

**TOWNSEND BOARD OF HEALTH**

272 Main Street

Townsend, Massachusetts 01469

***Christopher Nocella, Vice-Chairman James Le’Cuyer, Chairman Gavin Byars, Clerk***

Office (978) 597-1713 Fax (978) 597-8135

**TUESDAY, August 29, 2023, at 4:30pm, EST**

**Board of Health members and staff will meet in the**

**Meeting Room 2 Memorial Hall 272 Main Street**

This meeting of the Board of Health will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that, while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person versus virtual attendance accordingly. **Dial-in number:** 605-313-4278 **Access code:**5843884 PIN **Online meeting ID:** cwalter17

# PRELIMINARIES

* 1. Roll Call
  2. Additions or Deletions not anticipated 48 hours in advance.

APPOINTMENT/HEARINGS

* 1. Re-Appointment of Officers
  2. Open Meeting Law Complaint Responses with Town Administrator

WORK SESSION:

* 1. Future Agenda Items
     1. Executive Session G.W. Shaw & Son – November 2023
     2. Tobacco Regulations Update: Late September/early October
     3. Next Meetings: 9/6/23 7:00p.m.

ADJOURNMENT

1. 4:30pm call to order with Gavin Byars and Chris Nocella present; James Le’Cuyer absent
2. No additions/Deletions
3. **Appointment of Officers:** A MOTION was made by to have Gavin Byars as Vice- Chairman to the Board. GB 2nd Vote 2/0 MOTION passes. A MOTION was made by Gavin Byars to have Chris Nocella as the Chairman. Vote 2/0 MOTION passes. Chris Nocella made a MOTION for James Le’Cuyer as Clerk. Vote 2/0 MOTION passes. Gavin Byars made a MOTION to accept the new roles for the Board of Health members. Vote 2/0 MOTION passes. Chris Nocella makes motion to censor James Le’Cuyer officially for his unacceptable behavior on 8/9/23.
4. **Open Meeting Law Complaint.** Eric Slagle the Town Administrator was present for this discussion. Eric stated there were 2 separate violations from the 8/9 BOH Meeting. Both accusations are very similar. They engaged in a lengthy conversation regarding these.
   1. Concern - The Board mee􀆟ng started at 9:00 am, but the door to the building was not open un􀆟l.

9:00 am.

Response – The Board will make sure that meetings are no longer scheduled at the same 􀆟me as

the building door opens, and at least 10 minutes a􀅌er the door opens.

* 1. Concern - The Board mee􀆟ng was in a different local􀆟on than the one posted on the agenda, which was not posted.

Response – The Board had a last-minute change of room for their mee􀆟ng, and had the door posted shortly thereafter The Board will make sure that any change in the mee􀆟ng room is posted.

prior to the mee􀆟ng start 􀆟me.

* 1. Concern – During the mee􀆟ng, the Board had distracting music playing from a phone on the conference table.

Response – The Town has recently changed its phone service providers, and this was holding music for the conference call that residents could call in for the meeting. The Board will take steps to make sure that hold music does not play during future meetings. The Board will plan to move to Zoom meeting once the Town has set up Mee􀆟ng Room 2 for Zoom.

* 1. Concern - The Board Chair deviated from the posted agenda to make a personal a􀆩ack on an individual attending the mee􀆟ng.

Response – The Board acknowledges that the Chair, James Le’Cuyer, deviated inappropriately from the agenda to make a personal a􀆩ack on an individual. The other members of the Board and the Board Administrator had no knowledge of Mr. Le’Cuyer’ s planned outburst. As a response, on August 29, 2023, the Board reorganized the board officers to remove Mr. Le’Cuyer as the Chair, and formally censured Mr. Le’Cuyer. The Board will issue a formal apology and post it on the Town website.

* 1. Concern - The Board Chair, James Le’Cuyer, inappropriately tried to adjourn the meeting without a vote.

Response – The Board acknowledges that Mr. Le’Cuyer did improperly adjourn the mee􀆟ng. The remaining members of the Board properly adjourned the mee􀆟ng approximately 10 minutes later.

The Board offered the following statement to be placed on the website: On August 9th, 2023, the Chairman of the Board of Health, James LeCuyer, was observed during a public meeting making a personal verbal attack directed toward a Townsend resident. His actions have negatively impacted town residents, town employees and representatives of the Board of Health. The actions of Mr. LeCuyer are regrettable and without question unprofessional. Mr. LeCuyer’s decision to use a public meeting to address his personal grievances was carried out independently and without the knowledge, consent or support of the Board of Health or any town employee. The Townsend Board of Health would like to express our sincerest apology to Affordable Housing Trust members Veronica Kell and Cynthia Boundy, and the Town as a whole, for Mr. LeCuyer’s unacceptable actions and have taken steps to address this matter with the appropriate town officials.

**A MOTION was made by GB and 2nd by CN to approve the responses discussed and have Eric send them appropriately. Vote 2/0 MOTION passes.**

1. Future agenda items were agreed upon.
2. Chairmen Nocella stated he would be resigning after this meeting. Gavin doesn’t think he can work with Jim Le’Cuyer after his outburst. He would rather have Rick Metcalf and Carla Hitzenbuhler run the office until a replacement for Jim can be found. This is “an if” because at this time no one has heard from Jim and if he intends to resign. Eric explained that once paperwork is filed with the Town Clerk, they have 30 days to find and appoint a replacement from the Board of Selectmen.
3. **A MOTION was made by GB and 2nd by CN to adjourn the meeting. Vote 2/0 MOTION passes. Meeting adjourned at 5:30 p.m.**