

3 EXECUTIVE SESSION (ES) CONFIDENTIAL – Litigation Cross Keys

The ES was part of the Wenham Board of Selectmen (BOS) **December 1, 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.

In open session the BOS voted to enter into executive session at 8:51 pm according to MGL Chapter 30A Sec 21 for the purpose of Exemption (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares regarding Litigation Strategy 76 Topsfield Road, pertaining to claims and appeals of Lawrence Miller and Cross Keys/ 110, Inc. and to return to open session for the sole purpose of adjourning.

Selectmen Present: Chair Catherine Harrison; Jack Wilhelm; John Clemenzi

Also Present: Peter Lombardi, Town Administrator; Recording Secretary Catherine Tinsley

Mr. Lombardi reported that Massachusetts Interlocal Insurance Association (MIIA) reached a settlement with Cross Keys / 110 for \$25,000; the Town's responsibility is \$7,500.

The BOS requested clarification on the settlement and if they must accept or maintain the right to appeal any decision by the ZBA to reduce the maximum number of guests.

The BOS voted unanimously by roll call vote to return to open session for the purpose of adjourning.

Respectfully Submitted By

Catherine Tinsley

2.29.16

2.11.17