

**MINUTES
SELECTMEN'S MEETING
SEPTEMBER 27, 2008**

Chairman Belanger called the meeting to order at 10:04am. Members present were Douglas Belanger, Thomas Brennan, Dianna Provencher, Richard Antanavica and Stanley Zagorski. Also present was Town Administrator Robert Reed.

Memorandum of Understanding

Mr. Reed presented three separate versions of an agreement between the Town and Police Unions, namely MCOP Local 168/Patrol Officers Unit, MCOP Local 168/Sergeants Unit, and MCOP Local 168A Part-time Patrol Officers Unit. Mr. Belanger noted that pending legislation may be signed by the Governor, but the MOU will overrule should paid detail regulations be signed into law. Mr. Antanavica noted that the Unions want this type of agreement in place. Mr. Belanger stated that any such agreement must be in place prior to law being passed, a reason why we are here today.

MOTION: Mr. Brennan moved to approve and authorize Chairman to sign MOU for each MCOP Union division. Mr. Antanavica seconded. UNANIMOUS

Town Administrator – Performance Evaluation

Chairman Belanger distributed Draft #1 Memorandum of Understanding dated October 1, 2008 between TOL and Robert Reed. He noted that current contract states that term will end on June 30, 2009 unless the Town gives Mr. Reed notice in writing by October 1, 2008 of the Board's intention to extend the Agreement to June 30, 2010. Therefore, another reason to meet here this morning; he thanked all for accommodating the need for a special meeting on such short notice.

Mr. Belanger further noted that we owe Mr. Reed a performance evaluation, which we can address now, and asked that we keep it professional in nature. Comments from the Board and responses from Mr. Reed included:

- Requests from Board – Mr. Belanger felt that Mr. Reed might put requests from the Board he perhaps doesn't think are the best ideas onto the back burner, so to speak. However, the Board asked that Mr. Reed research their proposals and report back accordingly.
- Liaison system – Mr. Belanger felt the Board has backed off with regard to the liaison system the Board put in place before Mr. Reed was hired, and can appreciate where the liaison system hampered the Town Administrator's authority to work with the department heads.
- Projects – The Board agreed that an ongoing priority list needs to be put in place so projects are tracked more efficiently, noting some that have been in the works for years with no apparent resolution. Mr. Reed explained that he has in the past backed off of projects because the liaison has been involved; he doesn't want to duplicate work or confuse matters or make it appear the right hand doesn't know what the left hand was doing. He feels that the Board of Selectmen should remain the policy making authority and he should handle administrative matters of the office. Mr. Brennan suggested in the future Mr. Reed simply email the Board member involved to find out the status of a particular matter, but certainly remain involved in all projects the Selectmen might choose to become involved in. The Board agreed with Mr. Reed that, as the full-time professional, he needs to take the lead on projects.
- Communication – Mr. Reed felt that, as he does with department heads, the Board needs to communicate with him if there is an issue at hand. Members noted instances where residents that contact the Administrator do not always feel they are being served. Although the Board felt that the customer may not always be satisfied with the answer, perhaps telling them that he will do everything he can to assist them and following up in letter form would go along way to improve perception. The letter will remove any verbal tone, all parties will have an understanding of the discussion, and the Board can see what has transpired. Mr. Reed felt that the Board members may be too quick to side with complainant. Mr. Belanger did not feel Mr. Reed gets that from this Board.

- Follow up - Of particular concern to the Board at this time is the recent EPA reporting issue relative to Stormwater Management. Mr. Reed stated that falls on him. He explained that Supt. Wood tried to complete the reporting process, but the fine imposed by EPA came out of the blue with no penalty notice issued to the Town. Mr. Antanavica mentioned that we could take the cost out of Mr. Reed's salary, but everyone agreed that we will do our best to have the fine waived. Mr. Brennan felt this type of revenue enhancement may continue, considering the tough times, more Federal and State bureaucracies may initiate fees, penalties, and the like. Noting that Ruth Kaminski came to our rescue and completed the reports, the Board asked that a letter of appreciation be sent. Mr. Belanger asked that an article be placed on upcoming Special Town Meeting to fund any such needed costs associated with Stormwater Management Plan. Mr. Zagorski felt there should be annual appropriation for professional services to pay for needed consulting work that comes up unexpectedly.

Overall, the Board felt that Mr. Reed's performance has improved and he has done a good job for the Town of Leicester. They asked that he continue to explore any grant possibilities on behalf of the Town. The Board promised more work ahead for him to accomplish in his role as Town Administrator. They agreed the Town of Leicester is fairing well compared to some communities.

