

**TOWN OF WINCHENDON
BOARD OF SELECTMEN
EXECUTIVE SESSION MINUTES
MONDAY, NOVEMBER 23, 2015
Murdock Middle High School
3 Memorial Drive, Winchendon, Mass.**

Present:

Michael Barbaro, Chairman
Barbara Anderson, Vice-Chair
Amy Salter
Austin Cyganiewicz
Audrey LaBrie

Bernard Lynch, Acting Town Manager
Linda Daigle, Executive Assistant

List of Documents Presented at Meeting:

- Memo to Board from Acting Town Manager regarding the Police Chief Contract, dated 11/23/15 (attached)
- Draft Contract for Police Chief (attached)

EXECUTIVE SESSION:

Exemption No. 2 to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel: Subject: Police Chief Contract

Chairman Barbaro called Executive Session to order at 6:43 p.m.

Mr. Lynch reminded the Board that he appointed Dave Walsh as the Police Chief. Under Mass. Law a standard contract based on other communities has been put together. Substantial changes have been made from the prior Chief's contract. He outlined the differences in the two contracts. There is no provision of sick time buyback, nor any buyout of vacation time during the year. It does allow him to carryover one year's vacation time into the next year to use. Chief Walsh gets 35 day's vacation. He will be compensated just under \$110,000 as opposed to the \$144,000 the former Chief made. His base salary is \$94,000, plus \$5,000 for coordinating the Animal Control, and 10% for education incentive for his Associate's degree. This is \$35,000 in savings from the prior Chief's language.

Lynch spoke about the "Discipline or Discharge" language. Instead of an arbitration hearing, he can be heard by the appointing authority, the Town Manager, choose whether or not to have it open to the public or not, have Counsel representation and further it could go to court.

The "Other Termination" is by a mutual agreement, with a thirty (30) day notice; terminated by the Town Manager without cause, in which case a six months' severance would be paid; if terminated for just cause, then no severance pay would be paid to him.

Anderson commented that only having ten to fifteen minutes to approve a contract was pushing it. She has looked the contract over and did a lot of research. She appreciates the buyout clause is not in the contract. A brief discussion was had on what might have been paid out to recently past employees and a review of the Fire Chief's contract as she believed it also was recently changed to reduce the extended benefits.

Barbaro said in terms of being mindful he thought we should move forward with this particular contract with it saving the Town \$35,000. Anderson was concerned that people would not see that and they still need to be frugal. Barbaro said they have been frugal with the savings from the past Town Manager's contract and now with this one they were reviewing. The Board had a brief conversation about what other Town's compensated their Chief.

LaBrie asked if the vehicle to be provided already existed. Lynch replied yes. She asked about the retirement clause in regards to the vehicle. Lynch explained that this benefit is not to be considered compensation towards retirement. He also explained why he would need a vehicle 24/7 having to be on call 24/7 for emergencies.

In order to have more time to fully complete the discussion, LaBrie suggested and so moved the Board recess until after Special Town Meeting; Salter seconded. By roll call vote of all aye, the Board recessed at 7:02 p.m. for Special Town Meeting.

RECESS

Executive Session was called back into order after Special Town Meeting at 8:11 p.m. LaBrie said she asked for a recess to ensure everyone had a chance to ask any questions and have more time to review.

Barbaro said he looked over the contract over the weekend and is quite content with the contract. Chief Walsh will do a great job. He will be more out front and a good move for us. He is mindful of the money but we are coming in \$35,000 from last year. We are looking at contracts differently. He felt Mr. Lynch had done a great job constructing contracts for us in the best interest of the Town pulling out perks that have been an issue across Town.

LaBrie said something needed to be done sensing what people have been talking to her about. Citizens are okay with paying a decent wage; its all the extras beyond the wage. She agrees the Town Manager contract is fair and Mr. Lynch has been great in helping us whittle down some of these things.

Salter said Mr. Walsh has been here for many years working and living in the Town. We know him as an employee and he has worked here for 27 years. That brings value to her and she has no problem with the salary.

Anderson agrees being a resident is a huge plus in his favor and seeing him out and about even adds more. She agrees and is grateful that Mr. Lynch has seen to it that the buybacks are not there. She supports the contract for those two reasons.

Cyganiewicz agreed stating Chief Walsh is the Chief and will do a fine job. He has no problem with the contract. He wants to be sure they stay consistent with other contracts that are done in the future. He supports the contract.

Anderson moved to approve the contract of the Police Chief as presented; Salter seconded. By roll call vote of all aye, the motion carried unanimously.

Lynch said he had a couple more things to tell them. He reported that on Friday, Nov. 20th Winchendon Police and the North Worcester County Drug Task Force executed a search warrant for drugs at 41 Juniper St. first floor and located prescription pills and a large sum of cash. Mr. Brian Emerald Jr. was arrested for possession and was arraigned later that day in the Winchendon Gardner District Court. The Board was pleased to here this.

LaBrie brought up that Mr. Lynch's last day is December 8th and Mr. Hickey would be starting on December 14. After a brief discussion **LaBrie moved to enter into a letter of engagement for Mr. Lynch to act as Town Manager in a consulting capacity for December 8th through December 15th; Salter seconded. By roll call vote of all aye, the motion carried unanimously.**

The Board joined Barbaro in thanking Mr. Lynch sincerely for all the help he has provided the Town.

LaBrie moved to adjourn from Executive Session into Open Session; Salter seconded. By roll call vote of all aye, Executive Session adjourned at 8:22 p.m.

Respectfully submitted,

Linda Daigle
Executive Assistant