

MINUTES
BOARD OF SELECTMEN
FEBRUARY 10, 2014

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

All stood for the Pledge of Allegiance

Approve Warrants

Moved D'Amore, seconded Greaney, and it was

VOTED: To approve Payroll Warrant #14-32.
D'Amore, Greaney – "Aye"; Gorski – "Abstain" 2-1

Moved D'Amore, seconded Gorski, and it was

VOTED: To approve Bill Warrant # 14-31 3-0

Moved D'Amore, seconded Gorski, and it was

VOTED: To approve Deduction Warrant #14-30A. 3-0

One Day Liquor License

Board reviewed application for a one day special license for a family party (Delarosa) to be held at Veasey Park on February 23, 2014. Moved Gorski, seconded D'Amore, and it was

VOTED: To grant a one day Special License to the Delarosa family for a party at Veasey Park on February 23, 2014 from 5:00 PM to 9:00 PM.

Request for appointment

The Board received a written request from resident William Dunn asking to be appointed as an alternate member on the Zoning Board. Moved Gorski, seconded D'Amore, and it was

VOTED: To appoint William Dunn as an alternate member on the Zoning Board of Appeals, said appointment effective immediately through June 30, 2014. 3-0

Snow & Ice Request

Road Commissioner Robert Arakelian submitted a written request to the Board of Selectmen and Finance Board seeking approval to deficit spend an additional \$25,000.00 in the FY'14 Snow & Ice budget. Moved Gorski, seconded D'Amore, and it was

VOTED: To approve the request of Road Commissioner Arakelian to deficit spend an additional \$25,000.00 in the FY'14 Snow & Ice Budget. 3-0

6:30 PM-Deputy Fire Chief Michael Kastrinelis

Deputy Chief Michael Kastrinelis had asked to speak with the Board to address comments made by Fire Chief Lay about Kastrinelis's duties, job performance, and job description

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presented in the open meeting segment of the Board of Selectmen's meeting on January 27th. Chief Lay, Captain Ruchella and several other call firemen were present for the discussion.

Chairman Greaney asked Kastrinelis to hold off his discussion for a moment and told him that the Board had been meaning to have him come by a meeting so they could publicly thank him for serving as interim Fire Chief. Greaney thanked Kastrinelis for his service as Acting Chief and Deputy Kastrinelis thanked Greaney and the Board saying he appreciated it (the Board's thanks and recognition).

Kastrinelis thanked the Board for taking the time to let him come in and speak. Mike told the Board that he had been caught off guard by some of the discussion at the Board's January 27th meeting which he had watched on t.v. Kastrinelis told the Board he was present to discuss himself and how he performs his job; that he feels there were some inaccuracies presented to the Board and he just wanted the opportunity to address them with the Board.

Kastrinelis told the Board, as a point of reference, that he had been asked to meet and speak with the Chief a week before the Board's January 27th meeting; that at that time the Chief informed him of his intent to present a proposal to the Selectmen regarding a change in the job description, Chief's salary, and increased hours. Mike told the Board that he told Chief Lay that he could not in good conscious support that, but he certainly wouldn't fight him on it. Mike said he was shocked a week later to hear his position as Inspector being discussed and my other duties as Deputy Chief of the Department. Deputy Kastrinelis told the Board the discussion took place on the week leading up to one of the darkest moments in his and his family's life, and felt it was so wrong on so many levels.

Chairman Greaney told Kastrinelis that he just wanted to point out before things go too far, that because of the situation that took place during the last few weeks of Mike's interim position the Board found out that under the strong Chief law he doesn't know how much comes to them; and Kastrinelis responded that he understood. Greaney also said he feels a lot of people got the wrong idea from that meeting and had been asking him when the Chief's salary had been raised to \$50,000 and that he responded that they hadn't; that the Chief had come in with a proposal and the Board was only listening to him; that they weren't making any determinations or changes.

Deputy Kastrinelis said his phone has been ringing off the hook with people asking him for clarification. He stated he wanted to discuss the Inspector's job; that he had been doing that job for 15 years for the town; that he had gotten certifications and had training. He said he felt the Board was left with the impression they have a number of inspectors on the fire department that do multiple types of inspections but they don't have multiple inspectors; that he is the only one certified to do schools, businesses, smoke alarms, oil burners, tank installs and removals, underground tanks, propane tanks, he does them all and the feels he has done a very good job at this position.

