

Board of Selectmen
Special Meeting
August 14, 2014

Meeting was held in the Pearson Middle School
Gymnasium at 7:00p.m.

Item 1. Call to Order

The meeting was called to order at 7:00 p.m. by Mayor Sterling.

Attendance: Sel. Albanesius, Sel. Bouchard, Sel. Closson, Sel. Langer, Sel. Perez, Sel. Pimentel, Sel. Sterling.

Town Manger, Dale Martin and Town Attorney, Kevin Nelligan.

Item 2: Discussion/Possible Action regarding Removal of Town Manager pursuant to Section 506 of the
Town of Winchester Charter.

Mayor Sterling read into the minutes the following resolution pertaining to action regarding the removal
of the Town Manager, Dale Martin, pursuant to Section 506 of the Town of Winchester Charter.

Motion by Sel. Albanesius, seconded by Sel. Langer.

RESOLUTION

BE IT HEREBY RESOLVED, the Board of Selectmen of the Town of Winchester, pursuant to Section 506 of
the Town Charter, gives notice of its intention to remove Dale Martin as Town Manager for the Town of
Winchester effective August 15, 2014.

The reasons for the removal are as follows:

The Board of Selectmen has lost confidence in the ability of the Town Manager to perform his duties as
Town Manager, to lead the recovery from a period of failed oversight, to credibly foster economic
development or maintain a collaborative and transparent dialogue with the Board of Selectmen.
Specifically Dale Martin has:

Failed to exercise proper judgment and recognition of the Town's best interests on the suitability of the
parties he negotiated with over 9 months and recommended for acceptance in the potential sale of
Lambert Kay (parties whose financial resources, manufacturing experience and ability to complete the
project were unknown and un-diligenced by him)

Failed to disclose to the BOS or the Town Attorney that that the chief negotiator has a documented record of long-standing fraudulent dealings

At the June 16, 2014 Board of Selectmen Meeting, failed to present key terms of the sale of Lambert Kay as negotiated by him including buyers requirement for \$500,000 in Grant funding notwithstanding his acknowledgment of the BOS's direction of such Grant to an alternative use

Failed to appoint anyone in his extended absence out of the country to manage the sale of Lambert Kay or any of the affairs of the Town and failed to inform anyone of the identity of the chief negotiator

Failed to change signatories on Town Bank accounts, left employees that had resigned and one was actually suing the Town

Prepared and advocated for Budget in 2013-14 that failed to pay known current expenses and failed to disclose existence of up to \$2.4 million in unpaid bills.

Structured and put in place a funding plan that failed to provide adequate funding for the Board of Education culminating in an adverse 10 4-b finding against the Town of Winchester

Failed to provide management oversight on long-term oil supply contract negotiations incurring a substantial financial expense to the Town

Failed to execute assigned duties and projects in a timely manner including but not limited to repairing, reopening and ultimately replacing the Holabird Bridge and paving the Senior Center Parking Lot

Scheduled vacation and failed to attend critical Town Meetings including:

- Annual Town Budget Meeting (defined by Charter as the first Monday in May)
- Town Meeting for sale of Lambert Kay (July 21, 2014)

Failed to appoint an appropriate replacement when gone from Town for extended periods of time including:

- Appointed an employee for a week that had tendered resignation to act as Interim Town Manager
- Appointed no Interim Town Manager when gone for 2 weeks out of the county

Failed to provide consistent, timely and accurate reports to the Board of Selectmen of Grant Applications and provided selective disclosure of Grants in process and failed to provide copies of Grants when specifically requested

Failed to attend unemployment hearings and sent Secretary in his place

Failed to provide timely and accurate reports on agreed Goals and Objectives to the BOS

Failed to complete and provide Town Annual Report over two consecutive years

BE IT FURTHER RESOLVED, that a copy of this resolution, certified by the Clerk of the Board of Selectmen as the act of the Winchester Board of Selectmen, shall be delivered in hand to Dale Martin by the Clerk no later than 4:00 p.m. on Friday, August 15, 2014; and

BE IT FURTHER RESOLVED, that pursuant to the Town Manager's rights to a public hearing with respect to this Resolution in accordance with Section 506 of the Town of Winchester Charter, that the Clerk of the Board of Selectmen forthwith notice a public hearing in accordance with the law to be held on Thursday, September 18, 2014 at 7:00 p.m. at the Town Hall, 338 Main Street, Winsted, Connecticut, or other suitable public place within the Town of Winchester

BE IT FURTHER RESOLVED, that pursuant to Section 506 of the Town of Winchester Charter, Dale Martin is immediately suspended from any and all of his duties associated with his position as Town Manager with pay pending a final vote of the Board of Selectmen on his termination. Ross Herzog shall serve as Acting Town Manager.

This Resolution is adopted by the Board of Selectmen on this 14th. day of August, 2014.

Voting in favor: Sel. Albanesius, Sel. Bouchard, Sel. Langer, Sel. Pimentel, Sel. Sterling

Voting against: Sel. Closson and Sel. Perez

Item 3: Adjournment

Motion by Sel. Langer, seconded by Sel. Bouchard

To adjourn the meeting.

YES (5)

ABSTAINED (2) Sel. Closson and Sel. Perez

ATTEST:

Sheila S. Sedlack, CCTC, CMC