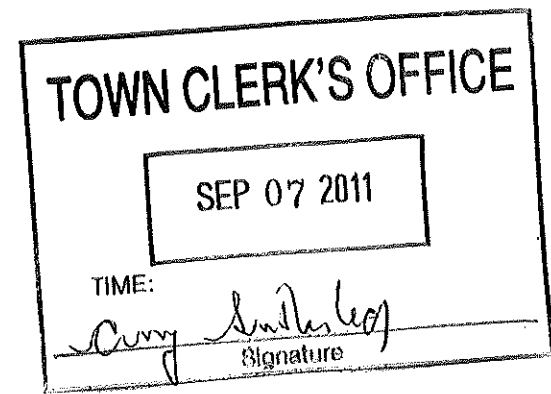


TOWN OF MILLVILLE
BOARD OF SELECTMEN

MINUTES OF MEETING

August 31, 2011 - 6:00 p.m.



Board of Selectmen Members Present: Chairman Tom Petrowicz, Vice Chairman Roland Barrett, Secretary Charles Poulin, Selectman John Laura and Selectman Bob Baker

Others Present: Executive Secretary Helen Coffin; Fire Chief Mullaly; Police Chief Landry; Deputy Fire Chief Clement; Fire Lieutenant Furno; various other members of the Millville Fire Rescue; Chief Horn (Mendon); Chief Ostroskey (Uxbridge).

Chairman Petrowicz opens the meeting at 6:10 p.m. The purpose of the meeting is follow-up to the meeting held on August 22, 2011 regarding how the Board should proceed filling the vacancy caused by the premature resignation/retirement of the Fire Chief who is retiring as of September 10, 2011.

The Executive Secretary provides the answers received from Town Counsel on the questions raised at the last meeting.

Chairman Petrowicz advises that he would like to hold open discussion on the future of the position and hear from those in the audience. He also clarifies that due to the Open Meeting Law, the Board members have not discussed this matter individually with each other.

Deputy Fire Chief Clement advises that he is interested in the position and feels that he could manage the part-time position along with his full-time position. He has been on the department since 1974 and would like to retire as Millville Fire Chief. He has provided copies of his certifications to Selectman Laura. He would like the Board to give him the opportunity.

Lt. Steve Furno would also like to replace Chief Mullaly as Fire Chief. He has been on the department since 1989 and holds numerous certifications. He feels the next Fire Chief should also be an EMT. He feels the department needs to work on training and unification. He feels as the next Chief he would be able to lead the department in every aspect and he is looking for the Board's support.

Chief Landry feels Clement and Furno are strong candidates but if the Board wishes to proceed in a different direction, he would like to be considered as well. He has been in public service for over 30 years and has a very strong administration/management background.

Chief Horn of Mendon provides information as to how having one Fire Chief/Police Chief has worked for Mendon. He is not campaigning for any of the three individuals interested in serving but is simply here to provide facts and information regarding how it has worked for Mendon. Mendon's ISO rating improved drastically after the change was made. It is not true that one has to be a firefighter to be a Fire Chief. He feels that adopting the Commissioner of Public Safety

statute would be a mistake and encourages the Town to maintain the Strong Chief statute. He provides examples of the benefits of the combined position. He does not run the fire scenes...this is left to the fire personnel. He states that although this has worked for Mendon, it does not necessarily mean it is the right thing for Millville.

Lt. Zarella of Mendon admits that he was skeptical at first but it has worked very well for Mendon. He confirms that Chief Horn does not get involved in fire scenes and defers control to the highest ranking fire official on scene.

Chief Mullaly advises that he stands by his retirement letter which supports the appointment of Deputy Clement as the next Fire Chief. He feels this is the person the Board should be looking to appoint. He also feels the structure of the department shouldn't be changed and the Board should maintain the Strong Chief statute. He feels the Board should keep politics out of the decision.

Chief Ostroskey from Uxbridge provided a letter outlining the feelings of the Fire Chiefs Association. He advises that the majority of towns that have gone to a combined position have gone back to a two Chief arrangement. He feels there are extraordinary challenges for the Fire Chief due to the combination department of full-time and on-call staff. He feels the new Chief needs to attract and retain people and the Town would get the most bang for the buck by keeping what we have today. He also feels that disciplinary training and education of the new Chief would benefit the department. He offers the assistance of the Fire Chiefs Association in any way and suggests the Board refer to his correspondence prior to deliberations.

Firefighter Josh Poznanski has been a member of the department since 1997 and believes that Deputy Clement has always been there to backup the department when needed. He feels that he is the best choice for Chief and would be best for morale. He indicates that the fire service has a strong tradition of keeping Fire Chief a former firefighter and he supports keeping the Strong Chief statute.

On a motion by Poulin and second by Barrett, the Board of Selectmen votes unanimously not to pursue another statute and to maintain the "Strong Fire Chief" statute.

