

**BOARD OF SELECTMEN
MINUTES OF FEBRUARY 4, 2016
SHEPARD MUNICIPAL BUILDING**

PRESENT: Dario F. Nardi, Chairman, Robert E. Lavash Sr., Vice-Chairman, James A. Gagner Jr., Clerk
ATTENDEES: Thomas Boudreau; Patricia LeBoeuf; Ed Williams; Sean LeBoeuf; Colleen Montague

Chairman Nardi called the meeting to order at 3:00 and dispensed with the Pledge of Allegiance in the Selectmen's Meeting Room in the Shepard Municipal Building.

Chairman asked to wait a few minutes to allow additional parties to arrive.

Chairman Nardi resumed the meeting; and announced that the Board was going into Executive Session in accordance with M.G.L. c30A, §21.1 to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charge against, a public officer, employee, staff member or individual. (Members of the Highway Department) A motion to enter into executive session was made by Mr. Lavash; second: Mr. Gagner – unanimous. Roll call vote: Dario Nardi – yea Robert Lavash – yea, James Gagner - yea. Chairman announced the Board at the conclusion of the executive session would reconvene in an open meeting. Mr. Sean LeBoeuf exited the meeting at this time.

Executive Session

Mr. Nardi read the guidelines for the meeting and addressed Ms. LeBoeuf as the party to which a claim against has been brought against. Under the provisions for Executive Session, Mr. Nardi advised Ms. LeBoeuf of her rights. Ms. LeBoeuf asked that the matter be heard in open session. A motion to come out of executive session was made at 3:40 PM by Mr. Lavash; second; Mr. Gagner – unanimous. Roll call vote: Robert Lavash – yea, Dario Nardi – yea, James Gagner -yea.

Open Session

Mr. Nardi reconvened the meeting and invited Mr. LeBoeuf back into the room. Mr. Nardi cautioned Ms. LeBoeuf that no other individual names were to be mentioned during the discussion. He started the discussion with a brief timeline of the events which give rise to the grievance given to the Select board. What follows is a question and answer period. (Responses from Mr. Boudreau in italics, responses from Mr. Williams in Bold, responses from Ms. LeBoeuf in Bold Italics)

On December 17, 2015 Mr. Williams expressed concerns to Mr. Boudreau – verbally *yes*, then in the form of a written complaint *yes*.

Mr. Gagner read Mr. Williams' grievance. Mr. Williams confirmed it was his grievance and he had given it to Mr. Boudreau. Mr. Boudreau was asked to explain what actions were taken when he received it. *He had both come into the office and asked them several questions. He asked Ed if #4 was safe and would he drive it, Ed replied "it is now safe". This led to discussions on the brakes from last winter where there was an issue with the springs which have since been repaired. Further in the discussion, Patti was asked if she felt safe, her reply "she was". I followed up with the radio installer to confirm statements were made; talked to both of them and asked them to work through it and get it behind us.* Mr. Boudreau confirmed for the Selectboard the three of them met; however there was no written follow-up to the meeting.

Mr. Nardi asked Ms. LeBoeuf had she expressed concerns over the mechanic to Mr. Boudreau, prior to December 17th –*yes, on several times, for brake issues.* The Selectboard asked for clarification on statements made regarding truck #4 issues. *It was discovered truck had springs broken, which have been fixed.* Ms. LeBoeuf added *issue was back in snow season of 2015, she told Ed brakes failed and she slid, could he look at them; 2nd time brakes were hanging, 3rd time Chris Mendrick fixed item that had been swinging from the back.* Mr. Williams confirmed Ms. LeBoeuf approached him.

Ms. LeBoeuf continued to give her statement as to her concerns not only on truck #4 but on truck #8 which she states she operated with a *steering problem.* There was discussion amongst all parties about the steering problem, when it was discovered, when it was resolved, when it was brought to the mechanics attention.

Mr. Williams remarked he was out of work due to a personal accident from March through July, problem was discovered in August. Mr. Nardi inquired if at the time all this was occurring, were all vehicles inspected and did they have valid sticker? *Any vehicle she was driving had a vehicle inspection sticker. During that time frame, the freightliner did have an "R" sticker; repairs had been done within 48 hours, when we returned to garage for re-inspection the state inspector was not there and inspection could not be done before truck went out on road. Ms. LeBoeuf did not operate this vehicle.* To clarify, Mr. Nardi asked again, at the time of these events, did all vehicle have valid inspection stickers? *All the vehicles on the road did.*

Ms. LeBoeuf was asked if she ever operated a vehicle w/out a current sticker on the Road. ***In my truck, pulled over by PD on Sarty Rd. as the sticker was expired on her assigned truck #4.*** She would locate date within her notes.

Mr. Nardi continued with the timeline, noting that the grievance came to the Board around January 28th and per the by-laws are taking action on the matter. He expressed the importance of concerns regarding safety should be immediately brought to the attention of the immediate supervisor. Additionally, the importance of maintaining a sterile work environment, if employees have concerns with co-workers, again bring to the attention of the supervisor. The Selectboard is here today to hear the grievance of Mr. Williams against Ms. LeBoeuf and turned the discussion to his colleagues. Mr. Lavash feels Ms. LeBoeuf has a right to her opinion; Mr. Gagner also finds she is entitled to her opinion, however there may be a more correct way to express it. Mr. Nardi agrees that personal opinion is a given, however opinion/concerns should be addressed in a manner that is respectful and adheres to policy. He cannot stress enough the importance of mutual respect, given the small work force at the Highway Department.

In closing, both Mr. Williams and Ms. LeBoeuf each shared a brief statement. His only concerns about Ms. LeBoeuf comments is that they are made outside of the work place, which could jeopardize him if he were to ever leave the department. Her concerns are offensive statements made to her. Mr. Nardi asked Ms. LeBoeuf to share with the board her notes which she has referenced throughout the meeting. Which will also be shared with her supervisor.

The select board will respond to this grievance pursuant to the personnel by-laws to the parties involved in the meeting.

Mr. Williams, Mr. LeBoeuf, Ms. LeBoeuf left the meeting @ 3:42 PM

Ms. Colleen Montague joined the meeting and informed the chairman she would be audio recording.

FY 2017 Budget Discussion(s)

Mr. Nardi stated he would be attending the upcoming Finance Committee meeting. There was a discussion on a possible stipend for the Assistant Assessor due to recent certification achieved. Similar to certification stipends available to current elected officials under statue. Although there is no MGL statue specific in this case, an article for town meeting could be prepared. There was a consensus of the Selectboard to review the matter once Finance Committee has an opportunity to weigh in.

Ms. Prokop asked the Selectboard if they wish to review the board's budget prior to submitting to the FinCom liaison. Note has been made to include funding for the Animal Sheltering with Palmer and the new Town wide emails along with a minor adjustments for costs associated with electrical costs.

Mr. Gagner excused himself from the meeting @ 3:55 PM

There was a brief discussion on possible improvement projects for the Shepard Building.

Mr. Nardi spoke on his meeting with QRSD Business Manager, Camie Lamica and Chapter 70 funding. He will share information with the Board afterwards.

Next Meeting Date: February 16, 2016 @ 7:00 PM

Motion to Adjourn made by Mr. Lavash; second: Mr. Nardi – unanimous at 4:04 PM.

Respectfully submitted,

Lorena Prokop
Administrative Secretary

James Gagner, Clerk