

MINUTES

BOARD OF SELECTMEN

October 21, 2013

Meeting called to order at 6:20 P.M.

Present Selectmen Elizabeth A. Gorski, Joseph R. D'Amore and Chairman Donald N. Greaney

All stood for the Pledge of Allegiance

Approve Warrants

Moved D'Amore, seconded Greaney, and it was

VOTED: To approve weekly Payroll Warrant #14-16. 2-1

D'AMORE, GREANEY – "AYE"; GORSKI – "ABSTAIN"

Moved D'Amore, seconded Gorski, and it was

VOTED: To approve Deduction Warrant #14-14A. 3-0

Moved D'Amore, seconded Gorski, and it was

VOTED: To approve Bill Warrant #14-15. 3-0

One-Day Beer & Wine License

Selectmen reviewed the following applications for One Day Beer & Wine Licenses at Veasey Park:

- (1) Erin Pinkham for Possessed Quest on Saturday, October 26, 2013 from 7:00 P.M. to 11:00 P.M.;
- (2) Lisa Aylward for Bridal Shower at Veasey Park on Sunday, October 27th from 2:00 P.M. to 6:00 P.M.; and
- (3) Veasey Wine & Art Event at Veasey Park on Saturday, Nov. 2nd from 5:00 P.M. to 9:00 P.M.

Moved Gorski, second D'Amore, it was

VOTED: To grant a one-day Beer & Wine license to Erin Pinkham for Possessed Quest on Saturday, October 26, 2013 from 7:00-11:00 P.M.; Lisa Aylward, for Bridal Shower at Veasey Park on Sunday, October 27th from 2:00 P.M. to 6:00 P.M.; and Veasey's Annual Wine & Arts fundraiser at Veasey Park on Saturday, November 2, 2013 between the hours of 5:00 P.M. to 9:00 P.M., Police Detail Officers are required during hours beer and wine is served.

Acting Fire Clerk, John Clement

Former Chief and present Acting Clerk to the Fire Department John Clement told the Board that the transition worked well with the Acting Chief; that things went smoothly and the department is in good condition and ready to transfer to the next Chief. Clement told the Board that the next transition will be the Clerk position and asked the Board whether his job as Acting Clerk ends this evening, next week or do they wish him to continue serving. Selectman Gorski responded that the Board hasn't had a chance to talk about anything other than the interview process since September 12th. Clement told the Board that he doesn't want to leave anyone in the lurch and wants it to be done properly. John stated he would meet with Chief Lay the next day; that he may have his own thoughts. Clement told the Board that he would like written notification should the Board wish him to no longer serve as Clerk. Selectman Gorski responded that the Board hasn't had time to discuss that and Chairman Greaney agreed saying this is the first meeting they've had for regular business. Clement said he understood; that he doesn't want to leave

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anyone in the lurch or have someone upset because of the way he runs things; that he wants it done properly. Greaney mentioned that Chief Lay made a list of some of things he will need to know going forward and Clement was given a copy. Selectman Gorski commented that it was too bad that Lay and Clement weren't meeting with the Board at the same time. The Board's Assistant responded that she had asked Lay if he would like to attend with Clement and he said no. Selectman D'Amore told Clement that he doesn't think the nomination of the new Chief would end the current position Clement currently holds but asked Clement what his intentions or preference would be.

Clement told the Board that if his services are considered valuable to the public he would stay on if it was found to be in the best interest of the community; that if someone has some new ideas to bring on new ways of doing things, that he understands that and would step aside, but he would stay on if it was felt that it was in the best interest of the community. Selectman D'Amore thanked John and said it was a fair answer and he appreciates that.

Clement reviewed the list and said he saw no problems; that the lap top is sitting over at the station. Chairman Greaney commented that there may be passwords, vendor and radio information that Bob will need. Clement said if the Board meets with Bob and he wishes to discuss it, and to continue this for some period of time, that it won't be an easy thing but he will continue to do the job for other reasons, Clement stated he would do what's right.

