

Memorial Town Hall, 1 Library Street, Georgetown, MA 01833

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BOARD OF SELECTMEN MEETING MINUTES

Memorial Town Hall

9/17/18

7:00PM ~ 3rd floor meeting room, Town Hall

Selectmen Present: Joseph Bonavita, Chairman; Douglas W. Dawes, Clerk; Steven Sadler, and Gary C. Fowler

Others Present: Tim Zessin, KP Law; Robert “Red” Kelley, Boston Systems and Solutions; Ashley Peel, Esq. AFSCME; Thom Berube, Assessor; Janet Pantano, Administrative Assistant

Absent: Michael Farrell, Town Administrator; Charles Durney

7:00PM Call to order

EXECUTIVE SESSION-KELLEY

Anticipated executive session in accordance with G.L. c. 30A, §21(a)(1), to discuss complaints or charges brought against, a public officer, employee, staff member or individual

The Board, by roll call vote, voted to go into executive session:

Roll Call Vote:

Selectman Bonavita ___Y___
Selectman Dawes ___Y___
Selectman Fowler ___Y___
Selectman Sadler ___Y___

Voting in the Affirmative: _4_

Voting in the Negative: _0_

Summary of Discussion:

Attorney Zessin asked Mr. Kelley to state his name and that he would like the meeting to remain in open session. Mr. Kelley stated his name and that he requests the complaint be discussed in open session.

Mr. Zessin stated that Mr. Kelley provides IT services to the town and he explained that 2 firefighters were fired and then were reinstated under an agreement. He stated that these firefighters were Rusty Ricker and Craig Lampert. He explained that to return to the department their equipment, email, and scheduling had to be set up. He stated Mr. Kelley in his position set up the passwords and Mr. Lampert filed a complaint against Mr. Kelley and another employee that was discussed in another session. He stated Mr. Lampert stated that the passwords that Mr.

Kelley gave them, Franklin1736\$ and UnionFire1736! where inappropriate. He read from Mr. Lampert's email the complaint regarding the emails. He stated because of those passwords he feels that this created a hostile environment.

Mr. Kelley read a prepared statement.

Mr. Kelley read letters of recommendation from Chief Cudmore; Thom Berube, Assessor; Mike Anderson, School Facilities Manager, previous Fire Chief; Peter Durkee, Highway Surveyor; Fire Chief Mitchell; Colleen Fiorello, CoA; and Peter Lucia, previous High School Principal;

Mr. Zessin stated that Mr. Kelley is a well-respected member of the community and provides a professional service to the town.

Mr. Dawes stated that he does not know Mr. Kelley well but has never seen any malice from him.

Mr. Sadler stated that he was not aware of any derogatory meaning of volunteer and he read a definition of a volunteer firefighter from the Social Security Administration and also similar language from Department of Labor. He stated that Franklin as sex act he has never heard of this. He does not think claims are substantiated

Mr. Fowler thanked Mr. Kelley for being so prepared and he stated that he googled the passwords and found about the fire department. The letters tell him he is a good person and does not see anything done wrong. He stated that he believed that passwords are not to be shared.

Mr. Bonavita stated that this is bring someone down for no reason. He stated that he does not feel that Mr. Kelley would make the passwords as derogatory. He stated that a phone call could have discussed passwords and an explanation would have settled that issue. He stated Mr. Kelley is a respected member of community and runs a business. He stated he should not have to defend himself. He stated he was sorry Mr. Kelley had to be here tonight and hopes he does not hold it against the town. He stated that he is a vendor to the town and a vital piece of the town infrastructure.

Mr. Kelley stated that he does not know Mr. Lampert but he does know Mr. Ricker. He stated that he was showing respect for the positions with these emails.

Mr. Sadler asked if Mr. Lampert was invited to tonight's meeting.

Mr. Zessin stated that his attorney knew there would be an open session. Mr. Sadler asked Ms. Pantano to confirm that Mr. Lampert is not present at this meeting. Ms. Pantano confirmed that Mr. Craig Lampert is not present at this meeting.

Mr. Bonavita stated that Mr. Zessin is here at a price that the town people are paying for him to be here. He stated that this is an un-useful event and the town will be writing a check for a un-useful event.

Mr. Zessin stated that the password could be changed and was it asked to be changed. Mr. Kelley stated that there were no requests to change the passwords.

Mr. Zessin stated the board heard the complaints and evidence and now will deliberate if there was a hostile environment and were Mr. Lamperts rights violated. He stated that he would turn the meeting over to the board.

Mr. Dawes moved for a determination that there was no evidence of substantiation of the complaint by Lt. Lampert or any form of discrimination. Mr. Sadler seconded the motion.

Mr. Fowler asked if we have a policy on passwords. Mr. Dawes stated yes he believes the town does and employees are not to share their passwords.

Roll Call Vote:

Selectman Bonavita	___Y___
Selectman Dawes	___Y___
Selectman Fowler	___Y___
Selectman Sadler	___Y___

Voting in the Affirmative:	__4__
Voting in the Negative:	__0__

The motion was approved by a roll call vote.

Mr. Zessin stated that he will work with the Chairman on a decision.

Mr. Dawes moved for the chairman to work with town counsel on a decision to forward to the complainant. Seconded by Mr. Sadler.

Roll Call Vote:

Selectman Bonavita	___Y___
Selectman Dawes	___Y___
Selectman Fowler	___Y___
Selectman Sadler	___Y___

Voting in the Affirmative:	__4__
Voting in the Negative:	__0__

The motion was approved by a roll call vote.

Mr. Sadler moved to adjourn. Mr. Dawes seconded the motion.

Roll Call Vote:

Selectman Bonavita	___Y___
Selectman Dawes	___Y___
Selectman Fowler	___Y___
Selectman Sadler	___Y___

Voting in the Affirmative:	__4__
Voting in the Negative:	__0__

The motion was approved by a roll call vote.

Board of Selectmen Minutes
September 17, 2018

Meeting adjourned at 7:25 PM.

Minutes transcribed by J. Pantano.

Minutes approved October 15, 2018.