

PRESENT: Selectmen Lyndon B. Johnson, Joseph A. Sergi and Patrick J. McNabb; Robert Hanson, Town Administrator; Peggy Mazzola, Administrative Assistant

The meeting was called to order at 6:34 PM.

EXECUTIVE SESSION: At 6:35 PM Mr. Sergi moved that the Board of Selectmen enter into an Executive Session to discuss contract negotiations. Mr. McNabb seconded. Mr. Johnson announced that the Board would return to open session following the executive session, and that Robert Hanson, Town Administrator, Peggy Mazzola, Administrative Assistant, and Theresa Walsh, Town Accountant, would be included in the session. A roll call vote was taken as follows:

Lyndon Johnson	Aye
Joseph Sergi	Aye
Patrick McNabb	Aye

At 7:02 PM the Board voted to exit the executive session and return to open session as noted in the Executive Session minutes of April 27, 2009.

ACCEPTANCE OF MINUTES: On a motion by Mr. Sergi and seconded by Mr. McNabb, the minutes of the meetings of March 16, March 23, and April 6, 2009 were unanimously approved.

APPROVE WARRANT/SIGN PURCHASE ORDERS: The Board signed the warrants. The Board reviewed two reserve fund transfer requests from the Fire Department. The first request was for \$2,500 to be added to 2210-54000 Supplies, to cover gasoline, diesel, parts and accessories for vehicle repairs. The current balance in this line item is \$1,052.30. On a motion by Mr. McNabb and seconded by Mr. Sergi, it was unanimously voted to recommend the request. The second request was for \$125.00 to be added to 2210-57000 Other Charges and Expenses, to cover code book subscriptions and District 6 Membership. The current balance in this line item is \$.25. On a motion by Mr. McNabb and seconded by Mr. Sergi, it was unanimously voted to recommend the request.

PUBLIC COMMUNICATIONS: Mr. McNabb thanked Jeff Sauer for his help with the PowerPoint presentation at the meeting on Saturday. Mr. McNabb noted that Chief Davis has completed a grant application to replace police officers. Mr. McNabb wished his father a happy 70th birthday. Mr. Johnson also thanked Mr. Sauer for his work on the survey.

APPOINTMENTS/RESIGNATIONS:

Item #1 –Administrative Assessor appointment: The Board reviewed a memo from the Board of Assessors requesting the appointment of Maureen Bolger to the vacant position of Administrative Assessor. Mr. McNabb asked how many applications had been received. Mr. Hanson responded there were nine applicants. Mr. Sergi asked if the recommendation came from Susan Smith. Mr. Hanson stated the Board of Assessors is requesting the appointment. Mr. McNabb asked who was involved in the screening process. Mr. Hanson stated the Personnel Bylaw states that Town employees are selected by Department Heads to fill vacant positions within their departments. On a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to appoint Maureen Bolger to the position of Administrative Assessor, term to expire 6/30/09.

Item #2 – Board of Fire Engineers appointments: Mr. Johnson announced there were six letters of interest in the Board of Fire Engineers, and invited each of the applicants to speak.

Current Board of Fire Engineers member and Chief Toby Tyler stated it has been a very busy year, and things are going well in the department. There was a little disruption with the departure of James Taplin, but things are moving along with new member Jonathan Kinney. There is more accountability, with firefighters responding to the station instead of the scene, and trucks now arrive on scene with a full company. This also helps with time issues. Mr. McNabb asked what challenges he expects in the next year. Chief Tyler stated their biggest challenge is staffing, as they are still counting on volunteers, especially on the ambulance service. Sometimes they have to call for additional help.

Current Board of Fire Engineers member Peter Shattuck stated he is looking to stay on the Board and give his support to the department and the Town. We still have to move forward with keeping equipment maintained. They will be building a new truck in-house to save money. Mr. Sergi asked what the biggest concerns are with the rank and file. Mr. Shattuck stated he is not hearing any major concerns, which could be a good thing or a bad thing, but he's hearing nothing negative. Everyone is attending training, and they will be doing a big training for first responder next month. Mr. McNabb asked if we are chasing every grant we can, and if there are any big grants available for equipment. Mr. Shattuck stated there could be grants for maintenance, but he hasn't seen any; there are many equipment grants. We would like to get a grant to replace our boat, which is very old and inadequate for the rivers we have. Mr. Shattuck noted that Josh Robichaud does a lot of work on grants. Mr. McNabb asked what the cost is for the grant writer that the department uses. Mr. Shattuck stated he is paid \$2,400 per grant.

