



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

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OML 2011 - 56

Lauren F. Goldberg  
Kopelman and Paige, P.C.  
101 Arch Street  
Boston, MA 02110

**RE: Open Meeting Law Complaint**

Dear Attorney Goldberg:

This office received a complaint from Mr. Paul Johnson, dated May 25, 2011, alleging that the Carver Board of Selectmen (the "Board") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. Specifically, the complaint alleges that "[o]n March 29, 2011 the Carver Board of Selectmen, in executive session, voted to approve a contract for Town Administrator Richard LaFond. The contract was announced to the public on April 12, 2011 at a Selectmen's meeting...No vote has ever been taken in open session regarding this contract in violation of the open meeting law." Mr. Johnson initially filed a complaint with the Board on April 22, 2011. Your response to the original complaint, on behalf of the Board, was received by this office on June 13, 2011.

Following our review, we find that the Board violated the Open Meeting Law in several ways. First, the Board's March 29, 2011 meeting notice failed to provide sufficient specificity about the anticipated executive session topic. Second, while the Board entered executive session for a lawful purpose on March 29, 2011, the Chairman failed to state the purpose with sufficient specificity in open session prior to entering executive session. Finally, the Board failed to approve the Town Administrator's contract in open session.

In reaching this determination, we reviewed the April 22, 2011 and May 25, 2011 complaints, your June 13, 2011 response on behalf of the Board, and two e-mails from the complainant to this office, dated June 20, 2011 and July 7, 2011. We also reviewed the Board's March 29, 2011 meeting notice, the minutes from the Board's March 29, 2011 and April 12, 2011 meetings, and the March 29, 2011 executive session minutes.



