

SELECT BOARD MINUTES July 27, 2009

Present: Select Board members Bill Perlman, Tom Ulrich and Dave DeHerdt
Town Administrator, Maryellen Cranston

More than 50 residents

Meeting called to order 7:00 pm.

Clam Bake – Motion was made, and seconded, to give permission to Nan Parati and Elmer's to close Norton Hill on August 9 in order to hold a clambake. Vote was unanimous.

Minutes – Motion was made, and seconded, to approve the minutes of July 6. Vote was unanimous. Motion was made, and seconded, to approve the minutes of July 8. Vote was unanimous. Motion was made, and seconded, to approve the minutes of July 20. Vote was unanimous. The minutes of July 13 were not approved. Dave will make Maryellen aware of the changes he would like done.

Police Chief – Motion was made, and seconded, to accept the minutes of the July 1 Executive Session. Motion was made, and seconded, to accept the waiver of confidentiality signed by John Svoboda dated July 20, 2009 by which he waives his rights to confidentiality at the June 4 and July 1 executive sessions.

Dave D. announced that the allegations investigated were violations of the sexual harassment and equal opportunity policies. He elaborated further that the complainants are protected under the whistle blower policy from retaliation by town officials. The violations allowed or contributed to a hostile work environment. People are not comfortable working in that kind of environment. The town has zero tolerance for this type of harassment. They gave out the most severe form of discipline possible.

Dave D. is in favor of making all of the information that was presented at the executive session available to the public for review. He will contact town counsel to determine the proper format that this can be distributed electronically. He asked that residents give him the time to work out the proper procedure for distribution.

Paulette Leukardt and Suzanne Corbett asked if they felt that witnesses lied or perjured themselves. Dave D. explained that you can't assume that someone lied. The Board gave more weight to certain evidence or testimony over another.

After Tom Ulrich stated that this would be the last question, Dave Newell asked if after everyone examined the evidence, would the Board agree to discuss how they arrived at their decision. Dave D. said that juries are protected from this kind of pressure. It would be the equivalent of asking a jury to explain its decision. Residents are able to see the evidence and arrive at their own conclusions. If residents don't like the decision, they can vote out the Board.

Dave D. said that they are not trying to hide anything. They stand by their decision. Residents will be able to examine the 32 attachments and hear the recorded testimony. Asking the Board to explain their decision is not fair. If residents put their questions in writing then the Board will decide which ones to address at a future meeting.

Suzanne Corbett asked about the missing emails. Dave D. replied that the Board is working on computer security. Paulette Leukardt stated that she had one of the missing emails dated May 31. She proceeded to stand up and read it. Buz Eisenberg stood up during her reading and said to the front table, "Point of Order. There's a motion on the floor. You need to control your meeting."

Vote on the motion to accept the waiver of confidentiality was unanimous. (Bill had left the meeting at 7:40 pm). Vote on the motion to accept the executive session minutes of July 1 was unanimous.

Scheduling – Maryellen discussed with the Board the best times to schedule appointments to discuss a potential town website and a Hilltown CDC grant application. Also the cell tower informational meeting will be rescheduled for mid-September.

Department Reports – Dave D. reported that the Doug Field's retirement party was yesterday. The Board read a letter commending Officer Sean Skalski for his professionalism during a traffic stop.

The question was asked as to who was in charge of the police department. The Board reported by law as chair of the select board, Bill Perlman, is in charge of the department. As highest-ranking officer, Sgt. Nunez handles the daily operations.

Ricki Carroll read a letter requesting the removal of fake animals from the curbside, specifically the animals on Bill Perlman's property. The Board will make Bill aware of the letter.

Complaints – The Board looked at four new complaints that were presented. Dave D. felt that these complaints dealt with performance issues that would be dealt with during the probationary period. Cynthia Cranston asked about the remaining 6 complaint letters that were not addressed. Dave D. said he was not aware of 6 additional letters. Maryellen said that the June 8 meeting minutes stated that 8 complaint letters were received. Dave D. and Tom said they still had all documents and they would look into the remaining additional complaints.

Meeting adjourned at 8:47 pm.

Respectfully submitted,
Town Administrator