Current Board of Fire Engineers member Jonathan Kinney stated things are going well. He is the Chief Training Officer, and is looking at what can be improved upon. Training is ongoing, and has included a successful ice rescue training this winter and the upcoming first responder training next month. 98% of the training is done in-house, with EMT's helping in the training for first responder, which is state mandated. Mr. Kinney stated he has been attending many training sessions himself. He believes the biggest challenge for the department is financial, and they will look at how best to trim the budget without impacting training. He noted that Fire Academy training is at no cost to the Town. He stated he will continue to move forward with accountability and incident safety. Mr. Sergi asked what Mr. Kinney has learned in the last four months. Mr. Kinney responded that walking into incident command is very eye-opening, as he has had to learn to step back rather than running in to a scene. He learns something from every single call, and it is a constant learning process. Mr. Kinney stated he has held a leadership position in other areas and has brought that experience to this position. Mr. McNabb asked if Mr. Kinney feels comfortable at the incident command position. Mr. Kinney responded that he does, it's really a management position, and he is drawing on the resources of our firefighters.

Joseph Bassett stated he has been a member of the Groton Fire Department for almost 20 years, has been a Captain for 10 years, and is presently working full time on the Groton Fire Department. He is Groton's Training and Maintenance Officer. He stated this is a natural progression moving up to the Board of Fire Engineers, and he has the time to devote to the position. He stated he would like to add a Training Committee and has different ideas. He stated the Pepperell Fire Department is very well run, and he would like to bring his expertise to the department. Mr. Sergi asked if Mr. Bassett was aware of any challenges with the department. Mr. Bassett stated the Pepperell Fire Department is very similar to Groton, and training is the biggest thing; we need to properly train the firefighters without over-training, which can lead to burn-out.

Al Deshler outlined his background, and stated he is not looking to change the department. Mr. Sergi asked what Mr. Deshler's #1 priority would be. Mr. Deshler stated that training has improved 100%; we have young firefighters full of energy, and we need to feed off that to make a stronger department.

He stated he wouldn't change anything, and likes the new responder protocol, which is a huge step for safety reasons. Mr. McNabb asked about Mr. Deshler's qualifications. Mr. Deshler stated he has been in school the last year and a half getting his Paramedic training, so he has slacked off some on the firefighter side. He has supervisory experience from working at MedStar.

Josh Robichaud outlined his background and experience, and stated he can offer a lot in safety training. There is a liability that lies within the Fire Department, and the best prevention is training. He stated that training has made a 180- degree turn which he credited to James Taplin and two firefighters present at the meeting. Mr. Robichaud suggested an optional once a month department wide training. He stated this department has done a great job since he's been involved, and he would like to build on that. Mr. Sergi asked what improvements he could make to the leadership of the department. Mr. Robichaud stated he can bring his knowledge to the department. Mr. McNabb asked if Mr. Robichaud had previously been in a supervisory role. Mr. Robichaud stated he has not, but he has taken command of different scenes until someone higher up arrived on scene.

Mr. Johnson stated that everyone who has applied has so much to offer, and it is nice to see six well-qualified candidates. Mr. Sergi remarked he is not hearing anything significant, and it appears the department is going in the right direction. He mentioned there are six talented candidates, and he is proud of what they do for the town. Mr. McNabb reiterated what Mr. Johnson stated, and he has heard the department is doing well. He stated he asked around and there were a few concerns here and there, but overall things are going well. As always, this is a difficult decision.

Mr. McNabb nominated Toby Tyler, Peter Shattuck and Jonathan Kinney. Mr. Sergi nominated Toby Tyler, Peter Shattuck and Jonathan Kinney, noting that the current leadership team is doing a great job. Mr. Johnson agreed, stating he spoke with some of the firefighters who had issues with communication with Mr. Kinney, and asked Mr. Kinney to step up this effort understanding the firefighters are all volunteers. Mr. Johnson nominated Toby Tyler, Peter Shattuck, and Jonathan Kinney. Mr. Tyler, Mr. Shattuck and Mr. Kinney were appointed to the Board of Fire Engineers, term to expire 4/30/2010.

