

BOARD OF SELECTMEN
EXECUTIVE SESSION MINUTES

May 5, 2010

ORLEANS TOWN CLERK

Approved on June 2, 2010

An executive session meeting of the Orleans Board of Selectmen was held on Wednesday, May 5, 2010 in the Nauset Room of the Orleans Town Hall for the purpose of discussing collective bargaining and property negotiations. Present were Chairman Jon R. Fuller, Clerk Sims McGrath Jr., Selectman David M. Dunford, Selectman Mark E. Carron, Town Administrator John Kelly, Assistant Town Administrator Myra Suchenicz, Orleans Fire Chief William Quinn and Recording Secretary Kristen Holbrook.

Chairman Fuller called the meeting to order at 6:00 pm.

On a motion by Mr. McGrath, 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. Dunford, Mr. Fuller, and Mr. Carron all voting aye.

Mr. Kelly presented the Board with an update on negotiations with the Fire Union. The Fire Union contract is expiring and the Town has asked the Union membership to accept a 0% salary increase for fiscal year 2011. The Fire Union has submitted a request for language changes to the contract that would result in financial impacts. Mr. Joseph Lang, Fire Union President, has expressed concern that changes to the retirement laws would negatively impact the Union member's retirement incomes.

Mrs. Fulcher joined the meeting at 6:03 pm.

Mr. Kelly explained that the salary, longevity, career incentives, EMT bonuses are not part of the base salary, but they are currently included in retirement calculations. The new statute for calculating retirement funds would not include any special duty pay. The EMT bonuses and career incentives would not be used in the calculations unless they were counted as base pay and were included as part of the collective bargaining contract. If the bonus compensation components are not rolled into the base pay, the employees will not be eligible for retirement calculations after July 1, 2012.

Mr. Kelly further explained that from a policy perspective this has ramifications for the Town the Town of Orleans and all of the employee groups moving forward.

Mr. Dunford stated that he did not feel that the Town has an obligation to make up for the changes to the State regulations.

Mr. Kelly stated that without the 1-year extension with the Fire Union, new negotiations will have to take place immediately, and the Town has not budgeted for any increase for fiscal year 2011.

Mrs. Fulcher stated that her concern is fairness; the Fire Union membership should be treated in the same respect that the Police Federation members have been. The Town is bending over backwards to make up for the Quinn Bill payments and the firefighters are entitled to the same treatment.

Mr. Carron stated that the statement by the Fire Union indicating that the language changes are "no cost" is not accurate. The clerical and the steel workers are the groups that are suffering and not being treated fairly.

Mr. McGrath asked if there was any likelihood of creating one education incentive that would apply to both Police and Fire Union members, and would the town need to wait for the legal outcomes, before creating a new incentive program?

Mr. Kelly replied that the incentive amounts for the Quinn Bill dwarf the incentive for the Fire Union, when you add up all the bonuses for the Fire Union it adds up to about \$63,000. The changes to the retirement statutes further complicate future negotiations with all of the bargaining units.

Mr. McGrath stated that, if the Board were to accept the language changes in exchange for the 0% increase for fiscal year 2011, any savings would be wiped out within 5 years.

Mr. Dunford stated that he felt the offer is not within the Boards policy, and he does not feel that the Police Federation receiving a 3% increase in 2011 would have any impact on the other bargaining units. Also, Mr. Dunford stated that his initial reaction is that the Town has no obligation to compensate for changes in State regulations.

On a motion by Mr. Carron, and seconded by Mr. Dunford, the Board voted by way of roll call to, reject the current proposal from the Fire Union and reiterate that the Board's original offer is still available for their consideration. The vote was 5-0-0, with Mr. McGrath, Mr. Dunford, Mr. Fuller, Mrs. Fulcher and Mr. Carron all voting aye.

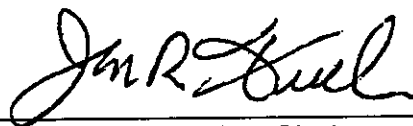
Mr. McGrath asked if the lot numbers listed on the Purchase and Sales Agreement for the Hubler property are correct. Mr. Kelly replied that they are correct, and that the property owners will be submitting a list of personal property that they wish to retain possession of and will remove from the property prior to the closing.

Mr. Kelly asked if the Board would grant permission for him to inform the Finance Committee of the dollar amount when the signed agreement is delivered to the Town Administrator's office.

The Board granted the Town Administrator permission to inform the Finance Committee of the dollar amount when the signed agreement is delivered to the Town Administrator's office.

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

Respectfully submitted,
Kristen Holbrook



Jon R. Fuller, Clerk

Released 10/20/10

