Boxborough Selectmen Executive Session Minutes of 2012

Released on November 28, 2016

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RELEASED
11/28/2016

Approved: Feb 6, 2012

Town of Boxborough
Board of Selectmen
Executive Session Minutes
January 9, 2102

PRESENT: Raid Suleiman, Chair; Christine Robinson, Clerk; Les Fox, Member; Rebecca Neville, Member; Frank Powers, Member

ALSO PRESENT: Selina Shaw, Town Administrator; Margaret Dennehy, Town Treasurer and Attorney Joseph Fair

Chair Suleiman called the meeting to order at 6:30 PM in the Town Administrator's office for the purpose of discussing strategy with respect to collective bargaining.

Brief discussion regarding plan design process and possible mitigation efforts. General inclination of the selectmen was to set the percentage of mitigation and let the IAC or PEC determine the specifics of the mitigation plan.

At 6:57 PM, the Board adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business in open session.

RELEASED
11/28/2016

Approved: February 6, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
January 23, 2102

PRESENT: Selectmen Les Fox and Frank Powers; Police Officers Robert Romilly, Jr., Ben Lavine and Police Sergeant Nicholas DiMauro

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 7:31 AM in the Town Administrator's office and Selectman Fox immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Officer Robert Romilly Jr. distributed the initial proposal by the CBU. Officer Lavine reviewed the list, which included no specifics about increase in base pay, CPI-U adjustments for future years, revised language for promotional process, decrease in employee share of health insurance premiums, longevity pay, increase in shift differential and combining of cleaning and uniform allowance. Officer Lavine explained that the union is seeking to be brought up to median level of pay with like communities (as defined in prior survey), but was not prepared to state a specific percentage. Union is still reviewing contracts that have been collected from 12 communities. Officer Lavine explained that Union would like the specifics of the promotional process laid out as they feel it has not been consistently followed. Selectman Powers requested proposed draft language. Officer Lavine stated that union was seeking to return to a 20% employee contribution rate for health insurance, since it appeared that most of the unit would be taking a big hit with the potential change in plan design. Selectman Powers told the union representatives that he was prepared to go back to the Board of Selectmen to put some mutually acceptable wording in the contract to give the union some sort of voice in the future. Officer Romilly commented that almost all towns have longevity and that Boxborough's shift differential was low when compared to peer communities. Finally, with regard to combining uniform and cleaning allowance, Officer Romilly said that the union was simply trying to make it easier to administer, and that there would be no cost to the town.

After agreeing to set the next sessions for February 7 and 22 at 7:30 AM, the union representatives left at 7:55 AM…

Selectmen Powers and Fox continued discussion with the Chief and TA. TA Shaw commented that the unit "gave up" longevity when Quinn was adopted. At that time, the officers also went on a 4 -2 schedule… Chief suggested an "officer of the year" award as an incentive. TA will review FLSA implications, if any.

At ≈ 8:30 AM, the BoS Negotiating Team adjourned from executive session.

RELEASED
11/28/2016

Approved: Feb 6, 2012

Town of Boxborough
Board of Selectmen
Executive Session Minutes
January 23, 2102

PRESENT: Christine Robinson, Chair pro tem; Les Fox, Member; Rebecca Neville, Member; Frank Powers, Member

ALSO PRESENT: Selina Shaw, Town Administrator

ABSENT: Raid Suleiman, Chair

Chair pro tem Robinson called the meeting to order at 5:30 PM in the Town Administrator's office for the purposes of discussing strategy with respect to collective bargaining and considering the purchase of real estate.

Selectman Powers updated the Board on negotiations with the Police union earlier in the day and noted that the Union's proposal had provided discussion points but no substantive detail.

Selectman Fox reported to the Board that Robert Smith had approached him to enquire if the town might consider selling him a portion of the Town Hall land in order to make his abutting property conforming. TA Shaw noted that the town would not be permitted to uniquely dispose of a town asset and would have to seek bids. The Board agreed that Selectman Fox could continue discussions with Mr. Smith, who should be advised that he would have to do his due diligence and provide engineered plans to the town before the matter could be further considered.

At 5:55 PM, the Board adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business in open session.

RELEASED
11/28/2016

Approved: Feb 6, 2012

Town of Boxborough
Board of Selectmen
Executive Session Minutes
January 30, 2102

PRESENT: Les Fox, Chair pro tem; Rebecca Neville, Member; Frank Powers, Member

ALSO PRESENT: Selina Shaw, Town Administrator & Margaret Dennehy, Town Treasurer

ABSENT: Raid Suleiman, Chair & Christine Robinson, Clerk

The Board convened in executive session at 7:00 PM in the Town Administrator's office for the purpose of discussing strategy with respect to collective bargaining, specifically with respect to developing a health plan savings mitigation proposal.

After discussing possible options, Member Neville moved to propose a mitigation plan as follows: $200 to each individual subscriber and $500 to each family subscriber; additionally, $10,000 to be distributed through an HRA to provide relief to those individual subscribers whose out of pocket costs exceed $1,000 and to those subscribers to family plans whose out of pocket costs exceed $2,000, until the mitigation fund is exhausted. Seconded by Member Powers and **approved 3 – 0** by roll call vote: Neville "aye," Powers "aye" and Fox "aye." It was noted that the proposal exceeds the "up to 25%" requirement.

At 7:25 PM, the Board adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business in open session.

RELEASED
11/28/2016
with Redactions

Approved: Feb 6, 2012

Town of Boxborough
Board of Selectmen
Executive Session Minutes
January 31, 2102

PRESENT: Raid Suleiman, Chair; Christine Robinson, Clerk; Les Fox, Member; Rebecca Neville, Member; Frank Powers, Member

ALSO PRESENT: Selina Shaw, Town Administrator

Immediately after Chair Suleiman called the meeting to order at 5:00 PM in the Morse-Hilberg meeting room, Selectman Neville moved to appoint Les Fox as Chair pro tem. Seconded by Selectman Powers and **approved 5 – 0.**

Member Powers then moved to adjourn to executive session to discuss a complaint brought against a public officer and to adjourn immediately thereafter. Seconded by Member Neville. **Approved 5 – 0** by roll call vote: Neville "aye," Powers "aye," Robinson "aye," Suleiman "aye" and Fox "aye."

Selectman [redacted] expressed [redacted] concerns relating to interactions with Selectman [redacted] Selectmen discussed the matter as well as conduct of board members generally. All agreed that while members may not always agree with one another it was important to listen to one another and treat each other civilly and with respect.

At 6:10 PM, the Board adjourned from executive session.

RELEASED
11/28/2016

Approved: February 13, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
February 7, 2102

PRESENT: Selectmen Les Fox and Frank Powers; Police Officers Benjamin Lavine and Nathan Bowolick

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 7:30 AM in the Town Administrator's office and Selectman Fox immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Officer Lavine distributed and reviewed "Preliminary contract negotiations proposal," dated February 7, 2012 as well as a summary sheet which provided more details related to information that the CBU had gleaned from their survey of a number of towns. The CBU is proposing:

- 7% increase in base salary in FY 13, with wage re-opener in FY 14 and FY 15 for COLA based upon CPI-U for NE area, or simply a reference to the determination of COLA adjustment instead of a wage re-opener.
- CBU is still working on draft language for promotional process and will have for next negotiations session.
- Reduction in employees' share of health insurance premiums to 20%
- Longevity pay @ 10, 15, 20, 25 and 30 years – will provide specifics later
- Increase in shift differential. CBU is seeking to roughly double existing rates, from $0.53/hour to $1.06/hour for evening shift and from $0.88/hour to $1.76/hour for night shift.

After agreeing to set March 6 at 7:30 AM as the next session to follow the already agreed upon February 22 session, the CBU representatives left at 7:55 AM…

Selectmen Powers and Fox continued discussion with the Chief and TA. General agreement that there would likely be no decrease in employee share of health insurance. Again it was noted that longevity was given up for Quinn. Selectman Powers asked Chief Ryder to take the action to get copies of contracts from our bread basket of towns.

At 8:27 AM, the BoS Negotiating Team adjourned from executive session.

RELEASED
11/28/2016

Approved: Feb 27, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
February 15, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Lieutenant Shawn Gray and Benn Carpenter, representing Boxborough Professional Firefighters Association, Local 4601 (FF CBU)

ALSO PRESENT: Selina Shaw, Town Administrator and Fire Chief Randolph White

Selectman Fox called the meeting to order at 7:35 AM in the Town Administrator's office and Selectman Powers immediately moved to adjourn to executive session to conduct a collective bargaining session with the Boxborough Professional Firefighters Association, Local 4601, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

It was agreed that Lieutenant Gray would be the lead representative for the FF CBU and Selectman Fox would take the lead for the Board of Selectmen. Selectman Fox distributed the proposed ground rules, which were reviewed by the FF team and executed as written.

After agreeing to set March 7 and March 14, both at 7:30 AM, as the next negotiating sessions, the FF CBU representatives left and the meeting was adjourned at 7:55 AM.

RELEASED
11/28/2016

Approved: Feb 27, 2012

Town of Boxborough
Board of Selectmen
Executive Session Minutes
February 21, 2012

PRESENT: Raid Suleiman, Chair; Christine Robinson, Clerk; Les Fox, Member; Rebecca Neville, Member; Frank Powers, Member

Immediately after Chair Suleiman called the meeting to order at 8 AM, it was moved and seconded to adjourn to executive session to conduct strategy sessions in preparation for negotiations with non-union personnel (Police and Fire Chiefs, DPW Director and Town Administrator) as well as to discuss strategy with respect to collective bargaining, and to adjourn immediately thereafter. **Approved 5 – 0** by roll call vote: Powers "aye," Fox "aye," Robinson "aye," Neville "aye" and Suleiman "aye." The Chair stated: "An open meeting may have a detrimental effect on the bargaining position of the Board."

The Board discussed and reviewed the salary survey for all primary department heads. The Board agreed to the following salary adjustments:

Town Administrator: 4.5% increase
Police Chief: 1% increase
Fire Chief: 1% increase
DPW Director: 1% increase

[Chair Suleiman recused himself and left before the discussion on the Police Chief's salary.]

Town Administrator Selina Shaw joined the meeting after the salary discussion. Selectman Powers reviewed the proposal presented to the Board's negotiating team by the Police union on February 7, 2012.

- Selectmen agreed to consider combining evening and overnight shift differential into one and to provide some, yet to be determined, increase in the amount.
- Selectmen agreed not to support proposal to decrease employee share of health insurance from 25% to 20%.
- Selectmen agreed not to support longevity pay, which was given up in exchange for Quinn in 2000.
- Selectmen discussed options for Town's proposal on wages, presented by Selectman Fox.

At 10 AM, it was moved and seconded to adjourn from executive session. **Approved 4 – 0** by roll call vote: Powers "aye," Fox "aye," Robinson "aye" and Neville "aye."

RELEASED
11/28/2016

Approved: March 12, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
February 27, 2012

PRESENT: Selectmen Les Fox and Frank Powers

ALSO PRESENT: Selina Shaw, Town Administrator

Selectman Powers called the meeting to order at 8:30 AM in the Town Administrator's office and Selectman Fox immediately moved to adjourn to executive session for the purpose of discussing strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye." It was stated that having such discussions at an open meeting could be detrimental to the town's negotiating position.

Reviewed a number of collective bargaining agreements from comparable communities. CBA's appear to indicate that Boxborough is not that far off the mark.

Several questions arose, which TA will discuss with Town Counsel.

- In Boxborough, OT is paid on Quinn, but not in all communities. Is this required?
- Many communities have "no strike " clauses. Boxborough does not. Should such a clause be included, or is this already governed by law and unnecessary?
- Selectmen would like to provide assurance that they would not unilaterally go to GIC. How could this be accommodated in contract? Any cautions?
- Any need to reference FMLA?

Discussion relating to town proposal.

- 70 – 30 split in health insurance
- Go to one shift differential – move to $.75, then increase by 25%
- Consider possibility of offering STD or dental plan (latter, totally paid by employees)

At ≈ 9:45 AM, the BoS Negotiating Team adjourned from executive session.

RELEASED
11/28/2016

Approved: 4/2/12

Town of Boxborough
Board of Selectmen
Executive Session Minutes
February 27, 2012

PRESENT: Christine Robinson, Chair pro tem; Les Fox, Member; Rebecca Neville, Member; Frank Powers, Member

NOT PRESENT: Raid Suleiman, Chair

Immediately after Chair pro tem Robinson called the meeting to order at 6:30 p.m. in the Morse Meeting Room of Town Hall, Selectman Powers moved to adjourn to executive session to conduct strategy sessions in preparation for negotiations with non-union personnel (Police Chief and Town Administrator) as well as to discuss strategy with respect to collective bargaining (with Massachusetts Coalition of Police, Local 200), and to reconvene in open session at 7 PM to meet with the Finance Committee in the Grange Meeting Room to discuss item 7a)i, and then to return to Morse Meeting Room to conduct the remaining business on the agenda

The Chair pro tem (Clerk Robinson) stated: "An open meeting may have a detrimental effect on the bargaining position of the Board."

Approved by roll call vote 4 – 0: Neville, aye; Powers, aye; Fox, aye; and Robinson, aye.

Chair Suleiman was absent, having recused himself. The remaining members discussed and decided that the Police Chief salary be set at a $5,000 increase and to remove the tuition reimbursement of $9,900 from his present contract.

Member Powers of the negotiating team updated the Board on proposed changes to the Town's offer to the Police union on healthcare plan cost split.

The board adjourned the executive session at 7:00 PM to re-convene in open session.

With Chair Suleiman now present, the Board reconvened in executive session at 9:45 p.m. to continue discussion of negotiations with non-union personnel. It was determined that the Town Administrator's salary be set at a 4.5% increase.

Approved by roll call vote 5 – 0: Neville, aye; Powers, aye; Robinson, aye; Fox, aye; Suleiman, aye.

Member Neville moved to adjourn from executive session. Seconded by member Powers.

Approved by roll call vote 5 – 0: Neville, aye; Powers, aye; Robinson, aye; Fox, aye; Suleiman, aye.

Board adjourned at 10:05 p.m.

RELEASED
11/28/2016

Approved: April 2, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 5, 2012

PRESENT: Selectmen Les Fox and Frank Powers

Selectman Powers called the meeting to order at 9:05 AM in the Morse-Hilberg meeting room at the Town Hall and immediately moved to adjourn to executive session for the purpose of discussing strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

The negotiating team discussed proposed terms of a successor agreement, which would be presented by the Town's team at the collective bargaining session on March 6. Said terms are attached.

At 9:50 AM, the BoS Negotiating Team adjourned from executive session.

RELEASED
11/28/2016

Approved: April 2, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 6, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Officers Robert Romilly, Jr., Nathan Bowolick and Sergeant Nicholas diMauro

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 7:30 AM in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Selectman Powers distributed the Town's proposal, a copy of which is attached, and reviewed it bullet-by-bullet with the union reps. Discussion regarding intent of order-in language. Selectman Fox reviewed the two options under the salary proposal. The first option provides for a fixed 1% increase for each year of the contract for those already at top step; those still eligible for step increases would receive 3.5% per year, pending satisfactory performance. The second option provides for an increase based on a formula using CPI-U.

Set two additional dates: March 19 and March 29, both at 7:30 AM.

Selectman Powers reviewed proposed differential rate: 1 rate for both evening and overnight shifts.

Union left at 8:10 AM. Negotiating Team, Police Chief and Town Administrator continued discussion until 8:30 AM when the meeting was adjourned.

RELEASED
11/28/2016

Approved: 4/2/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 7, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFFA members Lieutenant Shawn Gray and firefighter Benn Carpenter

ALSO PRESENT: Fire Chief Randolph White

Selectman Les Fox called the meeting to order at 7:30 AM in the Morse-Hilberg meeting room of the Town Hall with a motion to adjourn immediately to executive session for reason # 2 – to conduct collective bargaining sessions with union personnel, and to reconvene in open session only for the purpose of adjournment.

Seconded by member Powers. Roll call vote: Fox, aye; Powers, aye.

Firefighters Gray and Carpenter presented draft language for requested/suggested changes to the current contract. The group briefly discussed the proposed changes, in order to clarify.

Members Fox and Powers requested that a document be provided to the BOS negotiating team showing requested changes in language relative to the current contract. The FF team agreed to do so.