ACTION ITEMS:

Item #1 –Public Hearing – Jewett Street Pole Petition: The Chairman opened the public hearing at 7:20 PM. Ken Dobey from National Grid was present and explained this pole will pull the wires off a tree, which is an accident waiting to happen. Highway Superintendent Peter Shattuck agreed with the pole placement, noting that National Grid has done a good job of complying with his request to keep the poles a little further back from the road; National Grid did move many of their poles back last year.

On a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to close the hearing and approve the petition.

OLD/NEW BUSINESS:

Item #1 – Discussion – Board of Selectmen's relationship to Department Heads: Mr. Johnson had requested this agenda item, stating that he has not been happy with the way members of the Board have been treating department heads. He stated he has been hearing from some department heads that they are not getting the understanding and respect of the Board. Mr. McNabb responded that what one might perceive as disrespect, others may perceive as being challenged by the Board; department heads must be able to defend their budgets. Mr. Sergi stated this discussion is counterproductive, and these are very trying times. Mr. Johnson commented he wished this Board would have more faith in people, and realize there's not a lot of fat in the budgets. Mr. McNabb disagreed, and stated he didn't feel it was healthy to continue the discussion.

Item #2 – Discussion – Town Administrator Job Description: Mr. McNabb stated the Board had told the Town Administrator Search Committee it would review the Town Administrator's job description, and asked if the Board felt changes should be made. Mr. McNabb suggested the job description should include grant writing. The Board agreed.

Mr. McNabb suggested the job description should include some time of activity report from the Town Administrator so the Board can be updated weekly on what's going on to improve communication with the Board. Mr. Sergi remarked he was not sure this detail should be included in the job description, but something the Town Administrator could be directed to do. Mr. McNabb stated he is not sure this fits in the job description, but he has seen some Town Administrators put a quarterly report on their Town website. Mr. Johnson suggested a report from the Chairman of the Board. Mr. McNabb responded the Town is paying the Town Administrator to perform this task. Mr. Johnson stated if the Board is making decisions, the Board should provide this information. Mr. Hanson stated if the Board wants the Town Administrator to write a report and submit it to the Board to edit, then he didn't see why the report should be created by the Town Administrator at all. In addition, the Town Administrator may inform the Board of things going on in other departments, but it is not his job to report this information to the Town.

Mr. McNabb stated the Town Administrator should have financial oversight, as checks and balances need to be in place, and questioned whether the Board should work the Town Administrator into this role or create a finance group. Mr. McNabb stated the current job description mentions collective bargaining, and suggested this paragraph should state that a Board member is involved in collective bargaining. Mr. Hanson stated that has been past practice and shouldn't be included in the job description; it's up to the Board of Selectmen to delegate.

Mr. McNabb stated he believed it was in the Town's best interest to include a residency requirement. Mr. Johnson asked how many other towns have this requirement. Mr. McNabb stated he didn't have that information. Mr. Johnson stated the Town wouldn't get a qualified pool of applicants with this requirement. Mr. Sergi agreed. Mr. McNabb stated this may limit the pool of applicants, but it makes the Town Administrator a stakeholder because he/she is part of the community. Mr. Johnson stated the Board has ultimate responsibility and oversight of the Town Administrator. Mr. McNabb suggested all department heads and managers should be residents. Mr. Johnson suggested that Mr. McNabb look at the people currently employed by the Town who don't live in Town, and asked where this has been an issue. Mr. McNabb suggested the Board go out and talk to people, because a lot of people believe in that requirement. Mr. Sergi stated either a person is a professional or he's not, and department heads and managers are stakeholders whether they live here or not. He stated he wants the best qualified candidate for the position. Mr. McNabb stated he would not pursue the residency requirement. Mr. Sergi felt that Mr. McNabb was spot-on with grant writing and financial oversight. Mr. Johnson asked if the Town should have a dedicated grant writer. Fire Chief Toby Tyler stated his department's grant writer just does fire grants, but the Town could probably find a general grant writer. Mr. McNabb suggested having a grant writer would facilitate the process. Mr. Hanson suggested there has to be some vetting of information on what grants the Board wants to pursue, because there are some grants the Board may not want to get involved in.

