

**BOARD OF SELECTMEN
EXECUTIVE SESSION MINUTES
NOVEMBER 5, 2012**

Present: Thomas Creamer, Chairman
Priscilla Gimas
Mary Blanchard
Mary Dowling
Mary Redetzke
Shaun Suhoski, Town Administrator

The Chairman called the executive session to order at 10:00 p.m. under MGL Chapter 30A, §18-25, Paragraph #3: To discuss strategy with respect to collective bargaining or litigation; not to reconvene in open session.

Firefighters' Union

S. Suhoski distributed a document to the Board prior to the final negotiation session with the Firefighters' Union, including the Mediator's recommendations.

S. Suhoski reviewed the recommendations with the Board.

Article 7: Wages

S. Suhoski said that the Town had offered 5% over three years; the union requested 6.25% over three years plus the initiation of 24-hour shifts; the Mediator recommended 5.5%, which is the same as the police, but no 24-hour shifts.

Article 7.4: Wages

S. Suhoski said that the Town suggested eliminating the \$1/hour stipend for the Inspector. He noted that this is not a big dollar item for the Town. The Mediator recommended retaining the stipend as is.

Article 11: Call Back

S. Suhoski said that the union wanted to go to a minimum of four hour call back for all shifts. The cost impact of this would be \$20,000-\$30,000. The Mediator recommended no change.

Article 25: Clothing Allowance

S. Suhoski said that the union asked for an increase of \$50/year for full-time firefighters and \$25/year for part-time call firefighters. The Mediator recommended a one-time boost of \$50/year for full-time firefighters and \$25/year for call firefighters.

Article 26.3: Tuition Reimbursement

S. Suhoski said that the Town had offered to amend the grade of "C" to the grade of "B" and add "accredited college." The union and the Mediator agreed.

Article 28: Paid Details

S. Suhoski said that the Town had offered to increase to the top step Captain rate, while the union requested the top step Captain rate at time and a half. The Mediator would support the top step Captain rate, but not the time and a half. She will suggest that the union accept that.

Article 29: Longevity

S. Suhoski said that the Town had suggested eliminating longevity, while the union wants to retain it. The Mediator suggested retaining longevity.

Article 31.1: Personal Days

S. Suhoski said that the Town had offered three shifts/days, two shifts/nights; the union requested 30 hours for all. T. Creamer said that if they transfer from nights to days, they would be getting 3 1/3 shifts. The Mediator said that language will need to be worked out.

S. Suhoski said that the rest of the items go back to the July 17 discussion with the union.

P. Gimas noted that the part-time Captain is 70 years old. She did some research on mandatory retirement ages, and according to what she found, the mandatory retirement age for group 2 and group 4 police and fire employees is age 65. S. Suhoski indicated that he had researched the same issue in the past as well, and that the law applies to call firefighters. T. Creamer said that he was certain the retirement age referenced by Selectman Gimas was correct for civil service public safety employees, but could not be certain it applied to non-civil service departments. P. Gimas said that she would review it further, but what she had seen did not specify civil service employees.

S. Suhoski said that the question has come up about mandatory retirement at age 65. He had a discussion six months ago with the Fire Chief, and Chief Senecal had said that the 77-year-old Captain is experienced, productive and helpful, and wants to continue to serve. He is covered under Town insurance. S. Suhoski noted that Town Counsel's interpretation is that retirement is mandatory.

M. Redetzke asked since the Captain is over the retirement age, if he has a heart attack, whether the Town could be sued for not enforcing his retirement. T. Creamer asked what would happen when some other employee turns 66, and the Chief is not as supportive of having him/her stay on. The precedent will have been set.

S. Suhoski said the Chief had indicated that this individual does not go into buildings; his duties are management of the scene and helping out. T. Creamer said that this must be addressed in a manner consistent with the law, and suggested that the Board take it up in executive session at the next meeting. He noted that it is a discussion on policy. S. Suhoski said that he would get additional information for the Board.

S. Suhoski said that the Mediator's recommendations will be in a written report. The union has to bring it back to their membership, after which time S. Suhoski will bring it back to the Board for guidance. M. Blanchard said that there was nothing that is cost prohibitive. T. Creamer agreed, and noted that the Mediator had struck a balance. M. Dowling considered it to be a very reasonable recommendation by the Mediator.

T. Creamer noted that if there were any further changes, S. Suhoski would have to bring them back before the Board.

MOTION: That the Board accept the proposal presented by the Mediator on November 5, 2012, by M. Blanchard.

2nd: P. Gimas

Roll call vote: P. Gimas in favor; T. Creamer in favor; M. Redetzke in favor; M. Dowling in favor; M. Blanchard in favor.

MOTION: To adjourn, by M. Blanchard.

2nd: P. Gimas

Roll call vote: P. Gimas in favor; T. Creamer in favor; M. Redetzke in favor; M. Dowling in favor; M. Blanchard in favor.

The meeting was adjourned at 10:36 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date