All agreed to cancel the scheduled meeting for March 14, to allow the BOS negotiating team to review the PFFA requests, and to allow the PFFA team to provide the requested contract documents with changes marked.

Member Fox and PFFA member Gray agreed to subsequently confer and set two dates for future meetings.

No further business was brought forward, therefore member Powers moved to adjourn from executive session.

Seconded by member Fox.

Roll call vote: Fox, aye; Powers, aye.

Meeting adjourned at 7:47 AM.

RELEASED
11/28/2016

Approved: 4/23/12

Town of Boxborough
Board of Selectmen
Executive Session Minutes
March 12, 2012

PRESENT: Christine Robinson, Chair pro tem; Rebecca Neville, Member; Les Fox, Member; Frank Powers, Member

NOT PRESENT: Raid Suleiman, Chair

Immediately after Chair pro tem Robinson called the meeting to order at 6:30 p.m. in the Morse Meeting Room of Town Hall, the board convened in executive session to conduct strategy sessions in preparation for negotiations with non-union personnel (Police Chief) as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200 and Boxborough Professional Firefighters Association, Local 4601).

The Board discussed and reviewed the salary input received from Chief Ryder. After discussion, the Board agreed to approve a raise in Chief Ryder's salary of $5,000 for FY 13 and a tuition reimbursement package not to exceed $2,500.

In regards to the Massachusetts Coalition of Police, Local 200 collective bargaining, Selectmen Fox and Powers reviewed the proposal presented to the Board's negotiating team by the Police Union on February 7th, 2012:

- The Board discussed the concept of freezing "steps" for the first year of the contract.
- Selectmen further discussed combining evening and overnight shift differentials into one.
- The Selectmen discussed the notion of designating an "Officer of the Year" along with a one time bonus of $500.
- The Board discussed the Quinn Bill in regards to other compensation details.

In regards to the collective bargaining of the Boxborough Professional Firefighters Association, Local 4601, it was reported that Shawn Gray and Benn Carpenter had been designated as the firefighter's liasons representing the firefighters union in relation to collective bargaining.

At 6:55 pm, it was moved and seconded to adjourn from executive session. **Approved 4-0** by roll call vote: Powers "aye", Fox "aye", Robinson "aye" and Neville "aye".

RELEASED
11/28/2016

Approved: 4/2/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 19, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Mass Coalition of Police members Patrolman Ben Lavine and Sergeant Nicholas DiMauro

ALSO PRESENT: Police Chief Warren Ryder

Selectman Powers called the Selectmen's meeting to order at 7:45 AM in the Morse-Hilberg meeting room of the Town Hall, with a motion to adjourn immediately thereafter to executive session for reason # 2 – to conduct collective bargaining sessions with union personnel, and to reconvene in open session only for the purpose of adjournment.

Seconded by member Les Fox. Roll call vote: Fox, aye; Powers aye.

Because the designated union negotiator (Detective Rob Romilly) was unavailable for the meeting, no actual negotiation was conducted. Instead, the principal subject of discussion was the town's wage proposal which includes a preliminary concept for phasing out the officers' step salary schedule. The Selectmen reviewed the proposal details with the police representatives to ensure a full understanding of the concept. At the conclusion of discussions, the police representatives indicated they did understand the wage proposal details.

The police representatives did express some concern with the inclusion of a warrant article to approve appropriations for a contract agreement for this year's ATM.

No further business was brought forward, therefore member Fox moved to adjourn from executive session.

Seconded by member Fox.

Roll call vote: Fox, aye; Powers, aye.

Meeting adjourned at 8:20 AM

Next meeting is scheduled for Thursday, 29 March at 7:30 AM.

RELEASED
11/28/2016

Approved: 4/2/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 22, 2012

PRESENT: Selectmen Les Fox and Frank Powers

ALSO PRESENT: Fire Chief Randolph White

Selectman Les Fox called the meeting to order at 7:52 AM in the Morse-Hilberg meeting room of the Town Hall with a motion to adjourn immediately to executive session for reason # 3 – to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to reconvene in open session only for the purpose of adjournment.

Seconded by member Powers. Roll call vote: Fox, aye; Powers, aye.

Members Fox and Powers reviewed and discussed with Chief White the contract changes proposed by PFFA local 4601 representatives Gray and Carpenter on March 7, 2012. Chief White provided comments and input to the proposed contract changes.

Chief White presented and reviewed with members Fox and Powers a possible framework for a new approach to shift staffing (so-called 24/48 rotations) than might be implemented in the near future, with positive benefits to both the Firefighters, Local 4601, and the town.

Members Fox and Powers agreed to consider the Chief's proposal and to explore with Town Counsel mechanisms for introducing appropriate enabling language into a new contract.

No further business was brought forward, therefore member Powers moved to adjourn from executive session.

Seconded by member Fox.

Roll call vote: Fox, aye; Powers, aye.

Meeting adjourned at 9:25 AM.

RELEASED
11/28/2016

Approved: April 2, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 29, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Officers Robert Romilly, Jr. and Sergeant Nicholas diMauro

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 7:35 AM in the Town Administrator's office and Selectman Fox immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Sergeant diMauro distributed a copy of the union's proposed process for promotions within the BPD and agreed to send electronically.

Union reps discussed the proposal that had been presented by the Town's negotiating team on March 6:

- 1% salary increase is too low
- Health care: do not want to negotiate
- Chief's proposal on order-in: Union would want minimal manning of 2 per shift and double-time if ordered in
- Shift bid: Union would like to maintain seniority priority, which is viewed as one of the "perks" of longevity within the BPD
- Salary: Union did not have adequate time to discuss, but Officer Romilly said that there was much negativity about merit-based pay. The officers do not believe that a patrolman's performance can be quantified. Also, union is generally not in favor of eliminating all steps, but perhaps would consider decreasing the number of steps.
- Officer of the year: Union does not support and believe that it can cause a lot of hard feelings, that officers should be recognized when they do something positive. Officers may be amenable to something outside of contract.

Selectman Powers requested that union respond with proposal on wages. Union requested copy of town's survey data. It was explained that town's data looked at total compensation, not merely wages; agreed to forward electronically to union.

Will aim for sessions to be held the week of April 9 (but not 4/10) and 23rd (Mon, Tues or Friday of 2nd week).

Selectman Powers reviewed proposed differential rate: 1 rate for both evening and overnight shifts.

Union reps left at 7:55 AM. Negotiation team continued discussion with Police Chief and Town Administrator.

Chief is opposed to promotion process as presented by union; takes away rights of management. Selectman Powers asked Chief to propose counter proposal on promotional process.

Selectman Powers discussed idea of incentivizing benefit-eligible employees who do not continue health insurance with the Town.

Discussion regarding minimum staffing proposed by Union. Selectman Powers will seek clarification.

Meeting adjourned at approximately 8:15 AM.

RELEASED
11/28/2016

Approved: 4/23/12

Town of Boxborough
Board of Selectmen
Executive Session Minutes
April 2, 2012

PRESENT: Raid Suleiman, Chair; Christine Robinson, Clerk; Les Fox, Member; Rebecca Neville, Member; Frank Powers, Member

ALSO PRESENT: Selina Shaw, Town Administrator

The Board of Selectmen convened in executive session in the Town Administrator's office at 8:35 PM to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200 and Boxborough Professional Firefighters Association, Local 4601).

Selectman Fox updated the Board on negotiations with the firefighters. The CBU had presented their request for wage increase of 5% in each of the three years of successor agreement. Negotiating team will counter with 1.5% for each of the three years. Selectman Fox also reported on Chief White's proposal to discuss potential changes to shifts in future years of contract.

At conclusion of discussion related to Fire negotiations, Chair Suleiman recused himself from discussion related to Police CBA and departed.

Clerk Robinson took over as Chair pro tem and Selectman Powers updated the Board on negotiations with the police, noting that all was covered in the minutes of the negotiations team that had been distributed earlier in the meeting agenda.

At 9:30 PM, it was moved and seconded to adjourn. **Approved 4 – 0** by roll call vote: Neville "aye," Powers "aye," Robinson "aye" and Fox "aye."

RELEASED
11/28/2016

Approved: 4/23/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 5, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFFA members Lieutenant Shawn Gray and Firefighter Benn Carpenter

ALSO PRESENT: Fire Chief Randolph White, Town Admin Selina Shaw

Selectman Les Fox called the meeting to order at 7:31 AM in the Town Administrator's office, Town Hall with a motion to adjourn immediately to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters Association, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position,, and to reconvene in open session only for the purpose of adjournment.

Seconded by Selectman Powers. Roll call vote: Powers, aye; Fox, aye.

Selectman Fox distributed and reviewed the Town's response to the union's March 7th proposal.

Lieutenant Gray asked if there had been any discussion regarding health inurance mitigation in the out years. Selectman Fox noted that the matter had not been resolved and clarified that it would not be done on a union-by-union basis.

Proposed April 24 at 7:30 as date for next negotiating session, with the 26th as the back-up. Union will get back to Selectman Fox.

At 7:55 Am, the firefighters left and further discussion among the negotiating team, Fire Chief and TA ensued. It was agreed to remove the language in Article 8 section 6 related to mutual aid and call back, since this is covered in previous language within the same section.

Meeting adjourned at just after 8 AM.

RELEASED
11/28/2016

Approved: 4/23/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 11, 2012

PRESENT: Selectmen Les Fox and Frank Powers and MassCops Local 200A, Dispatch members Brenda Santucci and Michelle Poirier.

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Frank Powers called the meeting to order at 7:34 AM in the Town Administrator's office, Town Hall with a motion to adjourn immediately to executive session to conduct a collective bargaining session with union personnel (MassCops Local 200A, Dispatch) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to reconvene in open session only for the purpose of adjournment.

Seconded by Selectman Powers. Roll call vote: Powers, aye; Fox, aye.

Selectman Powers distributed and reviewed the *Ground Rules for Successor Collective Bargaining Agreement Negotiations Between Town of Boxborough and Massachusetts Coalition of Police, Local 200A, Dispatch.* Selectman Powers informed the Dispatchers that he was the designated negotiator for the Selectmen; Brenda and Michelle agreed that Brenda would be the designated representative for the union.

Set the next two dates for negotiations: May 2 and May 9, both at 7:30 AM.

Meeting adjourned at 7:45 AM

RELEASED
11/28/2016

Approved: April 30 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 24, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFFA members Lieutenant Shawn Gray and Firefighter Benn Carpenter

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

Selectman Les Fox called the meeting to order at 7:30 AM in the Town Administrator's office, Town Hall with a motion to adjourn immediately to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters Association, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter.

Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Brief discussion about the warrant article, which seeks Town Meeting approval of the cost items of the contract. Lieutenant Gray commented that the Union should have been notified of article's placement on warrant.

Selectman Fox reviewed Union's proposal, presented on March 7 and Town's counter, which was provided on April 5.

- **Article 7 (Seniority):** Union agreed to drop proposal.
- **Article 8 §2 (Work Schedules)**: Lieutenant Gray expressed concern about submission of payroll in advance of scheduled day and conflict with MGL. It was agreed to table until Town Administrator could review the matter with the Town Treasurer.
- **Article 8 §6 (Call Backs)**: Union proposed maintaining status quo. Town team agreed to review again.
- **Article 8 §8 (Order Ins)**: Union had proposed double time, and on holidays, double time plus paid holiday. Selectman Fox said team would consider this along with other "money articles."
- **Article 9 (Duties):** Union is seeking language to cover situation in which the Chief is absent. Would like clarity to describe what happens in event of temporary appointment of Chief. Town team and union will work on language.
- **Article 12 §1 (Sick Leave Accrual):** Union is seeking 15 days per year, similar to other towns union had surveyed. Town team is willing to consider a sick bank. Parties agreed to bring this item back since

higher accumulation of sick leave is a money issue. Lt. Gray also asked team to consider ability to take sick leave in advance of accrual.

- **Article 12 §7 (Unused Sick Leave):** Union proposal is for town to pay out a portion of unused sick leave upon separation from town's employment for any reason. $ article. Agreed to table for now.

- **Article 12 §8 (New - buy back of a portion of unused sick leave):** $ article. Agreed to table for now.

- **Article 15 (Personal Business Leave):** Union proposed removing language that such leave shall require prior approval of Chief. Agreed to table for now.

- **Article 17 (Union Representatives):** Union is seeking additional paid time off for union business. Selectman Fox said that there is not much precedent for this in other communities and that town does not support.

- **Article 18 (Private Public Safety Detail Pay):** Union has proposed changes to cancellation notification requirements. Selectman Fox responded that team would like to research further to ensure that town would not be liable... that private party's default would not fall to town.

- **Article 21 (Training):** Town team asked for further clarification of issue requesting limitation of training to maximum of 36 hours. Union explained that they wanted to put on par with per diem requirements. Union reps will work to clarify language.

- **Article 23 §1 (Insurance %):** Union has proposed increase in town share to 80% or maintain status quo. Town team will respond later and also clarified that mitigation language was merely a note and not meant to be included in Agreement.

- **Article 25 (Uniforms/Gear):** Union reps had proposed increase to $950 but said that they would agree to $850 if the allotment monies could be used to purchase any item (considered part of the uniform) worn or used in dept.

- Further discussion on Article 9 (duties): Lt. Gray will take back to Union and confirm intent.

Tentatively scheduled next negotiations sessions for May 7 and 10 (back-up), both at 7:30 AM.

At 9:10 AM, the firefighters left and further discussion among the negotiating team, Fire Chief and TA ensued.

Article 8 §2: TA will speak with Treasurer regarding submission of payroll.

Article 8 §6 (Call Backs): Discussed revising language to reflect that a call back for mutual aid shall be made only on fire runs (not ambulance runs).

Article 8 §8 (Order In): Team generally agreed that if risk could be covered by per diems, then double time would be okay... Further discussion led to suggestion that counter proposal would be to offer double time for order ins if less than 24 hours' notice.

Meeting adjourned at 10:15 AM.

RELEASED
11/28/2016

Approved: April 30, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 26, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFFA members Lieutenant Shawn Gray and Firefighter Benn Carpenter

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

Selectman Les Fox called the meeting to order at 7:32 AM in the Town Administrator's office, Town Hall. Selectman Powers moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters Association, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter.

Seconded by Selectman Fox. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Parties continued discussion where they had left off on the 24th.

Article 26 (Complete Agreement): Lt. Gray commented that Union was still working on Lieutenant's job description.

New Article (Longevity): Lt. Gray reviewed Union's proposal. Selectman Fox said that this would be considered along with all the $ articles.

Article 29 (Career Incentive): Selectman Fox commented that the town supports the incentive but that education should be pursued on one's own. Lt. Gray stated that union was seeking coverage to enable firefighters to take classes that were offered during the day, noting that not all are offered in evening. Selectman Fox said that this would be considered along with all the $ articles.

Article 33 (Wages): Union proposed that lieutenants should be paid at 15% above maximum FF step, and noted that Lieutenants have only one step, unlike Police Sergeants who have 3 steps. Town proposed maintaining status quo, i.e. 12%. Selectman Fox asked if union would consider additional steps. Lt. Gray will take back to the union and also suggested that perhaps parties could consider increase of 1% in each year of contract.

Preamble: Parties agreed to revise name of CBU to read "Boxborough Professional Firefighters, Local 4601."

Further discussion on wages. Union had initially proposed 5%-5%-5%. Lt. Gray said that union could be flexible with options and suggested 2 .5% on first day of FY 13; 2.5% on last day of FY 13; then at six month intervals to end of FY 15.

Selectman Fox explained step proposal (hold all level with FY 12, except for top step which would increase 1.5%). Lt. Gray will explain to members.

At 8 AM, union representatives left and brief discussion continued among the negotiating team, Fire Chief and TA. Agreed that Union should not be drafting job description; TA noted (and will confirm with Counsel) that Union does have to agree to job description. Further discussion on career incentive. Fire Chief commented that courses are available in the evening… union proposal should not be agreed to. Selectman Fox suggested that if anything was offered, should be a fixed amount, and capped.

Negotiations team will meet at 9 AM on April 30 and at 1 PM on May 1.

Meeting adjourned at 8:30 AM.

RELEASED
11/28/2016

Approved: April 30, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 27, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Officers Robert Romilly, Jr. and Benjamin Lavine

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 7:30 AM in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Selectman Powers reviewed status of negotiations and highlights of last session, which was held on March 29.