Kastrinelis told the Board that he felt they were left with the impression that the budget line item was a salary line item and wanted to note that it is not; that he is fee based and gets paid per inspection; that if you call for an inspection, he does an initial run through before going to the home, and sometimes he has to do a pre-inspection and telephone what they need; that he

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doesn't charge for that; that the fire department is a service organization and he has no problem doing that. He told the Board he averages between \$12 and \$17 an inspection (different charge for different inspections). Kastrinelis told the Board that they will never get a better bargain than that. Chairman Greaney asked how much the inspector's budget is a year and Kastrinelis responded that most years he comes in under budget, but as a rule he earns about \$3,000 as inspector. Mike stated they follow a model used by most area departments, including full-time departments; that Chief's do not typically do the daily inspections and they do that for a couple of reasons. He stated they use their Senior Officers to conduct these type of inspections; that it's a check and balance of sorts and a way of appealing decisions; that if he does an inspection and the party feels he's being too critical, the party can then appeal to the Chief and the Chief goes out and takes a look and can override the inspector's decision; that the Chief generally backs the inspector's decisions. Mike told the Board that he is know for being tough, but also for being fair; that he inspects to the Code. Another example of checks and balances is when the Chief signs off on a set of plans for a building, you want another set of eyes to be doing the inspections.

Kastrinelis mentioned that the Chief had raised the issue of how he schedules inspections and that he does them at his convenience and he kind of resented that description; that he does the inspections on his days off, is around a lot and makes himself available to everybody; that he has his phone with him 24/7 and if he receives a call while in Europe, he answers their questions. Kastrinelis told the Board that he has a very good working relationship with brokers, the schools, contractors, oil burner technicians all have his cell phone number; that if they have a question or a problem they call him; that he has a very good relationship with all of those people. Kastrinelis also told the Board that he wears some type of uniform and wears a badge to identify him, all of which he paid for from his own funds. Mike asked the Board if they had any questions relative that Inspector issue and stated that he was totally shocked that it was being offered up as a solution with the Chief's proposal.

Selectman D'Amore thanked Mike for his clarification of what he has been doing for the town and asked Kastrinelis whether he had said he was certified to do inspections. Kastrinelis stated he had and he is. D'Amore asked Mike to elaborate on that. Mike told the Board that the Commonwealth of Massachusetts, through the Fire Marshall's Office, within the last few years instituted a program whereby you can obtain Fire Inspector basic certification; that before the certification was offered he needed to carry a manual to refer to, but the certification program helped to bring all the duties into one place. Prior to that he attended classes and the biggest one was on oil burners and was most helpful to him. D'Amore asked Kastrinelis if it was his opinion that it's not customary for the Fire Chief to do inspections and Mike responded that he just knows from his peers in the area that Deputy Chiefs, Captains and sometimes Lieutenants are the Inspectors, especially in full-time departments. D'Amore asked whether Mike paid to be certified and he responded that he had. Chairman Greaney asked what the cost was for underground storage tanks and Mike responded \$25.00 but there is a larger fee for removals.

Kastrinelis told the Board that the other issue he wanted to address was that for the first time since the changing of the guard in October he heard his job description and it was different than everything he had done as a Deputy Chief in the two years prior to that, and was very different any other Deputy Chief position in the towns around us. Kastrinelis referenced a question Selectman D'Amore had asked to the Chief and D'Amore responded that he remembered the

question. D'Amore said he had asked whether or not the Chief's proposal for reconfiguring the Fire Chief's position to a larger role, would that negatively impact other positions? Kastrinelis remarked that it obviously impacted the inspector, but the other issue is it was then asked what is the hierarchy of the department and it was described as a paramilitary organization with the Chief at the top and for the very first time he heard the Deputy Chief is off over to the side and the sole responsibility is in the Chief's absence, the Deputy runs fire operations. Kastrinelis told the Board that in a paramilitary operation that is not what you do with your second in command; that is not what any other fire department in the area does with their second in command. Mike again said it was the first time he had ever heard his job description described that way and told the Board it was very disconcerting to him. Kastrinelis told the Board he had even taken some Deputy Chief descriptions off the internet thinking maybe he was off base with his thinking. He told the Board he was not off base; that the job descriptions are all the same; that as second in command, the Deputy is expected to fill in for the Chief in all aspects for the department in the Chief's absence. The Board was told if there is a problem at the lower level of rank, they only go to the Captains; that they don't go to the Deputy Chief even if the Chief isn't around. Kastrinelis told the Board that that is in direct contradiction to any command structure he has seen of the Fire Chiefs and certainly in a paramilitary organization, and he was very bothered by that. Kastrinelis said that he feels the job description has reduced his authority and his position within the department and again repeated that this was the first time he had heard about the changes to his job description.

