



COMMONWEALTH OF MASSACHUSETTS
TOWN OF NEW MARLBOROUGH
OFFICE OF THE BOARD OF SELECTMEN
807 Mill River Southfield Road, Mill River, MA 01244-0099
Phone: 413-229-8116 Fax: 413-229-6674 E-mail: nmbdselectmen@aol.com

Lawrence H. Davis, III, Chair
Nathaniel H. Yohalem
Tara B. White
Board of Selectmen

April 12, 2013
Emergency Meeting

Board Members Present: Lawrence H. Davis, III Chairman
Nathaniel Yohalem
Tara White

Also present: Charles Loring

Present in the audience: Barbara Marchione, Joyce Scala, Peter Marks, David Lowman, Mr. Peter Schuyten and a reporter from the Berkshire Record who didn't identify herself.

The meeting began at 8:00am. The purpose of this meeting is to discuss and to find out what can we do about leadership at the fire house.

Chairman Davis asked Mr. Loring if he had any thoughts and or questions and if he was ready to step up to the plate. Mr. Loring reply was "not really." He will be willing to stay in the position he is currently in temporally and has to give it some serious thought.

Charles Loring: "There is a total lack of respect for the position from the Selectboard and would have a hard time taking the position with that. The recent investigation with the Police Department was very much one sided. No fireman was contacted about the investigation and no word came from town hall to him personally. It was a totally blown up and one sided and it also was put in the papers one sided and there was illegal meetings and you can't talk about a person – it is illegal meeting without going into executive session and I don't see how all this is good."

Selectman Yohalem: "What illegal meetings are you talking about?"

Charles Loring: "How can you have a meeting about the Fire Chief without him being present or a representative begin present?"

Selectmen Yohalem: “What meeting are you talking about?”

Charles Loring: “The one in the paper that was all blown up.”

Selectmen Yohalem: “What one are you talking about?”

Charles Loring: “The one with Scott Farrell.”

Selectman Yohalem: “Scott Farrell is the Police Chief and asked to be on the agenda and was put on the agenda and he reported about an incident that happened at the fire house and he took the position that under no circumstance (and to follow board members correct him if he was wrong) would the Police Department move to the Fire House – that was the extent of the investigation. There was nothing else – no other meetings about that issue. The issue should have been in executive session.”

Selectman Yohalem: “You were a Selectman and that is your opinion about executive session and there was no other meeting and no other discussion about the Fire Chief – only what the Police Chief brought up. We can’t control what the press prints.”

Charles Loring: “I know you can’t.

Selectman Yohalem: “There is a reporter at every meeting. There are minutes – you know that you were a selectman – those minutes are available to anybody.”

Charles Loring: “All I understand is it was a personal issue.”

Selectman Yohalem: “There wasn’t a personal issue.”

Charles Loring: “You printed in the paper.”

Selectman Yohalem: “ I didn’t print anything in the paper nor did this Board; understand that. Did you make any press release? (asked fellow Board members) You sit here and make accusations.”

Charles Loring: “No I didn’t.”

Selectman Yohalem: “Yes you did about illegal meetings. I told you about the two meetings.”

Charles Loring: It’s a personnel issue.

Selectman Yohalem: That’s your opinion.”

Barbara Marchione: “I hope you respect that I was a Selectman for twelve years. You do have an employee of the Town with a complaint filed against them - you stop the discussion right there and then. And you need to notify the person who is being accused of anything – you need

to notify the person within 48 hours in advance and for them to have legal representation and you have to go into executive session. It is a personal issue, he is a town employee – he has a right to be heard. This Board never once spoke to Peter about this incident or anyone else at the Fire Department about this or any people who may have been him with or present at the incident and that is a lack of leadership on the Board of Selectmen. Now you can say that things were not released out of this office, but I tend to question the fact that a resignation was put on the Board of Selectmen desk on the Tuesday afternoon – and no one else knew about the letter. Chuck & myself didn't know, none of the officers knew about the letter of resignation and it was put into print the next day – the next day and you claim that you guys have absolutely nothing to do with it and you can say. You personally didn't do it but someone from this office did.”

Selectman White: “I didn't talk to the press at all.”

Selectman Davis: “The letter was received to the Board about Mr. Scala's retirement, nothing about a resignation.”

Selectman Yohalem: “The letter was a one line sentence that the Board received and it was emailed to all the Board members on Tuesday afternoon.”

Mrs. Marchione: “The Record goes to print on Wednesday.”

Selectman White: “I didn't know about it until Wednesday afternoon. I am out of the loop.”

Mr. Loring: “How does the Record get it out of this office?”

Selectman Yohalem: “They didn't get it from me.”

Selectman Davis: “Isn't there a fire fighter that works for the Record?”

