSION
MAYOR'S RECEPTION ROOM
TUESDAY SEPTEMBER 24, 2024
TIME 9:08 PM**

Roll Call 10 present, 1 absent (M. Rourke).

Vice Chair Yem presiding.

Others Present: City Manager Golden, Jr., Austin Ball (Asst. CFO), City Solicitor Corey Williams, Melissa Desroches (Manager's Office), Shawn Machado (Asst. City Mgr.), Conor Baldwin (CFO), and Yovani Baez-Rose (DPD),

The purpose of the Executive Session was stated by Vice Chair Yem in the open session followed by a Roll Call. The public was informed the body would not return to the open session and would adjourn in Executive Session upon completion.

EXECUTIVE SESSION

Manager Golden, Jr. Informed the Council of the prospect of purchasing the Align Credit Union on Market Street for use by the City. The Manager described the structure and how it would benefit operations within the City in terms of moving departments from City Hall to alleviate serious space issues within the City Hall. C. Jenness questioned the financials on the deal. Mr. Baldwin outlined the financial structure of the possible purchase and what the building currently yields in taxes (\$59,000 per year). C. Scott questioned use of the old Freshman Academy. C. Descoteaux commented on the use of that building for school purposes. C. Gitschier noted that the HHS department was in a lease for a ten-year period. Mr. Baldwin noted that any purchase by the City would have to go through the RFP process. C. Chau noted preference for City ownership of buildings. C. Scott commented that they should develop a master plan for municipal uses of buildings. **Motion** by C. Chau, seconded by C. Jenness to have City Manager move forward with due diligence regarding purchase of the Align Credit Union building in terms of entering into a purchase and sales agreement to be approved by Council. Adopted per Roll Call vote 10 yeas, 1 absent (M. Rourke). So voted.

Ms. Baez-Rose opened second item on agenda regarding continued negotiations with Lupoli Companies. Ms. Baez-Rose outlined the terms being negotiated in a back-and-forth manner indicating the terms each party had proposed and the responses to those terms, noting that the

parties have not reached an agreement. Some terms included in the negotiations were length of tax benefit, square footage, commercial use, milestones and timeline of construction.

Motion by C. Gitschier, seconded by C. Robinson to request City Manager terminate and default current contract with Lupoli. After lengthy discussion C. Gitschier withdrew motion without objection. Atty. Williams outlined consequences of termination and default indicating time frames that would result. C. Chau indicated the need to put the City in the best position possible. Atty. Williams noted the best approach was to explore possibility to resolve matter amicably between the parties before any default. C. Descoteaux commented on extended time frames due to default. Manager noted best effort should be made to dissolve matter amicably before default. C. Belanger noted that final ultimatum should be put before Lupoli Companies. C. Mercier noted best approach would be resolve amicably. C. Gitschier wanted fairness in the process and that 30-day period to try and resolve or dissolve the matter is fine and withdrew the motion. C. Chau noted his time concerns with a default. Manager outlined the final terms before Lupoli Companies and noted if not accepted they would attempt to resolve matter between the parties. C. Descoteaux noted no changes should be made and then attempt to settle the matter. C. Gitschier noted that the parties would not come to an agreement so an attempt to be made to settle is proper. C. Scott noted there is a current contract in place.

Motion by C. Chau, seconded by C. Jenness to request City Manager put forth the best and final offer to Lupoli Companies for acceptance and if rejected then attempt to resolve issues between the parties amicably short of issuing a default. Adopted per Roll Call vote 6 yeas, 4 nays (C. Gitschier, C. Nuon, C. Robinson, C. Scott), 1 absent (M. Rourke). So voted. C. Scott originally put forth this motion then withdrew same.

Motion to Adjourn by C. Mercier, seconded by C. Jenness. So voted

Adjourned at 9:55 PM.

Michael Q. Geary
City Clerk