Officer Romilly distributed "MCOP Local #200 negotiations counter" (included with the minutes), which the parties then reviewed and briefly discussed.

- **Elimination of steps**: Union would like to keep step structure but would consider a lesser number of steps
- **Shift Differential:** Union would like to maintain 2 distinct rates and support a higher lever of differential for the overnight shift since this causes a greater disruption to the officer.

Parties agreed to caucus to further discuss matters (7:40 – 7:55 AM). Town team discussed union's counter proposal.

- **Proposed pay rates**: Union proposed 4.5% for each of three years of contract.
    - Town team agreed to propose 1.5%, 1.5% and 1.5% and to freeze all steps but the top one (similar to Schedule B of Personnel Plan proposal)

- **Order In**: Union would support town's proposal in exchange for minimum staffing level of 2 officers per shift and double time if ordered in.
    - Although the town team would like to be able to provide the town with two officers per shift, the minimum staffing option is cost prohibitive. The town team discussed possibility of providing double-time for order-in 24 hours or less, or on holidays.

- **Shift bid:** Union would like to maintain seniority priority, which is viewed as one of the "perks" of longevity within the BPD.
    - Team will ask Chief to explain his rationale to the union and suggest that union provide a means to accomplish.

- **Health care:** Union supports decrease in employee share from 25% to 20%.
    - Selectman Powers will distribute data; team will propose moving from current town proposal of 65%-35% split to 70%-30% split.

- **Elimination of steps and performance based raises**
    - Town team will hold merit-based increases for future contract, but would like to continue discussion on number of steps.

- **Promotional process**
    - Town team will review and propose response. Chief Ryder suggested asking the union what problem they are trying to address.

- **Combining cleaning and clothing allowance**
    - Town team will propose language giving Chief discretion to allow.

- **Shift differential:** Union proposed increase to $1.00 (3PM – 11PM shift) and $1.25 (11PM – 7AM shift).
    - Town team will consider. Need to review financial implications.

- **Officer of the year:** Union does not support inclusion in contract.

Caucus ended at 7:55 AM and Union representatives returned.

Selectman Powers explained the process moving forward if agreement is not reached prior to Town Meeting and then reviewed the town team's stance on the proposed union counter proposal, which he said would be followed up in writing. In addition to the above-mentioned information, discussion regarding proposal is noted below:

- **Order In:** Officer Lavine said that union would likely elect to maintain status quo.
- **Shift bid:** Chief explained his rationale, stressing the importance of providing officers with training on situations that occur on all shifts and eliminating "shift stagnation." Officer Lavine expressed his understanding and agreed to work with union on a possible work around.
- **Health care:** Officer Romilly stated that town had already changed insurance against the union's wishes and did not support taking on a greater % share of premium.
- **Elimination of Steps:** Union may be amenable reduced number of steps. Officer Lavine suggested possibility of maintaining status quo for FY 13, reducing by 1 in FY 14, and reducing another in FY 15. Discussed impact on Sergeants.
- **Combining cleaning and clothing allowance:** TA suggested possible language – "Use of cleaning allowance for purchase of clothing and equipment may be allowed at the discretion of the Police Chief."

It was agreed to hold next negotiations sessions on May 9 at 9:30 AM and May 16 at 9:00 AM.

Union reps left and negotiations team continued discussion with Police Chief and Town Administrator.

- **Steps:** Sergeants' pay is tied to top step of officer. Would propose no change in salary for Sergeants at the first two steps… Chief suggested that if number of steps were to be reduced, then Steps A1 and A2 should be kept and B and D should be eliminated. Want to propose solution that would eliminate steps without hurting those moving forward. Team agreed that 5 steps seemed reasonable and to apply increase to only the top step, since those moving from one step to another would receive 3.5% increase.
- **Health care:** Selectman Fox will continue to look at numbers and determine $ impact of % increase in employee share. TA will follow up with Treasurer on numbers.

Meeting adjourned at approximately 9:15 AM.

RELEASED
11/28/2016

Approved: May 7, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 30, 2012

PRESENT: Selectmen Les Fox and Frank Powers

Selectman Les Fox called the meeting to order at 9:00 AM in the Morse-Hilberg meeting room, Town Hall. Selectman Powers moved to adjourn to executive session to discuss strategy with respect to collective bargaining with union personnel (Boxborough Professional Firefighters, Local 4601), as well as noting that to conduct such discussion in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter.

Seconded by Selectman Fox. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Members Fox and Powers discussed the town's proposed response to Local 4601's counter received April 26, 2012. Several items were noted that required input from the Fire Chief and Town Administrator. Member Fox agreed to prepare a draft response to the union counter.

Meeting adjourned at 10:30 AM.

RELEASED
11/28/2016

Approved: May 7, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 1, 2012

PRESENT: Frank Powers

ALSO PRESENT: Town Administrator Selina Shaw

The meeting having been posted for an earlier than planned hour, Selectman Powers called the meeting to order at 9:02 AM in the Town Administrator's office, Town Hall solely for the purpose of recessing to the planned start time of 1PM.

PRESENT: Selectmen Les Fox and Frank Powers

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 1:12 PM Selectman Powers moved to reconvene and adjourn to executive session to discuss strategy with respect to collective bargaining with union personnel (Boxborough Professional Firefighters, Local 4601), noting that to conduct such discussion in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

The Team, Fire Chief and TA reviewed the town's draft counter proposal, prepared by Selectman Fox and included as part of these minutes.

- **Article 7 (Seniority):** Union agreed to drop proposal.

- **Article 8 §2 (Work Schedules)**: Lieutenant Gray had expressed concern about submission of payroll in advance of scheduled day and conflict with MGL.

  Group does not have a good handle on what the union's issue is and discussed the inconsistencies between the legal parameters and the practical aspects of processing the payroll (when there is a holiday and staff is asked to estimate hours). TA provided input from Town Counsel who suggested that it would be best to try to work with Union to resolve.

- **Article 8 §6 (Call Backs)**: Union had proposed maintaining status quo.

  After much discussion, town team agreed to propose that there shall be no backfill for medical mutual aid runs. Selectman Fox will propose specific language.

In course of discussion, it was agreed that a statement would be included early in the Agreement, possibly in the Preamble, related to the gender-neutrality of the Agreement… something along the line that that all references to "he" or "his" also referred to "she" and "her," etc.

- **Article 8 §8 (Order Ins)**: Union had proposed double time, and on holidays, double time plus paid holiday.

  Town team discussed and agreed to propose double time if ordered in with less than 24 hours' advance notice or if on a holiday; otherwise to be compensated at time and a half. Also specified that on a holiday would be compensated only at double time (i.e. NOT double time plus regular pay for the holiday).

- **Article 9 (Duties):** Union is seeking language to cover situation in which the Chief is absent. Would like clarity to describe what happens in event of temporary appointment of Chief.

  Selectman Fox proposed language. After much discussion, it was agreed to work with Town Counsel on language.

- **Article 12 §1 (Sick Leave Accrual):** Union is seeking 15 days per year, similar to other towns union had surveyed. Lt. Gray also asked team to consider ability to take sick leave in advance of accrual.

  Negotiating team will propose 1 day per month of continuous service, for a maximum of 12 days per year.

- **Article 12 §7 (Unused Sick Leave):** Union proposed that town pay out a portion of unused sick leave upon separation from town's employment for any reason.

  Team discussed possibility of proposing a payout of 50% of unused sick leave under certain circumstances, but after much discussion, team agreed to NO payout. In the meantime, TA will survey other communities.

- **Article 12 §8 (New - buy back of a portion of unused sick leave):**
  Team will propose NO buy back of unused sick leave.

- **Article 15 (Personal Business Leave)**
  Team will propose keeping language requiring prior approval of Chief, but will add "which shall not be unreasonably withheld."

- **Article 17 (Union Representatives)**
  After discussing, the team agreed NOT to support the union's proposal which sought additional paid time off for union business.

- **Article 18 (Private Public Safety Detail Pay)**
  Understanding that the Town would be just as liable in a situation where a vendor provided less than 24 hours' notice as it would be for any other default by a vendor, the team agreed to support the union's proposal requiring 24 hours advance notice of cancellation.

- **Article 21 (Training)**
  Team will propose that all employees shall be required to attend a minimum of 36 hours of department training per year.

- **Article 23 §1 (Insurance %):** Union had proposed increase in town share to 80% or maintain status quo.

  Team will propose moving from earlier proposal of 65% - 35% to 70% - 30%.

- **Article 25 (Uniforms/Gear)**
  Team will agree to $850 allotment to be used to purchase any items of clothing worn or used in departmental duties.

- **Article 26 (Complete Agreement)**
  TA clarified that Lieutenant's job description, which will be drafted by town, must be bargained to resolution or impasse(not as part of the agreement per se).

- **New Article (Longevity)**
  Team does not support.

- **Article 29 (Career Incentive)**
  Team does not support.

- **Article 33 (Wages):** Union proposed that lieutenants should be paid at 15% above maximum FF step

  Team will propose that Lieutenants shall be paid at 13% above maximum FF step.

- **Preamble:** Parties agreed to revise name of CBU to read "Boxborough Professional Firefighters, Local 4601."

  Team agrees.

- **Article 33 (Wages)**
  Team agreed that it will stay on proposal previously put forward, i.e. 1.5% increase in each of the three years of the contract, to be applied only to the top step; hourly rates for Steps A through E shall remain level with FY 12.

Meeting adjourned at 3:45 PM.

2a

RELEASED
11/28/2016

Approved: May 14, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 2, 2012

PRESENT: Selectmen Les Fox and Frank Powers and MassCops Local 200A, Dispatch members Brenda Santucci and Michelle Poirier.

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Les Fox called the meeting to order at 7:30 AM in the Town Administrator's office, Town Hall with a motion to adjourn immediately to executive session to conduct a collective bargaining session with union personnel (MassCops Local 200A, Dispatch) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to reconvene in open session only for the purpose of adjournment. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Dispatcher Brenda Santucci distributed and reviewed each of the sections of the Local 200A's proposal, a copy of which is included with the minutes. Some highlights:

- There are references to "regular part-time employees" throughout the contract. Union would like all instances removed.

- **Article 9 Hours of Work**
  Section 3
  - Union would like to be able to swap shifts regardless of whether or not both shifts fall within the same week.

- **Article 10 Overtime/Shift Assignments/Call Back & Call In/Comp Time**
  Section 1 Overtime
  - Union proposed that all earned time (including sick) be counted towards hours worked in calculation of OT
  - Union would like to remove requirement that 48 hours must elapse between double shifts. Brenda expressed concern that there would be no one available to staff shifts if 2 were on vacation.
  - Union proposed not limiting to only overtime shifts the posting of an assigned shift that a member is unable to work

  Section 2 Shift Assignments
  - Union proposed specifying months when shift assignments are bid and would also like to consider a change in the schedule of shift assignment bidding

Section 3 Assignment of Open Shifts

- Union would like first right of refusal on **all** open shifts, not just those arising from earned leave time used. Union also proposed further modification to the manner in which shifts are filled as noted in attached proposal.

Section 4 Call Back & Call In

- Union proposed removing Employer's right to at least 4 hours of work from a called back or called in employee

Section 6 Order In

- Union proposed compensation at double time for a call in; proposed removing requirement to work 4 hours.
- Union proposed compensation at double time, but struck "for each hour of order in work."
- Union also proposed that order ins shall be from the Union, without limitation, i.e. not only in circumstance that shift cannot be filled using part-time dispatchers.
- Union proposed that employees shall not be "called in" during sick or bereavement time or the 16 hours immediately preceding or following (currently this restriction refers only to order-ins).

- **Article 12 – Holiday**
  - Union proposed striking clause requiring that employee will not work OT 8 hours before or after the holiday shift used as a day off.

- **Article 13 – Vacation**
  - Union proposed that all earned time, not just vacation, be used in half day increments

  Section 3
  - Union proposed that approval for vacation time will be determined based upon date of request, then seniority. Currently it is based on seniority.
  - Union also proposed that requests for single or partial days be submitted at least 24 hours in advance, not 1 week as currently required.

- **Article 24 – Insurance**
  - Union proposed that if Town contributes any HRA monies, that members of the unit will receive the same as all other bargaining units in town.

- **Article 30 – Wages**
  - Union proposed adding three steps: G, H and I. Brenda clarified that Union would be willing to drop lower steps as higher ones were added.
  - Section 5: Union proposed increase in shift differential to $0.75 and $1.00 (from $0.50 and $0.75). Brenda commented that this was not a huge issue.

- **Article 32 – Uniform Allowance**
  - Union proposed increase from $250 to $350.

- Union proposed EMD certification to be compensated at 1% as a stipend each year of successor agreement. Brenda explained that although Pro will be handling 911 calls, they will not handle emergencies that come through business line. Brenda also noted that if Pro were to stop providing EMD services and those services were to come in house, this would represent a change in working conditions and would have to be negotiated.

- Union proposed pay increase of 3%-3%-3% in each year of successor agreement, if possible

Selectman Powers explained the Town Meeting process and informed union reps of process moving forward if agreement was not reached before Town Meeting finished.

Agreed to schedule next negotiations sessions at 10 AM on May 10 and 15.

Union reps left at 8:35 AM.

Further discussion by team. Team agreed to meet at 8 AM on the 9th.

Meeting adjourned at 9:00 AM

2 b

RELEASED
11/28/2016

Approved: May 14, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 7, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and Firefighter Benn Carpenter

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 7:34 AM Selectman Fox called the meeting to order and moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Selectman Fox distributed and reviewed the Town's counter to the union, which is included as part of these minutes. Selectman Fox explained the "color coding" of document. The major items of discussion follow below.

- **Article 8 §2 (Work Schedules)**: Selectman Fox asked union to clarify actual issue. Lieutenant Gray explained that the union has no issue submitting payroll early when there is a holiday, but not when there is upcoming vacation.

- **Article 8 §6 (Call Backs)**: Lt. Gray reiterated that union would like to maintain status quo. Although Chief tried to explain rationale for proposed change (as written, section could include mutual aid ambulance runs which are not budgeted), Lt Gray said that since it was not possible to budget for all call back, inclusion of mutual aid ambulance runs wouldn't matter.

- **Article 8 §8 (Order Ins)**: Selectman Fox explained the town's proposed 24-hour trigger for double time. Lt. Gray said this seemed okay but would have to take back to union.

- **Article 9 (Duties):** Union is seeking language to cover situation in which the Chief is absent. Selectman Fox said that town is working with Counsel to draft language that would deal with 3 cases: 1) when a firefighter works out of rank as a lieutenant.; 2) when the Chief is absent for a short period (this would be covered under normal circumstances) and when the Chief is away for a longer period of time.

- **Article 12 §1 (Sick Leave Accrual):** Selectman Fox proposed increasing accrual to 1 day per month of continuous service, for a maximum of 12 days per year. Lt. Gray will take back to the union.

- **Article 12 §7 (Unused Sick Leave) &Article 12 §8 (New - buy back of a portion of unused sick leav.** Selectman Fox informed the union that the town did not agree to payout of any portion of unused sick leave, or to buyback.

- **Article 15 (Personal Business Leave):** Team proposed keeping language requiring prior approval of Chief, but will add "which shall not be unreasonably withheld." Lt. Gray will take back to the union.

- **Article 17 (Union Representatives):** Selectman Fox informed union that town does not support. Lt. Gray explained that there is a 3 day convention every 2 years and that there are monthly meeting held 8 times per year. Selectman Fox said that initial proposal was too broad but town would entertain another proposal from the union.

- **Article 21 (Training):** Selectman Fox informed the union that the BoS want to support the Chief's standard of a minimum of 36 hours. Lt. Gray will take back to the union.

- **Article 23 §1 (Insurance %):** Town proposed 70%-30% split. Lt. Gray will take back to the union.

- **Article 25 (Uniforms/Gear):** Selectman Fox informed union that Team will agree to $850 allotment to be used to purchase any items of clothing worn or used in departmental duties. Lt. Gray will take back to the union.

- **Article 33 (Wages):** Selectman Fox distributed and reviewed the town's wage proposal, which freezes steps, increases top FF step by 1.5%, eliminates bottom 3 steps over next three years and adds three new ones, always keeping six steps. Lt. wages will always 13% above top FF step (up from 12% in current agreement).

Agreed to cancel May 10th meeting and to post for May 16th at 7:30, with back-up at 8:30 AM on the 17th.