Clement told the Board that a payroll is coming up in November and that takes a lot of effort and crunching. Greaney asked John about the monthly breakdown that Jordan used to send over asking if they still get them and Clement replied that they do; that they even get more and explained what he does now; that you can look at each day for each person and how many hours each person works on any given day. Clement said he is surprised they haven't received it; that he sends it through email to the association and they should have given the town a copy. Selectman Gorski said she hadn't received a copy either and the Board's Assistant stated her office has not received a copy for awhile. Gorski suggested John make a note to Greg that he share a copy for the Board's packets. Everyone agreed it's a valuable tool to keep an eye on where the budget stands. Clement said he enhanced it and thought the Board was looking at it and Greaney responded that they weren't getting it. Clement commented on that the software program is great and can do a lot. He told the Board that Jim Jordan did a great job as Clerk and that they had worked well together for years, and feels it still works well.

D'Amore asked Clement if during the discussion between Clement and Lay was he asking that the Selectmen be present and Clement stated he was. D'Amore asked if it would take place in Executive Session and said he would probably entertain that. Selectman Gorski asked why they would do that, and the Board's Assistant commented that to be able to enter Executive Session would depend on what they would need to talk about. D'Amore said he just wants to understand what Clement's preferences are and Clement responded that he doesn't have a problem with that; that if they start to delve into personalities or conflicts that arise over time, that he considers himself professional. D'Amore said he understood and thanked John for his comments. D'Amore asked about the list and Greaney told him it was a generic list that Bob sent in for the Board of things that he may need to know. D'Amore told Clement that he clarified what his intentions are. Clement responded that the reason he came to the Board is because the Board appoints the Clerk and felt they should be aware of what his interests were. Selectman Gorski thanked John for doing that.

Clement told the Board that the Clerk position is a check & balance; that the Clerk has to look at the books and do what is right and not be influenced or swayed by personal preferences or things like that; that Jim was always good at that; that the Clerk always had the final say as to what went into the payroll. Clement said he feels that is very important; that when he was doing both jobs it was tough and Gorski commented it was wrong to do both in regards to checks and balance. Clement agreed saying it makes you uneasy. D'Amore commented that as a School Committee member he first thought it odd that the Business Manager was appointed by the School Committee and the Superintendent appointed all others;

that the reason for that was checks and balances. Clement responded that having checks and balances is protecting the interest of the people of our town.

Clement asked that he be kept informed and Selectman Gorski responded that the Board will need to address this soon.

Pending land purchases

Conservation Chairman Mike Dempsey was present and told the Board he was available to answer any questions they might have on the 3 items on the Board's agenda pertaining to the pending land purchases. Finance Director Labrecque had submitted a package of information consisting of three questions from town counsel that require the Board's votes.

- (1) Mrs. Mattingly is requesting indemnification from future hazardous waste discovery;
- (2) Bussing property – vote to waive Attorney/Client privilege if Board is in favor of releasing the town's title search documents to land owner's attorney; and
- (3) Vote is needed to authorize town counsel to terminate or amend under Section 2.15(A) of the P&S Agreement.

Executive Session

Upon motion duly made by Gorski, seconded by D'Amore, it was

VOTED: To enter into Executive Session pursuant to MGL Chapter 30A, Sec. 21(a) (6) to discuss strategy for completing agreements for land purchases.

GORSKI, D'AMORE, GREANEY – "AYE"

Executive Session was entered at 6:50 P.M. and closed at 7:02 P.M. The Executive Session Minutes are on file in a separate binder in the Administrative Assistant's Office. The Chairman announced the Board will return to Open Session at the close of the Executive Session.

Fire Chief Robert Lay

Chairman Greaney informed Lay that the Board had concluded its Fire Chief search and had nominated Bob Lay as the town's new Chief. Greaney told Lay that the Board wanted him to come in and talk with them about the Board's expectations and what his (Lay's) expectations are. Greaney informed Lay that the Clerk had been in earlier to let the Board know he is still willing to move forward as the Clerk; that the Board told Clement they would have a discussion with Lay at some point to see what they may need to know going forward.

Upon motion duly made by Gorski, seconded by D'Amore, and it was

VOTED: To appoint Robert Lay as the town's new Fire Chief, said appointment effective immediately upon being sworn into office. 3-0

The Board congratulated Lay on becoming the town's new part-time Chief. Chief Lay thanked the Board. Chairman Greaney advised that before the Clerk's office closes this evening Lay stop in to be sworn into office.

