

Personnel Board Meeting  
Wayland Town Building – Selectmen’s Office  
Meeting Minutes  
August 6, 2014 7:00 pm

Members Present:

M. Peabody (MP), P Schneider (PS), J. Green (JG), M. Jones (MJ), D. Cohen (DC)

MP called the meeting to order at 7:05 pm.

Public Comment:

G. Harris – Harris asked which minutes would be reviewed tonight. He noted that the Board’s approval of minutes is behind. He also noted that the agenda should state the minutes to be reviewed at the meeting and also state potential approval.

Harris spoke to his email to the BOS and his letter to the Town Crier regarding Nan Balmer and her role in the Eastham Fire Chief appointment. He read directly from his letter to the Crier. He alleged that an OML violation occurred, but was apparently not reported to the AG. Harris states that the BOS did not question Balmer about this in her interview.

JS asked if he could respond on behalf of the Board. JS stated that he and J. Nolan had spoken to Balmer about the situation. Nolan plans to address the issue at Monday’s BOS meeting.

A. Lewis – Wants to make sure all employment contracts come before the Personnel Board for review. She stated that the severance provisions are excessive and was concerned that other work was permissible, while working for the Town. She noted that she had drafted the original Highway Director’s contract while serving on the BORC. She stated that Weston’s Town Administrator receives only 6 months’ severance. The termination of all employment contracts would cost the Town in excess of \$1M.

G. Harris – noted that TA contract expires on 9/19, so the BOS needs to make a decision 6 months in advance. If the Town Administrator decides to leave, he/she would be paid the 6 months. He asked what the Town gets in return.

A Lewis – Noted that employees should ask for contract renewals. The boards shouldn’t have to provide notification.

Election of a New Chair

JS stated that with N. McCarthy’s resignation, the Board was without a Chair and needed to elect a new Chair. MP stated that PS did not want to be Chair and that JG was willing to accept the role.

PS moved to designate JG as Chair of the Personnel Board. MJ seconded the motion. Four members having voted in the affirmative, the motion passed. JG abstained.

Executive Session:

JG made a motion to move into Executive Session under M.G.L. c. 30a, Sec. 21(2) to discuss strategy for negotiations with non-union personnel, the Town Administrator, and under M.G.L. c. 30a, Sec. 21(3) to discuss collective bargaining strategy with the following unions: AFSCME, SEIU, Teamsters, Library, Police & Fire as an open discussion might have a detrimental effect on the towns negotiating position. PS seconded the motion.

JG took a roll call vote:

|                    |     |
|--------------------|-----|
| Member Schneider   | Aye |
| Member Cohen       | Aye |
| Member Jones       | Aye |
| Vice-Chair Peabody | Aye |
| Chair Green        | Aye |

The Board members having voted 5-0 to move into Executive Session, the motion carried. JG announced that the Board would be going into Executive Session for approximately 1 hour and 20 minutes for the stated purposes. The Board would be returning to Open Session.

The Board entered Executive Session at 7:25 pm.

The Board returned to Open Session at 9:15 pm.

Review and Discussion of Town Administrator (TA) Job Description

A. Lewis joined the meeting for the discussion.

MP reviewed the previous versions of the job description from 12/2/13 and 12/16/13. A copy capturing the most recent edits was distributed to the members. MP noted that Lewis had offered to incorporate several updates into the draft.

Members reviewed the document as follows:

- DC stated that the background to the creation of the position was historically valuable, but not necessarily part of a job description. It was decided to add it as an addendum.
- The Organizational Structure was incorporated into the Summary of Duties.
- The appointment language would mirror the By-law.
- The Recreation Director appointment was discussed at length, and the language as proposed was amended and agreed upon.
- The appointment of counsel was reviewed and edited to be consistent with Article 28 from ATM.
- Other minor changes were made.

MP moved to approve the Town Administrator job description as amended. MJ seconded the motion. Five members having voted in the affirmative, the motion passed.

Review of Minutes

JS stated that there were several additional sets of minutes that would be ready for review at the next meeting. He also noted that executive session minutes needed to be reviewed and

approved. In addition, the Board should review already approved executive session minutes to determine if further executive session minutes should be released.

Review of December 2, 2013 (2) Minutes:

The draft minutes were amended as follows:

... Wayland Town Building - Selectmen's Office/~~GOA~~ **COA** Room ...

... prepared by Lynn ~~Down~~ **Dowd**, Director, and agrees that ... Assistant ~~time~~ **time** was justified ... approve the ~~first~~ **second** request ...

... ~~NM~~ **JG** seconded the motion. ...

... overall staffing **of** the Finance Department ...

... Three members having voted in the affirmative, the motion passed. **PS voted in the negative.** ...

... to hire ~~a new~~ **an additional** full-time Firefighter ...

PS moved to approve the minutes of the meeting as amended. MP seconded the motion. Three members having voted in the affirmative, the motion passed. DC and MJ abstained.

Review of February 24, 2014 Minutes:

The draft minutes were amended as follows:

... that ~~Fed~~ **Fred** Knight, ...

PS moved to approve the minutes of the meeting as amended. MP seconded the motion. Three members having voted in the affirmative, the motion passed. DC and MJ abstained.

Review of March 31, 2014 Minutes:

The draft minutes were amended as follows:

... of the ~~time~~ **time** towards ...

PS moved to approve the minutes of the meeting as amended. MP seconded the motion. Three members having voted in the affirmative, the motion passed. DC and MJ abstained.

Review of June 2, 2014 Minutes:

The draft minutes were amended as follows:

... requests from ~~3~~ **4** Police Officers ...

... negotiated with the ~~p~~ **P**ersonnel Board. ...

... Betsy ~~Meind (BM)~~ **Meindl (BM)**, School representative ...

PS moved to approve the minutes of the meeting as amended. MP seconded the motion. Three members having voted in the affirmative, the motion passed. DC and MJ abstained.

Topics not Anticipated 48 Hours in Advance of the Agenda

JS informed the Board that several members of the Teamsters requested to transfer sick leave to D. Wenckus as his wife is very ill. JS noted that Wenckus is on an approved FMLA leave. MJ inquired if there was a sick leave bank or other contractual provisions that would govern the circumstance. JS responded that neither were applicable to this CBA. In the past, this type of situation was handled via an employee-to-employee transfer.

PS moved to approve the transfer of up to 3 already accrued sick days per employee to D. Wenckus. MP seconded the motion. Five members having voted in the affirmative, the motion passed.

Next Meeting:

The Board scheduled its next meeting for 9/15/14.

PS moved to adjourn the meeting. DC seconded the motion. Five members having voted in the affirmative, the motion passed. The Board adjourned at 10:25 pm.

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John Senchyshyn  
ATA/HRD