Union reps left at 8:25. Further discussion among negotiating team, Chief and TA.

Meeting adjourned at 8:45 AM.

2c

RELEASED
11/28/2016

Approved: May 14, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 9, 2012

PRESENT: Selectmen Les Fox and Frank Powers

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Although the meeting had been posted for 8, there was a delay in starting. Selectman Fox called the meeting to order at 8:30 AM in the Town Administrator's office and immediately moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Group reviewed Town's proposed response to Local 200A, with whom a collective bargaining session is set for the 10th.

Meeting adjourned at 9:25 AM

RELEASED
11/28/2016

Approved: May 14, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 9, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Officers Robert Romilly, Jr. and Sergeant Nicholas DiMauro

ALSO PRESENT: Selina Shaw, Town Administrator

Selectman Fox called the meeting to order at 9:30 AM in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Selectman Powers distributed "Town Response to MCOP Local #200 Negotiations Counter as discussed on April 27, 2012," which had already been provided to the Union via e-mail. Officer Romilly distributed "5/9/12 Negotiations Boxborough Police Local #200 Response" which the parties then reviewed and discussed. Both documents are attached hereto.

- **Order In**: Union does not accept Town's proposal. Officer Romilly reiterated that the Union would support town's proposal only in exchange for minimum staffing level of 2 officers per shift and double time if ordered in. Officer Romilly said that Union was okay with language currently in contract. Selectman Powers said that he would seek input from the Chief on this item.

- **Shift bid:** Union does not accept Town's proposal. Union would like to maintain seniority priority, which is viewed as one of the "perks" of longevity within the BPD. Selectman Powers said that he would seek input from the Chief on this item.

- **Health care:** Union does not accept Town's proposal (70%-30% split). Union supports decrease in employee share from 25% to 20%.
  - Selectman Powers proposed that town would accept union's proposal on shift differential if union would agree to change in health insurance split. Union does not agree.
  - Discussion regarding change in plan design and resulting decrease in premiums, increase in co-pays, capped exposure and mitigation. Officer Romilly commented that most of union members have families with children and will be high users with resulting higher costs. Selectman Powers said that Town Treasurer would send out scenarios which would provide cost examples for "normal" and "high-end" users, and encouraged the officers to speak with the Treasurer regarding their particular situations.
  - Still open…

- **Promotional Process:** Still open. Town has not had the opportunity to review.

- **Combining cleaning and clothing allowance:** Union agrees to "Use of cleaning allowance for purchase of clothing and equipment may be allowed at the discretion of the Police Chief."

- **Pay raises:** Selectman Fox distributed and explained wage proposal, a copy of which is included with the minutes. Sergeant DiMauro commented that steps and raises were separate and that negotiated salary increase should apply to all steps, not just the top one. He then informed the team that Union would reduce their proposed salary request from 4.5% for each of the three years in the successor agreement to 4% in each of the three years.

Selectman Powers reviewed status of items.

All agreed to meet on May 16 at 9:00 AM, as previously scheduled.

It was agreed that in the future, docs would be sent to the Union in both word and pdf.

Union reps left just before 10:30 and negotiations team continued discussion with Town Administrator. Discussed strategy moving forward. Considered option of offering 2% per year and increased shift differential... Also will consider proposing 1.5%-1.75%-2%...

Meeting adjourned shortly thereafter.

RELEASED
11/28/2016

Approved: May 14, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 10, 2012

PRESENT: Selectmen Les Fox and Frank Powers and MassCops Local 200A, Dispatch members Brenda Santucci and Michelle Poirier.

ALSO PRESENT: Selina Shaw, Town Administrator and Fire Chief Randolph White

Selectman Les Fox called the meeting to order at 10:00 AM in the Town Administrator's office, Town Hall with a motion to adjourn immediately to executive session to conduct a collective bargaining session with union personnel (MassCops Local 200A, Dispatch) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to reconvene in open session only for the purpose of adjournment. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers distributed and reviewed "Town Response to Dispatch CB Proposal 10 May 2012," a copy of which is included with the minutes.

- Selectman Powers informed union that town agreed to removal of all references to "regular part-time employees."

- **Article 10 Overtime/Shift Assignments/Call Back & Call In/Comp Time**
  Section 1 Overtime
  - Union had proposed that all earned time (including sick) be counted towards hours worked in calculation of OT. Selectman Powers informed the Union that town did not agree. Later on in the negotiation session, Dispatcher Santucci explained union's rationale for proposal, stating that if a member had signed up for an open shift (which would normally be paid at time and a half) and that member had been out sick during the same payroll period, that sick day would not count as hours worked and open shift would therefore not be paid at OT… She continued by stating that sick employees would therefore be disincentivized to stay home when sick, for fear of losing OT.

  Section 2 Shift Assignments
  - Union had proposed specifying months when shift assignments are bid and would also like to consider a change in the schedule of shift assignment bidding. Based on input from Chief Ryder, Selectman Powers informed the union that the town did not agree. Union reps clarified that current contract already allowed the union to bid up to 3 times a year and that the union had simply sought to specify those months. Selectman Powers agreed to take the matter back to the Chief for further discussion. Dispatcher Poirier also clarified that this section deals with bidding on actual shifts, e.g. 8 – 3, and not on the open shifts.

- Union proposed that all earned time, not just vacation, be used in half-day increments. Selectman Powers clarified that current agreement allows employees to take personal leave in half-day increments but is silent on sick leave. Selectmen Fox and Powers agreed that it seemed reasonable to allow sick leave to be taken in part day increments and would address in appropriate section of agreement, not under vacation. Team will confer with Chief Ryder on the matter.

- **EMD Certification**
  - Dispatcher Poirier described the certification process. Dispatcher Santucci expressed concern that EMD work was new and had not been previously bargained for.

- **Article 24 – Insurance**
  - Union had proposed that if Town contributes any HRA monies, that members of the unit would receive the same as all other bargaining units in town. Negotiating team explained that town could not include such language in CBA (cannot tie a CBA of one union to that of another union); however, intent is to treat members of all unions fairly. Selectman Powers said that Town Treasurer would send out scenarios which would provide cost examples for "normal" and "high-end" users, and encouraged the dispatchers to speak with the Treasurer regarding their particular situations.

- **Article 30 – Wages**
  - Selectman Fox distributed and explained town's wage proposal, a copy of which is included with the minutes.

Confirmed next session for 10 AM on May 15. Selectmen noted that consideration of articles 5, 6 and 7 would be deferred until last night of town meeting, in case it appeared that an agreement was imminent.

Union reps left at 10:40 AM.

Further discussion by team on EMD. TA suggested addition of language to allay union's concerns about EMD… if EMD were to come in-house, town would open contract only for purpose of considering wages. TA will draft appropriate language.

Meeting adjourned at 11:00 AM.

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RELEASED
11/28/2016

Approved: May 14, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 10, 2012

PRESENT: Selectmen Les Fox and Frank Powers

ALSO PRESENT: Selina Shaw, Town Administrator

Although the meeting had been posted for 7:30 AM, there was a delay in convening. Selectman Powers called the meeting to order at 9:30 AM in the Town Administrator's office and immediately moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch; Massachusetts Coalition of Police, Local 200, Police and Boxborough Professional Firefighters, Local 4601), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Fox "aye;" Powers "aye."

Group briefly reviewed Town's proposed response to Local 200A, and spent the remaining time discussing wage proposal for police and health insurance.

Meeting adjourned at 9:55 AM.

RELEASED
11/28/2016

Approved: 6/11/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 15, 2012

PRESENT: Selectmen Les Fox and Frank Powers and MassCops Local 200A, Dispatch members Brenda Santucci and Michelle Poirier.

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Frank Powers called the meeting to order at 10:03 AM in the Town Administrator's office, Town Hall. Selectman Fox moved to adjourn immediately to executive session to conduct a collective bargaining session with union personnel (MassCops Local 200A, Dispatch) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to reconvene in open session only for the purpose of adjournment. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Brenda Santucci distributed the union's response to the Town's May 10th input, "May 15, 2012 1000 Hrs Negotiation Meeting #3," a copy of which is included with the minutes. Selectman Powers reviewed.

- **Article 10 Overtime/Shift Assignments/Call Back & Call In/Comp Time**
  Section 1 Overtime
  - **Earned time**
    Union would like to include holiday, bereavement and sick as "earned time" for purpose of calculating time and a half. Currently only vacation, compensatory and personal leave are counted. Town's negotiating team responded that this item would be included in topics for caucus.

  - **Held over shift**
    Chief confirmed that this was done only in emergencies.

  - **Duplicate paragraphs related to held over shift**
    Discussed verbiage. Latter paragraph was slightly different and included language related to a public service emergency.

  - **48 hours must elapse between double shifts**
    Union would like to remove this restriction in full. Chief stated that this does not impact operations. Agreed to remove "and forty-eight (48) hours must elapse between double shifts for an EMPLOYEE" but will keep language regarding ability for Chiefs or their designee to waive limits.

Section 2 Shift Assignments

- Town team and union agreed to bidding shifts three times a year and designating the months of bidding… Union will propose language which will also include mutual agreement upon shift bid between Chief(s) and union. Will look at language in Police contract.

- Discussed difference between Article 9 Section 3, which deals with swapping of shift assignments within same week (these are "one-off" temporary swaps) at no additional cost vs language in Article 10 Section 2 which deals with "permanent "swaps under shift assignments. Brenda suggested using terminology "shift bid." Chief will review sections and propose new language.

- Town agreed to withdraw its proposal on May 10 to add "If two or more Employees call for a shift bid, the shift shall be determined at the Chief's discretion."

Section 4 Call Back and Call In

- Union accepted Town's proposed language "Employees who are called in with more than 24 hours notice will be compensated at 1.5 X normal salary. For 'Call Ins' with 24 hours or less notice, Employees will be compensated at 2 X normal salary."

- **Article 13 Vacation**
  - Union requested ability to use all earned time in half day increments. Vacation and personal leave are already covered in CBA. Town team will caucus regarding other leave time (sick, bereavement, etc).
  - **Section 3** Union agreed to Town's proposed language: "Requests with less than seven (7) days notice will not be unreasonably denied."

- **Article 24 Insurance**
  Town team will caucus on insurance split.

- **Article 30 Wages**
  Town team will caucus on wages and shift differential.

- **Article 32 Uniform Allowance**
  Town team will caucus.

- **EMD Certification**
  Dispatcher team expressed concern about apparent inability to transfer individuals who call in on business line and would also like ability to remain on line with those individuals. Also reiterated their concern that they were taking on additional responsibility without being compensated. Town team will examine whether there is a technical solution to deal with the first concern and agreed to propose language for a wage opener if EMD came in-house. Dispatcher team agreed.

Selectman Powers reviewed caucus items: Earned time, shift differential, health care percentage, uniform allowance, EMD certification and wages.

Agreed to set next session for May 29 at 7:30 AM.

Union reps left at 11:00 AM.

Further discussion by team on earned time. Agreed that town would respond by agreeing to allow bereavement and comp time to be taken in ½ day increments; would remain silent on sick leave, not specifying an increment. Revised language would be placed in applicable paragraphs.

Further discussion on inclusion of holiday, bereavement and sick into calculation of earned time for payment of OT.

Chief Ryder clarified that dispatcher's uniform (i.e. non-street clothes) consisted of shirts and jackets. Chief also clarified that new phone system would be able to accommodate 3-way capability.

Discussion related to status of other contract negotiations… TA will prepare memo to be sent to all unions (and non-union reps of IAC) related to future of plan design.

On the 16th, Fire union is due to return its response to town's latest proposal.

Regarding Police, town team still needs to review promotional process and seek input from Chief on order-in and shift bid. Team agreed to move to 1.5% across all steps, stay at 70%-30% for insurance and would consider shift differential.

Meeting adjourned at 12:00 PM

RELEASED
11/28/2016

Approved: 6/11/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 16, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and Firefighter Eoin Bohnert

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 7:33 AM Selectman Fox called the meeting to order and moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Lieutenant Gray reviewed the union's stance on the Town's May 7th counter.

- **Article 12 §1 (Sick Leave Accrual):** The union accepts the town's proposal to increase accrual to 1 day per month of continuous service, for a maximum of 12 days per year.

- **Article 33 (Wages):** The union accepts the town's proposal to increase Lt wages from 12% above top FF step to 13% above top FF step.

- **Article 25 (Uniforms/Gear):** The union agrees to town's proposal of $850 allotment to be used to purchase any items of clothing worn or used in departmental duties. However, the union would like to add "and fire service equipment." Town team will caucus on additional language.

- **Article 8 §8 (Order Ins)**: Stating that union can't take order in until 72 hours before the shift, Lt. Gray said that union would like double time on ALL open shifts. Twenty-four hour trigger was not sufficient. Town team will caucus on this item.

- **Article 15 (Personal Business Leave):** Lt. Gray stated that employees should not have to disclose reason for personal leave and therefore union is concerned about the standards for "unreasonably withheld." Union proposed revising to read "Such leave shall not need prior approval of the Chief unless another member has taken personal leave for the same day."

- **Article 17 (Union Representatives):** Lt Gray offered new proposal that union leave shall be restricted to no more than 10 hours per calendar week, instead of the prior proposal of 24 hours per calendar week. Proposed adding "every other year" (or words so describing same frequency) before "state convention." Also proposed limiting leave for state convention "up to thirty hours leave" after "one person per shift."

- **Article 21 (Training):** Union would like to distinguish between authorized and mandated training and proposed:

    1) maintaining first two sentences in section,
    2) revising existing last sentence to read: "For such authorized classes that are not during normal work hours, Firefighters/EMTs will be paid at their overtime rate", and
    3) adding a final new sentence, "Any mandated or required training outside of normal work hours will be paid at double the employee's normal rate."

- **Article 23 §1 (Insurance %):** To Town's proposed 70%-30% split, Lt. Gray replied that union would like to maintain status quo (75%-25% split). Lt. Gray also asked about town's plan for mitigation in the out years. Selectman Fox distributed TA's May 15th memo re: "Health Insurance Moving Forward."

- **Longevity:** Union agreed to withdraw their proposal.

- **Article 29 (Career Incentive):** Union still feels strongly about their proposal.

- **Article 33 (Wages):** Union is still seeking 4.5% in each of the three years of successor agreement and again commented that they would consider possibility of accepting 4.5% increase incrementally in each of the three years.

- **Article 8 §2 (Work Schedules)**: Selectman Powers explained that with upcoming staffing change, which will include back-up for Town Treasurer, there should not be an issue of requests for early submittal of payroll other than for holidays. Selectman Fox emphasized that town was dealing with operational issue and does not want to revise Agreement.

- **Article 8 §6 (Call Backs)**: Lt. Gray reiterated that union would like to maintain status quo.

Short caucus from 8:40 – 8:45 AM. Chief explained that Town already supplies equipment to FF and recommended that town does not revise Article 25 (Uniforms/Gear) to include "and fire service equipment."

When Union reps returned, Selectman Fox reported on Article 25 and commented that other open items still need further discussion. He also informed Union that Town would revise its wage proposal and provide 1.5% across all steps (instead of freezing and increasing only top step); however, Town was staying with 70%-30% split on insurance.

Parties agreed that a meeting on the 17th would likely not bring closure for Town Meeting, it was agreed to set the next negotiations session for June 5 at 7:30 AM.

Meeting was adjourned at 8:50 AM.

RELEASED
11/28/2016

Approved: 6/11/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 16, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Officer Robert Romilly, Jr.

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 9:03 AM in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Fox "aye;" Powers "aye."

Selectman Powers reviewed open items.

- **Pay raises:** At the previous session on May 9, union reduced their proposed salary request from 4.5% to 4% in each of the three years of the successor agreement. Selectman Fox distributed and reviewed Town's revised wage proposal, a copy of which is included with the minutes. Town proposed a 1.5% increase across all steps in each of the three years of the successor agreement. Sergeants would remain at 11%-13%-15% above the top officer step. Officer Romilly responded that the Town's proposed offer would likely be too low for the union. Town and union agreed to disagree.

- **Order In**: Officer Romilly reiterated that Union was okay with language currently in contract. This will be included in items for caucus.

- **Shift bid:** Union does not accept Town's proposal and would like to maintain seniority priority. This will be included in items for caucus.

