

## Executive Session - Fire Chief Contract

The Executive Session (es) was part of the Wenham Board of Selectmen (BOS) **May 13 2019** posted meeting.

Materials used in the preparation of such minutes and all documents and exhibits used at the session, may be withheld from disclosure to the public in their entirety under sub clause (a) of clause Twenty-sixth of Section 7 of Chapter 4, as long as publication may defeat the lawful purposes of the es, but no longer; provided, however, that the es was held in compliance with Section 21. These minutes will not be released until approved for release by the Selectmen and notice of such approval has been entered into the regular minutes.

*In open session, at 5:45 pm, Mr. Wilhelm moved to enter into Executive Session under M.G.L. Ch. 30A, § 21 (3) – To discuss strategy with respect to collective bargaining or litigation if the chair declares that an open meeting may have a detrimental effect on the bargaining or litigation position of the Town and to return to open session. The motion carried unanimously by roll call vote.*

Selectmen present: Jack Wilhelm, Chair; John Clemenzi; Catherine Harrison

Also present: John Petrin, Interim Town Administrator; Catherine Tinsley, Recording Secretary

- Memo regarding Chief Kavanaugh Progress Report from Peter Lombardi, Town Administrator, March 25, 2019
- Student Schedule Class #074 Essex County
- Professional Services Agreement, Fire Chief Assessment Center, March 22, 2019
- Agreement between the Town of Wenham and Stephen Kavanaugh, Fire Chief, July 1, 2018 – June 30, 2019
- Professional Development Plan for Fire Chief Stephen Kavanaugh, Municipal Resources, Inc., June 5, 2018
- Firefighter I/II Certificate for S. B. Kavanaugh from the Dept. of Fire Services Massachusetts Fire Training Council, February 14, 2019
- Hazardous Materials Operations Level Responder w/ Product Control Mission Certificate for Stephen B. Kavanaugh from the Department of Fire Services Massachusetts Fire Training Council, January 23, 2018

Fire Chief Kavanaugh is currently working under a probationary contract. Among other requirements, the contract calls for a repeat Assessment Center. This second Assessment Center was scheduled for May 1. The events of that day are contained in a memo from John Petrin to Chief Kavanaugh. This memo was provided to the BOS.

Mr. Wilhelm stated that Fire Chief Kavanaugh said that he was not aware that his assessment with MRI was on May 1.

Mr. Petrin confirmed that Chief Kavanaugh met the obligations according to his contract to obtain specific certificates and training except for the Fire Chief Command Certificate, which remains outstanding due to the schedule of that class which is on June 17, 2019, and completing the second Assessment Center.

Mr. Wilhelm conferred with Mr. Petrin and reported that he is unaware of any morale issues in the Fire Department and the firefighters do their jobs well with minimal staffing. Mr. Wilhelm proposed to extend Chief Kavanaugh's contract for six months, provided Chief Kavanaugh pay for the cost of the Assessment Center he missed, complete the outstanding course(s), and attend all meetings when the Fire Chief is expected i.e. budget meetings, updates reports, etc. Mr. Wilhelm opened the meeting to for comments.

Mr. Clemenzi supported and believed that Chief Kavanaugh was a good Fire Chief and that the Fire Department was knowledgeable under his leadership.

Ms. Harrison referenced the contract signed a year ago that she opined was "clear and definitive" and expressed her concern that Chief Kavanaugh did not adhere to the contractual agreement to have an Assessment Center and was clearly aware of the process as outlined in his contract. Ms. Harrison questioned if Chief Kavanaugh had the qualifications required for a Chief compared to his peers. Mr. Petrin observe the rate of pay for the Wenham Fire Chief is low compared to surrounding communities and the Town may have a tough time filling the position with an outsider. Mr. Petrin reiterated the Fire Department met the goals under Chief Kavanaugh to go full time with the EMS ambulance pilot program, work toward the mutual dispatch agreement, and continue with a successful internship program. He went on to observe that no one has left the Fire Department under Chief Kavanaugh and Hamilton is interested in understanding the success of Wenham's Fire Department. Mr. Petrin stated he was willing to work with Fire Chief Kavanaugh and provide clarity to the Chief for him to effectively extend the opportunity.

Mr. Petrin said he has asked Mr. Kavanaugh to develop a log for all of his positions to document his work as Fire Chief, Animal Control Officer, and Clock Winder.

The Chairman will prepare a draft of revised goals for the Fire Chief.

Mr. Petrin will talk to MRI about rescheduling the Fire Chief's Assessment.

*Vote: Mr. Wilhelm moved that the BOS Proceed to develop a six-month extension to the Fire Chief's contract probationary period from June 30 to December 31 with additional conditions to be drafted by the chair to be brought back to the Board for final approval. The motion carried by roll call vote with Ms. Harrison voting in the negative.*

**Adjournment** - *The Selectmen voted unanimously by roll call vote to return to open session at 6:25 pm.*

Respectfully Submitted By

Catherine Tinsley

5.14.19