



## HINGHAM MUNICIPAL LIGHTING PLANT

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John P. Ryan, Chairman  
John A. Stoddard Jr., Vice-Chairman  
Roger M. Freeman, Secretary

### **Hingham Municipal Light Plant Executive Session held on October 18<sup>th</sup>, 2019**

At 0840 a motion was duly made and seconded and a unanimous vote taken to leave the regular meeting and enter Executive Session. The note taker and guest left the meeting room.

The GM said that at the last meeting he had passed an "Attorney Client Privileged Communication" that came from Attorney Diedre Lawrence which described the differences between H. 2863 and H. 3893. It was given to the note taker, the Assistant General Manager and the Board. He reminded the Board that they had made a request of him to prepare an analysis and comparison of the two bills so they could make an informed decision as to whether they would support one bill or the other or take no position at all on either. The GM described that he had asked Attorney Lawrence to make that comparison. He also reminded the Board that the matter addressed was still open at the end of the September 5<sup>th</sup> meeting as no vote had been taken on what to do. Given the fact no vote was taken the document's confidentiality was still protected by privilege and that he, the GM, was the only person who could waive that status.

The GM went on to say that a few days after the meeting he had received a call from Attorney Lawrence and she asked him to whom had he given the analysis as it turned up in the possession of a Rowley Municipal Light Board member. This person wanted that document, Attorney Lawrence's, "Attorney Client Privileged Communication", to be added to the agenda of Rowley's next meeting so that it could be discussed. The GM told her he had not given it to anyone outside the note taker, Asst. GM and Board. The GM went on to say Attorney Lawrence had also asked if it were his routine to affix a stamp to documents that were at one time privileged indicating it was publicly released and thus ok to now share. The GM indicated he had no idea what she was referring to. Lawrence said the words, "PUBLICLY RELEASED HINGHAM LIGHT BOARD MEETING 9/5/2019" in red lettering now appeared on the top of her analysis. The GM said he asked her to send the altered document. The GM said both documents, the 1<sup>st</sup> and changed, were in today's package that was given to the Board for today's meeting.

The GM said he'd already checked with the note taker and Assistant GM and both denied having altered the document and or distributing it. The GM asked each Board member if they'd given it to anyone and each Board member denied having distributed it. The GM said he was both upset and disappointed that a confidential document that was put together to help the HMLP Board make a decision had been copied (who knows how many copies of it had been made) and passed around without his knowledge and consent. The Chairman said that he didn't blame the GM for how he felt. The GM said he wasn't sure what he was going to do in the future with confidential documents. The Secretary offered that maybe a guest who was at the meeting took it off the conference room table? The GM Thanked the Secretary for that suggestion but he said he didn't think that was a possibility because he makes a point of handing the meeting package to each Board member at the outset of the meeting. Additionally he watched the guests who was sitting at the table near a Board member leave and they did not reach towards the Board member's stack of meeting papers while exiting.

The GM said he was done talking about this and that if the Board had nothing further to discuss a motion to end the Executive Session was in order. At 0845 the Vice-Chair made a motion to come out of Executive Session. That motion was seconded by the Secretary and it was unanimously voted to come out of Executive Session and return to the regular meeting.