- **Health care:** Union does not accept Town's proposal (70%-30% split). Union supports decrease in employee share from 25% to 20%. Town and union agreed to disagree. Officer Romilly asked about mitigation in the out years. Selectman Powers distributed TA's May 15th memo re: "Health Insurance Moving Forward" and mentioned the scenarios regarding health care costs that would be distributed. [Officer Romilly informed the group that Officer Landgren has stepped down as union president and that until an election is held, Officers Romilly and Lavine will "tag team."]

- **Number of steps:** Will be discussed at some future time, likely not for this Agreement.

- **Promotional Process:** Still open. Town has not had the opportunity to review.

- **Shift differential:** Town needs to provide counter proposal.

Agreeing that the parties were still far apart, with no possibility of settling before Town Meeting adjourned, it was agreed to set the next negotiations session for June 14 at 7:30 AM.

Officer Romilly commented that the union may be coming in with a further proposal because of some additional duties that have arisen from recent changes in the department and that the union may want to provide as part of a total package.

Officer Romilly left at 9:30 AM.

Chief Ryder agreed that it would be beneficial to have a process in place for promotions; however the union's proposal was too restrictive to management. On shift assignments, the Chief suggested that perhaps some language could be included that would allow him to change the assignments after a set number of rotations.

Selectman Powers agreed to meet with Chief Ryder to review order-in, shift bids and promotional process.

Meeting adjourned around 10 AM.

RELEASED
11/28/2016

Approved: 6/11/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 21, 2012

PRESENT: Selectmen Les Fox and Frank Powers

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 8:04 AM in the Town Administrator's office and immediately moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200, Police and Massachusetts Coalition of Police, Local 200A, Dispatch), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Fox "aye;" Powers "aye."

Group first discussed open items related to Police CBA.

Chief Ryder reviewed his suggested revisions to Union's proposed promotion process. A copy is included with the minutes.

- *Promotion* and *Notice* – no issues.
- *Eligibility* – Chief believes that this would limit his ability to select the best candidate.
- *Written Examination* – Chief would like to administer exams periodically so he'd always be prepared to tap an eligible officer. Chief does not support union's proposal to be a party to the selection of the testing firm. Stating that the cost of the exam prep class is in excess of $100, the Chief does not support limiting the cost to $50 per candidate.
- *Evaluation* – no issues.
- *Panel Interview* – no issues, but would like to move last line to the disqualification section.
- *Chief's Interview* – no issues. The Chief noted that the officers had no apparent issues with the Chief interviewing an individual with whom he had a personal relationship.
- *Eligibility List* – Team discussed changing the weighted percentages. Decrease written exam from 70% to 50%; increase Sergeant/Lieutenant evaluation from 10% to 15%; increase panel interview from 10% to 15%; increase Chief's interview from 10% to 20%. Chief agreed.
- *Duration of Eligibility* – Chief recommended maintaining the list for three years, with testing every two years.
- *Disclosure* – No issues.
- *Remedy for Prior Notice* – Chief recommended changing title of section to *Disqualification* and moving all language related to disqualification to this section.
- Strike footnote one.

TA distributed Town's Hiring Policy, noting section that deals with applicants with whom Department Head has a personal relationship.

Chief agreed to take action to revise Promotion Process by incorporating revisions as discussed as well as Town's Hiring Policy by reference.

Order In – Chief reiterated his desire to have the ability to staff shifts with an appropriate number of officers, as needed. The existing CBA enables him to order in one officer in an emergency. He would like the ability to order-in in a non-emergency situation. Chief agreed to take the action to provide draft language. Chief noted that he has ordered in only twice this year.

Shift assignments – Chief will draft language to the effect that an employee's request, based on seniority, shall not be unreasonably denied by the Chief. This would give the Chief "veto" power on shifts bid by seniority, as he deemed appropriate in order to manage the department.

Also discussed shift differential. Union had proposed increasing evening shift from $0.53/hr. to $1.00/hr. and overnight shift from $0.88/hr. to $1.25/hr. Town team will propose increase of ≈ 20% to $0.65/hr. for the evening shift, and an increase of ≈ 14% to $1.00/hr. for the overnight shift.

Having completed discussion on the Police CBA, the group reviewed open items in the Dispatch CBA:

- Earned time
- EMD – TA will draft language re: wage re-opener in the event that EMD were to come in-house. Brief discussion on VOIP. Chief confirmed that one-button transfers will be possible.
- Shift differential - Team will propose $0.60/hr. and $0.90/hr. (increase from $0.50/hr. and $0.75/hr. for evening and overnight shifts, respectively)
- Chief will draft language regarding shift assignments
- Health insurance – Team agreed to stay with 70%-30% unless Union accepts 1.5% wage increase in each of three years of successor agreement.
- Uniform allowance – will propose $300/year

Meeting adjourned at 10:00 AM.

RELEASED
11/28/2016

Approved: 6/11/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 29, 2012

PRESENT: Selectmen Les Fox and Frank Powers and MassCops Local 200A, Dispatch members Brenda Santucci and Michelle Poirier.

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Les Fox called the meeting to order at 7:33 AM in the Town Administrator's office, Town Hall and moved to adjourn immediately to executive session to conduct a collective bargaining session with union personnel (MassCops Local 200A, Dispatch) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to reconvene in open session only for the purpose of adjournment. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers distributed "Town's Response to MassCops Local 200A, Dispatch," dated May 29, 2012, a copy of which is included with the minutes. Selectman Powers reviewed.

- **Preamble, Article 1 (Recognition), Article 6 (Seniority) Article 9 (Hours of Work, §§3 & 4)** – All proposed changes had previously been agreed upon.

- **Article 10 - Overtime/Shift Assignments/Call Back & Call In/Comp Time**
  Section 1. Overtime
  - **Earned time**
    Town agreed to specify and add holiday, bereavement and sick to the list of leave already specified and counted as hours worked (vacation time, compensatory time and personal) in calculation of OT. Union reps agreed.

  - **Held over shift**
    Town proposed moving the qualifying language from the third paragraph of §1 ("because of a public safety emergency") to the first paragraph and to delete the 3rd paragraph, which otherwise was duplicative. Union reps agreed.

  - **48 hours must elapse between double shifts**
    Discussed Town's proposed language: "EMPLOYEES are not permitted to work more than sixteen (16) hours in one twenty-four (24) period. Unless waived by the Chiefs or their designee because of a public safety emergency, forty-eight (48) hours must elapse between double shifts for an EMPLOYEE."

Section 2. Shift Assignments

- Town team and union had previously agreed to bidding shifts three times a year and designating the months of bidding… Still waiting for union to propose language, which will also include mutual agreement upon shift bid between Chief(s) and union.

- Further discussion on the difference between Article 9 §3, which deals with swapping of shift assignments within same week (these are "one-off" temporary swaps) at no additional cost vs language in Article 10 Section 2, which deals with "permanent "swaps under shift assignments. Parties agreed to revise related language in Article 10 §2 to read, "EMPLOYEES may be allowed to exchange regular shift assignments with the prior approval of the Chiefs or their designee provided that there is no cost to the EMPLOYER."

Section 3. Assignment of Open Shifts – proposed changes had previously been agreed upon.

Section 4. Call Back and Call In – proposed changes had previously been agreed upon.

Section 6. Order-in Policy - proposed changes had previously been agreed upon.

- **Article 12 - Holidays** - proposed changes had previously been agreed upon.

- **Article 13 Vacation**
  - Union had requested ability to use all earned time in half-day increments. Vacation and personal leave are already covered in CBA. Town team agreed to include language allowing bereavement and comp time to also be taken in half day increments and will include language in appropriate sections of CBA.
  - **Section 3** Union had previously agreed to Town's proposal.

- **Articles 14 (Sick Leave) and 17 Personal Leave) -** All proposed changes had previously been agreed upon.

- **Article 24 Insurance** - Still no agreement

- **Article 30 Wages**
  Town proposed 1.5 % across all steps in each of the three years of successor agreements. Selectman Fox distributed new wage table, which was explained by Selectman Powers. Ms. Santucci commented that dispatchers who are already at top step would need more than just the Town's proposed 1.5% increase. Dispatchers still on steps would receive 1.5% as well as 3.5% step increase. Ms. Santucci proposed that 3 new steps be added over the term of the CBA, adding a new top step and dropping the bottom step each year, maintaining the same number of steps.

  Section 5. Shift Differential
  Town proposed increase from $0.50 to $0.60/hour for evening shift; and increase from $0.75 to $0.90/hour for night shift. Union reps thought this would be acceptable. Will take back to the union.

- **Article 32 Uniform Allowance**
  Town proposed $300 for yearly replacement reimbursement (union had initially proposed increase from $250 to $350). Union reps thought that Town's counter would be acceptable. Will take back to the union.

- **EMD Certification**
  Selectman Powers explained that new VOIP system should allow for one button transfer and monitoring of calls. He distributed draft language relating to compensation if EMD were to come in-house: "The parties agree to re-open this Agreement for the sole purpose of negotiating further on the subject of the

base wages at such time that EMD is no longer provided through an external certified Emergency Medical Dispatch (EMD) resource.". Union reps agreed with proposal.

At 8:10 AM the teams separated to caucus.

- Chief Ryder commented that E-911 systems were expected to be installed at ProEMS on June 15. Concern that there could be some delays and may be necessary for EMD to be done initially in-house. General agreement to propose some compensation on a monthly basis until EMD is fully outsourced. TA took action to discuss appropriate mechanism with Town Counsel.
- Chief would like to remove the 48-hour clause from Article 10 §1 so that it reads: "EMPLOYEES are not permitted to work more than sixteen (16) hours in one twenty-four (24) period unless waived by the Chiefs or their designee because of a public safety emergency.
- Town team is willing to consider additional steps

At 8:35 AM, union returned. Selectman Powers presented new proposed language above, removing the 48-hour clause. Union reps agreed.

Selectman Powers informed union reps that town would agree to consider incremental addition of steps; town will come back with proposed percentage. Selectman Powers also indicated that if town moved in this direction, it would want to maintain 70%-30% split on heath insurance. Ms. Poirier said that union would not agree to reduce their wage proposal (3% in each of three years of successor agreement) if percentage between steps decreased. The sentiment was reiterated by Ms. Santucci. Selectman Fox told the union that the more relief that union can give on health insurance, the more the town can provide for wages, which will helps the members' pensions.

Selectman Powers informed the union that if the EMD was not moved to outsider service provider by July 1, the town would consider a means to treat the union fairly during that interim period.

Agreed to set next session for June 13 at 7:30 AM.

Union reps left at 8:53 AM.

Further discussion by team. Discussed possibility of proposing 2% between the newer steps.

Meeting adjourned at 9:30 AM.

RELEASED
11/28/2016

Approved: 6/1/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
June 5, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and Firefighter Eoin Bohnert

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 7:31 AM Selectman Fox called the meeting to order. Selectman Powers moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Fox distributed and reviewed list of open negotiating items, "Contract with Boxborough PFF Local 4601 Open Items – June 5, 2012," a copy of which is included with the minutes. Some highlights:

- **Article 8 §6 (Call Backs) and §8 (Order Ins)**: awaiting further input from Chief White.
- **Article 9 (Duties):** Selectman Fox distributed and reviewed draft language, a copy of which is included with the minutes. Lt. Gray will take back to union for feedback.
- **Article 21 (Training):** Selectman Fox explained "Town II" position. FF Bohnert expressed union's concern that FT FF/EMTs were being held to a different standard than per diems and were required to attend more training… that Chief expected FT FF to attend **all** drills whereas PT need attend only 36 hours/year, which is half. Chief explained that the 36 hours for per diems had not been a firm requirement in writing, but a standard that he wanted to put in place. Town team will caucus on training.
- **Article 33 (Wages):** Selectman Fox distributed new proposed wage table, which reflects a 1.5% increase across all steps in each of the successor years of CBA. Lt. Gray asked when CBA would be ratified if agreement were to be reached in next week or two and whether wages would be retroactive. Selectman Fox replied that ratification might be in early fall and retroactivity would be subject to negotiation. Lt. Gray will take back to union for feedback.

No further action or discussion on other open items.

Lt. Gray agreed to get back to team with proposed next dates. Union reps then left at 7:55 AM.

Further discussion among town's team, Chief and TA regarding training. Discussed extent of control existing language already gives Chief (both within Article 21, *Training* and Article 27, *Management Rights* and whether it was better to be explicit or implicit. TA took action to pursue matter with Town Counsel.

Article 8 §6 (Call Backs) – Chief would like to hold the line on town's position. General agreement to propose more explicit language: "all mutual aid fire runs only."

Article 8 §8 (Order Ins) - Chief is concerned that union members with use to their advantage, and suggested that town should stay with its position that notice given with less than 24 hours notice would be compensated at double time (as proposed for dispatch)…

Meeting was adjourned at 8:40 AM.

RELEASED
11/28/2016

Approved: 6/11/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
June 6, 2012

PRESENT: Selectmen Les Fox and Frank Powers

ALSO PRESENT: Selina Shaw, Town Administrator

Selectman Powers called the meeting to order at 8:10 AM in the Town Administrator's office. Selectman Fox immediately moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200, Police and Massachusetts Coalition of Police, Local 200A, Dispatch), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Fox "aye;" Powers "aye."

Selectman Fox informed group that due to upcoming business commitment, negotiations session scheduled for June 14 for police would have to be re-scheduled… Later in meeting, it was agreed to propose June 21, with the 26th as back-up. Selectman Powers will inform union.

- TA took action to prepare summary of open items for Police negotiations.
- Promotional process – proposed revisions that had been discussed on 5/21 and reference to town's hiring need to be incorporated. TA took action item (but subsequently learned that Chief had offered to do so).
- Selectman Powers agreed to speak with Chief Ryder regarding order-in and shift assignments.

Next, the group discussed open items for Dispatch:

- Wages, steps and insurance.
- Shift differential and uniform allowance – dispatch union has the action to respond.
- TA will speak with Town Counsel regarding mechanism for compensating dispatchers for EMD responsibilities in interim period before it is turned over and operational with third party contractor.

Meeting adjourned at 8:55 AM.

RELEASED
11/28/2016

Approved: 6/25/12

Town of Boxborough
Board of Selectmen
Executive Session Minutes
June 11, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Vince Amoroso, Member; Bob Stemple, Member; Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator; Joe Niro, FinCom member

The Board convened in executive session in the Town Administrator's office to discuss strategy with respect to collective bargaining with the three town unions. Chair Fox reviewed the status of negotiations, noting that the major disconnect between the parties was wages (Town has proposed 1.5% for each of the 3 years in each of the successor agreements) and health insurance (town has proposed moving from 75%-25% split to 70%-30% split). Selectmen discussed the likelihood of mediation.

Board adjourned at 11:17 p.m.

RELEASED
11/28/2016

Approved: 6/25/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
June 19, 2012

PRESENT: Selectmen Les Fox and Frank Powers

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Due to a meeting earlier in the morning, the start time was pushed back from its 7:30 posting. Selectman Les Fox called the meeting to order at 8:00 AM in the Town Administrator's office, Town Hall and moved to adjourn immediately to executive session to discuss strategy with respect to collective bargaining with union personnel (MassCops Local 200A, Dispatch), noting that to conduct such discussion in open meeting would have a detrimental effect on the town's bargaining position, and to conduct a collective bargaining session with the Dispatch Union, further, to adjourn immediately thereafter. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers distributed *MassCops Local 200A, Dispatch Status at June 19, 2012*, which was discussed and reviewed by the town team. It was noted that "shifts" (fourth paragraph under Article 10 § 2) should read "regular shift assignments." Team also discussed the need to clarify language under "Call in" (Article 10 §4) regarding 24 hours notice. Revised "An EMPLOYEE who is provided with more than 24 hours' notice" to read "...**24 hours or more** notice..." (emphasis added).

MassCops Local 200A, Dispatch members Brenda Santucci and Michelle Poirier joined the BoS team at 8:20 AM for the collective bargaining session.

Selectman Powers distributed hand revised *MassCops Local 200A, Dispatch Status at June 19, 2012*, a copy of which is included with the minutes. Selectman Powers reviewed.

- **Article 10 - Overtime/Shift Assignments/Call Back & Call In/Comp Time**
  Section 1. Overtime
  - Union confirmed agreement to Town's proposed language: "EMPLOYEES are not permitted to work more than sixteen (16) hours in one twenty-four (24) period unless waived by the Chiefs or their designee because of a public safety emergency."