Kastrinelis told the Board that when he was Acting Chief, he made it very clear to the officers that when he wasn't around the Deputy Chief assumes his responsibilities. Kastrinelis reported that when he was out of town he gave the Deputy the command vehicle; that he's part of the command structure and people should know he's part of the command, but now, apparently that's not how they will be conducting things. Mike said he was very surprised hearing this and was even more surprised after Selectman Greaney asked the Chief why was he only proposing taking half of his old Deputy salary and that the Chief had responded it was to pay for his replacement because his replacement was only going to cost half as much. Chairman Greaney explained what he felt the Chief was saying in regards to "half of his old Deputy salary"; that he person moving up would be at a much lower rate of pay than Bob had been which meant he could reduce the line item by half. Greaney told Kastrinelis he didn't remember asking the question

Kastrinelis told the Board that he was not present to discuss anything but what affected him and his position unless the Board had questions and wanted his input, then he would be happy to offer it. Kastrinelis stated he was concerned that he was not asked to be present at that meeting; that he felt he was entitled to be there because he and his position and duties had been discussed. Mike said his concern based the behaviors he saw is the dissolution of authority and taking away, that at the best procedurally it was not well thought through, but at the very worse, it seems somewhat retaliatory and that concerns him deeply and he hopes that's not the direction that they are heading in particularly after he came to them to speak about his issues.

Selectman Gorski stated she did not know if she should ask the Fire Chief for a response at this time and told the Chief she did not want it to get any more adversarial than it already is, and

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Kastrinelis responded that that was not his intent. Gorski responded that she understood Kastrinelis had had questions and concerns; that the Chief had his opportunity and now Kastrinelis has told the Board how he feels. Selectman Gorski explained that the Fire Chief had done a presentation but the Selectmen had not voted to accept what he presented; that the Board listened, and Chairman Greaney agreed, stating that it was an informational meeting. Gorski told Kastrinelis that they went home and looked at the Chief's numbers and had more questions. Mike said he understood and that he had just felt compelled that some of the facts needed to be addressed here.

Selectman D'Amore told Kastrinelis that they appreciated the presentation he made and that they had told the same to the Fire Chief after his presentation. D'Amore told Kastrinelis that there is a conflict of opinion as to what is working and what is not, but Mike did bring up an important word which concerns him and that was retaliation. D'Amore stated that there are employee bylaws in the town and that he doesn't believe anyone is exempt from them but, one thing he doesn't know at that moment is if anyone had a complaint within the Fire Department, how that is handled. D'Amore said he knows the Chief if a strong Chief and that he would be the final arbiter in a grievance, but it remains interesting as to how that would be handled if the complaint was made against the Chief. Kastrinelis responded he is not planning on filing anything; that it was not his intent to do so; that his meeting with the Board was for informational purposes. Mike told the Board that retaliation is a strong word; that he used it so he has to take ownership of it and that is perhaps a bit strong. He said that a lot of people had approached him with the issue which was what fueled him to come speak about it with the Board this evening.

Chairman Greaney asked if anyone else had anything to say and Captain Kurt Ruchella stated he wanted to put a point of order in for the certifications. Ruchella told the Board that the Fire Academy has long had a certification for Fire Inspector; that they used to have Fire Inspector 1 and 2 and that he is the only Fire Inspector certified; that he's certified as Fire Inspector 1. Kurt said a few years back the Academy decided to go to the Fire Prevention Officer, Fire Prevention basic, 1 and 2; that FPO 1 took the place of Fire Inspector 1, and the basic is on-line class design and he wanted to be sure everyone understood that. Kastrinelis responded that that is a valid point; that it is a symantec certification and he's exactly right; that the Certificates that he (Kastrinelis) has are not certifications; that certifications are done at a much higher level. Chairman Greaney asked Ruchella which certification he mentioned having and Ruchella replied that he has certified Fire Inspector 1 level; that that follows the FP 01 which is basically designed for field inspections; that the FP 02 is designed for supervisory levels of your inspectors, so if you had a large inspection division, your company officers would do your basics because they are out and about looking at things, and would bring feedback back to the field inspectors. Chairman Greaney asked Ruchella if the certificates Kastrinelis has are all that are required for doing the inspections he has been doing. Ruchella replied that currently there is no requirement to be certified; that they are pushing for it, but there is none at this time.

There being no other comments, Chairman Greaney thanked Deputy Kastrinelis for coming in and Kastrinelis thanked the Board for allowing him the opportunity to do so.

In other business, Selectmen D'Amore talked about how the school district had requested money a couple of years ago for building fields and that the school committee has now approved a proposal to go back to the town for additional monies for building the fields; that he

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wanted to bring it to the Board's attention because in his opinion, because it does have an impact on additional assessments against the town. D'Amore told the Board that it was his understanding that the school committee voted to present the matter to the townspeople at the next town meeting. Chairman Greaney asked if the money (\$750,000.00) the school committee was interested in was a rollover of a loan to fix the track and the theater, and the theater got done right away. Selectman Gorski remarked that she remembered that and that our kids have a track that isn't regulation. D'Amore agreed and said the amount for the project is now \$2.7 million. D'Amore told his fellow Board members that there is a Regional Finance meeting Thursday night and this subject will be taken up then; that he feels it's important for them to know who is proposing and who is supporting this because he has some concerns which they can discuss at a later time if it becomes an issue.

