

February 17, 2011
Special Selectmen's Meeting

Present: C. Guiry DMD Ch., R. P. McGinnity, & A.A. Milkovits (Selectman Richards was absent due to previous personal appointment.)

Meeting opened at noon. Police Chief Barry Hutchins was also present to answer the Board's questions on the anonymous complaint. Individuals do not want to do written statements at this time. The Chief explained only if the Board pursues criminal charges are written statements required. The Chief does not recommend seeking criminal charges at this time as the Town would have a hard time proving the Road Agent's state of mind. It seems that the Road Agent did not understand the Selectmen's directive and continued to use his truck on behalf of the Town of Mason. The Chief recommends taking civil action, if necessary, for the return of the Town equipment. Chairman Guiry questioned this recommendation and wants an opinion from Town Counsel and the Town Prosecutor. He would also like to know if Mr. Brackett's paycheck can be held for the restitution. Town Counsel was contacted and stated that the Board could not hold Mr. Brackett's paycheck but could seek restitution in small claims court if the Town equipment is not returned. Attorney Little recommended sending a letter to Mr. Brackett to request the return. After more discussion on the pros and cons of seeking criminal charges, it was decided to send two letters to Mr. Brackett: a certified and regular mail copy of each – one to accept Mr. Brackett's verbal resignation and request him to sign the letter and return a copy, and the other to direct Mr. Brackett to return all Town equipment, including radio, keys and especially the four tires and plow edge, immediately. The Board may also seek restitution for usage of the tires and plow edge. Chief Hutchins will seek a written opinion/recommendation from Town Prosecutor Martha Jacques on this matter for the Board.

Interim Road Agent David Morrison met with the Board to discuss the Highway Department. He discussed the need for a mechanic. At their next meeting, the Selectmen will discuss contracting a mechanic. The Board assured Mr. Morrison that they would support him in any way he needed during this interim period. The Board will be interviewing Ted Jarest, one of the applicants for Road Agent, on Monday, February 21st.

Mr. Morrison had written a letter in response to the Board's disciplinary letter concerning the handling of cash in the Highway Department. He explained that selling scrap metal, etc. and using the cash for the Highway Department was standard practice for years. He now understood the importance of depositing the cash in the general fund. The employees at the HD had been recycling their aluminum soda cans for cash and would like to continue to do so. The employees use their own money to purchase the cans and use the cash from recycling for their own purchases. The Selectmen approved his request as long as the cash from the cans is kept in a locker or off the HD premises. Mr. Morrison agreed to this. The Board thanked him for his letter and change of attitude.

Meeting adjourned at 2:00 PM.

Barbara S. Milkovits
Admin. Assistant