Chairman Petrowicz advises that this has been a very difficult situation. He feels both Lee and Steve are professional but feels it is time that the Town moves into a different direction which would benefit all. He feels certain situations could set the Town up to fail and not move forward. He feels that bringing Chief Landry on board would benefit the entire department as he has proven to be a strong administrator and can work towards career building certain people in the department. He would recommend Chief Landry be appointed as Acting Chief as he is interested, accountable and driven. Additionally, he feels that Steve and Lee could both work well under Landry's leadership. He feels there is a piece of the puzzle missing, the Board has the opportunity to make the department stronger, and Chief Landry is the person who can do that for the Town.

Firefighter Keith Mercure feels that the Board should appoint Deputy Clement as Acting Chief for the next few months until the Board can study, think and react. He feels going in a different direction at this point would be a hasty decision by the Board and could potentially cause problems in the department.

Selectman Baker understands that change is tough for everyone but feels strong leadership is key.

Chief Landry advised that he would evaluate the situation at the Fire Department and will tell the Board if he is finding resistance and recommend how the Board should proceed in the future. He would appreciate the willingness of the Fire Department to give him a chance. He also reiterates that he will not be managing fire scenes.

Selectman Poulin feels the next three months can be used to the Board's advantage. Selectman Baker feels the same and adds that Chief Landry has earned the respect of his own department and asks the Fire Department to give it a shot and feels that the "test drive" will be good.

Selectman Laura confirms that Chief Landry will allow the firefighters to do their job at a fire scene. Chief Landry responds that he has no intention or desire of fighting fires.

Firefighter Brian Mullaly advises that he has polled most of the members of the department and nobody wanted the position to leave the Fire Department.

EMT Karin Furno feels that some members of the department feel they are above training and that all members need to be on the same level.

Chief Mullaly cautions the Board that they may lose the entire department by a decision they may make.

The Executive Secretary reminds all that the Board is only looking to appoint an Acting Chief at this time. This is not a permanent replacement. Pursuant to the Town's Policies and Procedures, the permanent position must be posted and those interested may apply. If the Board is leaning towards appointing Chief Landry as Acting Chief then they should first meet with him in Executive Session to discuss contractual matters.

On a motion by Baker and second by Laura, the Board of Selectman votes unanimously to enter Executive Session under MGL c.30A §21 paragraph 2 to conduct contract negotiations with non-union personnel and to return to open session immediately thereafter to resume discussion regarding the appointment of Acting Fire Chief. Roll Call: Laura, aye; Poulin, aye; Barrett, aye; Petrowicz, aye; Baker, aye

{The Board relocates to the second floor for Executive Session discussion.}

The Board discusses with Chief Landry the salary he would be looking for to perform the duties as Acting Chief through December 31, 2011. One recommendation was to divide the \$17,000 salary by 12 months. Because the Chief would not be doing the fire-related duties of the position, it was suggested \$1,000/month, or \$4,000 through December 31, 2011. Chief Landry is agreeable to this figure and would accept the appointment.

On a motion by Laura and second by Barrett, the Board of Selectman votes unanimously to exit Executive Session and return to open session to resume discussion regarding the appointment of Acting Fire Chief. Roll Call: Laura, aye; Poulin, aye; Barrett, aye; Petrowicz, aye; Baker, aye

Chairman Petrowicz thanks Chief Mullaly for serving as Fire Chief. He reads aloud Chief Mullaly's resignation letter.

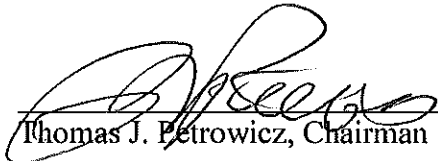
On a motion by Barrett and second by Baker, the Board of Selectmen votes unanimously to accept, with regrets, the resignation of Fire Chief Mullaly as of September 10, 2011.

On a motion by Baker and second by Poulin, the Board of Selectmen votes unanimously to appoint Ronald Landry as Acting Fire Chief effective September 11, 2011 through December 31, 2011, for the additional sum of \$4,000, and further to direct that Fire Chief Mullaly and his staff fully cooperate with and make accessible to the Acting Chief any/all Fire Department facilities and equipment as well as any documentation/paperwork related to the position including, but not limited to, rules and regulations, policies and procedures, personnel files, etc..., effective immediately.

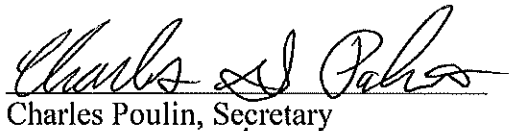
On a motion by Poulin and second by Laura, the Board of Selectmen votes unanimously to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,

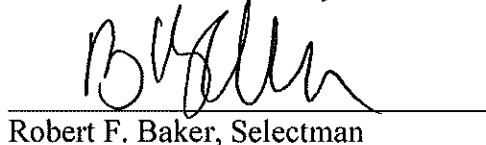
Helen M. Coffin


Thomas J. Petrowicz, Chairman


Roland Barrett, Vice Chairman


Charles Poulin, Secretary

John Laura, Selectman


Robert F. Baker, Selectman