  Section 2. Shift Assignments
  - Union provided language for their revised proposal to bid shifts 3 times a year, specifying those months: "EMPLOYEES will bid shift assignments ~~at least once every six months, (Jan & July) but no more than~~ three (3) times per year, (Jan, May and Sept) unless there is a change in Department personnel that requires further changes to the shift assignments. ~~(A single vote in favor of (3) times per year will trigger the shift bid.)~~" Town team agreed.

- **Article 24 Insurance** – Agreed to disagree

- **Article 30 Wages**
  Agreed to disagree. Town is reviewing contracts in comparable communities and will come back with further response on wages.

  Section 5. Shift Differential
  Town had previously proposed increase to $0.60/hour for evening shift; and increase to $0.90 for night shift. Union agreed.

- **Article 32 Uniform Allowance**
  Town had previously proposed $300. Union agreed.

Agreed to set next session for July 2 at 9:00 AM.

Union reps left at 8:45 AM.

Further discussion by team. Set team only meeting for June 28 at 9 AM.

Meeting adjourned at 9:00 AM.

RELEASED
11/28/2016

Approved:_____

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
June 20, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and Firefighter Eoin Bohnert

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 8:48 AM Selectman Fox called the meeting to order and moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Selectman Fox distributed *Contract with Boxborough PFF Local 4601 Status – June 20, 2012*, a copy of which is included with the minutes. Selectman Fox reviewed the items and sought confirmation of agreement on those items so noted.

- **Article 8 §2:** Lt. Gray confirmed that union had withdrawn its proposal regarding submission of payroll.
- **Article 8 §6 (Call Backs)**: Lt. Gray again questioned why town was seeking to change to "all mutual-aid **fire** runs **only**" and reiterated that union would like to maintain status quo.
- **Article 8 §8 (Order Ins)**: Lt. Gray initially stated that union would like to be compensated at double time at 72 hours notice, but then stated that trigger point should be 48 hours, not 24 as proposed by the town. Town team will caucus on this item.
- **Article 9 (Duties):** Lt. Gray expressed union's concern with: 1) proposed stipend amount and asked why the amount would not be the same as the Call Chief position in the Personnel Plan, and 2) the proposed length of time filling in for Chief before compensation would kick in, stating that Union did not agree with 30 days and thought that compensation should begin immediately in the event of vacation. Town team will caucus on this item.
- **Article 21 (Training):** Selectman Fox explained intent of newly proposed language, which explicitly states that the Chief shall set the training standards. Lt. Gray will take the proposed language back to the union.
- **Article 23 §1 (Insurance %):** Lt. Gray asked why the town was seeking to modify the insurance split to 70%-30% (from 75%-25%). Selectman Fox explained that insurance expense was a fast growing part of the

budget and that the BoS would prefer to be able to offer more on the compensation side, which is pensionable. Selectman Powers also noted that the town had been generous with mitigation plan, and that some employees would be saving money moving forward. Lt. Gray commented that without knowing outcome of potential out year mitigation plan, he believed that the parties were still far from agreement; however, if percentage of salary increase were to change dramatically, then union could consider town's insurance proposal.

- **Article 25 (Uniforms/Gear):** Selectman Fox informed the union team that the town does not agree to union's proposal to add "and fire service equipment" since the town already provides equipment. The union reps commented that they personally purchase some items of equipment, for which they are not reimbursed. Town team will caucus on this item.

- **Job description (Lieutenant):** Lt.. Gray commented that he was drafting.

- **Article 33 (Wages):** FF Bohnert commented that the union was willing to negotiate in conjunction with insurance.

At 9:20 AM the union reps left while the town team caucused.

- **Article 8 §6 (Call Backs)**: Chief commented that exposure was minimal. Selectman Powers suggested that Town would consider status quo as part of a total package.

- **Article 8 §8 (Order Ins)**: Town team agreed to stick with its position to compensate order-ins with 24 hours or more notice at time and a half, and those with less than 24 hours notice at double time.

- **Article 9 (Duties):** Town team agreed to revise definition of a short-term absence to 21 days and to further evaluate the stipend amount.

- **Article 25 (Uniforms/Gear):** Town team agreed to revise its proposal to read: "and fire service equipment subject to approval of the Chief."

At 10 AM, the caucus ended and the FF union reps were welcomed back to the table.

Selectmen Fox summarized the items:

- **Article 8 §6 (Call Backs)**: Town will consider status quo, i.e. removing language related to mutual-aid fire runs only, as part of a total package.

- **Article 8 §8 (Order Ins)**: Town will clarify its proposal so that trigger point is clear (compensate order-ins with 24 hours or more notice at time and a half, and those with less than 24 hours notice at double time).

- **Article 9 (Duties):** Town will revise definition of a short-term absence to 21 days and will further consider stipend amount as part of next step in package.

- **Article 25 (Uniforms/Gear):** TA read the first paragraph of Article 25 §4 with town's newly proposed language: "EMPLOYEES will be allotted a uniform allowance of eight hundred and fifty dollars ($850) each fiscal year. Allotment monies may be used by EMPOYEES to purchase any items of clothing worn or used in departmental duties and fire service equipment subject to approval of the Chief. Allotment monies not used may not be carried into the next fiscal year."
- **Article 33 (Wages):** Town will consider proposing a wage package.

Lt. Gray asked the town team if they were considering the addition of any language related to 111F. Town team informed the union that since this was covered by statute, no language was being considered. Lt. Gray then asked

about the window of time to report an injured on duty incident. The union reps were informed that such incidents must be reported "immediately" as noted in the Chief's Rules and Regulations. The union reps then asked when the rules and regs had been agreed to and they were told that a mass email had been circulated and receipt was acknowledged in January; additionally, the Chief had included mention at the end of a January EMS training.

Parties agreed to set the next negotiations session for Wednesday, July 18 at 7:30 AM, with a back-up date of July 25, same time.

The meeting was adjourned at approximately 10:30 AM.

RELEASED
11/28/2016

Approved: 7/16/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
July 2, 2012

PRESENT: Selectmen Les Fox and Frank Powers and MassCops Local 200A, Dispatch members Brenda Santucci and Michelle Poirier

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Frank Powers called the meeting to order at 9:02 AM in the Town Administrator's office, Town Hall and moved to adjourn immediately to executive session to discuss strategy with respect to collective bargaining with union personnel (MassCops Local 200A, Dispatch), noting that to conduct such discussion in open meeting would have a detrimental effect on the town's bargaining position, and to conduct a collective bargaining session with the Dispatch Union, further; to adjourn immediately thereafter. Seconded by Selectman Fox. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers opened the session by recognizing the diligent efforts of the Local's representatives and informed them that the town team would consider that when looking at the potential retroactivity (to July 1) of the terms of the successor agreement.

Selectman Powers distributed *MassCops Local 200A, Dispatch Status at July 2, 2012*, which was discussed and reviewed. It was noted that the word "service" on page 1 under Article 10 § 1 should be replaced by "safety."

The group reviewed the two open items – Insurance and Wages.

Selectmen Powers distributed a new wage table and explained that it reflected 3.5% between each of the steps from A through F, with 2% between each of the additional steps, G through I. Selectman Fox further explained that the first additional step, G, flowed from F and included 1.5% COLA as did the lower steps.. The BoS team, having reviewed survey data believed that this salary structure would maintain competitiveness with comparable communities.

The town team also noted that in the majority of town's surveyed, the town share of insurance premiums is 70% or lower and that the town's proposal was therefore competitive.

Selectman Powers distributed the concept for a side letter related to Emergency Medical Dispatch, for which the town proposed to offer the union employees $0.15/hour in addition to their base wages during the interim period for which EMD is in-house.

The union reps left to caucus from 9:15 – 9:22 AM.

Upon return, Brenda Santucci reported that the union was prepared to agree to the 70-30% split on insurance, if the town would agree to 2% COLA and 3% between each of the newly proposed additional steps (G, H and I). Furthermore, the union agreed to the concept of the proposed side letter.

The union reps left again and the town team caucused from 9:25 – 9:37 AM and discussed proposed variations to the wage table.

Upon the union reps' return, Selectman Fox said that the town would accept 2% COLA on steps A – F, and would like to come back with a variation on the union's proposal for G, H and I. Seeking to decrease the amount between steps, the town team proposed 2.5% between each of the higher steps plus an additional 0.5% COLA on these steps. Selectman Fox will prepare a new table so reflecting.

The parties tentatively reached agreement on the terms of the successor contract subject to review of the new wage table, which Selectmen Fox will prepare; furthermore, the town team agreed that the terms of the successor agreement would be retroactive to July 1.

Selectman Powers moved to recess the negotiations session until 2 PM and to reconvene at the Police Station to review the final wage proposal; seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

The Union left at ≈9:30 AM.

At 2:04 PM, the group re-convened at the Police Station. All present as before except for Police Chief Ryder and Dispatcher Brenda Santucci.

Selectman Fox distributed two versions of the wage table, one which reflected 3% between each of the extended steps (G, H and I), and the second version reflecting 2.5% between each of the extended steps plus an additional 0.5% COLA on those extended steps. The intention of distributing both tables was to show that the respective wages on each was within a penny of one another. The union representatives held a caucus by phone, after which Michele reported that the Town's proposed 2.5% plus 0.5% COLA for extended steps G, H and I were acceptable.

The town and union agreed that all outstanding matters had been resolved. Negotiations were concluded and the group reviewed the timetable moving forward. TA will incorporate all proposed changes in the successor agreement, send out to the parties for review, and then to Town Counsel, with intention of bringing back to full BoS for ratification and execution on July 16 (subject to Town Meeting authorization).

At 2:11 PM, Selectman Powers moved to adjourn; seconded by Member Fox and approved 2 – 0 by roll call vote: Powers, aye; Fox, aye.

RELEASED
11/28/2016

Approved: 7/16/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
July 2, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Officers Robert Romilly, Jr., Benjamin Lavine and Sergeant Nicholas DiMauro

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 11:00 AM in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Fox "aye;" Powers "aye."

Selectman Powers distributed and reviewed *MCOP Local #200, Police Status at July 2, 2012 with History*, a copy of which is included with the minutes.

- **Order In**: Selectman Powers read revised proposed language.
- **Shift Assignments:** TA read revised proposed language. Officer Lavine commented that he did not think that the union would support.
- **Promotional Process:** Selectman Powers distributed proposed revisions, a copy of which is included with the minutes. Officer Lavine commented that he did not think that the union would support.
- **Shift differential:** Selectman Powers read new proposal from town.
- **Wages:** Officer Lavine commented that the town and union were far apart… the union is still seeking 4% in each of the years of the successor agreement, but may consider spreading out through those years. Officer Lavine, commenting that it was unfair and questioning the legality, also expressed his displeasure about the separate town meeting warrant articles to approve the cost items of the collective bargaining agreements.

Further discussion ensued:

- **Order in:** Union reiterated that they would accept the town's proposal only if the town agreed to minimum staffing.
- **Shift Assignments:** Union reps reiterated their position to maintain seniority… and commented that performance or stagnation issues should be dealt with by other means.

- **Insurance**: Union reiterated their proposal to change split to 80%-20%; Officer Lavine commented that he thought town and union would likely settle at status quo position.

- **Promotional Process:** Officer Lavine commented that he did not think that the union would support. He further expressed that the last exam had been poorly written and was costly ($250). The Chief provided his rationale for some of the proposed revisions. With regard to section 3, Chief Ryder stated that he would not want to preclude the selection of a well-qualified candidate because he had not been with the town for a long period of time. Regarding the firm who would conduct the examination, the Chief commented that the town, not the union, needs to select the consultant. Selectman Powers suggested that the union and the Chief work together on the process and bring back to the table.

- **Shift differential:** Union reps said that they would need to mull over the town's proposed $0.65/hr for the evening shift and $1.00/hr. for the overnight shift.

Selectman Powers asked the union reps if they wanted to continue with the negotiations or proceed with another mechanism (i.e. mediation). Officer Lavine said that the parties should try at least another session. He also commented that out-year (health insurance) mitigation is still an issue and that union's labor counsel has opined that it should be considered in the collective bargaining agreement.

Wrapping up, Selectman Powers reviewed the status of negotiations:

- **Wages:** Town will review
- **Order-in:** No flexibility on part of union
- **Shift assignments:** No flexibility on part of union
- **Insurance:** Perhaps there can be movement
- **Promotional Process:** Will be reviewed by union and Chief
- **Shift differential:** Union thinks it can be resolved and asked for an opportunity to caucus. Within a minute, they returned and proposed $0.75/hr for the evening shift and $1.10/hr. for the overnight shift.

Agreed to set next session at 9AM on July 16.

Union reps left at 11:55. Town team continued to discus:

- **Shift differential:** Town team agreed that they could be flexible on the shift differential.
- **Wages:** Discussed possibility of proposing 2% between extended steps and 2% COLA.
- **Order-in**: Agreed to maintain position at present.
- **Shift assignments:** Agreed to maintain position at present, but to consider giving if necessary.
- **Promotional Process:** Chief will work with union on promotional process.

The meeting adjourned at 12:15 PM.

RELEASED
11/28/2016

Approved: July 30, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
July 16, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Officers Robert Romilly, Jr., Benjamin Lavine and Sergeant Nicholas DiMauro

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 9:00 AM in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Selectman Powers distributed and reviewed *MCOP Local #200, Police Status at July 16, 2012 with History*, a copy of which is included with the minutes.

- **Order In:** Selectman Powers proposed modification to the town's July 2 proposal – include minimum manning language for those shifts on which officers have been ordered in; compensate officers at double time for shifts ordered in with less than 24 hours notice.

- **Shift Assignments:** Town maintains position, allowing final placement on shift to be at Chief's discretion.

- **Promotional Process:** Reviewed language in current contract, which discusses at a higher level, with a somewhat flexible process. Would like Chief and union to continue to discuss outside of the CBA. Officer Lavine opined that current language is too arbitrary. Selectman Powers reminded Lavine that Officer Romilly was the union's spokesperson. Romilly opined that a policy would not have as much force as the CBA.

Selectman Powers presented the union with a **package proposal:**
Town will agree to shift differential of $0.75/hr./$1.10/hr. in conjunction with insurance split of 70%-30% and increase in base wages of 2% per year in each of the 3 years of the successor agreement (up from prior proposal of 1.5%). Selectman Fox distributed table showing the proposed wage increase

Union went out to caucus from ≈9:10 AM – 9:20 AM.

Officer Romilly responded on behalf of the union:

- **Order-in:** Union stands on original response – maintain status quo. Romilly stated that this was the union's last best proposal.

- **Insurance:** 80%-20%, if a separate proposal

- **Proposed package:** Union will drop proposal to increase shift differential and will maintain $0.53/hr/$0.88/hr, in conjunction with 75%-25% insurance split and 3.5% increase to base in each of the three years of the successor agreement.

- **Promotional Process:** Proposed new language, "Prior to commencement of any process, union and Chief will meet and agree on process."

- **Shift Assignments:** Union maintains position – maintain status quo in contract, based upon seniority.

Town caucused from ≈9:25 AM – 9:30 AM.

- **Order in:** Town does not agree.

- **Insurance:** Town does not agree. Maintains 70%-30%.

- **Promotional process:** Chief stated that this was a management right and is not arbitratable.

- **Shift Assignments:** Maintain position… but consider moving if this goes to mediation.

Union returned and Selectman Powers reviewed the Town's position.

- **Order-in:** Town maintains position of double time if ordered-in with less than 24 hours notice and minimum staffing for shifts ordered in. Union does not support.

- **Insurance:** Town maintains position at 70%-30% either as part of a package or as a stand alone item.

- **Wages:** Town maintains position of 2% increase in each of the 3 years of the successor agreement and an increased shift differential of $0.75/hr. for evening shift and $1.10/hr. for overnight shift.

- **Promotional Process:** Town cannot accept mutual agreement since the matter is ultimately the Chief's right.

- **Shift Assignments:** Town maintains position.

Selectman Powers asked Officer Romilly where the union stood overall. Both sides commented that they had presented their best proposal and agreed that the negotiations were at an impasse. The town and union agreed to jointly file for mediation.

The meeting adjourned at 9:45 AM.

RELEASED
11/28/2016

Approved: July 30, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
July 18, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and Firefighter Eoin Bohnert

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 7:30 AM Selectman Fox called the meeting to order in the Town Administrator's office and moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Fox distributed *Contract with Boxborough PFF Local 4601 Status – July 18, 2012*, a copy of which is included with the minutes. Selectman Fox reviewed the items.

