

MINUTES

BOARD OF SELECTMEN

JANUARY 27, 2014

Meeting called to order at 6:28 P.M.

**Present** Selectmen Elizabeth Gorski , Joseph D'Amore and Chairman Donald Greaney.

All stood for the Pledge of Allegiance

**Kermit Cross-request for street light**

Resident Kermit Cross met with the Board to request a street light of some sort be added to Elm Park. Cross told the Board that the end of the park where the clock is, at the crossing area from the Park to the Groveland Diner is extremely dark; that he had someone in dark clothing step into the road at that spot as he was driving by and he had great difficulty seeing him; that in his opinion something needs to be done to lighten that crosswalk area. The Board thanked Cross for bring his concern to their attention and Chairman Greaney asked the Board's Assistant to send a letter to the Light Department asking them to determine whether a light can be added in that area and also work with the State if they determine a light can be added.

**Approve Warrants**

Moved D'Amore, seconded Greaney, and it was

**VOTED:** To approve Payroll Warrant #14-30.

D'Amore, Greaney – "Aye"; Gorski – "Abstain" 2-1

Moved D'Amore, seconded Gorski, and it was

**VOTED:** To approve Bill Warrant # 14-29 3-0

Moved D'Amore, seconded Gorski, and it was

**VOTED:** To approve Deduction Warrant #14-28A. 3-0

**Correspondence**

Board received a letter from Zoning Board of Appeals long-time member Debra Young, notifying the Board that she would be resigning from her position on the ZBA effective February 7, 2014. Board also reviewed an email request from Daniel MacDonald, alternate member on the ZBA requesting appointment to Young's remaining term.

Selectman D'Amore expressed his thanks for Deb Young's ten years of service on the ZBA stating that she did some great work for the town and he is sorry to see her leave her position. D'Amore told his Board members that he has worked with MacDonald for about a year and a half on the Government Advisory Committee (GAC) and that he seemed a bit reluctant at first about serving on the ZBA when he was first appointed as an alternate member and he seems to have taken a liking for it. D'Amore told the Board that he has participated in two Zoning Board meetings and witnessed MacDonald adding to the discussions even though as an

MINUTES-PAGE #2  
JANUARY 27, 2014

alternate he didn't have a vote. D'Amore commented that it's great to see the volunteerism come up for the town and stated he could recommend Daniel MacDonald to fill the vacancy created by Young's resignation. Selectman Gorski also mentioned that she too has served with MacDonald on the GAC Committee, that he is an attorney and brings that to the table; that he did step up as did Mr. Wood, the remaining alternate member, and she appreciates them doing that; that Mr. Wood will remain an alternate member. Gorski noted for the t.v. audience that there are now two vacant alternate spots and asked if people are interested in serving to submit a brief note to the Board.

Gorski thanked Deb Young for her hard work on the ZBA; that the ZBA has had some contentious applications before it and it had a lot of hard work to do. Chairman Greaney also thanked Deb Young for all her hard work on the ZBA. Selectmen Gorski and Greaney also noted Deb Young's caring for the traffic island at the entrance to Mill Street/Center Street; that she made sure the grass was mowed and flowers put at the monument and believes she may have placed a Christmas wreath there as well. Gorski stated if the wreath wasn't put there by Young then she thanks whoever placed it there. Greaney noted that Young fertilized the area, cleaned up the weeds as well. D'Amore agreed saying he learned during his walks around town that Young cared for the island.

Moved D'Amore, seconded Gorski, and it was

**VOTED:** To appoint Daniel MacDonald to fill the remainder of the term on the Zoning Board of Appeals previously held by Debra Young, said appointment effective February 7, 2014 through June 30, 2015. 3-0

**Mike Dempsey**

Mike Dempsey asked the Board if they had heard from Mr. Angelini since the last meeting, specifically as to whether he had obtained the Easement from James Bussing to haul his earth materials over Bussing's property to Center Street. The Board's Assistant responded that she had not received any correspondence from counsel or Mr. Angelini. Dempsey told the Board that Angelini needing the Easement is the holdup before Woody Cammett files for the earth removal permit hearing. Chairman Greaney asked the Board's Assistant to contact Mr. Angelini and remind him of his need to obtain the Easement from Bussing. The timeframe for obtaining the Earth Removal Permit was discussed and the Board's Assistant pointed out that under the Aquifer Protection By-law Angelini must also go before the Planning Board prior to a hearing before the Selectmen.

**Finance Director Search**

Chairman Greaney asked how the Board wished to proceed with the search for a new Finance Director. Both Selectmen Gorski and D'Amore stated they liked the process the Board used recently for selecting a Fire Chief, especially the initial telephone screening. Thirteen applications were received. D'Amore stated he would like to see the position filled by March 1<sup>st</sup> or the 15<sup>th</sup> because the town and school are entering the budget process and the school budget is very intense. Selectman Gorski stated she knows Greg has been ill and doesn't want to burden him; that when they hire someone that person will need to work with Greg for a while because there will be lots of questions. The Board agreed to hold additional meetings in February until they complete the interview process and make a selection. Selectman Gorski suggested asking Greg to provide 6 questions the Board can ask in the telephone interviews.