Chairman Greaney told Lay that now that they are under the strong Chief administration of the Fire Department most issues fall under the Fire Chief now; that he doesn't have a Board of Engineers to fall back to, and that he doesn't know that any issues would come to the Selectmen's level; that he believes the issues would fall into the fire department and Lay would need to deal with them. Greaney told Lay that one of the concerns that he has had since they bought the new command vehicle, that where the town doesn't have that many fires he doesn't know that the vehicle needs to be out on the road all the

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time. Greaney asked Lay to give the Board feedback on what he thinks is a good use of the vehicle; that they don't want it to be abused or people saying they see it all over the place; that they wouldn't expect that it would be driven to Vermont or anywhere else on a family vacation. Greaney told Lay that as far as the other equipment he should take an inventory and review it with the Finance Director just to make sure everything is accounted for. Lay asked if Greg has a current list of the department's inventory and Greaney responded that he isn't sure of the last time one was done; that when he (Greaney) was on the department they had to do one on an annual basis but he doesn't know if that continued going forward from ten or eleven years ago; that it would be a good starting point now and Selectman Gorski agreed saying it would be helpful for Lay to know what equipment he has and what needs to be replaced. Lay said he has a pretty good idea of what they have; that it would be more of a question of what the Board thinks he has versus what he has. Lay stated he will meet with Greg when he returns from vacation next Monday.

Greaney told Lay he can start as he goes because it will take time to evaluate everything; that he understands the gear will probably have to be replaced in a year or so. Lay responded that he is under the impression that Mike Kastrinelis has been working on that and Greaney said that Kastrinelis had told the Board that he had initiated a grant for turnout gear. Gorski told Lay that Kastrinelis and maybe the Capital Improvement Committee (CIC) would have that, and that maybe some of what was presented to CIC has changed and he could take a look at all that. Lay responded that he is scheduled to see CIC the next night. Chairman Greaney mentioned that Lay may want to get together with people at the Police Station to get a feel for what things they might need you for and Lay responded that he has a meeting scheduled with them for Wednesday morning. Greaney also mentioned that Lay may want to get in touch with the school and other town departments just to see where he fits in with them; that Clement used to go to some of the Zoning and Planning Board meetings when they had questions or would meet with the Building Inspector when needed. Gorski asked if Lay has had a chance to meet with Kastrinelis and Lay said they have talked a couple of times; that Mike is available tonight and he will be meeting with him after he finishes up with this meeting.

Gorski asked if Lay had seen former Chief Clement on his way in; that John was in talking about the Clerk's position and how long he should continue to do that. Gorski told Lay that he is the Chief and that she feels he will need to tell the Board what he will be comfortable with; that she feels he should be comfortable with his staff. Selectman D'Amore added that the Fire Clerk position is appointed by the Selectmen but he absolutely agrees with Bette that Lay has to express his comfort level and Mr. Clement has expressed an interest in continuing in that capacity to serve the town; that it is the Board's decision and its appointment authority but the Board wants to defer to what Lay's wishes are as well and asked that Lay let the Board know as soon as he can; that ultimately Clement would need to know also, is there going to be a continuation, if so, for how long, what is the scope, and so forth. D'Amore told Lay that he believes the Board made it clear to Clement that appointing the Chief did not terminate Clement's duties as Clerk; that there's payroll coming up and Lay's hands are full. D'Amore asked that Lay let the Board know his thoughts on that at his earliest convenience.

D'Amore told Lay that his expectations, as he asked Lay the questions during the interview process which D'Amore told Lay he had answered very well, which was morale and the division that exists that he has learned about between the two fire stations. D'Amore told Lay that not only had he answered clearly for him but had also wrote down a plan, and as part of that planning Lay had specific thoughts on how to build morale. D'Amore told Lay that three things will happen with morale; that it will either decline, stay the same, or it will improve and he is hoping that Lay will be able to, in the course of the next several weeks and months, take the appropriate action to bring harmony to this department; that he doesn't know how Lay will address it because some of the stuff has been going on for many years, but he has supreme confidence in Lay's leadership ability and it's going to be a very significant expectation of his that in the course of his (Lay's) job that he starts delivering that harmony and morale has improved and that people are treated absolutely professionally and respectfully. D'Amore told Lay he thinks he may have to make

