



TOWN OF GROVELAND

2013 JUN -4 PM 1:20

## MEETING NOTICE

(MGL Chapter 30A, Sections 18-25)

TOWN CLERK  
RECEIVED/POSTED

COMMITTEE OR  
CONVENING BODY:

Board of Selectmen

MEETING PLACE:

Selectmen's Conference Room  
Town Hall – 183 Main Street, Groveland, MA

DATE & TIME OF  
MEETING:

Thursday, June 6, 2013 @ 6:30 P.M.

Open Meeting

Executive Session-MGL Ch. 30A, Sec. 21(a) (1)  
to discuss complaint brought against town employee

Signed:

Date: June 4, 2013

*All meeting notices must be time stamped and filed in the Town Clerk's Office and posted  
48 hours prior to the meeting (excluding Saturdays, Sundays and all Holidays).*

## MINUTES

### BOARD OF SELECTMEN

June 6, 2013

Meeting called to order at 6:40 P.M.

**Present** Selectmen Gorski, D'Amore and Chairman Greaney, Deputy Fire Chief Robert Lay and Selectmen's Assistant, Nancy Lewandowski.

Chairman Greaney informed Deputy Fire Chief Robert Lay that he was asked to meet with the Board to discuss an incident he allegedly was recently involved in at a local place of business. Inasmuch as the issue involved a town employee, Greaney asked Lay if he wished the meeting be held in open or executive session. Deputy Lay responded that he was comfortable meeting in Open Session.

Chairman Greaney explained that former Fire Chief Clement had turned the matter over to the Board of Selectmen due to the former Board of Engineers no longer overseeing the department and its men following recent vote at town meeting to create a strong Chief position; that due to Chief Clement retiring at the end of last month, Clement felt it best that the Selectmen review the personnel matter and take whatever action they deem appropriate/necessary; that a business owner and her son had filed an incident report at the Police Department and Deputy Gillen followed up by meeting with and speaking with the parties.

Deputy Lay told the Board that he had received a copy of the incident report from Deputy Gillen. He told the Selectmen that after the Boston Marathon bombings he had wanted to lower the station flag to half mast; that he noticed that the pole needed a new rope and came to town hall to get permission to purchase one; that he spoke with the Board's Assistant who advised him not to lower the station flag to half mast; that only the flag at town hall has been ordered by the Governor to be lowered. Lay told the Board that he left and while driving toward Georgetown he noticed a local business had its flag at half mast and went in to speak with the owner. Lay stated he told the owner that he found out that he couldn't put the fire station flag at half mast; that only the Governor could order which flags could be lowered and that they should raise their flag back up. Lay told the Board he was asked if he was in the military, and he told the business owner he was not, that he was on the fire department; that other comments were made about who the owner should tell her customers ordered her to raise the flag back up and he (Lay) jokingly replied not to say someone from the fire department, to say it was someone from the police department. Lay told the Selectmen that they all laughed at his joke.

Deputy Lay told the Board that a couple days after his visit to the business, Deputy Gillen called him and told him that the owner and her son had both come to the station and filed an incident report; that the mother was very upset as was her son; that Lay told Deputy Gillen he would be happy to go back to the business and apologize; that it was a clear misunderstanding; and that Deputy Gillen told him not to go there. Lay told the Board he has not gone back to speak with the owner or her son and that Gillen told him he would let the owner know Lay's concern that he upset them and his wish to apologize for the misunderstanding.

Lay told the Board that the letter former Chief Clement gave to the Board was not true; that Deputy Gillen did not bring the issue to Clement; that Lay was at the Engineers last meeting when the incident and types of discipline were discussed; that he talked to former Chief Clement and had told him he had not gone to the business representing the Fire Department; that he feels bad about the incident; that it was a misunderstanding.

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Selectman Gorski asked how the Chief learned about the incident and Lay responded he didn't know. Selectman D'Amore stated that inaccuracies in the Chief's letter are bothersome, such as Lay was "representing the fire department". D'Amore stated he does not see any reason for disciplinary action whatsoever and can't see anything being put in Lay's file.

Chairman Greaney asked Lay about someone else calling the business about the flag being lowered and Lay responded the business had received a call about the flag not being lit at night. Selectman D'Amore said again he does not see grounds for disciplinary action; that he would feel compelled to go see the woman and talk with her. Deputy Lay responded that former Chief Clement had interviewed the woman as well as Deputy Gillen; that the poor woman was upset and he doesn't think the Board of Selectmen should be interviewing her as well. Selectman Gorski told Lay that this is happening at an inopportune time (Lay had stated he was interested in applying for the vacant Chief's position); that she had told Chairman Greaney when she talked with him that she had driven by the business the day before this meeting and thought about going in to speak with the owner but didn't.

Chairman Greaney told Lay that the Board doesn't have an offense that needs to be placed in Lay's personnel folder at this time; that he will call Deputy Gillen and find out how the woman is and whether she is fine. Selectman D'Amore commented that some people would sue over something like this. Selectman Gorski stated she does not want to leave this open ended; that she wants Bob (Lay) to be comfortable and does not want the Chief's letter or other information placed in Lay's personnel file. Chairman Greaney stated that he will reopen discussion on this issue if he finds out something else upon speaking with Deputy Gillen. Deputy Lay thanked the Board.

Adjournment

There being no further business to come before the Board, Gorski moved, D'Amore seconded, and it was

**VOTED:** To adjourn. 3-0

Adjourned at 6:58 P.M.

Respectfully submitted,



Nancy Lewandowski  
Administrative Assistant

Approved by vote of Board on 6/17/13