



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: David Last Name: Leja

Address: 141 Luce Road

City: Williamstown State: MA Zip Code: 01267

Phone Number: (413) 458-1784 Ext. _____

Email: davelja1@msn.com

Organization or Media Affiliation (if any): _____

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Williamstown Massachusetts Planning Board

Specific person(s), if any, you allege committed the violation: Ms. Sarah Gardner, Ms. Ann McCallum, Ms. Elizabeth McGowan

Date of alleged violation: 4/28/16-5/4/16

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

I believe an intentional violation of the Open Meeting Law occurred. The 3 defendants met either in person or electronically, worked with a group of individuals including an abutter attorney to draft an amendment related to a proposed Waubeeka Golf Club Inn project. They did so outside an open meeting. At a Board meeting on 4/28/16, a meeting was scheduled for 5/4/16 to finalize agreements made at the 4/28 meeting. During that week, the defendants crafted the "Gardner Amendment", allegedly co-authored by Gardner & McCallum. In the first minutes of the 5/4 meeting, McGowan introduced this amendment stunning the other 2 Planning Board members. Gardner, McCallum, and McGowan are all employees of Williams College. The Waubeeka Inn proposal is by its nature a competitor to an Inn to be built by Williams College and before their Board. The 3 voted to expand the Spring Street Business District to allow their employer to build an Inn on Spring Street. Despite a negative environmental impact study introduced, no conditions were imposed upon the Williams College project. The Gardner Amendment places significant obstacles to the Waubeeka Inn project which make it likely to fail at Town Meeting. Public comments by others say the 3 worked outside intent of the law. McGowan's immediate motion on 5/4 introduced the amendment as written and that could not occur unless she knew of its content, which would involve the 3 sharing the document in question. Gardner, McCallum & McGowan form a quorum of this 5 person board, and there is clear bias toward the Waubeeka Inn project which is a competitor to the Spring Street Inn project of their employer. The amendment is too sophisticated, and its introduction and passage by the 3 clearly indicate a possible Open Meeting Law violation.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

That the Board rescind passage of the Gardner Amendment. That Gardner, McCallum, and McGowan be fined or reprimanded by the Office of the Attorney General of Massachusetts if in fact a violation of the Massachusetts Open Meeting Law has occurred. Any other action deemed appropriate.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, will be considered a public record and available to any member of the public upon request. In response to such a request, the AGO generally will not disclose your contact information.


II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 5-8-2016

For Use By Public Body For Use By AGO
Date Received by Public Body: Date Received by AGO: