

**Selectmen's Minutes**  
**T.O.H.P. Burnham Library**

**August 27, 2012**

Present: Chairman Jeffrey D. Jones, Selectman Lisa J. O'Donnell, and Selectman Susan Gould-Coviello.

The Chairman called the meeting to order at 7:00 p.m. in the T.O.H.P. Burnham Library and announced that the Board would hear public comment. No one was present to offer any comment.

A motion was made, seconded, and unanimously voted to approve and sign the weekly warrant in the amount of \$327,547.62.

The Chairman explained that an emergency meeting of the Board of Selectmen was required on Friday, August 24, 2012. Late in the day on Thursday, August 23, 2012, Town Counsel had informed him that the Selectmen needed to deliberate over a critical legal decision involving the Pratt, et. al. legal case, and that waiting to file a particular motion after the required Open Meeting Law posting window had elapsed, would be too late to make that filing. A motion was made, seconded, and unanimously voted to ratify the Friday, August 24<sup>th</sup>, 2012, Selectmen's meeting.

Citing the need to discuss pending litigation concerning the case of Judson Pratt, et. al. vs. the Town of Essex, Essex Superior Court C.A. No. ESCV2012-00936B, the Chairman entertained a motion to move to Executive Session. The purpose of this meeting is to follow-up on the matters discussed at the emergency meeting held on August 24, 2012. The Chairman said that discussing this matter in Open Session would be detrimental to the Town's litigating strategy, and he also stated that the Board would be returning to Open Session only to adjourn the meeting. The motion was moved and seconded. Following a unanimous Roll Call Vote, the Board moved to Executive Session at 7:01 p.m.

The Board returned to Open Session at 7:15 p.m.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting.

Prepared by: \_\_\_\_\_  
Lisa J. O'Donnell

Attested by: \_\_\_\_\_  
Jeffrey D. Jones