

COMMONWEALTH OF MASSACHUSETTS
STATE ETHICS COMMISSION

SUFFOLK, ss.

COMMISSION ADJUDICATORY
DOCKET NO. 26-0002

IN THE MATTER

OF

JASON PIMENTAL

ORDER TO SHOW CAUSE

1. The State Ethics Commission (“Commission”) is authorized by G.L. c. 268B to enforce G.L. c. 268A, the state conflict of interest law, and in that regard, to initiate and conduct adjudicatory proceedings.

2. On May 22, 2025, and November 20, 2025, the Commission found reasonable cause to believe that Jason Pimental (“Pimental”) violated G.L. c. 268A, §§ 19, 20, 23(b)(2)(ii) and 23(b)(4) and authorized the initiation of adjudicatory proceedings.

Double Dipping

FACTS

1. Since 2010 and at all relevant times, Pimental was the Town of Barre Department of Public Works (“DPW”) Superintendent.

2. As Barre DPW Superintendent, Pimental was expected to work at least 40 hours each week, primarily during regular business hours.

3. Pimental regularly signed his DPW timesheets reporting that he worked

the hours documented.

4. In 2018, Pimental began compensated part-time work at the Massachusetts Department of Fire Services (“DFS”).

5. At the DFS, Pimental worked primarily day shifts beginning at 6:00 a.m.

6. From December 28, 2020, through June 20, 2024, Pimental worked several hundred hours for the DFS on days and during hours when he was supposed to be performing and was being paid by the Town of Barre to perform his duties as DPW Superintendent.

7. Pimental did not take leave time from his DPW Superintendent position to work for the DFS.

8. The Town of Barre paid Pimental several thousands of dollars for reported work hours as DPW Superintendent during which he instead worked for DFS.

LAW

Section 23(b)(2)(ii)

9. Section 23(b)(2)(ii) prohibits a public employee from knowingly, or with reason to know, using or attempting to use his official position to secure for himself or others unwarranted privileges or exemptions, which are of substantial value not properly available to similarly situated individuals.

10. As Barre DPW Superintendent, Pimental was, at all relevant times, a municipal employee as defined in G.L. c. 268A, § 1(g).

11. Pimental’s use of his paid Barre DPW Superintendent work time to perform compensated work at DFS was an unwarranted privilege not properly available

to similarly situated individuals, including other Town of Barre employees.

12. Pimental knowingly used his official Barre DPW Superintendent position to secure for himself the unwarranted privilege of using his paid DPW Superintendent work time to perform compensated work at DFS and, thus, received from the Town of Barre pay for hours he did not work for the Town.

13. This unwarranted privilege was of substantial value as Pimental received \$50 or more in unearned pay from the Town of Barre.

14. Therefore, by, as Barre DPW Superintendent, Pimental repeatedly violated § 23(b)(2)(ii) by using his paid DPW Superintendent work time to perform compensated work for DFS, and to thereby receive several thousand dollars from the Town of Barre for hours he did not work for the Town, which was an unwarranted privilege of substantial value not properly available to similarly situated individuals. By so doing, Pimental repeatedly violated G.L. c. 268A, § 23(b)(2)(ii).

Section 23(b)(4)

15. Section 23(b)(4) of G.L. c. 268A prohibits a municipal employee from knowingly, or with reason to know, presenting a false or fraudulent claim to his employer for any payment or benefit of substantial value.

16. Pimental knowingly presented false or fraudulent claims for payment to the Town of Barre each time he reported that he was working as Barre DPW Superintendent during hours when he had, in fact, worked at DFS.

17. The false or fraudulent claims for payment by the Town of Barre for hours not worked were of substantial value because they were claims for payments of more

than \$50.

18. Therefore, by, as Barre DPW Superintendent repeatedly submitting timesheets for payment by the Town of Barre for hours he had not worked for the Town but, in fact, had worked at DFS, Pimental repeatedly knowingly presented false or fraudulent claims to the Town of Barre for payments of substantial value. By doing so, Pimental repeatedly violated G.L. c. 268A, § 23(b)(4).

Multiple Paid Municipal Positions

FACTS

19. Since 2000 and at all times relevant, Pimental was a paid call firefighter.

20. Pimental assumed the paid DPW Superintendent position in 2010.

21. By letter dated July 7, 2021, the Enforcement Division of the State Ethics Commission advised Pimental that in order to serve in both the call firefighter position and DPW Superintendent position, he needed an exemption from G.L. c. 268A, § 20. The Enforcement Division further advised Pimental to seek legal advice from the Legal Division of the State Ethics Commission.

22. Pimental did not secure an exemption under G.L. c. 268A, § 20, and did not seek legal advice from the Legal Division of the State Ethics Commission.

LAW

23. Section 20 of G.L. c. 268A prohibits a municipal employee from having a financial interest, directly or indirectly, in a contract made by a municipal agency of the same town, in which the town is an interested party of which financial interest he has knowledge or has reason to know.

24. As a paid call firefighter, Pimental was a special municipal employee of

the Town of Barre.

25. After he was appointed to the compensated Barre DPW Superintendent position, Pimental had a financial interest in a contract with the Town of Barre, that is, his employment as DPW Superintendent, of which he had knowledge.

26. Therefore, Pimental repeatedly violated § 20 by, as a Barre call firefighter, having a financial interest in his paid employment as Barre DPW Superintendent.

Reimbursements

FACTS

27. As DPW Superintendent, Pimental approved and transmitted to the Town Accountant for processing, payment requisitions for DPW expenses including invoices and reimbursements.

28. From 2021 through 2024, as DPW Superintendent, Pimental approved and transmitted requisitions to the Town Accountant for processing, including his own reimbursement submissions for DPW-related expenses, totaling approximately \$15,000.

LAW

29. Section § 19 of G.L. c. 268A prohibits a municipal employee from participating as such an employee in a particular matter in which, to his knowledge, he has a financial interest.

30. Pimental's reimbursement submissions were particular matters in which Pimental had financial interests.

31. Pimental participated in those particular matters as DPW Superintendent by approving his own reimbursement submissions and transmitting them to the Town

Accountant for payment.

32. At the time he approved his reimbursement submissions and transmitted them to the Town Accountant, Pimental knew that he had financial interests in the reimbursements.

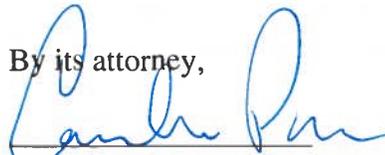
33. Therefore, Pimental repeatedly violated § 19 by, as DPW Superintendent, approving his own reimbursement submissions, which were particular matters in which he had financial interests.

WHEREFORE, Petitioner asks that the Commission:

1. find that Pimental repeatedly violated G.L. c. 268A, §§ 19, 20, 23(b)(2)(ii) and 23(b)(4); and
2. levy such civil penalties, impose such additional remedies under G.L. c. 268A, § 21, including damages in the amount of Pimental's economic advantage from his violations up to the section's limit and restitution to any injured third party, and issue such orders and grant such further relief, as may be appropriate.

Respectfully submitted,
Petitioner State Ethics Commission

By its attorney,



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