

Electric Light Department

Town of South Hadley

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Municipal Light Board Meeting Executive Session

Minutes of the Meeting of October 26, 2015

Location: South Hadley Electric Light Department Meeting Room

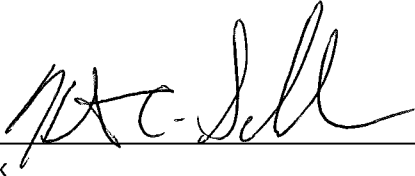
Present: Anne Awad, Dan Whitford, Kurt Schenker, Attorney Alice Pizzi

Open Session convened at 16:00. Motion to adjourn to Executive Session made by Whitford, seconded by Schenker, for the purpose of litigation strategy, because to do so in Open Session would be harmful to SHELd response. Roll call vote on the motion: Awad-aye, Schenker-aye, Whitford-aye. The Executive Session convened at 16:03. The lawsuit (315CV30185) filed in Federal Court in Springfield was discussed with the Board's attorney. The discussion was limited to how to proceed regarding the litigation. The Town, The Boards of Selectmen, the SHELd Board, and the Manager and the Engineer are all named in the lawsuit, which alleges workplace violence and creation of a hostile workplace. Attorney Pizzi said in such cases it is crucial to protect the files and, therefore, to remove the Manager and the Engineer from access to records and electronic files. When the case is finally heard, the judge will look to how we acted when notified of the suit to protect the files from loss or damage.

Whitford moved and Schenker seconded that we place the Manager and the Engineer on paid administrative leave during which an investigation would be conducted within SHELd to determine validity of claims in the lawsuit and to identify evidence which could allow SHELd to defend against the claims. The vote on the motion was unanimous to approve.

Whitford moved and Schenker seconded a motion to adjourn the Executive Session and return to Open Session. By roll call vote: Awad-aye, Schenker-aye, Whitford-aye, the motion was approved. Executive Session adjourned at 16:20. Open Session reconvened at 16:21. The Manager was advised that he was being placed on paid Administrative Leave, effective immediately. The Manager was provided with a letter specifying the terms of his leave. The leave is not disciplinary but is to protect SHELd during an investigation and to protect him from inference of record tampering. During the leave, an investigation will review all records, paper and electronic, to determine legal strategy in response to the case. Motion by Whitford and

seconded by Schenker to adjourn Open Session. Motion passed unanimously. Open Session adjourned at 16:30.

A handwritten signature in black ink, appearing to read "M. C. Sell", is written over a horizontal line.

Clerk