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## Tempers continue to boil on Sherborn board

### Selectmen make little headway as arguments erupt again over executive session, legal bills

By Nadia Salomon, Globe Correspondent | August 12, 2007

Tuesday night's Board of Selectmen meeting in Sherborn turned ugly as standing tensions among board members flared. The verbal fighting began when vice chairman Paul DeRensis declined to vote on whether to accept minutes from the board's executive session meeting on May 31.

DeRensis got into a heated debate with chairman Christopher Peck and clerk Ronald Fernandes when he said the minutes omitted discussion of an alleged violation of the state's Open Meeting Law.

DeRensis, who voted against going into executive session and has said he did not participate in the meeting, objected when a vote came up Tuesday to accept the minutes.

"I don't want to be in a position to vote on things that are not accurate," he said.

DeRensis had previously filed a complaint with the town clerk's office, accusing Peck and Fernandes of violating the Open Meeting Law by falsifying the justification for going into executive session. The executive session was purportedly to discuss "nonunion contract negotiations," but the discussion admittedly focused on the town accountant, an employee who did not have a contract.

DeRensis said during a heated exchange that the other two members of the board were putting him in what he called an impossible position by asking him to vote on minutes that he says were altered.

Town Clerk Carole Marple referred the complaint to the Middlesex district attorney's office. Spokeswoman Meredith Lerner said the district attorney's office will not comment on an ongoing investigation.

Selectmen also engaged in a second heated exchange Tuesday over the issue of bills for the legal services of a special counsel hired by the board to investigate the alleged violation.

At a previous meeting, and over the objection of DeRensis, selectmen voted to approve spending \$2,000 to hire the special counsel, at a rate of \$250 an hour.

Residents accused selectmen of exceeding the \$2,000 limit. "They could have voided the executive session they had and none of this would have come up," said resident Anne Bliss, who attended Tuesday's meeting. "They have spent \$6,500-something and these two selectmen, Fernandes and Peck, went out and hired a special counsel at the town's expense, so now we're in debt."

Peck and Fernandes declined to confirm the amount spent for the special counsel during the public session.

The legal bills were not on the agenda Tuesday night; at a previous meeting, at DeRensis' request, the board unanimously voted to put the legal bills on hold until the minutes from the executive session could be approved.

That approval was not forthcoming Tuesday, as DeRensis refused to participate and blocked a vote. After nearly two hours of debate, Peck tabled the matter at the urging of DeRensis. DeRensis said he wants the minutes voided rather than approved, because neither he nor Town Administrator Dennis Luttrell were present for the executive session.

Resident Jolanta Eckert said she did not understand DeRensis' position, since he had recused himself from the original vote because of his background as an attorney.

"Those not present should not have a say," she said. "It's totally inappropriate in my opinion. We need to focus on the town's issues rather than having these discussions. It's just a waste of time. We have other issues to discuss."

In the discussion, DeRensis said he would approve the minutes only if Peck provided him with documentation of all correspondence shared prior to any changes being made in the minutes.

Peck responded, "I have supplied the Board of Selectmen's office with

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all communications except between myself and Ray," referring to Raymond Miyares, Sherborn's town counsel, who has recused himself from the matter.

At the request of a resident, selectmen unanimously agreed to have Luttrell handle and distribute all future e-mail correspondence to the selectmen.

The issue of accepting the meeting minutes was tabled and will be taken up again at the next board meeting, scheduled for Aug. 21. ■

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