

BOARD OF SELECTMEN
EXECUTIVE SESSION
MEETING MINUTES
Monday, November 27, 2017
Groveland Town Hall
183 Main St, Groveland, MA 01834

Present: Chair Mike Wood, Vice Chair Lisa Dube-Carpenter, Selectmen Bill Dunn, Ed Watson, and Bill O'Neil

Also Present: Finance Director, Denise Dembkoski, Fire Chief, Robert Lay

Chairman Wood called the meeting to order at 5:38 pm.

Selectman Dunn made a motion to roll call into Executive Session, in accordance with M.G.L. c. 30A, s. 21 (a)(2), for the purpose of negotiating with non-union personnel (Fire Chief);

- Negotiating a repayment arrangement with regards to Health Insurance Premiums (Vote may be taken)
- Contract discussions

Selectman Watson seconded and the Board approved the motion on a roll call vote. Dunn – Yes, Dube-Carpenter – Yes, Watson – Yes, O'Neil – Yes, Wood – Yes

The Chair asked the Fire Chief if he would like to make an opening statement. The Chief responded with his statement. He has been in the job since the Fall of 2013 and he stated "I didn't know what I didn't know." My hours and salary are a huge gap between area chiefs; all are compensated significantly higher than him. He is hoping to find common ground to close the gap between himself, other fire chiefs, and other department heads and town employees. He stated the Building Inspector makes more than him and has more hours, but doesn't have a staff like he does. The chief then handed out 4 pages, which included a salary survey, his job description, and a statement about his role and position.

Selectmen Dunn brought up the repayment of health insurance premiums. He asked Ms. Dembkoski to give an overview of the situation. Ms. Dembkoski informed the board that with the new Town Accountant reconciling accounts, she discovered that the Chief was not paying enough for health insurance. According to the Finance Director's list and insurance budget, he should be paying 100% of the premiums, but according to his payment deduction he is only paying 25%. After researching the issue, when he enrolled in the health insurance (Feb 2014) he was paying 100% through his regular payroll check. In July 2015, when the Assistant Treasurer changed everyone's deductions to reflect the new fiscal year premium amount, she mistakenly changed him from 100% down to 25% and that rate has continued since. Ms. Dembkoski calculated the underpayment and met with the Chief in October to explain the situation. At that meeting, Ms. Dembkoski provided a letter and deduction breakdown and told the Chief to digest the information and then we'll meet to discuss repayment. Even though it was an unfortunate mistake by the town, it does not deter the fact that the money is owed and he received a benefit he was not entitled to in the amount of \$24,952.31. Ms. Dembkoski spoke to Town Counsel and they recommend no more than a five (5) year repayment arrangement, but stated it must include strong language to protect the town when Chief Lay retires in two years.

The Chief stated he was blindsided by the information when he met with Ms. Dembkoski. He was not aware he had underpaid his premium for the last two years. He stated his wife maintains their finances

and he had direct deposit, so he never looked at it. Ms. Dembkoski reminded the chief that at that time, he was receiving an actual check and did not sign up for direct deposit until more recently.

Selectman Dunn said he wants to be comfortable with what the Chief is saying and that he didn't have any idea this occurred. He asked the other Board members if they are satisfied with the Chief's response. Selectman O'Neil stated that he believes everyone checks their bank account. He finds it hard to believe that someone didn't know that amount of additional money was in their check and never looked to find out why. The Chief stated he received an increase in hour and pay right around the same time and attributed it to that.

Selectwoman Carpenter asked how much money difference in net pay are we talking about. Ms. Dembkoski provided copies of Chief Lay's checks from that time and stated the increase in wages was \$185 per check, but the net pay increased by \$451.50.

Selectwoman Carpenter feels that this happened and the chief owes the money, but let's find a way to move forward.

Selectman Watson agreed with Selectmen Dunn and O'Neil. He believes an employee should have known their pay was dramatically higher.

Chairman Wood agrees, but feels like Lisa, the past is the past.

Selectman Dunn said that he wants to feel comfortable in the Chiefs management of his department and budget if he cannot check his paycheck.

Selectwoman Carpenter asked the Chief how he manages the Fire Department budget, and the Chief responded "very well."

The conversation shifted back to the Chief's salary and Selectwoman Carpenter stated that she does not think a full-time Chief is palatable to the community at this time. She cannot justify increasing the hours from 19 up to 40. How do we handle this in a responsible way?

The Chief stated that there is a market rate gap and "let's work together to bridge that gap." He went on to say that if that gap is not bridged, he will only put in the minimum effort to do his job in his 19 hours. To which the Chair asked if he seriously just said that. The Chief said it is clear the Board does not want him here and should make him an offer to buy him out. The Chair stated the \$24,952.31 that you owe for health insurance, we'll waive that if you leave. The Chief stated he believes he is worth more like \$180,000.

Selectman Dunn made a motion to adjourn at 6:31pm; seconded by Selectman O'Neil. Unanimously approved on a roll call vote: Dunn – Yes, Watson – Yes, O'Neil – Yes, Carpenter – Yes, Wood – Yes.

Respectfully Submitted by: Denise M. Dembkoski

*** Unanimously Approved on January 22, 2018 ***