

Selectmen's Meeting
January 31, 2012
10:00 A.M.

A Meeting of the Board was held on the above date in the Fred B. Morgan Jr. Meeting Room, Town Hall. Members present were Arthur Smadbeck, Chairman, Margaret E. Serpa; Ron Rappaport, Town Counsel; Judge John Sullivan, Special Counsel; Jack Collins, Labor Counsel was on a speaker phone; and Town Administrator Pamela M. Dolby; Wastewater Commissioners present were Tim Connelly, Cliff Karako, Jim Carter, and Wastewater Superintendent Joe Alosso

The meeting was called to order by both Boards to hear a report prepared by Judge John Sullivan relative to the Wastewater Department operations.

Judge Sullivan reviewed the findings in his report (file). He elaborated on issues such as the metering situation, meetings with auditors, criminal allegations, criteria for hardships, Commissioners role, and the fact that the Department was Manager controlled.

Once Judge Sullivan completed his comments Mr. Rappaport turned the meeting over to Mr. Collins. Mr. Collins pointed out the fact that this was a great deal of material to take in and a very lengthy report to read. Mr. Collins made the following recommendations: take time to review the report and schedule another meeting to take action; vote to put Mr. Alosso on paid administrative leave which does not result in any prejudice, loss of pay, or disciplinary record. Mr. Alosso needs to turn in all Town equipment; the Commissioners should take care of securing the plant. Mr. Alosso may retrieve his personal belongings from his office.

Mr. Collins referred to the allegations about a certain Commissioner, whether the conflict exists or is perceived that Commissioner should refrain from any action or vote on this issue which could appear to be a conflict of interest.

He suggested the Commissioners pick a date to meet again and decide what action they will be taking.

Mr. Rappaport said the Commissioners need to vote on the administrative leave. Mr. Carter asked if he should refrain from voted and Mr. Collins said he should.

Mr. Karako made a motion which read: I move, based on the findings and recommendations in the independent investigation conducted by retired Judge John Paul Sullivan , which follows an investigation by the Massachusetts State Police assigned to the Office of the District Attorney, with the assistance of the Edgartown Police Department, and the vote of the Edgartown Board of Selectmen to refer the matter to the State Ethics Commission, that the Wastewater Commissioners immediately place the Facilities Manager on paid administrative leave while the commissioners review the report and decide upon a proper course of conduct.

There was a second by Mr. Connelly followed by a vote in favor. Mr. Carter did not vote.

Mr. Karako made a motion to accept and sign the letter to Mr. Alosso, prepared by Counsel.

There was a second by Mr. Connelly followed by a vote in favor. Mr. Carter did not vote.

The letter (file) was signed and presented to Mr. Alosso.

All present agreed to meet on Tuesday, February 7, 2012 at 1: p.m. in the Selectmen's meeting room to make a final decision.

There being no further business the meeting ended at 12:14 p.m.

Respectfully submitted,

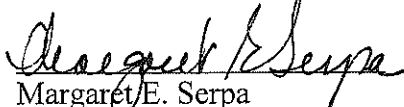
Pamela. M. Dolby
Town Administrator

APPROVED:



Arthur Smadbeck, Chairman

Michael J. Donaroma



Margaret E. Serpa
Board of Selectmen