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some tough decisions, and when he does have to make the tough decisions, that they will be done for the appropriate reasons. D'Amore told Lay that he hopes Lay makes a beautiful transition from an old system of how the department was managed and now with a new one under Lay's capable leadership that he will deliver real, tangible evidence in the course of the next several weeks or months of improving morale and getting the guys to come together; that that's the toughest part of Lay's job and D'Amore wished him a lot of luck and that Lay has D'Amore's support on that and feels he can speak for his fellow members on that as well. Lay thanked D'Amore.

Greaney told Lay that if there is some drastic thing that he will have to implement or do, that maybe as just a courtesy that Lay could send information to the Board so that its aware, just in case they feel there may need to be some interjection as far as whether they need to ask for a legal opinion, just so they don't end up in a nightmare situation; that the Board would like to know prior to an action. Lay stated he would say two things in response; that yes, absolutely he would do so; that the Board won't be surprised ever about what's going on or what he intends to do. Selectman Gorski thanked him for saying that. Lay continued that the Board will be made fully aware ahead of time; that he's not looking for the Board to micro-manage him and he's not going to send them an email every day telling them what he is doing. Greaney responded that they are not looking for that either. Lay agreed and said that it's unnecessary but that he thinks that Joe mentioned during the interview something about showing them the door, and again tonight he said termination. Lay said he would bring them back to two things that are of no interest to him but his goal is retention, and if there are people that aren't happy, the need to get to why they aren't happy and they need to make those things go away.

Lay told the Board that he attended a seminar over the weekend, some leadership training for volunteer and call fire departments, a great course all about leadership, all about recruitment and retention to allow call and volunteer fire departments to continue to exist; that it's a good model but when people go away they go away because of poor leadership and everything under that. Lay told the Board that they have done a good job of keeping people to this point so a change in Chief isn't going to cause that; that for the most part they won't know things have changed; that it's still a group of 35 or 40 men doing a job, providing a service and keeping the town safe; that we try to make it fun, not fun when they are out working hard, but most of the time fun; that we need to have a satisfied bunch and that's the goal. Lay told the Board that it's about shared values and common goals and that's what it comes under and that's how we will work.

Selectman Gorski addressed Selectman D'Amore mentioning how he spoke about morale and told him that she is very confident that under the leadership of Bob Lay things will probably get a lot better; that maybe there are some other places that morale could improve so that people enjoy going to work and don't feel pressured and don't feel they are under the gun and that's what she would like to see. Gorski said she thinks this process worked beautifully and that the choice that they made is the right one, and not to disparage anybody else; that everyone did a great job; that they had a pool of candidates that was exemplary. Gorski told Lay that she liked what he had to say about how he will handle things going forward.

Lay thanked Gorski and mentioned a quote that he heard a long time ago from a client of his, "that you don't have to be sick to get better", and addressing D'Amore told him that he keeps mentioning the morale issue but they're not real sick and he's sure they can be better and that that's what his goal is.

Chairman Greaney told Chief Lay that he had reviewed the list of things you were interested in; that Clement said the laptop is at the station with the password cleared off of it so Lay can add one if he wishes to do so; that Clement would like to meet with Lay to go over some things and if you have any clarifications that you need he would like to do that. Lay responded that he isn't surprised. Greaney asked Lay if he had any questions for the Board or what does he need from the Board. Lay responded

