

3/19/19

Supervisor's Comments on Firing of Deputy Clerk Jessica Townsend

I am extremely concerned about the firing of Jessica Townsend as Deputy Clerk of the Town of Caroline on the morning of Saturday, March 9, 2019. I am troubled both by the dismissal of an excellent public servant, and by the odd events and circumstances leading up to and culminating in her firing. I provided a brief summary of what occurred at the March 13 board meeting and am compelled to offer further details here of what lead up to the firing for clarity's sake.

This event, as well as the continuing uncooperative behavior of the Clerk, are obstructing town operations, and they continue to create an extremely uncomfortable work environment at the Town Hall, sully the reputation of the Town and the Town Board, and most importantly, defame the reputation of former Deputy Clerk Townsend.

On March 5 the Town Board made several decisions to increase oversight of financial records of the Clerk's office based on growing concerns listed below, and at the strong recommendation of the NYS Comptroller's Office. Ms. Townsend participated in our discussion from her observations as Deputy Clerk and took minutes of the meeting as the recording secretary. Clerk Harrington-Lawson had not been at the town hall since January 29 without notice to myself or the board; as of March 5, her email auto-reply stated that she was out indefinitely and that Jessica Townsend was the acting clerk. Our concerns were based on these observations:

- Five months of overdue monthly Clerk's Reports (monthly reconciliations with bank accounts) to the Supervisor.
- The Clerk's cancellation of her appearance for Town Annual Audit of Department financial operations on January 26, her cancellation of appearance for a rescheduled Annual Audit for the Clerk's office on February 10, and subsequent failure to respond to written and verbal requests from the Supervisor to reschedule the 2019 Annual Audit of the Clerk's Office.
- Unacknowledged charges on the Clerk's Town credit card and discrepancies between charges and merchandise received.
- Fluctuation in petty cash funds and lack of financial controls.

The decisions we made were to:

- Provide two lockable cash boxes, one for the Clerk and one for the Deputy Clerk, to be managed independently with a receipts ledger. We drafted a Petty Cash Policy.
- Schedule an independent audit of the Clerk's office, either by the NYS Office of the Comptroller or by a CPA.
- Appoint Deputy Clerk Townsend as the Town's Records Access Officer in order to facilitate the completion of a request for information (FOIL) from January 3, and to provide clarity for timely completion of FOIL requests going forward.

The following day, March 6, Deputy Clerk Townsend audited the petty cash at the end of the work day and reported to me that was now down by \$109.13; it had previously been down by \$9.13. She was visibly upset. I watched her recount the bills and change in the cash drawer; there was no note or ledger explaining the disappearance of \$100. Ms. Townsend, I believe understandably, felt vulnerable as the sole acting Clerk and wanted to document the loss of petty cash. We moved the remaining petty cash to a zippered bank deposit pouch and locked it, along with un-deposited tax payments, in a locked cabinet in my office.

The next day, March 7, Ms. Townsend notified the Town Board, the Clerk, and the Town Attorney of the loss by email. No follow-up information or clarification was offered by the Clerk. I had the locks changed on the town offices and notified the Town Board and Clerk by email, stating that I had keys for each of them, and that we would soon be converting the outer office door to a keyless digital lock. Key changes at the Town Hall were overdue, and a keyless system would provide increased security and easier "key" management. This decision was made in consultation with Deputy Clerk Townsend and Code Officer Greenhouse, the two other town offices involved. I provided both the Clerk's Office and Code Enforcement Office keys. Because Ms. Townsend had to leave before the lock change was completed that day, I emailed her a notice later that day of where her keys could be found when she arrived at the Town Hall the next day. I had also ordered the digital lock and a security camera for the Town Hall.

We also proceeded to backup town computers to a town hard drive. This had previously been discussed and is a recommended security measure. Mr. Greenhouse helped with backup of town computers, with the exception of the Deputy Clerk's because of time constraints. The Clerk's computer was backed up with the oversight of Ms. Townsend.

On Friday, March 8, at my urging, Ms. Townsend proceeded to initiate processing of accumulated tax payments that had not been processed by the Clerk. In phone conversation, the Clerk declined to provide Ms. Townsend the password for access to the tax software program (BAS) and told her that she could work with BAS to figure something out. Ms. Townsend called BAS to discuss how she could obtain access to the software and they discussed a couple of options. The BAS representative told Ms. Townsend that she would get back to her, but that did not happen before the end of the Friday workday; Ms. Townsend intended to follow up on Monday.

Deputy Clerk Townsend informed me that on Saturday, March 9, she opened the Clerk's Office for Saturday morning hours, 9 am - 12 pm. At about 9:30 am Clerk Harrington-Lawson arrived with two senior clerks from the Town of Ithaca, Paulette Rosa and Debra De Augustine. Ms. Townsend reported that the three clerks proceeded to scold her and she was soon dismissed and told to leave the premises by the Clerk. Ms. Harrington-Lawson then texted her that she was fired. Later that morning, Ms. Townsend notified me of activity on her Town email account. I proceeded to the Town Hall and asked Councilmember Snow to join me. My wife, Ann, also accompanied me. At the Town Hall we were met with the specter of the three clerks attempting to relocate the contents of the Clerk's office to the home of Ms. Harrington Lawson. They had actually called in a New York State Policeman to witness this relocation. The premise for the relocation was the claim that the Supervisor had locked the Clerk out of her office at the Town Hall. The facts speak otherwise, and I will note that I never received a call or any other communication to help resolve this. Instead, it was determined to relocate town property outside of the Town Hall without notice or approval of the Town Board. Ms. Rosa did all of the speaking and was confrontational and rude. The whole episode is concerning in many respects. I wish to discuss with the board how we should handle this.

A baseless claim has been unilaterally made by Clerk Harrington-Lawson that there has been a "security breach" at the town hall in regard to computer contents, and that passwords on her computer were changed. Neither of these claims is true. Ms. Harrington-Lawson did not contact me or our IT professionals to evaluate her concerns. After her email I have contacted the Computing Center and BAS to confirm that passwords have not been changed (attached). Ms. Townsend reported to Ms. Harrington-Lawson that none of the passwords were changed from when she was hired as Deputy Clerk. Continued promulgation of such claims will be in violation

of the Town's Personnel Policy, Section 405 (Prohibited Conduct - see Making False Statements).

I regret airing these details of recent life at the Town Hall, but I feel that is it necessary given the tightness of our community and the potential for misinformation to spread. What I find most troubling is the sudden dismissal of Deputy Clerk Townsend, who has been ably shouldering the vast majority of Clerk's office functions for the past year, a few days after she participated in a board discussion about perceived problems in the Clerk's office. It is also extremely troubling that the Clerk materialized at the Town Hall with two accomplices at a time when she knew Deputy Clerk Townsend would be the only person at the Town Hall and then proceeded to attempt to remove town property to her home. She, as well as the experienced clerks from the Town of Ithaca, should have known that this was improper.

I would like it on record that I condemn the firing of Jessica Townsend as Deputy Clerk.