- Treasurer/Collector's Office - Members of the Board all felt that Mr. Reed needs to better manage the staff within the Treasurer Collector's Office. They have all received complaints from customers and co-workers alike that the employees are rude. With regard to a recent incident involving Ruth Kaminski, they asked that the Treasurer accommodate Ms. Kaminski's request to include information to employees. They want the staff to know they work for the Board, the Town Administrator, and the customers. There are times they need to bend the rules to accommodate the public we serve. Mr. Reed noted recent incident that involved his staff, and stated that he has also heard complaints from others regarding that office. He reported that he dealt with the issue immediately, as he does with department heads, which relieves pressure between co-workers; we must then move on and work together. Mr. Belanger felt that Mr. Reed shouldn't be surprised in this case when residents come to the Board members with complaints. He felt there is a way to deliver the message; the customer may not always like the answer but it can be explained in a way that wouldn't upset them. He compared our former building inspector with our current one, noting the regulations are the same but it information was delivered in the past in such a way as to aggravate the consumer; Mr. Taylor finds a way to help if he can. They felt it should be that way throughout the Town offices.

The Board directed Mr. Reed to get this message out to all employees. They suggested that customer service training be made available to department heads.

- Legal Counsel - With regard to issue involving Stormwater Management reports, Mr. Antanavica felt that Town Counsel has been too slow in responding to the Town's needs. He was also concerned about the lack of response when we asked for advice regarding moneys owed to the Town from C.B. Blair. Mr. Reed felt frustrated at times too, but noted Atty. Cove recently underwent surgery and was out of work for a period of time, the office being staffed only by Atty. Hogarth. Mr. Belanger wondered if Town Counsel might recommend another resource when they are unavailable. Thoughts on in-house paralegal or possibly seeking other options were raised. Mr. Reed explained that Atty. Cove is very thorough and comes with a volume of history on the Town, which is huge. He cautioned the use of a larger firm, which would come with a different problem. He felt the only issue with Atty. Cove's office was timing and he will speak to him in that regard.
- Johnson/Suprenaut land issue - Ms. Provencher expressed her concern over recent dialogue between Mr. Reed and Lisa Johnson, who is seeking to release deed restrictions on property owned by Ms. Johnson's husband where they wish to build a house. Ms. Provencher heard that Mr. Reed did not handle the matter in a satisfactory manner, that Ms. Johnson felt talked down to and did not feel she was being served when looking for direction from the Town Administrator. Mr. Reed disagreed, noting that his staff heard the conversation. He was frustrated too, as it appears Ms. Johnson is not clear about what they want to do; various reports have come from her two different

attorneys with conflicting information as to what issues are at hand and what they are attempting to accomplish. He enlisted the services of Town Counsel last March when this issue first came forward; an advisory was issued by Atty. Hogarth, and we heard nothing back from the Johnson's until recently. They are now seeking an article on the town meeting warrant that will deal with deed restrictions. He again sought advice from Atty. Hogarth, who was also confused, and authorized her to speak directly with Ms. Johnson's attorney in an attempt to clarify the matters at hand.

The Board agreed to support the concept of an article on the STM Warrant to remove deed restrictions on the Johnson property, which would relieve Ms. Johnson from having to obtain signatures and submit petition. However, legal issues are key and these must be addressed.

Other:

Mr. Antanavica directed Mr. Reed to conduct all employee reviews in a timely manner. Ms. Provencher suggested Mr. Reed utilize some type of calendar system for scheduling purposes, with reminders made available by Ms. LeChasseur.

MOTION: Ms. Provencher moved the Board's intention to extend Employment Agreement with Mr. Reed one year, through June 30, 2010, and further moved to enter into contract negotiations. Mr. Antanavica seconded. UNANIMOUS

Chairman Belanger reviewed with the Board 1st draft contract dated October 1, 2008, which he outlined after contract discussions recently with Mr. Reed. The MOU speaks to contract terms and salary adjustments along with sick time buy-back language. Mr. Reed is agreeable to terms as indicated, so he is seeking input from Board members.

MOTION: Mr. Brennan moved to authorize Chairman Belanger to negotiate contract terms and report back to Board of Selectmen prior to commitment. Ms. Provencher. WITHDRAWN

Discussion – Mr. Zagorski expressed concern over sick day buy-back language, and felt it could cost the Town an estimated \$4000. Mr. Reed noted this language has been in his previous contracts, so a precedent has been set, and is part of all department head contracts. He noted also that other department head's have been issued more of a sick time buy-back benefit.

