



# The Commonwealth of Massachusetts

MIDDLESEX DISTRICT ATTORNEY  
15 COMMONWEALTH AVENUE WOBURN, MA 01801  
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GERARD T. LEONE, JR.  
DISTRICT ATTORNEY

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#### EXECUTIVE

- ADMINISTRATION
- COMMUNICATIONS
- INTERVENTION & PREVENTION PROGRAMS
- PUBLIC POLICY
- LEGISLATION
- VICTIM WITNESS BUREAU

June 18, 2009

#### TRIAL TEAMS

- CAMBRIDGE REGION SUPERIOR COURT
- MALDEN REGION SUPERIOR COURT
- WOBURN DISTRICT COURT

#### SPECIALTY UNITS

- APPEALS & TRAINING BUREAU
- CYBER PROTECTION PROGRAM
- FAMILY PROTECTION BUREAU
- CHILD ABUSE UNIT
- DOMESTIC VIOLENCE UNIT
- ELDER/DISABLED UNIT
- PUBLIC PROTECTION, ANTI-TERRORISM, CORRUPTION & TECHNOLOGY (PACT)

#### STATE POLICE DETECTIVES

- COMPUTER FORENSICS
- HOMICIDE
- PACT

#### REGIONAL OFFICES

- CAMBRIDGE
- FRAMINGHAM
- LOWELL

#### DISTRICT COURT OFFICES

- AYER
- CAMBRIDGE
- CONCORD
- FRAMINGHAM
- LOWELL
- MALDEN
- MARLBOROUGH
- NATICK
- NEWTON
- SOMERVILLE
- WALTHAM
- WOBURN

Daniel Leclerc, Board of Selectmen  
 Philip Curtis, Warrant Committee  
 Patricia Brusch, Warrant Committee  
 Elizabeth Allison, Warrant Committee  
 Ann Rittenburg, School Committee  
 Leslie Walker, School Committee  
 Belmont Town Hall  
 455 Concord Avenue  
 Belmont, MA 02478

Re: Belmont Officers Group

Dear All:

This month a voter in Belmont asked this office to consider the activities and composition of the so-called Belmont Officers Group, believed to be the six town officials addressed. The voter asserted that you six, holding positions as chairs or leaders of three key town governmental bodies, have met as a group for several months this year to form proposals for better administrative or financial operation of town government, with the apparent intent to advance favored proposals by presenting those at meetings of your respective committees, the Board of Selectmen, the Warrant Committee, and the School Committee.

It is the responsibility of the District Attorney to enforce the Open Meeting Law, Mass. G.L. c. 39, §§ 23A-24. This statute requires that all meetings of governmental bodies be conducted in public session (unless authorized to meet in an executive session) in a place accessible to the public and upon written notice of the time and place of the meeting that has been filed with the Town

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 BOARD OF  
 SELECTMEN  
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Belmont Open Meeting Law Inquiry

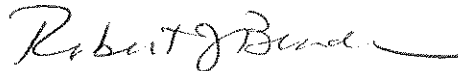
Clerk for at least 48 hours. In addition, meetings must be recorded by the timely preparation of minutes, which are made available as public record.

The District Attorney asks that you provide this office with a written statement that speaks to the nature of the business of this group, whether its members share in discussions on the business of this group with each other, whether by virtue of the public offices held by its members the group has access to town staff and officials not generally available to members of the public, and whether records are kept of its discussions and correspondence, whether notice of its discussions are given to the Town Clerk, and whether the members have reported (or expect to report) to the Board of Selectmen, Warrant Committee, or School Committee about the discussions of its members on the town business that the members have conducted. You may also address how this group and its purpose were established.

The information that we request is needed to understand what this Officers Group is in terms of the Open Meeting Law. If it is a governmental body, as the statute defines the term, then it may not conduct meetings without complying with the Open Meeting Law. It is hoped that your good efforts on behalf of your town will continue without further issue over the application of the Open Meeting Law.

Thank you for your expected cooperation. If you would, please forward your response to my attention within the next three weeks.

Sincerely,



Robert J. Bender  
Assistant District Attorney

RJB:rb