

EXECUTIVE SESSION

Note: These minutes were released by the Board of Selectmen on 3/14/2011.

Present: Chairman Jeffrey D. Jones, Selectman Mark W. Lynch, Selectman A. Raymond Randall, Jr., Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Location: T.O.H.P. Burnham Public Library at 30 Martin Street, Essex, Massachusetts.

At 7:03 p.m., citing the need to discuss pending litigation, the Chairman entertained a motion to move to Executive Session. The Chairman announced that the Board would be returning to Open Session and invited Mr. Zubricki to attend the Executive Session. The motion was moved, seconded, and per a unanimous Roll Call Vote, the Board moved to Executive Session.

The Selectmen had received a letter from Attorney David Smith alleging that the Selectmen had violated the civil rights of his clients by refusing to grant them a clamming license because they have not lived in Town for one year. Mr. Zubricki had reviewed the letter with Town Counsel and presented Town Counsel's views on the merits and disadvantages of refusing to grant a waiver. It was agreed by all that the Town does not have the financial resources at this time to devote to a lengthy court battle to prove that the Town is correct in denying the licenses.

There being no further business before the Board, a motion was made and seconded to return to Open Session. After a unanimous Roll Call Vote, the Board returned to Open Session at 7:16 p.m.

Prepared by: _____
Pamela J. Witham

Attested by: _____
A. Raymond Randall, Jr.