

GREENFIELD TOWN COUNCIL

July 26, 2018

Emergency Meeting

7:00 p.m.

John Zon Community Center,
Community Meeting Space,
35 Pleasant Street, Greenfield, MA

CALL TO ORDER: Meeting was called to order at 7:03 p.m. by President Renaud.

President Renaud stated this meeting was being recorded. If any other person present was doing the same, they must notify the chairperson at this time. It was noted the Town Council and Christopher Collins were audio recording and GCTV-15 was video recording the meeting for future broadcast.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilors Pyfrom, Mass, Ricketts and Stempel were absent

ALSO PRESENT: Mayor William Martin; Director of Administration Mark Smith; School Committee Secretary Don Alexander; Town Clerk Kathryn J Scott; Assistant Town Clerk Geneva Bickford; Former Finance Director Elizabeth Braccia; Attorney Phil Wartell; Procurement CPO Audrey LaBonte; Fire Fighter Peter McIver; Home Inspector Dan Smith; Treasurer/Collector Kelly Varner; Assessor Administrative Assistant Kimberly Mew; Accounts Payable Clerk Nancy Pretto; Police Dept Administrative Assistant Judy Collins; Treasurer/Collector Office Paula Morse; DPW Office Manager Janine Greaves; GCTV's Chris Collins; Dan Desrochers, *The Recorder*.

The Pledge of Allegiance was held.

MOTION: On a motion by Councilor Allis, second by Councilor Mayo, it was unanimously,
VOTED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL WAIVE THE RULES OF PROCEDURE, 8 ORDER AND DISPOSITION OF BUSINESS.

PUBLIC COMMENT: The following members of the public spoke:

- Amy Moscaritolo, 43 County Club Rd., spoke to Elizabeth Braccia's work and professionalism for the Town and urged the Council to be unwavering of their inquiry into this situation that led to her dismissal.
- Quinn Jaquins, Personnel and Payroll Clerk for Town of Greenfield and Treasurer of Franklin County Pride, no address given, speaks to her support of Elizabeth Braccia and to the alleged allegations that lead to her dismissal.
- Peter McIver, 10 Carroll Lane, spoke to Mayor Martin's alleged vindictive actions against Elizabeth Braccia as well as his own personal experience with Mayor.
- David Moscaritolo, 43 County Club Rd., spoke to the importance of people getting involved with Council meetings. He also spoke of the Mayor's retaliatory actions against Elizabeth Braccia and to Ms. Braccia's professionalism throughout her tenor as Finance Director.
- Patty Morey Walker, 194 High Street, spoke to Mayor Martin's alleged bullying conduct and urged Councilors to hold Mayor Martin accountable.
- Sarah Ahern, 35 Pleasant St., spoke of an incident that occurred June 10th at the Special Meeting with Mayor Martin approaching her in an intimidating manner.
- Ginny Desorgher, 43 Silvercrest Lane, echoes the sentiments of the previous speakers as to Elizabeth Braccia's professionalism and Mayor Martin's alleged bullying and intimidating manor.

Jami Kolosewicz, Former Health Inspector for Town of Greenfield, 193 Silver St., invited Councilors to question why so many people have left the employment of the Town of Greenfield and the Town since Mayor Martin has taken office.

PUBLIC HEARINGS: None

DISCUSSION: President Renaud encouraged Councilors to ask direct questions now while in open session. Mayor Martin answered questions from Councilors by stating the following:

- Advertising had occurred for the Finance Director position and applications have been received and will set up interviews in the next couple of weeks.
- Tomorrow the new certified Business Manager for the Schools will be working with the Accounting Office for the purpose of closing the books, closing out the Fiscal Year, and setting up the charge for the new Fiscal Year. He would be doing the finances for the Town as well as the School. He has been trained in both School and Town finances.
- Based on the School Business Manager's resume he is qualified for the position.
- This arrangement will be in place for approximately three (3) to six (6) weeks.
- The NR contracts were notified that they would not be renewed to allow for review by the Executive. NR contracts are individual contracts, and the Finance Director's was not renewed and therefore let go by documentation of process.
- The Finance Director was the only contract not renewed, about 15 to 20 NR contracts have been reviewed.
- Pride Parade posters could not go up in Town offices because it's deemed as political. Mayor Martin stated that because Franklin County Pride was a non – profit, municipal funds could not be given to this event.
- Job performance reviews for Town Hall employees were not performed.
- If anyone had submitted a written complaint it needs to be addressed and interviews with the subject were not held.
- The confidence that Greenfield would get the best qualified candidates for the vacant position.
- Doesn't believe that Elizabeth Braccia would be the best person for this job.
- There was no contemplation not to renew the former Finance Director's contract.
- Councilor Allis inquires if Mayor Martin knew the number of contracts the employee has and number of months and in what succession they were in. Inquiry cannot be answered at this time.
- Unaware of the number of contracts that employee had and number of months and in what succession they were in.
- Human Resources performs exit interviews, but doesn't believe Elizabeth Braccia had one.