- **Article 8 §6 (Call Backs)**: Still unsettled.
- **Article 8 §8 (Order Ins)**: Lt. Gray indicated that he is still working on this.
- **Article 9 (Duties):** Lt. Gray said that union would like to maintain status quo in CBA and withdrew proposal.
- **Article 12 (Sick leave):** Union and town had already agreed to maximum earning of 12 days per calendar year. Union withdrew its proposals regarding pay out and buy back.
- **Article 15 (Personal Business leave):** Selectman Powers clarified that if unreasonably withheld, union could grieve. Lt. Grady will take back to the union again.
- **Article 17 (Union Reps):** Lt. Gray will take back to union again.
- **Article 21 (Training):** Lt. Gray will take back to the union.
- **Article 23 §1 (Insurance %):** Lt. Gray said that union was firm at 75%-25%.

- **Article 25 (Uniforms/Gear):** Lt. Gray said that union agrees to Town's proposed language: "and fire service equipment subject to approval of the Chief."

- **Job Description (Lieutenant):** Town is working on.

- **Article 29 (Career Incentive):** Lt. Gray said that union is still pursuing.

- **Article 33 (Wages):** Town presented on June 5. Lt. Gray said that union is still at 3.5% COLA, but will consider wages and insurance together.

At 7:50 AM the union reps left while the town team caucused.

Selectman Powers suggested that town move to 2% COLA on wages for each of the 3 years of the successor agreement.

At 7:53 AM, Fire union reps returned and Selectman Fox proposed package to union: 2% across all 3 years of the successor agreement; 70%-30% split on health insurance, no career incentive. Lt. Gray said that he would take back to the union.

Parties agreed to set the next negotiations session for Wednesday, July 25 at 7:30 AM.

The meeting was adjourned at approximately 8:35 AM.

RELEASED
11/28/2016

Approved: July 30, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
July 20, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Sergeant Nicholas DiMauro

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 8:22 AM in the Town Administrator's office. Selectman Fox immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Selectman Powers reviewed with the town team *Local 200 – Massachusetts Coalition of Police, Boxborough Police Officers, Package*, a copy of which is included with the minutes. Town team would like to better understand the intent of the union's proposed order-in language.

Sgt. DiMauro was not present for the first portion of the meeting and joined the town's team at the table at 9:02 AM.

Selectman Powers reviewed the union's package proposal.

- **Health Insurance:** Mitigation is already in place for FY 13. In future years, the intent is to consider through the IAC process at the same time for all unions as well as non-union employees. Town will look into the possibility of including by reference a notation regarding the out-years.

- **Order In**: Selectman Powers asked Sergeant DiMauro to explain the union's concerns. DiMauro explained that the union did not understand the need for additional language and had no problem with order-ins as long as the Chief went through the process and exhausted all other options. The Sergeant also explained that the union would like to keep special events in a section distinct from staffing shortage. The union included the sunset clause after one year because the members would like to understand the impact of the section and address as necessary before the end of the contract term.

- **Shift Assignments and differential:** Town will consider as part of a complete package.

- **Wages:** Selectman Powers distributed a revised version of the wage table that that had been included in the union's proposal. Wages for FY 15 had been incorrectly calculated by the union and were corrected by Selectman Fox. Selectman Powers also distributed the town's wage counter: 2% COLA for each of

the three years of the successor agreement (FY 13 – FY 15), with 3.5% between steps A1 and F and between each of the extended steps (G, H and I).

Sergeant DiMauro said that the union had looked at the premiums and a 5% increase in the employee share results in a loss of money to the union.

Town team explained the newly proposed wage table; further discussion related to mitigation.

Agreed to meet again on Friday, July 27 at 10 AM. [Team will meet at 9:30 AM]

The meeting adjourned at ≈10 AM.

RELEASED
11/28/2016

Approved: July 30, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
July 25, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and Firefighter Eoin Bohnert

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 7:31 AM Selectman Fox called the meeting to order in the Town Administrator's office and moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Lieutenant Gray reviewed union's position on items:

- **Article 8 §6 (Call Backs)**: Union is holding back to see where other items fall.
- **Article 8 §8 (Order Ins)**: Union agrees to town's proposal.
- **Article 9 (Duties):** Union withdrew their proposal on July 20.
- **Article 12 (Sick leave):** Completed.
- **Article 15 (Personal Business leave):** Union agrees to town's proposal, "Such leave shall be taken with the prior approval of the Chief which shall not be unreasonably withheld."
- **Article 17 (Union Reps):** Union withdraws its proposal. Maintain status quo in CBA.
- **Article 21 (Training):** Union withdraws its proposal. Maintain status quo in CBA.
- **Article 23 §1 (Insurance %):** Union will consider 70%-30% as part of a complete package.
- **Article 25 (Uniforms/Gear):** Completed.
- **Job Description (Lieutenant):** TA will send Chief samples from other towns.

- **Article 29 (Career Incentive):** Union is still considering as part of a complete package.

- **Article 33 (Wages):** Union is still at 3.5% COLA, town is at 2%.

Lt. Gray presented a package proposal on behalf of the union:
- 4% COLA in each of the three years of the successor agreement
- 70%-30% split on health insurance
- 3 new top FF steps with 2.5% between each of the steps; drop lower step as new one is added each year (maintain total of 6 steps)
- Career incentive – union is prepared to drop if all else is agreed to.

At 7:45 AM the union reps left while the town team caucused.

Town team discussed a proposed counter package to be comprised of:
- 3% between upper steps, broken down as for dispatch with 2.5% plus 0.5% additional COLA
- 70%-30% split on health insurance
- Retroactive to July 1

Recounted items that town had already given:
- **Uniform allowance**: increase of $100 to $850/year and inclusion of "and fire safety equipment subject to the approval of the Chief."
- **Sick days:** 2 additional per year
- **Order**-in: Double time for those with less than 24 hours notice
- **Wages (Lieutenant):** increase in base from 12% above top FF step to 13% above top FF step.

At 8:08 AM, Fire union reps returned and Selectman Fox provided a recap on what the town had already given:
- **Uniform allowance**: increase of $100 to $850/year and inclusion of "and fire safety equipment subject to the approval of the Chief."
- **Sick days:** 2 additional per year
- **Order**-in: Double time for those with less than 24 hours notice
- **Wages (Lieutenant):** increase in base from 12% above top FF step to 13% above top FF step.

Selectman Fox then proposed package to union:
- 2% COLA in each of the three years of the successor agreement; 3.5% between steps A - F
- 3 new steps G, H and I, 2.5 % between each of the new steps plus an additional 0.5% COLA on the extended steps. Selectman Fox explained that this was also beneficial to Lieutenants since their salary is tied to top FF step.
- Retroactive to July 1

Parties agreed to set the next negotiations session for Wednesday, August 1 at 7:30 AM.

Union left at 8:20 AM.

Some further discussion ensued and the meeting was adjourned at approximately 8:45 AM.

RELEASED
11/28/2016

Approved: July 30, 2012

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
July 27, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Sergeant Nicholas DiMauro

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 9:30 AM in the Town Administrator's office. Selectman Powers immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Team reviewed draft language for Town's counter to union's proposed order-in language with Town Counsel, Joe Fair (via phone). Attorney Fair advised the town team that order-in was a core management right enabling the Chief to run the department. Attorney Fair worked with the team to revise counter language that had been drafted by the Chief. "Public Safety Event" was revised to read "Community Event". Definition was expanded to include "An event". A copy of the newly revised language is included with the minutes. Team agreed that there should be no sunset provision; compensation for emergencies and staffing shortages should remain at 1.5 times regular wages if 24 hours or more notice is given; and double time if less than 24 hours notice is given; order-in for community events should be at double time regardless of notice period.

Sgt. DiMauro was not present for the first portion of the meeting and joined the town's team at the table at 10:12 AM.

Selectman Powers distributed the town's proposed language regarding health insurance and explained that the town could not go any further; future premium costs are unknown.

Order-in: Selectman Powers presented town proposal for compensation for emergencies and staffing shortages: 1.5 times regular wages if 24 hours or more notice is given; and double time if less than 24 hours notice is given. Selectman Powers read the definition for "community event" and proposed compensation for this type of order-in at double time regardless of notice period. Selectmen Powers also explained that town did not support sunset clause… union would be required to negotiate in the successor agreement. Sergeant DiMauro voiced his concern regarding lack of sunset clause; union would like to understand the impact of the "community event" section and address as necessary before the end of the contract term.. Selectmen Powers reiterated that town does not support sunset clause and also noted that proposed change to order-in is part of complete package.

Shift Assignments and differential: Town will consider as part of a complete package.

Wages: Selectman Powers reviewed the town's wage proposal that had been presented on July 20: 2% COLA for each of the three years of the successor agreement (FY 13 – FY 15), with 3.5% between steps A1 and F and 2% between each of the extended steps (G, H and I).

Sergeant DiMauro said that the union had run the numbers and that with increased premiums and town's proposed wage increase, members would net only $500/year. Discussion ensued regarding basis of premium calculations used. TA will confirm amount of insurance premiums with Town Treasurer.

Sergeant DiMauro reviewed union's proposal: 3.5% between all steps (A1 – I) and 2.5% COLA. He also proposed a firearms stipend at $500/officer/year and payment of uniform/cleaning allowance in one check ($1,450) on July 1 (vs. existing system which requires reimbursement and approval of expenses by the Chief).

Agreed to meet again on Thursday, August 2 at 7:30 AM.

Sergeant DiMauro left at 10:30. Further discussion among town team regarding wages, insurance, and newest proposal. Team does not agree to firearms stipend, payment of uniform/cleaning allowance in one check on July 1 or 2.5% COLA.

The meeting adjourned at ≈11 AM.

RELEASED
11/28/2016

Approved:_____

Town of Boxborough
Board of Selectmen
Executive Session Minutes
July 30, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Vince Amoroso, Member; Bob Stemple, Member; Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

Immediately after Chair Fox called the meeting to order at 7:01 PM in the Town Administrator's office, Selectman Suleiman moved to adjourn to executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch), and to reconvene in open session in the Grange Meeting Room to continue with the business on the agenda. Seconded by Selectman Powers. **Approved 5 – 0** by roll call vote: Suleiman "aye," Fox "aye," Powers "aye," Stemple "aye," and Amoroso "aye." The Chair stated: "An open meeting may have a detrimental effect on the bargaining position of the Board."

The TA distributed "Successor Agreement between the Town and Massachusetts Coalition of Police, Local 200A – Dispatch, July 1, 2012 – June 30, 2015" which provided a summary of the changes between the agreement just ended on June 30, 2012 and the proposed successor agreement and "TOWN OF BOXBOROUGH DISPATCH SALARY AND SHIFT ANALYSIS SUMMARY- NEW SUCCESSOR AGREEMENT", which provided the data related to the maximum cost impact of the successor agreement.

BoS discussed the potential cost impact of the successor agreement (just under $17,000), almost two-thirds of which was attributable to giving the first right of refusal to the full time dispatchers to all open shifts (previously the full-timers had the first right of refusal only to those shifts arising from earned time used). TA confirmed that budget presented at Town Meeting included step increases for all Dispatchers (except for Supervisor, who will be on new extended step G).

Selectmen asked the potential additional cost to the taxpayer. TA will provide information as a follow-up.

At 7:35 PM, the selectmen adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business in open session.

RELEASED
11/28/2016

Approved: 9/10/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
August 1, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and Firefighter Eoin Bohnert

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 7:45 AM Selectman Fox called the meeting to order in the Town Administrator's office and moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Before the union members joined at 8 AM, the negotiating team discussed and reviewed the status of negotiations.

Selectman Fox distributed and reviewed *Contract with Boxborough PFF Local 4601 Status – August 1, 2012*, a copy of which is included with the minutes.

Negotiating team and union agreed that job description should not be part of the CBA.

Negotiating team and union agreed that the first sentence in the second paragraph of Article 33 should be revised to refer to "the first step", not "Step 1".

At 8:12 AM, the union asked for a caucus. Town team discussed order-in. TA asked how potential financial impact of proposed order-in language would be calculated. Chief suggested using 12 shifts at 10 hours per shift at Jon's rate. TA calculated the difference between time and a half and double time for 12 shifts to be just over $1,800.

Union returned from caucus at about 8:30 AM. Lt. Gray asked for clarification on steps. After further discussion, the sides agreed to a tentative recess until 1 PM on 2nd August and at 8:40 AM, the union reps. left. Town team continued discussion on wages and declared a recess at 8:55 AM as moved by Selectman Powers, seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Town's negotiating team reconvened at 1PM on 2nd August, as moved by Selectman Powers, seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers expressed concern about the financial impact of COLA on the extended steps. Team agreed the numbers needed further review and discussion with remainder of BoS.

PFF members Lieutenant Shawn Gray and Firefighter Eoin Bohnert were invited in at 1:22 PM. Selectman Fox explained that the town team was pleased with the progress that had been made, but was concerned that due diligence had not been completed and that the team may have stepped beyond the guidelines that had been established by the BoS and FinCom… that the Board's endorsement of the CBA terms was required. Selectman Powers added that the team did not want the BoS to be split in their endorsement of the CBA and also expressed concern about the FinCom's support.

Union reps commented that they were in agreement with all terms except the extended steps (G – I); they would like a COLA of 0.5% in year 1 and 2.5% COLA's in each of years 2 and 3.

Meeting adjourned at ≈1:30 PM.

RELEASED
11/28/2016

Approved: 9/10/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
August 2, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Sergeant Nicholas DiMauro and Police Officer Robert Romilly, Jr.

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 7:32 AM in the Town Administrator's office. Selectman Fox immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, Police as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200, Police), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Before the police union reps arrived at 7:34 AM, town team briefly discussed strategy moving forward and agreed to open up discussions with health insurance.

Selectman Powers kicked off the discussion regarding health insurance. Sgt. DiMauro said that he understood the numbers but was concerned that the town's analysis looked only at premiums and did not factor in co-pays. Selectman Powers explained that it is difficult to factor in the co-pays which vary so widely per employee and that mitigation was intended to alleviate some of the financial burden of the co pays.

Discussed proposed step percentage between G, H and I at 2%.

Sgt. DiMauro reported that the Union is firm in its desire for a sunset clause on special events, and is seeking 3.5% step increase on steps G – I as well as an additional COLA of 2% on those steps.

Town team caucused from 7:50 – 8:03 AM.

Agreed to counter with 2.5% between each of the extended steps (G – I) and an additional COLA of 0.5% on those steps. Discussion on order-in. Initially discussed offering time and a half for 24 or more hours' notice and double time for less than 24 hours' notice. Chief did not support and said that the order in was not a big deal but would have been nice. Group then discussed offer of order in (as stated above) without sunset clause; if not acceptable to union, town will withdraw proposal and revert to status quo.

When union reps returned, Selectmen Powers reminded them of monetary value of increase in shift differential (≈ $450). Selectman Powers then presented the union with the town's proposed package:

- Order-in, with no sunset clause
- Wages: 3.5 % steps and 2% COLA for steps A1 – F; increase previous offer on steps G - I from 2% steps to 2.5% steps and 0.5% additional COLA.

Sgt. DiMauro confirmed that Union's proposal for firearms training stipend and combined uniform and cleaning allowance to be paid in one check were off the table. Sgt DiMauro informed town team that union is adamant about sunset clause and that they are considering the insurance.

Selectman Powers explained that packages must be taken to Town Meeting for approval of funding and (Town) team is concerned about the risk of FinCom squashing the deal.

Town team agreed to provide updated wage tables. At 8:20 AM, Selectman Fox moved to recess and reconvene at 2:30 that afternoon; seconded by Selectman Powers and **approved 2 – 0** by roll call vote: Powers, "aye;" Fox "aye."

At 2:30 PM, the parties reconvened in the TA's office. Selectman Powers explained to union reps that the town team needed to thoroughly review each item in the package and confirm with the full BoS that team was acting in accordance with the guidelines that had been set. Selectman Powers sought input from Sgt. DiMauro on the package that had been proposed by the town. Union is seeking: 1) sunset clause on order-in and would like to evaluate again in 3 years; 2) add'l 1.0% COLA on extended steps G, H and I; 3) retroactive to July 1, 2012.

