

APPROVED & RELEASED 4.21.15
EXECUTIVE SESSION (ES) CONFIDENTIAL

The ES was part of the Wenham Board of Selectmen (BOS) April 11, 2015 posted meeting. Pursuant to Open Meeting Law, M.G.L. c. 30A, §§ 22 (f) the minutes of any ES, the notes, recordings or other materials used in the preparation of such minutes and all documents and exhibits used at the session, may be withheld from disclosure to the public in their entirety under sub clause (a) of clause Twenty-sixth of Section 7 of Chapter 4, as long as publication may defeat the lawful purposes of the ES, but no longer; provided, however, that the ES was held in compliance with Section 21. These minutes will not be released until approved for release by the Selectmen and notice of such approval has been entered into the regular minutes.

The purpose of the ES was to discuss the proposed contract for Peter Lombardi, Town Administrator finalist

Selectmen Present: Jack Wilhelm, Chair; Catherine Harrison, Ken Whittaker
Also Present: Catherine Tinsley Minutes Secretary; Selectman Candidate John Clemenzi

Mr. Wilhelm stated that he merged the Town's proposed contract with the proposed changes Peter Lombardi made. This was circulated to the BOS for review and discussion at this meeting. Labor Counsel provided legal input on the proposed contract.

The Selectmen discussed recommendations by Selectman Harrison:

1) Compensation of benefits (C)

Ms. Harrison recommended the figure of \$2,500 be changed to "available funding" or "as budgeted" as opposed to an amount. It was noted the Town Administrator's Expense Line for FY 16 is \$2,500.

It was agreed that the following wording be inserted in the contract:

"Within available funding limitations as approved in the Town Administrator's Expense Budget. (For FY16, this amount is \$2,500.)"

Regarding the Evaluation section of the Contract, Ms. Harrison proposed just the order of letters B & C be changed, and it was agreed as follows:

- A) BOS review Town Administrator annually
- B) Define goals and objectives
- C) Leadership and interpersonal

The Selectmen addressed a question from Mr. Lombardi's that Severability/ Indemnification be specifically defined. The BOS agreed to refer this to Labor Counsel for clarification.

Mr. Wilhelm will forward the draft contract as of April 11, 2015 to Town Counsel, Labor Counsel to be ready signing at the Tuesday, April 14, 2015 BOS meeting.

Mr. Wilhelm will also send a copy of the draft contract to Mr. Lombardi, subject to legal advice related to Indemnification clause.

The Selectmen noted the importance that Mr. Lombardi provides the Town with a start date with the signing of the contract.

Mr. Wilhelm moved, and it was seconded, the BOS approve the Memorandum of Agreement dated April 7, 2015 with Peter Lombardi, as discussed and revised at this meeting (April 11, 2015) as edited by BOS and Attorney Donohue. The motion carried unanimously by roll call vote.

Ms. Harrison moved the BOS return to open session and it was unanimous by roll call vote to do so at 12:26 PM

Respectfully submitted by

Catherine Tinsley
4.13.15