

**BOARD OF SELECTMEN
EXECUTIVE SESSION MINUTES
JUNE 17, 2002**

Present: Arnold Wilson, Chairman
 Charles Blanchard
 George Dib
 Hal White
 Doris Sosik
 James Malloy, Town Administrator

The Chairman called the executive session to order under MGL Chapter 39, §23B, Paragraph #3: To discuss strategy with respect to collective bargaining or litigation; and Paragraph #6: To consider the purchase, exchange, taking, lease or value of real property, and to reconvene in open session afterward to set the Special Town Meeting date.

Police Labor Contract

J. Malloy informed the Board that the dispatchers would like 4%-4%-4% and tuition incentive. It was the consensus of the Board to agree to that.

Mr. Malloy met with Sgt. Curboy, who indicated that they would like 5%-5%-5%, sergeants to retain education incentive. C. Blanchard noted that in disciplinary situations, it was a positive thing to have a separate bargaining unit for sergeants. A. Wilson spoke in support of the current contract, and did not think he could support something different for the sergeants until at a later date. H. White thought it would be a good idea for the sergeants to have a different bargaining unit. J. Malloy said that there would be two separate bargaining units, both part of Local #170. It was the consensus of the Board that there would be nothing additional to the sergeants' contract.

J. Malloy informed the Board that for the Quinn Bill, he used the same wording as the town of Southborough regarding 171 hours/month. Chief Button and Sgt. Ford indicated that they thought it would be difficult to administer. Chief Button asked that the following wording be removed from the contract: "For purposes of overtime . . . more than 171 hours/month." It was the consensus of the Board to remove the wording from the contract.

D. Sosik recused herself from the Board.

Dumas Property

J. Malloy submitted to the Board the "Donation Agreement for Massachusetts Real Estate" which was drafted by Town Counsel and the "Notice of Assignment of Right of First Refusal to Purchase Land" from Shelter Island. Mr. Malloy has continued to have discussions with Senator Brewer about the possibility of the state having a higher level of participation, and a meeting will be set up with Bob Durand. The state may be interested in purchasing the entire parcel, but they don't have the money to do that, and cannot commit to it until after the Environmental Bond Bill is passed by the House and signed by the Governor.

C. Blanchard suggested giving a letter and summary to Town Counsel to see if there could be a vote at Town Meeting with this many contingencies, and to find out if it can be put on Town Meeting in this form. J. Malloy said that the Town would have to make a commitment to exercise right of first refusal and finalize things with the Division of Fisheries and Wildlife and Galonek. A. Wilson said that the Community Preservation Committee wants to acquire and preserve the whole property except the house and land going to Galonek. C. Blanchard said that the CPC would make a recommendation to Town Meeting, not the Board of Selectmen. A. Wilson noted that there is the opportunity to preserve more land with Shelter Island. G. Dib noted that the outcome would be almost identical to that of proposal B. H. White said that the Open Space Committee had reviewed desirable pieces of property, and the Dumas property was high on their list. The CPC proposes to preserve open space, and the Dumas property abuts the McKinstry wildlife area.

MOTION: To go along with proposal B from Matt Sosik, by G. Dib.

2nd: C. Blanchard

Roll call vote: C. Blanchard and G. Dib in favor; A. Wilson and H. White opposed.

The motion was defeated.

A. Wilson read a five-step proposition to the Board, to negotiate a contract with Shelter Island with Div. of Fisheries and Wildlife and CPC funding. J. Malloy raised a concern that with the contingencies in the Shelter Island proposal, if one of the contingencies were implemented and Shelter Island backed out, then the Town would be beyond the date for the Board of Selectmen to take any other action.

MOTION: To assign our rights and negotiate with Shelter Island, by A.Wilson.

2nd: H. White

G. Dib asked for clarification. C. Blanchard asked what the CPC meant by their letter, and suggested getting Town Counsel's opinion. He said that he still favored the Flynn/Sosik proposal. A.Wilson suggested that J. Malloy invite Shelter Island to come in to discuss the matter. H. White suggested holding a joint meeting with the CPC and the Board of Selectmen to resolve the issues.

J. Malloy said that he will get Town Counsel's opinion and whether or not the proposal is legal and will get a revised proposal from Shelter Island and Flynn/Sosik based on the apples to apples comparison. C. Blanchard said that there should be development of only 40 acres with a minimum number of lots, with no risk to the Town, no development on the other side of the road except the house, and to see about the contingencies. Mr. Malloy will get their proposal in writing and find out how flexible they are willing to be, and the Town's level of risk.

Roll call vote: No one in favor.

MOTION: To adjourn executive session and reconvene in open session, by G. Dib.

2nd: C. Blanchard

Roll call vote: All in favor.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date