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TOWN OF BERKLEY MASSACHUSETTS

**Town Administrator
Matthew Chabot**

SUBJECT: Phone conversation on 2.6.2023 Ref: Communication and Delegation of Duties

Date: February 13, 2024

Per our conversation on Tuesday, February 6, 2024 in regards to communication between members of the Board of Selectmen. I discussed with you and both Selectwomen Cochrane and Selectwomen McCrohan that all communication must go through the Town Administrator and forwarded to the Chairmen of the Board of Selectmen. I have directed this to you and the Assistant Town Administrator. As the Chief Administrative Officer and regulated by discussions and authority over elected officials that those directives must go through the Chair.

The daily operations of the Town are entrusted onto you, elected officials as far as the Board of Selectmen must be communicated to the Chairmen to ensure continuity and a stable relationship and mission to the Town of Berkley. If communication is given to a member of the Board and it isn't shared to all it can be easily perceived that members are not being communicated to you or left out of the process or they don't matter.

Going forward all communication will be given to the Chair of the Board of Selectmen and all information will be forwarded by the Chair, any future meetings, assignments will be discussed by members of the board, if time persists and if it is a time sensitive issue the Chair will go or appoint a member of the Board of Selectmen to attend. The Town Administrator or Assistant Town Administrator will be delegated to represent the Board of Selectmen when members of the Board of Selectmen can't attend.

I will not tolerate any further lapses of communication; any subsequent issues will be dealt with in accordance to the contract that was mutually signed agreement of employment.

**Joe Freitas
Board of Selectmen,
Chairmen**

Executive Session:

- 1. Fire Contract**
- 2. Fire Chief proposal**
- 3. Highway start process**
- 4. Health Care IACP = Affordable Care Act**
 - Select Plan**
 - Fair Share**

How personal relationships have created a less favorable working environment and became toxic and where we go from here.

Personal feelings and fishing expeditions have ruined these working relationships and its not even allowing this board to move forward in a reasonable manner and taking care of the peoples work.

All this animosity is about POWER

Matt – You must be independent and your personal relationships must not get in the way of town Business.

- Everyone has personal relations and set of friends, but it must not interfere with whats best for the town.**
- You work for all three Board of Selectmen and must treat all of them with the respect as they are all equal.**
- Your contempt with language and body language in some regards is noticeable and can be taken in a negative light by others.**
- Must allow department heads take care of their departments and only intercede only after speaking to their department heads. These issues must be addressed by the personnel board, it must stop.**
- Staff must know that this is not a collaborative sport, all staff have their own roles and objectives and they have their opportunity during public hearing or request to see the board of selectmen.**
- Continue to strive to gain professional relationships with other Town Administrators to foster working relationships, ideas and best practices that will help you and the Town of Berkley.**
- Confidentiality is a problem, with a lot of material that is leaked or conveyed to other departments, note I will hold you responsible for members of this office going forward.**

Holly – Confidentiality is a problem, with a lot of material that is leaked or conveyed to other departments, note I will hold you responsible for members of this office going forward.

- We need to concentrate on our Office and get a lot of our Standard Operating Procedures started along with all Special Permits that are in the Filing Cabinet and documented via some type of tracking mechanism.**
- Assisting other offices within the Town Hall must/shall be approved by the Town Administrator.**
- As the Human Relations Department, your relationships within this building must be professional and not personal, this is most difficult as you may be called on to mediate some issues that may be difficult if you shared or discussed sensitive materials.**
- Going forward all discussions and issues must be addressed by the Town Administrator and then the full board in executive session if it deals with anyone specific and that employee must be notified within 48 hours to give the employee the opportunity to defend themselves.**

- Rumors and Gossip must be stopped by all executive staff and must be addressed on the spot. This has gone on way too long.
- The reality is that you can make recommendations or findings against an elected official. That said, there is no way to discipline or order them to do something because they are elected.
- If dealing with a member of the Board of Selectmen who is engaging in, say, sexual harassment, you can notify the Board of Selectmen that it is happening, and the Board can censure the member. Further, the Board can direct the member not to speak to an employee, but if that member refuses the order, there is no way to enforce it because you cannot terminate them. The only way an elected official can be removed is via a recall.

Joe – I know that I am not perfect and I try to be objective and how it will impact the town of Berkley at the forefront of my decisions, Listening and trying to maneuver all these personal relationships and still be cordial has been difficult. I have and will continue to be friends with all of you and Wendy who gave me my shot on the Finance Committee and supported me through being a selectman. This has definitely affected our friendship and it probably never will be the same but I will continue to do what I think is best for the Town of Berkley.

Wendy – as you have stated to me about the lack of respect and not being in the loop on all things to do with your department and your duties as a selectman. Here are some of your concerns and please reference the exhibits:

- The Joan Blake, Kate Federov issue and release of records that was in error, and we continue to fight the request as you been briefed on 2.12.2024
- Conversations that are being had with employees of department heads not being present especially in the Treasurers office, that was also addressed to both on 2.12.2024
- Understanding roles of other Department Heads and what they should be doing within their own departments and leaving hers alone. This should be conveyed by the TA and Assist TA immediately. People need to know their roles especially if they are appointed by the Board of Selectmen. Addressed 2.12.2024 to both TA and Assistant TA.
- Updates from the TA or Assistant TA will be completed via email prior to our regularly scheduled meeting effective 2/14/2024. So all members are aware of what's pending and not a surprise to anyone.

There is also 4 exhibits that are with numerous concerns that I am attaching to this and can be available for all to see and discuss.

Tabitha - There is a role for someone who is new member to any new job to inquire and get a sense of how things work and operate. The need to be in town hall everyday becomes uncomfortable and counter productive to the 22 hour working hours that the town hall is open.

- How personal relationships have created a less favorable working environment and became toxic.
- Personal feelings and fishing expeditions have ruined these working relationships and its not even allowing this board to move forward in a reasonable manner and taking care of the peoples work.
- All this animosity is about POWER
- Recruiting a replacement for Treasurer if in fact you have done this and stated to that person it's only a 1 hour position is so inaccurate and detrimental.
- He said she said is the reason this building is a TOXIC as it is. You can't be in the daily business it stunts the TA on how to grow professionally with his peers (other Town Administrators)

- Recruiting and or bringing your people to serve on these boards and elected officials. There is a fine line in doing such things, it becomes a one-person ruler and stifles conversation amongst those who think alike.
- Fire Department contract talks, I asked you to get a ruling about your relationship with members of the department (Member of CERT which even as a volunteer has the look of impropriety) the ruling before we started, but I gave you the benefit of the doubt but no more.
- Confidentiality is a problem, with a lot of material that is leaked or conveyed to other departments or employees.

This was a tough thing to talk about and or identify and as the Chair of the Board of Selectmen, I am no longer to entertain any complaints verbally. All complaints will be submitted via email and utilizing the Town Approved email. This will ensure if it needs further investigation or a finding that it will be documented. I hope after this meeting we all can self reflect and move on a civil manner and remember why we are in these positions of leadership and that is the Town of Berkley.

Thank you,
jf