

**Westborough Board of Selectmen
Executive Session Meeting Minutes
December 30, 2014**

6:34 p.m. – 7:45 p.m.

Present: Chairman Barrette, Vice Chairman Dodd, Selectmen Drewry and Johnson.

Also Present: James Malloy, Kristi Williams, Attorney Nick Anastasopoulos

The Chairman opened the meeting at 6:34 p.m.

Selectman Dodd's motion to enter into Executive Session pursuant to M.G.L. Chapter 30A §21(a) (2) to conduct strategy sessions in preparation for negotiations with non-union personnel, Town Counsel Gregory Franks and that the Board will not reconvene in Open Session was seconded by Selectman Drewry.

A Roll Call Vote was taken: Selectman Johnson – yes; Selectman Dodd – yes; Selectman Barrette – yes; Selectman Drewry - yes.

The Selectmen discussed the elimination of the Town Counsel position as proposed in the FY 2016 budget, Mr. Malloy's conversation with Mr. Franks 2 weeks ago, the Facebook issue, and the end date for his severance pay. Attorney Anastasopoulos noted that Mr. Franks is entitled to 8 weeks of severance pay as he was employed for 8 years and how much that would be. He explained Mr. Franks' eligibility for unemployment benefits and vacation pay. It was agreed that any reference requests would reflect that the position was eliminated and that Mr. Malloy would be the contact person. Also discussed and agreed upon was the termination date of January 2, 2015, the upcoming pay periods and the inclusion of the severance and vacation pay, and that Attorney Anastasopoulos will add language to the contract regarding future conduct and consequences for any violations.

Mr. Malloy reviewed his conversations with Mr. Franks where he informed him that the Board was going to hold a meeting to discuss the offer and the option of Mr. Franks remaining until June 30, 2015 as his salary is funded through then or leaving on December 15, 2014.

The Board discussed the amount of severance pay that would be offered.

Selectman Dodd moved to give Mr. Franks the equivalent to one (1) month's severance pay as noted in Section 2(a) and an additional one (1) month in Section 3(a) as drafted and that if he obtains a job the severance pay will be immediately terminated. The motion failed due to the lack of a second.

Selectman Drewry's motion to approve the two (2) month's severance offered in Section 2(a) and the additional one (1) month offered in Section 3(a) as drafted was seconded by Selectman Dodd.

A Roll Call Vote was taken: Selectman Johnson – yes; Selectman Dodd – yes; Selectman Barrette – yes; Selectman Drewry - yes.

Selectman Johnson's moved to allow the Chairman and Town Manager to negotiate an additional one (1) month of severance in Section 2(a) if necessary. The motion failed due the lack of a second.

Selectman Dodd's motion to add a new Section 4(b) offering \$2,000 for the health insurance "opt-out" program was seconded by Selectman Johnson. Discussion: Attorney Anastasopoulos suggested that it remain as it is to allow for room to negotiate. The discussed offering the \$2,000 option with the ability to add another \$2,000 as leverage. Selectman Dodd withdrew his motion.

Selectman Dodd's motion to authorize the Chairman to offer what is in the document and up to \$4,000 for the health insurance "opt-out" program was seconded by Selectman Johnson.

A Roll Call Vote was taken: Selectman Johnson – yes; Selectman Dodd – yes; Selectman Barrette – yes; Selectman Drewry - yes.

Selectman Dodd's motion to authorize Chairman Barrette to speak to Mr. Franks was seconded by Selectman Johnson.

A Roll Call Vote was taken: Selectman Johnson – yes; Selectman Dodd – yes; Selectman Barrette – yes; Selectman Drewry - yes.

Selectman Johnson's motion to adjourn Executive Session at 7:45 p.m. was seconded by Selectman Drewry.

A Roll Call Vote was taken: Selectman Johnson – yes; Selectman Dodd – yes; Selectman Barrette – yes; Selectman Drewry - yes.

Submitted by Paula M. Covino