Elizabeth Braccia approached the Council for questioning. She is joined by her Attorney, Nathan Olan. Ms. Braccia chose to wait to answer some questions in Executive Session. Ms. Braccia stated the following in response to Councilor's questions:

- Had been employed with the Town for 7 (seven) years and reviewed forms of prior contracts. Her contract was terminated July 1, 2018, while she was recuperating from surgery. There was a staff meeting letting everyone know that all of the current contracts were terminated and they were redoing them to be 3 (three) year contracts.
- She was given a 6 month contract and not an annual contract because it doesn't make sense that they could not terminate the Town Accountant at year end.
- She would vigorously challenge complaints brought against her.
- Since the GCET issue things had gone downhill for her.
- To her knowledge, there were no other 6 month NR contracts issued to anyone else. All other NR employees received contracts for the year; she felt singled out.

- She had never received an apology relating to GCET when it came to light that she had been correct from anyone. She continued to work for Greenfield because she believed in Greenfield.
- She believes she had good relationships with people in the Town Hall.
- She explained that she was afraid to take leave for her knee surgery.
- She stated that there was an order not to speak to the Town Council.
- She stated she could not have spoken on September 20, 2017. Ms. Braccia thanked everyone for their overwhelming support; it honored and humbled her.

Councilor questions and comments included the following:

- In response to a question, Peter McIver stated Union evaluations were not prohibited.
- Employee evaluations not only report how an employee is doing but also allows the employee to give input as to what could be done for a better working performance.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 19-011

MOTION: On a motion by Councilor Allis, second by Councilor Wheeler, it was, by roll call, 9 Yes, 0 No, **VOTED:** TO ADJOURN TO EXECUTIVE SESSION AT 7:58 PM - (1) TO DISCUSS THE REPUTATION, CHARACTER, PHYSICAL CONDITION OR MENTAL HEALTH, RATHER THAN PROFESSIONAL COMPETENCE, OF AN INDIVIDUAL, OR TO DISCUSS THE DISCIPLINE OR DISMISSAL OF, OR COMPLAINTS OR CHARGES BROUGHT AGAINST, A PUBLIC OFFICER, EMPLOYEE, STAFF MEMBER OR INDIVIDUAL. THE INDIVIDUAL TO BE DISCUSSED IN SUCH EXECUTIVE SESSION SHALL BE NOTIFIED IN WRITING BY THE PUBLIC BODY AT LEAST 48 HOURS PRIOR TO THE PROPOSED EXECUTIVE SESSION; PROVIDED, HOWEVER, THAT NOTIFICATION MAY BE WAIVED UPON WRITTEN AGREEMENT OF THE PARTIES

President Renaud stated the TC would recess for Executive Session.

At 8:48 pm., President Renaud noted the Town Council reconvene Open Session.

Councilor Dolan reads the attached letter into record from Councilor Stempel who could not be at tonight's meeting.

NEW BUSINESS:

MOTION: On a motion by Councilor Allis, second by Councilor Sund, it was,

MOVED:

Resolution of No Confidence in Mayor Martin

WHEREAS, On numerous occasions over the last 2 years Mayor Martin has mistreated many of his subordinates creating a hostile work environment as well as instilling a fear of retaliation; and

WHEREAS, Mayor Martin has damaged and diminished employee morale throughout the Town of Greenfield through his persistent and demeaning behavior towards many of his subordinates; and

WHEREAS, Mayor Martin has instructed employees not to speak to Town Councilors (see Executive order #2017-1 Dated 01/26/2017 and titled "*Directive Concerning Information Requests from the City Council*") and has threatened those employees with termination if they fail to adhere to the executive order; and

WHEREAS, On several occasions Mayor Martin has either been unable or unwilling to provide information to the Town Council relative to issues under consideration by the Town Council. On two such occasions requiring the council to unanimously vote to issue subpoenas to obtain the relevant information; and

WHEREAS, Mayor Martin has shown very poor judgment in relation to many personnel decisions of both hiring and firing of subordinates which inevitably will and has already cost the taxpayers of Greenfield thousands and potentially millions of dollars; and

WHEREAS, Mayor Martin has taken the extraordinary step to dismiss the finance director for reasons yet to be known and with no effective plan in place to continue to fulfill the important duties of the finance directors office including but not limited to; end of fiscal year finances; town audit material preparation; setting the municipal tax rate; preparing for and bonding outstanding debt and preparing information on financial impacts of proposed municipal projects.