**Bussing property**

Mike Dempsey told the Board that the Purchase & Sale Agreement between the town and Bussing expires today; that the town needs to vote to extend or not extend. Chairman Greaney asked if they had received any information from Bussing or his attorney about where they stand in providing a clear title and the Board's Assistant responded that she had not received anything only the email from Mike Dempsey he sent late today. Chairman Greaney asked Dempsey if Bussing is no longer interested in selling the land to the town and Dempsey responded that according to Mr. Neve (Bussing's consultant) they are still very interested. Selectman Gorski asked if they have done everything asked of them and Dempsey responded that they believe they are on the path to cleaning it up. Selectman Gorski told Dempsey that the path is great but we need something more. Chairman Greaney told Dempsey they asked for a timeline and specific information as to where they stand with clearing the title which was to be provided to the board as of last Friday. Gorski asked how many extensions had already been granted and she was told 3 or 4, and corrected that this would be the 4<sup>th</sup> extension if granted this evening.

Selectman Gorski suggested the Board may need to speak with Bussing or Neve and Dempsey responded that he doesn't think they have anything different to tell the Board as far as what they have actually accomplished. Dempsey said he knows they are working on it; that he has talked with the parties concerned and knows there was communication to deal with the problem; that he knows they haven't come up with a solution to tell you about. Gorski commented that Dempsey said parties and he responded that there is one party that they are dealing with and Mike has spoken to that person who supposedly doesn't have a problem with it. The Board's Assistant reminded the Board that the process has been that Mr. Bussing's attorney provides information to the town's attorney so that he can confirm whether the information clears up the problems and to date it hasn't. Chairman Greaney stated that Bussing's attorney and their title examiner wanted to meet with the town's attorney and title examiner to explain what they think is the truth. The Board's Assistant responded that town counsel told Bussing's attorney to send him what they have so the town's examiner can review and determine if the problems have been resolved; that town counsel still questions where a second portion is clear. Chairman Greaney asked if the Board doesn't vote to extend does the agreement just expire and the Board's Assistant responded that the Board needs to vote to extend or not to extend; that Friday is the deadline to notify the sellers whether they have extended or not.

Dempsey told the Board that he agrees that the town obviously doesn't want to purchase anything they don't have clear title to, however, he feels at this point all they are doing is giving them another extension to solve that problem and at this point it's not costing the town anything to give him the extension because they're not going to do anything at all until they come forward with something; that he's asked for thirty days, that's it. Dempsey told the Board that he suggests giving them the 30 days then ending the contract because certainly at that point they have had long enough to prove their case and then perhaps we can renegotiate with them for new terms. Chairman Greaney asked if had checked with the appraiser to find out how they could appraise the property for 16 acres that wasn't accounted for and Dempsey replied that it wasn't that way because the outer bounds of the property contain a certain acreage and that is what it's appraised for; that the fact that there are these individual parcels that don't all add up, it's a legal problem because they're not documented as to what those parcels were. Greaney told Dempsey that it was appraised based on a 40B project going in there and if it wasn't going

to be able to go in because it wasn't owned properly probably, he would say the appraised value is probably about a third of what we're at. Dempsey somewhat agreed saying here they're going to get their final 30 days to prove that they can clear those problems easily; that if they can't close them up for this, they certainly wouldn't be able to close them up for any other project. Selectman Gorski stated she will support another 30 day extension with the hope that with another 30 days they have some answers for us; that she doesn't think this is going to be for infinity. Selectman D'Amore addressed Dempsey saying he knows Dempsey put more work into this project than anyone he knows; that he knows it intimately and Dempsey's opinion has a lot of sway on him (D'Amore) and he concurs with Selectman Gorski that to provide the extension is a reasonable thing to do provided there isn't a sub-condition, asking if they want their title attorney to talk to ours and Dempsey responded no. D'Amore then asked if the current title problems still allow a 40B project to be built. Dempsey stated he heard it wouldn't get passed at MA Housing because you have to have clear title to the property before they would approve you putting a project on it.

Moved Gorski, seconded D'Amore, and it was

**VOTED:** To grant James Bussing a 30 day extension in accordance  
terms of the Purchase and Sale Agreement between James  
Bussing and the Town of Groveland. 3-0

#### **Fire Chief Robert Lay-Contract Negotiations**

Chairman Greaney asked Lay if he wished to negotiate his contract in Open or Executive Session. Lay responded that he had two things, one, what he thought was Selectman D'Amore's request when he was at the last meeting which was to come in and have more discussion before they got into the contract discussion; that he can do that either way. Chairman Greaney responded that he thinks they should finalize the contract; that otherwise they're probably not staying within the restraints of what they had advertised the job as; that if they're talking about changing something, it's probably not the best way to approach it; that he doesn't know what the others think, but he feels it could be a gray area. Selectman Gorski asked if she could be brought up to speed inasmuch as she was absent the first time Lay met with the Board. Gorski then asked Lay if he wanted to go into Executive Session and he responded that it may be a wise idea. The Board's Assistant reminded the parties that they can only enter Executive Session for the purpose of negotiating a contract, not for other discussion. Chairman Greaney agreed and stated that they can talk about the contract in Executive Session and the other issues that were talked about in Selectman Gorski's absence was information that Bob wanted to bring forward to let the Board consider was realigning the way the department is run and the Administrative Assistant noted that that is not negotiating his contract but discussing other issues that pertain to his job as Fire Chief which has to be in Open Session. Chairman Greaney stated he feels they need to get beyond one before the other can be discussed.

Gorski asked if the discussion they had with Lay when she was away was in open session and the Board's Assistant and Selectman D'Amore responded it was not; that the reason was because although the Board entered Executive Session to negotiate the contract, unfortunately, during that time discussion went into other things that did not pertain to contract negotiations. Selectman Gorski commented that she is very sensitive to this and the Board's Assistant responded that she looked over the Executive Session law well and there is no other provision for holding that type of discussion in closed session; that it needs to be in Open Session and

MINUTES-PAGE #5  
JANUARY 27, 2014

contract negotiations and discussion pertaining to negotiating the contract has to stick to negotiating the contract and can be in closed session.

Chairman Greaney and D'Amore agreed that they should conduct the contract negotiations first then hear Lay's other presentation. Selectman Gorski asked if other people who have been before the Board for contracts, had those been in Executive Session, because she had to leave this room a few weeks ago and had no idea what they were talking about, none whatsoever. The Board's Assistant responded that it stated on the agenda Executive Session for contract negotiations and that's all it was. Gorski replied that she needs to take care of herself and not be caught up in if they were in Executive Session or they weren't. The Board's Assistant told her that is why she is trying to make sure they will be in Executive Session for the reasons they are saying they will be. Chairman Greaney stated they will negotiate the contract in Executive Session and then they will close the Executive Session and Lay can discuss his other proposals with the Board in Open Session. Selectman Gorski asked Lay if that works for him and Lay responded it was fine. All parties agreed and, upon motion duly made by Greaney, seconded by Gorski, it was

**VOTED:** To enter Executive Session pursuant to MGL Chapter 30A, Section 21(a) (2) for the purpose of negotiating an employment contract with Part-time Fire Chief Robert Lay.

GORSKI, D'AMORE, GREANEY – "AYE" 3-0

Executive Session was entered at 7:14 P.M. and closed at 7:44 P.M. The Minutes of the Executive Session are on file in a separate binder in the Administrative Assistant's Office. Chairman Greaney announced the Board will return to the Board's Open Session at the close of the Executive Session.

The Board returned to Open Session at 7:45 P.M. Upon motion duly made by Gorski, seconded by D'Amore, it was

**VOTED:** To approve and sign the employment contract negotiated in Executive Session between the town and Part-time Fire Chief Robert Lay, said contract effective immediately through June 30, 2014. 3-0

**Fire Chief Lay**

Chairman Greaney opened discussion by stating that the Fire Chief has some information he wanted to talk to the Board about; that they had put it off to this meeting because Selectman Gorski was not available to meet. Lay distributed job descriptions of the former Fire Chief and the Chief's Clerk job description, together with two pages of the Clerk's duties. He also gave the Board a copy of the current job description the committee worked on following the former Chief's retirement stating that it had been accepted. Chairman Greaney asked if businesses that have flammables furnish reports to the fire department and Lay stated that he has discovered that businesses that are required to supply certain sets of information such as Chesterton, are very good at it; that at the lower level, he doesn't know because he doesn't know if everybody is aware of the regulation that governs what they have. Lay stated there is a new regulation called tier two reporting that he is just starting to learn about that. He said that is

MINUTES-PAGE #6  
JANUARY 27, 2014

probably businesses all over town and that the Highway Department probably has stuff that they need to report but he needs to get some training on it in order to better understand it.

Lay told the Board that the reason he passed out the two former and current job descriptions is so they understand the differences between the new one where it talks about Chief's duties and the one that the former Chief worked under. Lay told the Board that if they read through them line by line, that he knows they all have had experiences with job descriptions, but the difference is between things like "plans, coordinates, supervises...prepares and establishes plans and implements"...those verbs are very different than the ones in the previous description where it says "oversee"...to oversee something is not the same as to "develop and implement"...very, very different...depth and breadth of what's going on there. Lay told the Board that the discussion they need to have is what he already told them which is he doesn't believe it is humanly possible to do this job as described in 14 hours a week. Lay passed out another handout stating that his original presentation to the Board and when he presented his Operational Plan his cover slide was that he would in fact improve the overall effectiveness of the Fire Department within the existing budget. Lay stated he had performed an analysis over the past 90 days of most everything they do, or that they have, or as much as he could within 90 days, that there's a lot to look at.

Lay told the Board that since they met the last time he had to submit his budget to the Finance Director; that he had to get a budget in; that he knows what the process is, that he meets with the Board and talks about the budget, then he meets with FinComm and they talk about the budget; that he understands it is a longer process; that what he did here was pretty much what he described in a previous discussion, that he looked at some opportunities to create more hours for the Chief and move some money around within the existing budget and coming out the same. Lay told the Board that the discussion point he feels they need to have and he knows it will be somewhat of a long process to get them there is (1) to look at a way to increase the Chief's hours from 14 to 30 to meet the job description requirements. Lay told the Board that based on their recent contract negotiations he knows that can't happen until they go through a more formal process of a new budget and if the budget is accepted at town meeting.

Lay suggested that part of the way to fund the extra hours for the Chief's position would be to eliminate the Clerk position that they currently have and do that through automation, which is basically to install some software that enables you to do all that in an automated way. Lay told the Board that in the budget he submitted he moved the Inspector's wages over to the Chief in order to allow an opportunity to maintain consistency throughout the process; that there are two parts to it now; that he looks at some plans; that he does the front end of it and then an Inspector goes out later; that it's not the same person so the Inspector doesn't know what the earlier discussion may have been. Lay stated that the inspections are done at the convenience of the Inspector; that quite obviously the Inspector does a good job scheduling things so it's not about that, but you get a lot of calls that say "I happen to be here, can you come out right now" and often times they can't do that so this is two things: (1) having him (Lay) more involved in all inspections because one of the problems with 14 hours a week sitting in the office, he doesn't see any customers; that he's not out in the community enough, not in homes, not in businesses; that he's not in those places that you would think you want your Fire Chief to be and (2) this was an opportunity to just slide some money over and say it's in his job description that he's responsible for that so he's responsible for it and he pays someone else to do it.

MINUTES-PAGE #7  
JANUARY 27, 2014

Drill wages. Lay stated he put in his proposal to implement a training plan within the budget; that he's working on the training plan and had told the Board he could stick to the budget so he's indicated a reduction in the FY'15 training budget but it's just better management of what they currently do and making sure that one hour's training is one hour and not two, and being a little tighter with some of that stuff. MA Academy stays for training for some of the firefighters and expenses are basically the same. Lay said he also reduced the firefighters wages by about half of what he himself was paid the previous year. Lay mentioned that they pay him \$19,000 to be Fire Chief and last year they paid him \$14,000 as Deputy and he had no responsibility other than to go on calls. He also mentioned there was a reduction in his hourly wage by \$5.00 an hour. Lay stated that if he takes some out of the wage account he won't be over on wages because he was the top wage earner; that his replacement would have half his hourly wage so you can only take half his salary and move it over. Lay stated he was just rearranging within the existing budget and it's not the only way it can be done; that he is open to suggestions from the Board and from Finance when he gets there.

Lay told the Board the reason for moving wages out of drill wages was for personal development of the Chief; that the job description says somehow that he needs to stay on top of being trained, but when you work 14 hours a week there's not a lot of time to go to training; that a lot of the classes at the level he needs to have are 30, 40, 50, 60 hour classes. Lay said he should have 150/160 hours of training a year and that's what that money he moved over represents.

Lay told the Board that they talked about the Fire Chief credentialing at some of the committee meetings they had (drawing up the job description) and stated that credentialing is professional development of the Chief. He asked the Board, when does he get trained? Lay told the Board that the world is changing and the fire services are changing rapidly, and asked again when does he get his training because certainly the Board would want the training from the top down.

Lay stated he did an analysis of the budget over the last three years and what he proposes easily fits inside any of those three budget years with a planned approach to training and purchases, etc. Lay told the Board that as he told them earlier, this is a good match for his skill set because he is fiscally responsible and can certainly manage budgets. Lay stated for the transition from February through June, this is what he asked for at the last meeting was, in order to bridge the gap to give him some additional hours to do some work would be to appoint him as the acting Clerk much like Mr. Clement was the acting Clerk for the last two years; that inside of that gives him time to take all of the functions and activities that they have today and are conducted by the Clerk, to transition them or migrate them to the new software so that they can be done. Selectman Gorski asked Lay what he thinks the hours would be to do that job with the software program he was speaking about. Lay replied it's tricky; that they don't have a good record of how many hours it takes to perform the payroll function today; that he doesn't know but John spends a lot of time on that. Lay gave out written instructions of how the payroll is done today and explained that a little of it is done on Lotus and some on Excel. He stated that the Mr. Jordan did a nice job of building something that is kind of homemade but they have now outgrown it. Lay told the Board he doesn't know how many hours John spends doing the payroll but he spoke to people in Georgetown who use the software he is looking at and was told that the Deputy Chief does the payroll once a week and it takes him a half hour. Lay stated they don't need it once a week, just once a month.

MINUTES-PAGE #8  
JANUARY 27, 2014

Chairman Greaney asked if Lay has a cell phone the town is paying for and Lay acknowledged that he does have one. He stated he's found a lot of opportunities to save money.

Chairman Greaney asked about buying the software and Lay stated he received a quote in October and he found out today the price has gone up about \$2,000 but she is going to honor the earlier quote. Lay stated he could buy the software from money he will save by not buying paper run books. They spend a \$1,000 a year to buy the run books. Lay told the Board they've outgrown the whole process; that it's outdated and only one person knows how to do it, the current Clerk; that the opportunity to let Lay automate and transition all of the functions and activities into the software gives them something they don't have today which is records. Lay stated they don't have training records; that they have attendance records at training but they don't have a copy of firefighters' certifications; that the software will do everything.

Chairman Greaney asked if the software would also work with the inspections and Lay responded that it has everything, everything you could think of. They build it for small volunteer departments or cities like New York. You can buy what you need and add to it. Chairman Greaney asked if the Dispatchers would have access to the information on the software and Lay said they could; that they have a Dispatch module. Lay told the Board that whatever happens with his proposal for moving money around to his salary he is going to buy the software; that he's the only guy that goes to a meeting who isn't talking about software; that we're so far behind in that it's time to move that piece forward. Lay told the Board that he has money in the budget, is saving money in the budget and stated again that they make him the Clerk during this transition period and let him transition the work, and then when they come back later and say by the way we eliminated that and can move it over and put it in the Chief's job description. Lay said he is asking to be the Acting Clerk now just like the Board did for his predecessor and then negotiate, talk, discuss whatever, rearranging the Fire Chief's position for town meeting eventually and beyond.

Lay told the Board the other thing he thinks they can do is authorize him to get some training by using the training budget just like anyone else. Lay stated the training budget is typically over funded; that he couldn't find anything to show whether the former Chief used the training budget for training but he is being realistic by saying all Chiefs need training. Selectman Gorski asked about the money Lay is suggesting be moved from the firefighter's wages and Lay responded he was only moving half of the amount of his own salary last year.

Chairman Greaney asked the Board's Assistant to inquire if there's a problem when somebody has one position they are getting paid for that they can't be paid for another. The Board's Assistant responded that she was going to suggest the Board seek advice from town counsel on Lay's requests before they make any decisions on making Bob Acting Clerk; that she doesn't remember the Board doing that for John or if he just assumed the duties when the Clerk left. Selectman Gorski couldn't remember the Board doing so, but Chairman Greaney said John came in and asked about being paid but Greaney doesn't remember the outcome. Greaney also asked if there is a reason why the Fire Chief wouldn't be allowed to get wages for training when we appropriate a drill wages budget; that he doesn't know if there was a reason why the former Chief didn't use that budget for training for himself. Greaney stated that when he was on the department John did go to the medical trainings but not the others; that he doesn't know what he did the last twelve years. Lay responded that he is interested in staying current and he is sure the Board shares that view. Chairman Greaney commented that an override was voted to allow the training budget, probably in early 2000 and the Board's Assistant said she would



MINUTES-PAGE #9  
JANUARY 27, 2014

review the votes to see how the question was worded. Greaney told Lay the Board will seek some advice before making a decision on Lay's requests.

Lay stated that the next item on his handout was to talk about the next steps in benchmarking; that he wouldn't expect the Board to take everything that he has to tell them as gospel and suggests that they do their own benchmarking; that he has talked to the State Fire Marshall about this and he (Fire Marshall) was trying to pull some stuff together; that the Fire Marshall said he gets a lot of requests like this where town government questions how can this be and the Marshall told him that part of it is his fault because he requires a lot of things of the Chiefs and he (Lay) has to do what the State Fire Marshall tells him to do so he asked him to put some of what he told him in writing and his executive staff is working on it. Lay also said the Essex County Fire Chiefs is working on doing some benchmarking because what he is talking about here exists pretty much everywhere else; that there are only a couple of communities without a Chief that is considered full time, and while his proposed 30 hour a week is either part time or full time, it is 3/4s and would still be less than most that are 40 hours. Lay gave out another handout showing hours of area Chiefs and said he would never want anyone to think he is looking to feather his own bed, because he is not. Lay stated that the Town of Essex is looking at a full-time Chief for \$85,000 and have 3,500 people; that Nahant is also around 3500 people and has a fulltime Chief. Lay said he did some benchmarking and those that don't have a fulltime Chief are Essex, West Newbury and Merrimac, then changed and said Merrimac does have a fulltime Chief but there may be one other that doesn't. Lay said we are again a little off pace and Chairman Greaney responded that some things we are not trying to keep up with. Lay said it isn't like he is coming in here saying you guys need a fulltime Fire Chief and you need to add \$70,000 to the budget and that he's looking for an \$85,000 salary. Lay said he knows of a community where the gentleman came out of Ma Fire Academy , he's retired like himself and took the full-time Fire Chief's job and is doing it for \$50's so not everybody gets \$85,000, there's obviously a range; and his way of telling them he is probably a bargain but it all comes down to the work needs to get done; that it's legitimate work and not just more time for him to be around town, there is real work to be done to stay on top of what's going on.

Selectman D'Amore responded to Lay that he had made two presentations, the first one having to do with the transitional period between February and June of this year and that is to assume the role of the Clerk, and would implement automation with software. D'Amore stated he would like to see that request taken under advisement so it could be thought through and, secondly, a legal question as to whether it is even possible. D'Amore stated the second issue is he has a couple of questions because he is intrigued by Lay's plan. D'Amore stated that this is more of a strategic plan where Lay was suggesting that it would benefit the department and the town to transition the job from 14 hours to 30 hours and D'Amore stated that he needs Lays help to understand. D'Amore stated that Lay is proposing doing the inspections and the Clerk's role but not as it is now because it will be automated. D'Amore told Lay that when you add up the budget for 2014 and 2015 the bottom line is the same. D'Amore stated he had several questions and pointed out that the position will become benefit eligible at 30 hours so it won't be the same budget neutral issue, there will be a bump in the cost of the position if either you or whoever held that position at 30 hours seeks benefits. D'Amore asked if anyone knew what that cost or estimate of cost would be and Selectman Gorski thought it could be \$1,000 a month. Lay responded that it was a good question but he doesn't know if it was fact or fiction that the former Chief had that but he was thinking if the former Chief had it, and the new guy gets it, it's budget neutral.

MINUTES-PAGE #10  
JANUARY 27, 2014

D'Amore then asked about the roles that are currently designated to some of the Deputies/Officers and what they will be doing if he as Chief is going to assume a significant amount of the work they now do, such as inspections. Lay responded that the only thing in his proposal is inspections so it doesn't change anything that anyone else is doing. D'Amore told Lay that for the benefit of the public he should explain more; that he has people now that do things and are in leadership positions right now and his plan substantially assumes a lot that and therefore taking that away from people. D'Amore asked Lay if he is talking about eliminating positions. Lay responded that his proposal changes nothing; that the Deputy Fire Chief currently also does the inspections, so he is the Inspector; that he is not the Deputy Fire Chief when he is doing the inspections; that he did them for years as the Lieutenant and as the Captain so there's nothing to do with your rank. Greaney asked Lay to explain the roles of the Officers. Lay said the way it works is from the Chief down is a Deputy Fire Chief, Captains and Lieutenants and the way they are set up is that the Deputy Fire Chief has operational authority at the fire scene; that he doesn't ever manage personnel; that if the Chief is away and a firefighter has a problem they go to the station Captain not the Deputy. The organizational chart would be the Chief, with the Deputy off to the side, and Captains, Lieutenants and firefighters following below the Chief. Lay stated his proposal doesn't change any of that, not the way they are organized or the way they operate. D'Amore asked if Lay has plans to change the organizational structure in the future and Lay responded no he does not.

D'Amore asked Lay where he is proposing changing the hours from 14 to 30 and adding 16 is it possible that he could use up all of the 16 hours doing Clerk work and inspections and Lay responded no. D'Amore told Lay he is concerned that Lay could come back and say later that 30 hours aren't enough and Lay responded that if the town all of sudden has a huge wave in development and are building a 1,000 homes a year in town then they probably have outgrown his proposed 30 hours. D'Amore then asked about the proposed reduction of almost \$9,300 in firefighters wages and Lay responded it's because he no longer is a firefighter; that he was the highest earner so he took half his wages and moved them over to the Chief's proposed salary for fiscal 2015 because his replacement would only earn half of his previous salary. D'Amore asked why Lay is proposing almost a \$6,000 reduction in training line item and Lay responded it's because they don't spend the money; that they don't spend \$36,000 on training annually and doesn't know that they ever have, so it's available. D'Amore thanked Lay and told him he appreciates his presentation and has no further questions for now.

Selectman Gorski responded that they were good questions and asked Lay if he is doing Chief and Clerk work and changing over to an automated system, would someone else need to be trained in that in case he's away on vacation and Lay responded that he would train many. He stated the way the system works is today someone fills out a piece of paper noting that he and the Board had talked about checks and balances before, and continued that today someone fills out a piece of paper and signs their name to it and it goes down stream and somebody inputs it later; that they believe what's on that paper is true and he hopes it is, but tomorrow when it's automated, they will all come back from a call and go into a room and bring up the software, click on a name and it's uploaded and not only do you have a record payroll, you have a record of the incident and equipment if you used any and it's all there. He told the Board it can be used to manage inventory; that there's no inventory management at all which is problematic because if you run out of inventory you have to do without some things until you can get it or, you discard

MINUTES-PAGE #11  
JANUARY 27, 2014

things that are outdated; that they've done a lot of that recently; that it's hard to manage stuff without a system and you can't just buy boxes and boxes and boxes of supplies. Lay told the Board that the fire department bought a lot of medical supplies but the fact of the matter is when they go on a call and use some equipment, they go to the ambulance and say I just used a collar and whatever and they give it to you, so they replace what you use so you never get to use the supplies you bought. Lay stated it just goes on and on and on and there is such an opportunity here to control the entire environment through automation. Lay commented about Selectman Greaney saying "great, you saved \$10,000" and Lay told the Board he thinks they should reinvest it; that they should save some money but work smarter and reinvest the savings into stuff that really needs to be done.

Lay told the Board he is not making this stuff up and maybe they need to go find eight or ten Fire Chiefs they can go talk to and get information from them, or let him do the benchmarking for them, and just tell him what they want to know and he'll go find it; that he thinks that is the logical path to finding if this is myth or truth; that he believes it to be truth from what he's seen so far. Lay told the Board this is a wonderful opportunity for us inside of same budget.

Selectman D'Amore stated he had a question on the software and said whether they cannot legally allow for the transition, or whether they just decide that they really don't want to do the transition from February to June, that Lay said he is quite motivated and keen on getting the software anyways. D'Amore stated that one of the things that motivated him was the concept of a check and balance by having that position of Fire Department Clerk and asked how that is impacted when the Clerk's position is eliminated, the Chief assumes that authority or position through automation, are we going to lose that check and balance? Lay responded saying they don't have a check and balance today; that the true answer is "you pay me, I pay them"; that today there is nothing that says I just signed this under the pains and penalties of perjury. Lay stated he told the Board the last time he was before them that a guy could stroll in saying "well I got a call" and never lifted a finger but gets paid, no checks and balances there. No checks and balances for how long he was in for. Lay told the Board that it is riddled with opportunity for mismanagement today and that software and the proper training takes care of it; that it tightens it up.

D'Amore asked "If there isn't a transition that we're going to be able to grant either because we're unwilling or legally can't how will you be able to work with the Clerk in the current position while phasing in the software?" Lay responded that it's a good question and he thought about it and could train the Clerk to use the new software and he could input the data into the new system. Lay stated it is very redundant but as he said earlier he is buying the software and is installing it and will probably migrate the information himself because he owns the process; that he's a guy that needs to know how it works; that he's the guy that needs to know that its integrity is there from the beginning; that he owns that so to involve two people in it he doesn't understand why he would have another person involved in data conversion which is all it's going to be. D'Amore stated he understands now that if he was a firefighter there for twenty years you can't go into one location and find his entire training record; that he understands that and asked, when Lay automates at some point he had told the Board earlier he will be able to call up a firefighters entire history with the department, but that's just going forward; that you're not going to be able to transcribe paper records now and bring them forward. Lay responded that if there is a certification in your folder from ten years ago he will put it into the system and it will be

MINUTES-PAGE #12  
JANUARY 27, 2014

recorded. D'Amore asked who will do all that data entry and Lay responded that he would; that as the Acting Clerk, that is what he would be doing.

Selectman Gorski asked if training comes with the software program and Lay responded yes. Greaney commented that the individual wage of each person can be entered and calculated out and Lay responded yes. D'Amore told Lay that his only concern is that 16 hours additional are going to be used in inspection and Clerk activity so therefore his Fire Chief hours that can't be done in the 14 hours will still remain there that deficit; that it's like a structural deficit; that that's his concern. Lay responded that you are eliminating all of this stuff and asked D'Amore if he had read the Clerk's job description and D'Amore responded that he had. Lay stated he could get it down to half of one paragraph such as "maintains records, prepares monthly bills"; that sometime the Board should go over there and he will show them what this maintenance of records really is; that from July 1 to today there are six manila folders standing in a rack on a desk; that there is 6 months of work right there and indicated with his fingers a spread of a few inches; that they are medical reports, run reports, expenses and it's all in six to eight folders, inspections year to date; that it's not in any system anywhere; that it's just waiting to be paper clipped and elasticized and thrown into a draw. Chairman Greaney noted that there wouldn't be medical records and Lay stated no that they would be handled separately. Gorski asked what they mean by medical records and Greaney responded that if they go on a run and there's a medical call, there is a document they have to fill out. Gorski asked if that is protected by Heppa and Lay responded absolutely.

D'Amore told Lay he appreciates his hard work and dedication to making things better; that he doesn't think the Board can give him any hard answers and Lay responded that he knows that; that he realized the last time he met with the Board that he broke the seal; that the job can't be done in 14 hours and he's open to anyone being able to show him how to do all that work in 14 hours; that it can be done; that it's not humanly possible. Lay told the Board that in fairness to everybody involved they work on making it right or they work on reducing the job description because he feels a little uncomfortable with saying he is doing all this when he's not.

Chairman Greaney mentioned another item in the Board's folder saying he had seen some of the emails going back and forth on that you found a final panel in another building that someone ripped wires out of and Lay said no; that he thinks the Board's Assistant is on that and told the Board that what he knows because he ran into a technician from LW Bills; that the panel was struck by lightning in June. Greaney asked how LW Bills knew about it and didn't tell us about it and Lay responded because someone from this town called them and said "it's not working, come look at it"; that what the technician told him, they responded, looked at it, they notified someone and nothing ever took place. Selectman Gorski questioned that it had never got remedied, and Lay responded "no, and it's still isn't working today". Chairman Greaney asked if anyone had checked to see if the smoke detectors in the building still operate and Lay responded they don't; that nothing operates. Chairman Greaney stated that the Board's Assistant is looking over the municipal buildings expense budget to see if there are funds to have it repaired. Selectman Gorski asked Lay who would have been authorized to make that telephone call to LW Bills when they came out to look at the damage. Lay stated he did not know. The Board's Assistant told the Board that her office had never been notified of the damage. Greaney said the Finance Director did not know about it either; that in the past insurance claims had been submitted when the damage had been reported in the past in this building and others. Chairman Greaney stated that we will try to get it repaired as quickly as

MINUTES-PAGE #13  
JANUARY 27, 2014

possible. The quote from LW Bills is for \$4,260 and Lay stated that that was where he became the bearer of bad news and that he has to enforce them getting it repaired. The Board's Assistant told the Board that she had discussed the problem with Lay and informed him that she has a lot of outstanding bills that need to come in before she can determine if there are sufficient funds in the municipal buildings expense budget to handle the proposed estimate of cost; that if there aren't sufficient funds then she would need to request a reserve fund transfer to cover the cost of the needed repair; that bills will be in the first of February and she will then be able to do her budget analysis. Greaney told the Board's Assistant that he was surprised that they are saying the entire panel needs to be replaced and not just a module that got burnt and that he's kind of surprised that they can't come back with a secondary quote. The Board's Assistant responded that she did not speak to LW Bills and request a quote; that the Fire Chief is the who brought her the proposal; that she had nothing to do with it. Greaney asked her to check with them and see if they can do a repair to get it operable and then they can submit another proposal; that if it's not a permanent solution at least they will have smoke and heat detection coverage so that if something is going on it will trigger something. The Board's Assistant told the Board that she did speak to the Police Department and they said they were comfortable knowing the building is manned 24/7 and if there was something going on they would know about it and be able to respond immediately. Lay stated the Police Department would lose their accreditation without smoke detectors. He also stated the Fire House is not manned. Chairman Greaney stated that maybe there is a way that LW Bills can set the thing up so that it has the smoke and heat detector coverage with a monitoring to the Dispatch. The Board's Assistant responded that she would appreciate it if it can wait until after the first of February because if they do it halfway now she will have to pay for that and then will have to pay for the second repair call; that we are not ignoring the problem, we are just trying to find a way to pay for it. D'Amore added "as quickly as possible" and commented that the other reserve fund transfer process would take another couple of weeks. Greaney said he wonders if they tried putting a new battery in it and Lay responded that they tried that and it didn't do it; that he talked to Kenny from LW Bills and said "it's fried"; that "we tried to reboot it" and it wasn't happening.

Selectman Gorski told Lay that he has given the Board a lot of information, a lot of food for thought and Selectman D'Amore agreed. Lay asked where they go next. Chairman Greaney responded that the next few weeks the Board will be tied up with Finance Director interviews; that the Board's Assistant will look into whether Lay can be named Acting Clerk. Greaney asked when the software will be happening because he's interested in seeing how it works. Lay replied that he is talking to three vendors, hasn't made a final decision yet; that the one who submitted previous pricing looked pretty nice; that maybe she was trying to close on him but their pricing was pretty good and he liked the way their system was set up; that they all offer cloud computing which is nice; that it's all backed up and meets all the requirements you would expect for a fire department; that there are three vendors that do that and they are all similar. Lay told the Board that he knows some local users in the system he is looking at so he can go there and watch them work with the system and look at the reports that they get; that that's been helpful. Selectman Gorski thanked Chief Lay.

MINUTES-PAGE #14  
JANUARY 27, 2014

**Adjournment**

Moved Gorski, seconded D'Amore, and it was

**VOTED:** To adjourn.

Adjourned at 8:47 P.M.

Respectfully submitted,

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Nancy Lewandowski  
Administrative Assistant