

BOARD OF SELECTMEN
EXECUTIVE SESSION MINUTES

February 3, 2010

Approved on February 24, 2010

An executive session meeting of the Orleans Board of Selectmen was held on Wednesday, February 3, 2010 at 5:30 pm in the Nauset Room of the Orleans Town Hall for the purpose of discussing non-union contract negotiations. Present were Chairman Jon R. Fuller, Clerk Sims McGrath Jr., Selectman David M. Dunford, Selectman Mark. E. Carron, Assistant Town Administrator Myra Suchenicz, Town Administrator John Kelly and Recording Secretary Kristen Holbrook.

Chairman Fuller called the meeting to order at 5:30 pm.

On a motion by Mr. Carron, and seconded by Mr. Dunford, the Board voted, by way of roll call, to enter into executive session for the purpose of discussing collective bargaining. The vote was 4-0-0, with Mr. McGrath, Mr. Fuller, Mr. Dunford, and Mr. Carron all voting aye.

Assistant Town Administrator Myra Suchenicz asked the Board to review the responses to the classification review by the department managers. She stated that one of the challenges facing the Board, is that there needs to be a consensus of the department managers for the positions that appear in more than one department. She asked that the Board wait an additional one or two weeks before submitting the reports to the unions.

Mr. Carron asked why the consultant is still being used. Mr. Kelly responded that because the study is supposed to be an arms length review, the consultant needs to review any changes, in order to preserve the independent structure of the study.

Mr. Kelly hopes that the consultant will turn the product around in a reasonable time frame.

Mr. McGrath asked for a specific example of the changes. Ms. Suchenicz explained that there was a provision for judgment used in certain positions, and the department managers for the position felt the judgment level was too high while another thought it was fine. The department managers need to come to an agreement on this issue before the study can be finalized.

Mr. Fuller stated that the Board has been promising this for a while, so the consultant and the department managers need to be motivated to finish the job in a timely fashion.

Mr. Kelly suggested communicating to the union that the delay is occurring on the side of the consultant and should not be seen as a reflection on the Town's willingness to share the results.

Mr. Kelly presented the Board with information from last week's Quinn Bill discussion. He presented the Board with a letter from Labor Counsel, surrounding the issue of drafting a response.

Mr. Dunford stated that he was uncomfortable having the discussion without Chief Roy present.

The Board discussed the possible changes and funding options to address the loss of State Aid for Quinn Bill payment reimbursements in the coming fiscal years.

On a motion by Mr. Carron, and seconded by Mr. Dunford, the Board voted to not go back to the Union for FY08 and FY09 for repayment of the Quinn Bill payments in the amounts of approximately \$78,105. The vote was 3-2-0, with Mr. Dunford, Mr. Carron and Mr. Fuller voting aye, Mrs. Fulcher and Mr. McGrath voted nay.

On a motion by Mr. Fuller, and seconded by Mrs. Fulcher, the Board voted to reconsider their previous vote of January 27, 2010 to fund the FY09 and FY10 Quinn Bill payments. The Town of Orleans agrees to waive its right to recover from the members of the bargaining unit pursuant to Article 18, the projected shortfall in state reimbursement for the Quinn Bill to be received in FY 2011, which based on the Governor's proposed budget is estimated to be \$76,540, for payments received by officers in FY 2010, provided that The Orleans Police Federation agrees to amend the 2008-2011 collective bargaining agreement, Article 35. The wage increase contained in section 35.1 scheduled for July 1, 2010, which will be deleted from the collective bargaining agreement and the members of the unit shall be paid according to the FY 2010 wage schedule set out in Appendix B.

The vote was 5-0-0, with Mr. McGrath, Mr. Fuller, Mr. Dunford, Mrs. Fulcher and Mr. Carron all voting aye.

On a motion by Mr. McGrath, and seconded by Mrs. Fulcher, the Board voted by way of roll call to return to open session. The vote was 5-0-0, with Mr. McGrath, Mr. Fuller, Mr. Dunford, Mrs. Fulcher and Mr. Carron all voting aye.

Respectfully submitted,

Kristen Holbrook

Sims McGrath Jr., Clerk

Released on 10/6/10