Charles Loring: “I don't believe he was present. I don't know how he would have known.”

Selectman Davis: “If no one else knew – how would he have known?”

Charles Loring: “The other thing is the inspections. I know there has been trouble and grief recently with the liquor licenses. If this Board won't support the inspections, then I don't see how you can do your job. There is a 304 inspection done prior to a liquor license being issued. If the business didn't have their stuff in proper order then it wasn't signed and they got received their liquor licenses anyways.”

Selectman Yohalem: “Are you aware that the liquor licenses have been signed by the Fire Chief?”

Charles Loring: “Yes. I am aware it has been signed now – but before they got their liquor licenses and it was longer before it was signed. I am just telling you that.”

Selectman Yohalem: “All I know is it has been signed by the Fire Chief – it was noted that all applicants have completed their paper properly.”

Selectman Yohalem: “This meeting is not about the former Fire Chief”

Charles Loring: “How is anyone able to go ahead with these kinds of issues?”

Selectman Yohalem: “You don’t want to temporarily accept the duties as Chief?”

Charles Loring: “I will do it on a temporary basis. But I have to give it some serious thought, if it is going to continue on the way it has been in the past then no.”

Selectman Yohalem: “Normally the Board makes appointments for appointed positions after the election at the end of June and if the Board appointed you it would be for roughly 2 1/2 months.”

Mr. Loring stated that he does not want to be appointed – why can’t we just leave it the way it is – I am going out to do an inspection this morning I mean.

Selectman Yohalem: “If there was an emergency call among the Fire Department would you be the person called?”

Charles Loring: “Yes – I haven’t resigned from the Fire Department. If there is a call I am going to respond to it. If there is anyone who thinks this is a good thing for the Town – we lost Todd Riiska a 20 year officer of the department and Peter Scala - the work that was done by this two people – Barbara is irreplaceable. I can’t see that being replaced. I haven’t slept for 3 nights – I never see this department being replaced. It is my honest opinion. If a truck broke it was fixed that night by Peter or myself or the next morning – or we would bring it to the repair shop to get fixed. All this was done just done no questions. How can you come close to giving that kind of service to the town? The attendance to calls were 99%, nobody else can give that kind of time. This is a wound that we may never come back out of. I don’t see the department recovering from this and being like it has been for the last 20 years I have been there. If anyone thinks this is a good – it’s bad. This is going to be a long time coming out of this you had an officer structure myself & Todd. Now Todd is gone. When Peter is gone Todd is gone. It is not good – a lot of experience is lost.”

Chairman Davis: “How many officers are left? Mr. Loring states that there is Mr. David Herrick, captain, and is going in for surgery in a month – he’ll be out for the whole summer. I am not picking on him but he is 70 something years old as it is. Also left for the roster is Mr. David Smith, and Mr. Bob Dvorchick & Mr. Ed Harvey are all lieutenants. Barbara was a captain – now that’s gone. That’s a huge loss too because she might not have been an interior fighter but she was at ever call, making sure the firemen were safe. Making sure they had food, drinks – that’s not going to be replaced. Mr. Loring also says we have an EMT squad, but no one steps up and does that kind of service. They all say they’re going to, but no one steps up to doing it. But Barbara was the only one who ever done it. She came to every single call and that is another hole – that’s not going to be filled. It seems like firemen comes out to make sure

everyone is safe. Yea there is a few EMT that will go out on calls but it's not going to be replaced like a mother watching over us."

Mrs. Joyce Scala gives an over view of what has happened between the Police Officer and Peter. She also mentions Peter has issues with the Meeting House since there is no phone that she is aware of, no cell service. She wonders "how would anyone call for help. Mrs. Scala also mentions the issue with liquor licenses holders."

Chairman Davis: " This is very unfortunate, but at this time we can't beat a dead horse. And Mr. Loring is willingly to stay on as Deputy Chief even though he still has to think about it."

Selectman Yohalem mentioned that the stipend for Fire Chief is \$10,000.00 a year.

Mr. Loring doesn't think the Board has been support of the chief with the inspections, but states that the "Fire Chief doesn't make the laws, they only follow them. If there is no backing from the Town then how can you do your job?"

Selectman Yohalem "Permits are issued. I assume I see permits to be signed in the folder with a note on them and check with our Administrative Assistant to make sure it is fine to sign them."

Charles Loring: "I can't even explain the undertaking of the Chief's position. It is a huge task."

Chairman Davis: "Selectman Davis states that one thing that certainly needs to be done first and foremost is the three (3) letters of thanks for time and service need to be sent out."

Being that there was no further business to be brought before the Board, a motion was made and seconded to adjourn at 8:05a.m.

Respectfully Submitted,



Michael Skorput
Administrative Assistant