

WALES BOARD OF SELECTMEN
Meeting – May 16, 2016

PRESENT: Jeff Vannais (Chairman), Ed Boyce, Mike Milanese

ALSO PRESENT: Tony Torres (Teamsters' Union 404 Representative), Jay Allen (Highway Department), Bill Darnley, Bruce Cadieux (Road Commissioner), Justin Mathiau, Sheila Chabot, Leon Givner, Dick Silva (Transfer Station Manager), Howard Whyte

Chairman Vannais called the meeting to order at 7:00.

Milanese stated that because the meeting was not posted online, he believed it was not legal. Additionally, he stated that although the Town Clerk had indicated that the meeting was legal because it had been posted on the Town Hall bulletin board, he did not have faith in her advice. He also stated that Susan Hubbell had no right to be attending as recording secretary in Amy Bishop's absence, and he would not participate in any meetings when Amy was not present. A motion was made by Milanese, seconded by Vannais, to adjourn the meeting. The motion was defeated 2 – 1 (Milanese – yes; Vannais – no; Boyce – no).

APPOINTMENTS:

1. Vannais indicated that the next item on the agenda was a continuation of the discussion about the complaint filed against Jay Allen by Bruce Cadieux of the Wales Highway Department. Jay Allen waived his right to continue deliberations in Executive Session, and the discussion proceeded in Open Session. (The BOS intended to discuss this issue in Executive Session at the previous meeting, but because Jay was not in attendance, they postponed discussion until today to comply with MA Open Meeting Law). Vannais stated that the complaint was based on Allen's refusal to attend Flaggers Certification Training arranged by the Road Commissioner. Boyce made the motion to settle the dispute by issuing a Letter of Reprimand to be placed in Allen's personnel folder for 6 months. If no further violations occurred, the letter would expire and be removed from Allen's folder. Vannais seconded the motion. Torres requested clarification of which Settlement Agreement the Town was working under and what specific contract violation Allen allegedly committed. Vannais replied that the Town was working with the 2015-18 Settlement Agreement, which states that "the Road Commissioner has the right to direct the work of his employees." Allen's refusal to attend the training was considered insubordination. Torres replied that the request to attend training was beyond the scope of the usual work day and asked the BOS to cite the specific area of the contract that was violated. Vannais responded that Allen's refusal to attend training was in violation of paragraph 270 of the Settlement Agreement. Torres disagreed, and after a brief discussion between Torres and Vannais, Torres indicated that they would be filing a grievance against the Town of Wales. At this time Torres and Allen left the meeting. (7:30)
2. At this time, Selectman Milanese also left the meeting, indicating that he believed the meeting should be postponed because it was not posted on the Town website.
3. Vannais proposed an amendment to Boyce's previous motion, stating that he would like the letter of reprimand to specify that Allen was insubordinate when he refused to comply with a request from his superior. The amended motion passed unanimously.
4. Vannais stated that the next agenda item was discussion of a complaint made by a former Transfer Station employee, Kim Bates-Basch, against Dick Silva. Silva waived his Executive Session rights, and requested to have representation by Bruce Cadieux. Silva indicated that he

had not seen the complaint, and requested that it be summarized aloud. Vannais summarized the complaint (While working at the Wales Transfer Station, Kim Bates-Basch perceived that the atmosphere was not conducive to a good working environment for employees, there was no available protection from the elements, the atmosphere was toxic , and she was led to believe that her presence was not welcome). Silva replied that Bates-Basch has been an outstanding worker, but she often “baits people” in an attempt to get them to say unkind things. On the day of her complaint, Bates-Basch approached Ed Boyce at the Transfer Station and requested a salary increase. Silva explained to her that she should have made this request to him, not Boyce. Bates-Basch then replied that she was angry about not receiving the job at the Wales Senior Center, and that she needed more money to support her family. Since this discussion, Bates-Basch has not returned to work at the Transfer Station, and Silva is not sure whether or not she formally quit. Silva also stated that Boyce has been very helpful in responding to questions from Town residents while at the Transfer Station. Vannais then stated that the issue seems to be that of a complaint from a disgruntled employee, and he does not see any need to pursue it further.

OLD BUSINESS:

1. Open Meeting Law Complaint: Vannais was supposed to compose a response to the Attorney General, but has not yet done this. Boyce indicated that the deadline for responding to the Attorney General has passed. Vannais will compose a letter of response by the June 7 meeting.
2. Holland-Wales Boundary: There is a slight discrepancy in the Barney Road/South Meadow Road delineation that, if not resolved, could affect future property boundaries and frontage issues. This resulted when the geographical mapping people used a different definition of the Wales boundary established in 1795. Ed has spoken to Michael Shilleto from CIA Tech regarding this. In order to determine how to move forward with this issue, Boyce will speak with Neil McGaffey from Mass GIS.
3. ADA: The Town needs to give Greg Corbo something to work with. Vannais will contact Amy Bishop tomorrow to determine whether the checklist of completed items has been sent.
4. PVPC: Boyce made the motion, seconded by Vannais, to authorize any Selectman to sign items from PVPC/CDBG. The motion passed unanimously.

NEW BUSINESS:

1. Vannais reminded Town residents that the Annual Town Meeting will be held on May 18, 2016, at 7:00 pm at the Wales Elementary School. He encouraged all residents to attend as there will be many important items for discussion.
2. Boyce made the motion, seconded by Vannais, to change the dates of the next two BOS meetings. The next meeting will be on June 7 and the following meeting will be on June 21. The motion passed unanimously.
3. Vannais stated that the Town would like to do something special to recognize the accomplishments of Town resident, Doug Senecal. He requested ideas for ways to show our appreciation.

Vannais made the motion, seconded by Boyce to adjourn the meeting. The motion passed unanimously, and the meeting was adjourned at 8:09 pm.

Respectfully submitted,

Susan P. Hubbell (for Amy Bishop)