

EXECUTIVE SESSION (ES) CONFIDENTIAL

The ES was part of the **Wenham Board of Selectmen (BOS) OCTOBER 7, 2014** 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 litigation with regards to Cross Keys Retreat, 76 Topsfield Road

Selectmen Present: Jack Wilhelm, Chair; Catherine Harrison, Vice Chair; Ken Whittaker, Clerk
Also Present: Mark Andrews, Town Administrator; Paul Weaver, Town Counsel
Special Counsel Attorney Doug Louison, Esq, of Lousin, Costello, Codone & Pfaff LLP, Boston Ma.

Information: Term Sheet signed / dated September 26, 2014

Attorney Louison, and Mr. Weaver summarized the current status of the Cross Keys lawsuit against the Town, under the Dover Amendment and fielded questions from the Board. There is a tentative agreement, subject to ratification, review, and acceptance of the court for non- monetary relief and \$125,000 in damages. The Town's insurance company MIIA has agreed to cover damages and some other costs associated with the lawsuit.

A discussion of understanding ensued.

Vote: Mr. Whittaker moved, and it was seconded, to accept the terms of the Settlement Agreement with Cross Keys as presented by Counsel, contingent on a review and a final Comprehensive Agreement. The motion carried unanimously by roll call vote.

9:52 PM - Mr. Harrison moved, and it was seconded, that the BOS return to open session to adjourn. The motion carried unanimously by roll call vote.

Respectfully submitted by

Catherine Tinsley
10.16.14