

Approved 9.17.13
Final Revised, Approved, & Released 10.30.13

EXECUTIVE SESSION (ES) CONFIDENTIAL

The ES was part of the **Wenham Board of Selectmen (BOS) August 20, 2013** 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 1) *Employee Complaint* 2) *Burley Street Construction*

Selectmen Present: Ken Whittaker Chair; Patrick Wilson, by Remote Participation; Jack Wilhelm, Secretary
Also Present: Mark Andrews, Town Administrator; Catherine Tinsley, Minutes Secretary

1) Employment Complaint

The BOS discussed an ongoing threat of litigation brought forth by a former applicant for a position in the joint public works department and determined that the matter was appropriately addressed, for the present, by efforts by Town of Hamilton.

2) Burley Street Construction

Potential litigation issues and means of possible avoidance through actions of the Building Inspector were also discussed with regard to the Burley Street development construction (legal) requirements.

The BOS will continue to monitor both situations.

Vote; Mr. Wilhelm moved, and it was seconded to return to open session at 9:01 pm. The motion carried unanimously by roll call vote.

Respectfully submitted by

Catherine Tinsley
Submitted 8.23.13
Amended 10.29.13