Mr. Zagorski was more concerned with a department head being issued a number of sick days up front; what if they leave the Town's employ after a few months, would we be responsible to pay out the sick time issued. He asked that Mr. Reed check into this.

Chairman Belanger reported that contract negotiations between him and Mr. Reed have resulted in what he feels is a reasonable counter proposal. Mr. Zagorski noted this is the first time he's seen the contract proposal. Mr. Antanavica felt it seemed a fair Agreement from what he sees. There was some confusion raised as far as the dates listed under Terms. Although the Board agreed with the longevity involved, they were uncertain whether the dates matched up properly. Mr. Belanger felt we would have to review same and amend if need be.

MOTION: Mr. Brennan moved to ratify MOU between TOL and Robert Reed, subject to review of contract dates as listed. Mr. Antanavica seconded.

Mr. Zagorski expressed concern over approval with the pre-paid sick days under question. Mr. Belanger cautioned that there was some give and take during negotiations, and felt we have a good proposal in hand. He further noted other department heads having considerably more in sick time buy-back language within their contracts. Mr. Zagorski wondered what some of the other contract term requests had been, he felt uninformed. Ms. Provencher felt the Agreement would be a win-win situation for all.

VOTE: 4-1, Mr. Zagorski opposed.

Special Town Meeting

Mr. Reed noted some pending requests to date. He reported that Advisory Board was meeting this coming Monday evening.

- Transfer of police construction funds to Highway to pay costs of salt shed, which will assist the Town in improving on Stormwater Management Plan directives. The salt mix can no longer be stored outside.
- \$90,000 school choice tuitions
- Funding of consulting budget for engineering costs, particularly those related to EPA Stormwater Mgt

Library Director's Employment Contract

Mr. Reed submitted recently negotiated contract between Susan Dubois of Chepachet Rhode Island and the Library Trustees. This second round job search brought forward what the Trustees feel is a competent individual, an enthusiastic person eager to begin her functions.

MOTION: Mr. Brennan moved to approve and execute Employment Agreement between the Town and Susan Dubois as submitted. Ms. Provencher seconded.

Discussion – Mr. Zagorski asked if the Town pays the salary. Mr. Reed states yes, which is set a little higher than outgoing Librarian's; however, we are at the bottom of the pay scale with like communities. Mr. Zagorski expressed concern with language stating increase for Director's salary will be set between 3-4% of base salary of \$45,000. He felt it should read instead "up to 4%". Mr. Belanger noted that the Library Trustees have a legal right to negotiate the contract. Mr. Reed agreed, it is a fine line with elected officials, but he is confident that he will be included with regard to goals and objections and performance evaluations. Mr. Zagorski questions the distance to work from home. Mr. Reed reported that he posed this question and Ms. Dubois apparently lives within 35minute commute up Route 395.

VOTE: UNANIMOUS

Stormwater Committee

Memo from Highway Supt. dated 9/25/08 requesting appointment of 5-member Stormwater Committee as follows: Michael Knox, Glenda Williamson, Thomas Buckley, Ruth Kaminski and Thomas Wood.

MOTION: Mr. Brennan moved to appoint new Storm Water Committee as requested. Ms. Provencher seconded.

Discussion – Mr. Zagorski asked why the other water and sewer districts weren't included. Mr. Antanavica reported that Mr. Knox will be involved because he is an engineer.

VOTE: UNANIMOUS

Board Reports/Other Business**Selectman Zagorski:**

- Attended recent dedication of Barrett Hall, new Becker College dormitory
- Best ever attendance at Town's Harvest Fair; congratulations to all involved

Selectman Antanavica:

- Hearts for Heat raffle is underway, tickets are available; next year they hope for a fireman's muster at the Harvest Fair's 10th anniversary

Selectman Provencher:

- Agreed the Harvest Fair was exceptional this year, her ninth year participating if this community event
- Unable to return call to Hope House complainant, although she did look into the signage issue

Selectman Brennan:

- Research possibility of Club License for Becker College with assistance of Police Chief
- MOTION: Mr. Brennan moved to direct Treasurer's Office to include Stormwater Information in pay stubs. Ms. Provencher seconded. UNANIMOUS

Selectman Belanger:

- Requested update on Hillcrest Country Club RFP status. Mr. Reed reported bid opening set for 1:00pm on September 30th. He reported that sewer connection will be completed as soon as some equipment apparatus has been repaired; the private house on-site is also scheduled for sewer connection according to the Board of Health

MOTION: Mr. Brennan moved to adjourn. Ms. Provencher seconded. UNANIMOUS

The meeting was adjourned at 12:15PM.

Respectfully submitted,

Susan LeChasseur,
Administrative Assistant