D'Amore told the Board that there is a supplemental reserve of \$495,000 that was being held for a few years because the District was in financial straits and the State required this; that they successfully were able to bring that back out, and also, half of the user fees are being proposed to be used toward the fields. D'Amore pointed out that those are two additional funding mechanisms which weren't there two years ago when the Board agreed to how much we would provide toward the fields. Selectman D'Amore told his fellow Board members that he thinks they want to be in front of this issue so that if people want to present something to our town, the Board forms an opinion on it. Selectman Gorski asked Joe if he has a guestimate on the user fees and he replied that he did not; that they were supposed to be phased out. Chairman Greaney stated that he thought instead of eliminating the user fees they decided to cut them in half. D'Amore agreed but stated that he believed they would use that half toward the fields project.

Selectman D'Amore stated that he believes that sometime in the next three to five years there will be a request for a new high school and he's very concerned about getting these projects confirmed in an isolated form and then another request comes in later for some bigger request; that he feels it's important that we have a strategic view, not just the Selectmen but he would ask the town's school committee members to go back to the full committee and present the idea that the Selectmen would like to see a little more transparency; that he found this information out by the newspaper, and that is what worries him. D'Amore expressed concern that the Board hadn't been informed of this information by the District nor had it been invited to any meeting where this information was discussed that will impact us. D'Amore told his fellow members that Doug Gelina was the only school committee member voting against the proposal.

Chairman Greaney explained that the new Superintendent was trying to work with the parents to cut the user and bus fees because people were getting upset that not only were they paying their taxes, but also being charged \$1,500 a year for playing sports and another \$180 if you're over the distance to come to school on the bus. Greaney stated that the goal was to eliminate the fee that the people didn't like the most and it looked like they were making efforts to go in that direction, then the new stadium proposal came up; that he thinks what Joe is saying is that if they do decide to put a stadium in the front, that eliminates their ability to put a new school on the site. Greaney said that at times there has been talk to put the new school where the current football field is, then put the school on the property out front, but as soon as you put a stadium out front you take away the ability to put a new school there and will need to buy a new site and then you'd need to build another sports facility for the new school.

Selectman D'Amore said he has a problem with credibility; that they agreed to give the schools x amount of dollars and he doesn't want to be in the position to go to their townspeople and say by the way, can we have more. Joe said to him that becomes a credibility issue especially if they have to then go to the townspeople and tell them they now need to build a new high school. D'Amore stated he thinks the school committee should do what Gelina said and get as much of the work they need done completed with the money the towns have approved; that if more is needed, then come back later and perhaps at the same time as with the new school building request. Selectman Gorski asked if D'Amore knew if the school wants to build a new school on the current site and D'Amore responded that it is only speculation at this time but he believes it would be on the site and would be a renovation project. D'Amore stated that this Board has always been pretty consistent; that they ask the townspeople for money and you try to prevent going back to ask for more under any circumstances. Selectman Gorski agreed saying that that is what the townspeople expect from the Board. D'Amore suggested that the school committee members from Groveland be asked to meet with the Board, and Chairman Greaney suggested that the Superintendent meet with the Board so he can explain the whole proposal and their ultimate goal; that they've already seen that he is trying to stay within the constraints of the budget and it would probably be good for the townspeople to know what they are losing in order to stay within those constraints.

Executive Session

Chairman Greaney announced that the last item of business for the evening would be Executive Session discussion as to strategy with respect to upcoming collective bargaining with MACOPS, with Greaney declaring that doing so in open session may have a detrimental effect on the bargaining position of the town. Greaney noted that the Board will return to Open Session for the sole purpose of adjourning. Selectman Gorski stated that she would be leaving the meeting due to having a family member on the police force, and would not return for the adjournment.

Moved Greaney, seconded D'Amore, and it was

VOTED: To enter Executive Session in accordance with the provisions of MGL Chapter 30(a), Section 21(a) (3) to discuss strategy regarding upcoming Contract negotiations with the Groveland Patrolmen's Union (MACOPS).
D'AMORE, GREANEY – "AYE"; GORSKI – "ABSTAIN" 2-1

Executive Session was entered at 7:27 P.M. and closed at 7:40 P.M. The Minutes of the Executive Session are on file in a separate binder in the Administrative Assistant's office.

Selectmen returned to Open Session at 7:41 P.M. Moved Greaney, seconded D'Amore, and it was

VOTED: To adjourn.
Adjourned at 7:42 P.M.

Respectfully submitted,

Nancy Lewandowski, Administrative Assistant