Mr. McNabb stated the Board has agreed to include grant writing and financial oversight, as well as some type of report to the Board and community, in the job description. The search committee would like to have the job description finalized. Mr. Sergi asked when the committee would start screening applications. Mr. McNabb stated the application deadline is May 15th, and asked when he could have the revised job description. Mr. Hanson stated he could have the changes made tomorrow, but the

Board would need to approve the revised job description. Mr. Johnson suggested this could be done at Town Meeting.

Mr. McNabb asked if the search committee has authorization from the Board to go into executive session. Mr. Hanson stated this information can be found in the Open Meeting Law.

Item #3 – Discussion – Procedures and Ethics: Mr. Johnson requested this agenda item, and stated he would like to pass over this discussion.

Item #4 – Any other old/new business:

Discussion with Police Unions: Mr. Johnson announced that Sgt. Herrera and Officer Burke were present to discuss a proposal from their respective unions relative to contract concessions. Mr. Sergi stated he appreciates the unions making an attempt to work with the Town and recognize the financial challenges we face.

Sgt. Herrera explained the patrolmen and superior officer union contracts expire in June, 2010. Both unions are proposing that their contracts be extended for one year, until June, 2011, and spread the pay increase they were to receive in FY '10 over two years, so that they would receive a 2% increase effective 7/1/09 and a 2% increase effective 6/30/2011. In addition, both unions would forego \$350 each in clothing allowance. This would save the Town \$10,765.80 in patrolman wages, \$6,806.80 in Superior Officer wages, and \$5,250.00 in clothing allowance. On 6/30/2011, the clothing allowance would revert to the FY '09 level. Sgt. Herrera remarked that they are the only two unions that will be without a contract after FY 10, and they believe they are working fairly with the Town. In addition, the unions and the Chief have agreed to rebid shifts, saving about \$9,000 this year. Officer Burke stated the total savings to the Town would be around \$32,000.

Mr. McNabb remarked that the other two board members were approached by the unions, but he wasn't contacted. Officer Burke stated they put a call into Mr. Johnson because he is the Chairman, and after getting negative feedback from letters regarding the unions; they wanted to see what support they would have regarding the concessions. Officer Burke stated he assumed Mr. Johnson would share the information with the other members of the Board. Officer Burke remarked the unions have been getting negative feedback regarding Mr. Sergi's remarks, so they also contacted him. Officer Burke stated some threats were made because the unions didn't make some concessions. The union members met with Mr. Johnson and worked out a fair compromise. Sgt. Herrera stated that after meeting with Mr. Sergi and speaking with him on the phone, Mr. Sergi indicated he would speak to Mr. McNabb.

Mr. Sergi stated it is unfortunate that there has been a lot of talk about contract postings on the website, and he had explained that if the union feels posting the contracts is a threat, then he apologizes, however, he does not apologize for getting the information out to the public. Officer Burke remarked that all the contracts are not on the website. Mr. Sergi stated they are doing the best they can. Mr. Hanson remarked that all the contracts that were available were posted within about 48 hours depending on which contracts were available electronically; it happened that the police union contracts were the first to appear on the website.

Mr. Sergi stated he told Sgt. Herrera he could not and would not negotiate a contract, as that is a function of the entire Board; he stated he would only bring back to the Board an unconditional wage concession. If the override doesn't pass, it will impact all town services, and working on wage freezes for all employees is in the public's best interest.

Mr. McNabb stated the big picture here is that he felt left out of the process and was never notified of Mr. Johnson's meeting with the unions, but he did hear about Mr. Sergi's meeting with the unions. He

stated that is where he is coming from and why he was surprised at the meeting on Saturday. Mr. McNabb stated he doesn't think this was the proper way to handle this, and the union's proposal is not truly concessions, there's more to it than that. He stated he would have appreciated the unions sending him this information. Mr. McNabb stated he is aware that Mr. Sergi is taking a lot of heat for posting the contracts but he is all for transparency and these are public documents. The office has limited resources to scan documents. In the best interest of the taxpayers he feels this was a worthwhile thing to do. He stated he realizes the school contracts are not on the website, but they are large documents that need to be scanned.