support; that they'll have some support; that he knows over the last three months the board members learned a lot. Gorski responded that she sure did. Lay said you don't know what you don't know, and he doesn't know what he doesn't know; that he told them during the interview that they need to do this together. Chairman Greaney asked Lay if he had a chance to contact the Fire Marshall and he responded he hadn't because he was advised to stay away from certain things until he was officially appointed. Lay said he is good; that he will keep the Administrative Assistant up to date and thinks it would be wise to meet with the Board again probably in 30 days, perhaps sooner. Lay said it's his intent to do some discovery and come in and give them the landscape; that at that point he should be able to tell them what the highest priority items are; that he already has a pretty good sense but needs to validate that; that they could look at the list of everything; that it's not all stuff that needs to be done immediately; that some of these are over time but the things that need to be paid attention to immediately, we will. Greaney told Lay that he imagines that inspections, smoke inspections, and all those other things you will have to get those ironed out. Lay said he will take care of that; that he's going to go talk with Mike, sign some stuff, and he has some stuff to do tomorrow so they will figure that all out. D'Amore commented that he knows Lay has to figure out the priorities which is expected, but asked Lay what his plan is for preparing SOPs and SOGs, whether he would delegate some of that, do it all himself, or have a committee. Lay stated that doing it himself would not lead to acceptance; that a department needs to create its own procedures and guidelines, represented mostly by the officers, and not opposed to working in smaller groups with a fire guy, a medical guy, etc.; that it's nice to have a cross section represented; that he knows how to do that kind of work from his past experience, how to build stuff, work with teams and how to get it done. Lay said him preparing something and saying this is how it will be done, is not what he would do; that it's no way to set expectations; that people need to go up that expectation step or ladder and understand what they need to do. Lay said it will come over time; that you don't drop a whole set on the desk, you create one that makes the most sense to have earlier and work from there. Lay told the Board that one of the things that he learned at last weekend's seminar is that people leave call and volunteer departments because there isn't enough structure; that you go to work and expect structure otherwise it leads to other issues. Lay said they will do it together; that it won't take a year; that some of it will come in 30, 60, 90 days.

Selectman D'Amore referred to the Police Regulations and that once their regulations are written the submit them to the Board of Selectmen for review and the Board has 30 days to respond and sign off on them and if it doesn't, the regulations are deemed approved. D'Amore commented that they can't do that with the Fire Department under the strong chief law but would appreciate him sharing some of that with the Board. Lay said he would do so with sections that he feels the Board would have concern about, such as writing one for social media behavior; that they don't have one but the PD does. Lay said they need one. Lay told D'Amore he will share all the SOPs/SOGs he develops and D'Amore said he doesn't want to give Lay the impression they are trying to micro-manage him by having him share them all but he feels the Board would like to see those that apply to personnel matters. Lay responded that he thinks its healthy for the Board to understand the quality of the product his department comes up with. Lay gave an example of a document he prepared for the Dispatchers to use for calls and that the Engineers and Chief of Police accepted the document.

Greaney told Lay that he will need to get together with John Clement to go over what remains with the fire budget line items; that he will need to get a maintenance of equipment onto the computer, and just get information out to people and everyone should be in good shape. Lay said he agreed. He told the Board that he will probably leave and have 20 questions but their Assistant has always been a good resource and he knows he can always step in and get at least her opinion early; that most folks in town hall are very helpful, there's no question.

Greaney told Lay that one of the other men they interviewed, Arthur Howe from Ipswich, wished him the best of luck. Lay left the meeting room and went to the Clerk's office to be sworn into office. Chairman Greaney stated that he would like to thank Mike Kastrinelis for all the time that he spent covering in the interim as acting Chief the last five months; that a lot of the information that was given to the board last

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week, it was nice to see all the things that were laid out and falling into place; that he knows the school group was happy with the help he assisted them with, the alarm system and everything else, so thank you again to Mike. D'Amore and Gorski agreed and D'Amore mentioned the on-going grant work that Mike started is going to be hugely important and showed great leadership there and he hopes to see great collaboration in the department.

Executive Session

Upon motion duly made by Greaney, seconded by Gorski, it was

VOTED: To enter into Executive Session pursuant to MGL Chapter 30A, Section 21(a) (2) for the purpose of discussing strategy in preparation for contract negotiations with non-union personnel.

GORSKI, D'AMORE, GREANEY – "AYE"

Executive Session was entered at 8:15 P.M. and closed at 8:28 P.M. The Executive Session Minutes are on file in a separate binder in the Administrative Assistant's Office. The Chairman announced the Board will return to Open Session at the close of the Executive Session for the sole purpose of adjourning.

Adjournment

There being no further business to come before the Board, upon motion duly made by D'Amore, seconded by Gorski, it was

VOTED: To adjourn.

Adjourned at 8:29 P.M.

Respectfully submitted,

Nancy Lewandowski
Administrative Assistant