WHEREAS, Mayor Martin has lost the confidence of the Town Council that he is fit for duty and capable of carrying out the requirements of the office of Mayor;

WHEREAS, The Greenfield Town Council by a vote of its members so declares that the actions of Mayor Martin stated in the preceding paragraphs of this resolution are detrimental to the good of the inhabitants of the Town of Greenfield; and that the morale of employees will continue to deteriorate under Mayor Martin leading to irreparable harm to the stability of the Town of Greenfield.

NOW THEREFORE BE IT RESOLVED THAT the Greenfield Town Council declares that it no longer has confidence in Mayor Martin and thus Demands henceforth his resignation

DISCUSSION: Discussion included:

- How uncomfortable this was to discuss.
- There was no evidence presented to the Council to justify Elizabeth Braccia's termination.
- Thanked everyone who came to show support for Ms. Braccia.

It was unanimously,

VOTED: TO APPROVE THE PROPOSED RESOLUTION OF NO CONFIDENCE IN MAYOR WILLIAM MARTIN.

MOTION: On a motion by Councilor Allis, second by Councilor Gilmour, it was,

MOVED: THAT THE GREENFIELD TOWN COUNCIL VOTE TO AFFIRM THE FOLLOWING STATEMENT AND RECORD SUCH VOTE IN ITS OFFICIAL MINUTES: THE GREENFIELD TOWN COUNCIL PLACE ITS FULL CONFIDENCE AND SUPPORT BEHIND DIRECTOR ELIZABETH BRACCIA. THE GREENFIELD TOWN COUNCIL BELIEVES THAT MS. BRACCIA HAS PERFORMED THE DUTIES OF THE OFFICE OF FINANCE DIRECTOR KNOWLEDGABLY, ETHICALLY AND PROFESSIONALLY IN ACCORDANCE BOTH WITH THE TOWN CHARTER AND THE LAWS OF THE COMMONWEALTH. FURTHER THE GREENFIELD TOWN COUNCIL BELIEVES THAT THE ACTIONS TAKEN BY THE MAYOR AGAINST DIRECTOR BRACCIA ARE RETALIATORY IN NATURE, WITHOUT MERIT AND WRONG. THEREFORE, THE GREENFEILD TOWN COUNCIL BELIEVES IT IS IN THE BEST INTEREST OF THE TOWN AND ITS INHABITANTS THAT DIRECTOR BRACCIA BE REINSTATED IMMEDIATELY TO ALLOW THE TOWN TO RESUME WORK ON ALL FINANICAL MATTERS.

DISCUSSION: Discussion included:

- Praise of Elizabeth Braccia and her work performance, knowledge, dedication and professionalism in the position of Finance Director.
- Hopes Mayor Martin reinstates Ms. Braccia.

It was unanimously,

VOTED: TO APPROVE THE STATEMENT FOR MAYOR MARTIN TO REINSTATE ELIZABETH BRACCIA TO THE POSITION OF TOWN FINANCIAL DIRECTOR.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Allis, second by Councilor Dolan, it was unanimously

VOTED: TO ADJOURN THE MEETING AT 9:10 P.M.

A true copy,

Attest: _____
Kathryn J. Scott, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

John Zon Community Center
 Emergency Meeting
 July 26, 2018

	Attendance	Roll Call into Exec Session	Roll Call out of Exec Ses	Resolution	Motion reinstate EB	
1. Sund, Verne	Y	Y	Y	Y	Y	
2. Lobik, John	Y	Y	Y	Y	Y	
3. Allis, Brickett	Y	Y	Y	Y	Y	
4. Muzyka-Pyfrom, Wanda	N	----	----	----	----	
5. Dolan, Timothy	Y	Y	Y	Y	Y	
6. Gilmour, Sheila	Y	Y	Y	Y	Y	
7. Wheeler, Otis	Y	Y	Y	Y	Y	
8. Mayo, Douglas	Y	Y	Y	Y	Y	
9. Leonovich, Daniel	Y	Y	Y	Y	Y	
10. Mass, Isaac	N	----	----	----	----	
11. Renaud, Karen	Y	Y	Y	Y	Y	
12. Ricketts, Penny	N	----	----	----	----	
13. Stempel, Ashley	N	----	----	----	----	