Mr. Johnson stated that part of the reason he went forward to have a discussion with the unions is because he has been here a long time, and he's known the officers a long time. They were getting a bad rap on their contract. He met with them to see if there was room for discussion. Mr. Johnson stated he didn't hear that they were unhappy about the contracts being posted on the website, but they had problems with this board and the lack of coherency. Mr. Johnson stated he understands why they held back. He felt he opened a line of communication, they've got a legitimate offer on the table, and he supports this offer because it will help the taxpayers.

Mr. Johnson remarked the offer is only as good as its acceptance. Mr. Hanson stated if the proposal made is take it or leave it, there is no negotiation. Officer Burke stated if the Board accepts the proposal in principal, they can set up another meeting to finalize. Mr. Sergi stated this would ordinarily be done in executive session, and he would like to discuss this with the other board members.

A lengthy discussion ensued, following which Sgt. Herrera and Officer Burke agreed, against the wishes of their membership, to extend the deadline for acceptance of their proposal until Friday at 5 PM, after which time their offer will be rescinded. Mr. Sergi asked Mr. Hanson to evaluate the contract cost and potential savings to the Town. Mr. Johnson thanked Sgt. Herrera and Officer Burke for the extension.

Memorial Day Parade: The Board reviewed a letter from the VFW regarding the upcoming Memorial Day parade and activities. Mr. Sergi will open the building, and the Board members will participate in the parade.

Town Meeting: Mr. Hanson stated the Board will not meet again until Town Meeting. There was previous discussion relative to the Fire Department budget and a cut in wages that would affect Chief Tyler and Al Deshler. Mr. Hanson stated cuts were made to "wages hourly," but that individuals' hours would not be cut as a result. Mr. Sergi asked Chief Tyler if he had reviewed the current budget. Chief Tyler stated he had. Mr. Hanson suggested if the Board is looking to restore one department, they would be opening the door for others to do the same.

McNabb asked about street lights and Memorial Day. Mr. Hanson stated the Finance Committee declined to change its recommendation, and there will be a separate motion on the budget to fund these two items from Free Cash.

Mr. McNabb stated he read in the newspaper that Townsend is asking the school administration to take a pay cut, and asked if the Board felt it was appropriate to express an opinion. Mr. Hanson asked if the board wanted to specify reduction in administrative salaries or further reductions without specificity. Mr. McNabb stated he wants to see the school department cut administrative salaries. Mr. Johnson agreed. Mr. Sergi stated he would ask the school department for reductions in administrative costs and recertification of the budget. Mr. McNabb stated he expects administrators across the district to cut

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salaries, but needs to do more research to come up with a number. Mr. McNabb acknowledged the timing was not great but he felt the Board should ask, and will get something in writing to the Board.

Mr. Johnson stated he was blindsided by the write-in candidate for Selectman, and there was no time for a debate; he stated he has met the candidate and he seems like a nice guy but he doesn't think this is the time to put an inexperienced person on the Board. Mr. Johnson stated that people know what he stands for, and whatever happens, it has been a pleasure serving the Town for 13 years. He stated he worked as hard as he could for the people in Town, and hopes he served them well. He appreciates what the Town has done for him, and appreciates all the department heads, who should be commended. Mr. McNabb thanked Mr. Johnson for his services and stated he appreciates all that Mr. Johnson has done for the Town. Mr. Sergi thanked Mr. Johnson also, commenting he has served with Mr. Johnson for many years both on the Board of Selectmen and Planning Board.

NEXT MEETING: Annual Town Meeting, Monday, May 4, 2009.

ADJOURNMENT: On a motion by Mr. Sergi and seconded by Mr. McNabb, it was unanimously voted to adjourn at 9:55 PM.

Respectfully submitted,

Peggy Mazzola, Administrative Assistant

APPROVED:

Lyndon B. Johnson, Chairman

Joseph A. Sergi, Clerk

Patrick J. McNabb