Union reps left at 2:40 PM. Town team continued to discuss wages and will look at impact of providing a uniform COLA of 2% across the board and 2.5% on steps G, H and I.

The meeting adjourned at 3 PM.

RELEASED
11/28/2016

Approved: 9/10/12

Town of Boxborough
Board of Selectmen
Executive Session Minutes
August 27, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Vince Amoroso, Member; Bob Stemple, Member; Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

Chair Fox convened executive session at 10 PM in the Town Administrator's office to discuss strategy with respect to collective bargaining (Boxborough Firefighters, Local 4601and MassCops Local 200 – Police).

Chair Fox introduced the matter and distributed a spreadsheet showing the potential cost impact of the CBA with the firefighters over the three year term (July 1, 2013 – June 30, 2015). The selectmen provided guidance on the parameters of the successor agreement and directed the negotiating team not to exceed the model which reflected a uniform 2% COLA across all steps and an average increase of 3.27%.

At 10:40 PM, Selectmen Suleiman left and Chair Fox distributed a similar spreadsheet for the police. The selectmen directed the negotiating team to aim for the model which reflected an average increase of 3.14%.

Copies of the above-referenced spreadsheets have been included with these minutes.

The meeting adjourned at 10:50 PM.

RELEASED
11/28/2016

Approved: 9/10/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
September 5, 2012

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and Firefighter Eoin Bohnert

ALSO PRESENT: Fire Chief Randolph White and Town Administrator Selina Shaw

At 7:32 AM Selectman Fox called the meeting to order in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with union personnel (Boxborough Professional Firefighters, Local 4601) as well as to discuss strategy with respect to collective bargaining with union personnel, noting that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Fox distributed and reviewed *Contract with Boxborough PFF Local 4601 Status – September 5, 2012*, a copy of which is included with the minutes. Selectman Fox updated the union and reported that the town team had met with the full Board of Selectmen to seek further guidance on the financial terms of the successor agreement. Based upon the Board's direction, the team is proposing 1% COLA on steps G – I for all years of the CBA. Selectman Fox distributed and explained the new wage table, dated September 5, 2012, a copy of which is included with the minutes.

Union caucused from 7:40 – 7:47 AM.

Union returned and Lt. Gray said that the union supported 2.5% between each of steps G – I and the 70%-30% insurance split; however, union would like 2% COLA on the extended steps and would like to maintain status quo on Article 8, §6 (Call Back). Union also agreed to withdraw career incentive proposal.

Town caucused from 7:50 – 8:01 AM.

Discussed guidelines from BoS. Best town can do is COLA of 1.0% - 1.5% - 1.5% for G, H, and I over the three years of CBA. Also discussed call back. Chief expressed concern that although it is very rare to do mutual aid on ambulance runs, current language in CBA does not give him the ability to curb.

Union was invited back in and Selectman Fox presented the reps with the town's best offer: COLA of 1.0% - 1.5% - 1.5% for G, H, and I over the three years of CBA. Town would also agree to maintain status quo on call back language and no career incentive.

Union caucused from 8:03 – 8:07 AM.

Union returned and Lt. Gray countered with 1.5% for steps G, H and I for each of three years of successor agreement.

Town caucused from 8:08 – 8:12 AM.

Discussed union's counter, which is limit of what the BoS authorized. Further discussion regarding mutual aid ambulance runs. Chief had no data on number of runs over any period of time.

Union was invited back in and informed the union that the town team would accept 1.5% COLA but was concerned about potential budget impact if call back language is not revised as proposed by the Chief. Union said the amount budgeted is a blind amount… that mutual aid call volume in general has been down since Acton has a second ambulance… that existing language allows for potential coverage (assuming FF respond to call back) at the station when ambulance is out… Chief responded that department does not have supplemental staff on hand at station when ambulance goes out on mutual aid… FF Bohnert said that the risk is small since the FT FF wouldn't necessarily come back, most live too far away…

Town caucused from 8:18 – 8:26 AM.

Further discussion by team regarding call back. Selectmen Powers and Fox agreed that there has been no evidence to support the risk to the town and will ask the Chief to closely monitor.

Union was invited back in and informed by Selectman Fox that the team will accept the package as discussed, and would withdraw proposal to revise call back… that Chief will closely monitor.

TA inked up changes on *Contract with Boxborough PFF Local 4601 Status – September 5, 2012*; Selectman Fox initialed agreement on behalf of town; Lt. Gray initialed on behalf of FF union. [Copy is included in exec session material for September 10, 2012]. TA explained process moving forward: she will incorporate revisions in Agreement, send to union and BoS team members, and Town Counsel for review, with intent to take Agreement to BoS for ratification and execution on September 24, subject to town meeting approval of the appropriation necessary to fund the cost items of the first year of the Agreement.

Meeting adjourned at 8:36 AM.

RELEASED
11/28/2016

Approved: 9/10/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
September 6, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Sergeant Nicholas DiMauro, Officers Robert Romilly, Jr. and Benjamin Lavine

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 7:30 AM in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, Police as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200, Police), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Selectman Powers began by explaining that the town team had reviewed their notes… the wage table that had been distributed the last time had errors which had now been corrected… the team met with the Board of Selectmen and received clear guidance on how to proceed.

Selectman Powers had planned to begin with a review of order-in but Sgt. DiMauro requested to start with wages. Selectman Fox distributed a new table: 3.5% between steps for A1 – F and 2 % COLA; 2.5 between steps for G – I and 1% COLA, which Selectman Powers stated corresponds to the input the team heard from the union. While Officer Lavine reviewed calculations, Selectman Powers presented town's offer on order-ins:

> For emergency or staffing shortages: 1.5x normal rate if 24 or more hours' notice is provided and 2x normal rate if less than 24 hours' notice is provided.
>
> Sunset clause: town will agree that section related to community events will expire and be subject to negotiations at end of CBA term, i.e. 3 years.
>
> Sgt. DiMauro responded that notice should be changed to 72 hours; 24 hours is too narrow… then proposed (for community events): 1.5x normal rate if 48 or more hours' notice provided and 2x normal rate if less than 24 hours' notice is provided.

Town caucused from 7:43 – 7:48 AM.
Discussed order-ins… Unclear on what union is seeking for emergencies (2x for < 24 hours' notice?)

Union returned and Sgt. DiMauro questioned wage calculations. Selectman Powers explained that step increase is calculated first and then COLA… Sgt. DiMauro then commented that main issue is health insurance. Selectman Fox explained to union that town team had been given very clear guidance on parameters by BoS; Selectman

Powers followed up by stressing importance of a unified BoS vote; a split vote would not be well-viewed at Town Meeting.

After another brief caucus from 8:12 – 8:19 AM, Selectman Powers moved to recess and reconvene at 1:00 PM that afternoon; seconded by Member Fox and **approved 2 – 0** by roll call vote: Powers, "aye;" Fox "aye."

At 1:04 PM, the parties reconvened in the TA's office. (Officer Lavine arrived late). Sgt. DiMauro informed the town team that the union is in agreement to everything except COLA on G - I... Union would like an additional 0.5% on those numbers. The Union provided three numbers:

FY 13, Step G at $26.55
FY 14, Step H at $27.50
FY 15, Step I at $28.75

It was unclear to the town team what the union was proposing for the remaining steps in FY 13 – 15. After much discussion among the parties on the calculations, there were two further caucuses from ≈ 1:15 – 1:25 PM and 1:35 – 1:50 PM, during which the town team discussed the wage calculations and prepared a revised table based upon their understanding of what the union had proposed. When the union returned after the second caucus, the town distributed a revised wage table, a copy of which is included with the executive session materials for September 10, 2012. The parties agreed to the dollar amounts in the table as well as the other financial items that had been discussed (including insurance at 70%-30% split, shift differential at $0.75/hr. for evening shift and $1.10/hr. for overnight shift) to be retroactive to July 1, 2012.

The parties agreed to meet at 7:30 AM on Wednesday, September 12 to review agreed-to-terms and finalize agreement.

The meeting adjourned at 2 PM.

RELEASED
11/28/2016

Approved: 10/15/12

Town of Boxborough
Board of Selectmen
Executive Session Minutes
September 10, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Vince Amoroso, Member; Bob Stemple, Member; Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

Chair Fox convened executive session at 9:10 PM in the Town Administrator's office to consider the purchase of real estate (593 Massachusetts Avenue and 530 Massachusetts Avenue) and to discuss strategy with respect to collective bargaining (Boxborough Firefighters, Local 4601and MassCops Local 200 – Police).

TA provided background on 530 Mass Avenue ("Paolini property"), located next to the police station. BoS had previously discussed in December 2011, but the matter had advanced no further than a site walk by Selectman Fox, the Town Planner and Police and Fire Chiefs. The Planner and Chiefs agreed that existing parking for police and fire facilities could possibly be relocated to the parcel to allow adequate space for a future joint public safety facility to be built where police and fire stations are currently located. Chair Fox further described the site, the front of which is potentially buildable, the back of which is wet. The BoS agreed that they might consider at a "fire sale" price and that BoS Chair, Town Planner and TA should meet with the owner to see what he may propose.

The Board then discussed the property located at 593 Massachusetts Avenue, adjacent to the DPW. The Board requested further information regarding the buildability of land behind DPW and the tax bills for both properties. The BoS also agreed to explore potential interest in the property by the DPW and others and then to determine appropriate next steps based upon the input received.. As with the Paolini property, there little inclination to expend much on the parcel.

Chair Fox reported that the negotiating team had reached agreement with the Firefighters, subject to the Board's ratification of the agreement and Town Meeting's authorization of the cost items of the first year of the contract. Agreed terms as indicated in "Contract with Boxborough PFF Local 4601 Status – September 5, 2012" were distributed with as executive session materials and are included with the minutes.

Selectman Suleiman left at 9:40 PM and the Board discussed the Police CBA. It was reported that the team was close to reaching agreement with the Police. Parties had agreed to wages, with lower steps at 2% COLA, and 3.5% between steps; extended steps at 2.5% with 1.5% COLA; shift differential at $0.75/hour (evening) and $1.10/hour (overnight); combined cleaning and clothing allowance and health insurance at 70%-30% split. Parties had set another meeting for September 12 to finalize agreement.

The meeting adjourned at 10:00 PM.

RELEASED
11/28/2016

Approved: 10/15/12

Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
September 12, 2012

PRESENT: Selectmen Les Fox and Frank Powers; Police Sergeant Nicholas DiMauro, Officer Robert Romilly, Jr.

ALSO PRESENT: Selina Shaw, Town Administrator and Police Chief Warren Ryder

Selectman Powers called the meeting to order at 7:31 AM in the Town Administrator's office and immediately moved to adjourn to executive session to conduct a collective bargaining session with the Massachusetts Coalition of Police, Local 200, Police as well as to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200, Police), noting that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter. Seconded by Selectman Fox and **approved 2 – 0** by roll call vote: Powers "aye;" Fox "aye."

Selectman Powers distributed "MCOP Local #200, Police Status at September 12, 2012" and reviewed proposed changes to Article 11 (Hours of Work). Sergeant DiMauro proposed a further revision (elimination of "staffing or" in new paragraph to be added to section 3). After further review, the parties agreed to the revisions.

The town and union agreed that all outstanding matters had been resolved. Negotiations were concluded and the group reviewed the timetable moving forward. TA will incorporate all proposed changes in the successor agreement, send out to the parties for review, as well as to Town Counsel, with intention of bringing back to full BoS for ratification and execution (subject to Town Meeting authorization) on September 24.

The meeting adjourned at 8:03 AM

4a

RELEASED
11/28/2016

Approved: OCT 22, 2012

Town of Boxborough
Board of Selectmen
Executive Session Minutes
September 24, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Vince Amoroso, Member; Bob Stemple, Member; Raid Suleiman, Member

ABSENT: Raid Suleiman, Member

ALSO PRESENT: Finance Committee members Karim Raad (Chair), Neal Hesler, Dilip Subramanyam, Susan bak, Jeff Scott and Jim Ham and Selina Shaw, Town Administrator

Chair Fox convened the executive session in the Town Administrator's office at 7:03 PM with members of the Finance Committee also present to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200, Police and Boxborough Professional Firefighters, Local 4601).

TA distributed summaries of the changes between the agreements just ended on June 30, 2012 and the respective proposed successor agreements as well as summaries reflecting the maximum cost impact of the first year of each of the successor agreements. BoS Chair Fox distributed "First year (FY13) CBA budget summary" along with accompanying information for each of the three town unions and reviewed and explained the summary spreadsheet. FinCom Chair expressed concern that the model has been shifted upwards; Jim Ham expressed concern about the step structure. BoS Chair reviewed the town's negotiating strategy and the ensuing negotiations that took place over the course of 8 + months. FinCom members will review data and discuss further.

At ≈ 8:20 PM, the selectmen adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business in open session.

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RELEASED
11/28/2016
with Redactions

Approved: Oct 22, 2012

Town of Boxborough
Board of Selectmen
Executive Session Minutes
October 15, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Vince Amoroso, Member; Bob Stemple, Member; Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

Chair Fox convened executive session at 9:30 PM in the Town Administrator's office to consider the purchase of real estate [redacted]530 Massachusetts Avenue).

Chair Fox described the property located at [redacted]d that [redacted]

Board then discussed property at 530 Mass Avenue ("Paolini property"), located next to the police station. Chair Fox reported on the meeting among the owner, the Town Planner, TA and himself. Similar discussion as with 593 Mass Avenue. General agreement that latter property has greater potential. As with [redacted] Selectmen agreed that owner should be asked directly what he is seeking from the town.

Selectman Amoroso agreed to assist with negotiations.

The meeting adjourned at 10:07 PM.

RELEASED
11/28/2016

Approved: 1/14/13

Town of Boxborough
Board of Selectmen
Executive Session Minutes
December 3, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Vince Amoroso, Member; Bob Stemple, Member

ALSO PRESENT: Joseph Fair, Town Counsel; FinCom members Karim Raad (Chair) Neal Hesler, Dilip Subramanyam, Susan Bak and Jeff Scott; John Fallon, Moderator and Selina Shaw, Town Administrator

ABSENT: Raid Suleiman, Member

The Board convened in executive session to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch; Massachusetts Coalition of Police, Local 200, Police; Boxborough Professional Firefighters, Local 4601). Attorney Joe Fair distributed and discussed MGL ch 150E S7b, the "collective bargaining statute" which states that the selectmen are obligated to submit to town meeting the cost items of the CBA's that have been negotiated between the parties. Attorney Fair emphasized that town meeting's role is to vote only on the appropriation request (for the first year of the CBA's; funding in subsequent years is dealt with through town meeting's approval of the budget in those years), NOT on the terms and conditions of the CBA's. Attorney Fair continued by explaining that if funding were not approved, then the CBA's would be returned to the parties for further bargaining. Attorney Fair also noted that if town meeting voted a lesser amount of funding, that in essence was a rejection of the appropriation request and the CBA's would be retuned to the parties for further negotiation. A lesser amount would serve only to give the BoS some guidance on an amount that town meeting might tolerate. The discussion moved on to staffing models, and Attorney Fair informed the group that staffing is an executive decision, not one for town meeting. However, by authorizing an appropriation, town meeting could be seen to indirectly influence staffing model. Attorney Fair explained that if funding were not supported, then existing agreement would remain in effect (assuming there is an evergreen clause in the CBA). Attorney Fair reviewed the process if CBA's were not funded:

- Parties would return to table to negotiate to resolution or impasse
- If impasse, would move to mediation
- If still no agreement, then police and fire would go to (binding) arbitration, or fact-finding for dispatch. Attorney Fair explained that "binding" means only that BoS is obligated to submit the arbitrator's decision to town meeting; it is not binding on town meeting to accept. Attorney Fair also clarified that recourse of police and fire (and dispatch) is only to go back to the table; without a contract, the union has no basis to sue.

At ≈ 7:40 PM, the selectmen adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business in open session.

RELEASED
11/28/2016

Approved: 1/14/13

Town of Boxborough
Board of Selectmen
Executive Session Minutes
December 17, 2012

PRESENT: Les Fox, Chair; Frank Powers, Clerk; Vince Amoroso, Member; Bob Stemple, Member

ALSO PRESENT: Selina Shaw, Town Administrator

ABSENT: Raid Suleiman, Member

The Board convened in executive session in the Town Administrator's office to discuss strategy with respect to collective bargaining (Massachusetts Coalition of Police, Local 200A, Dispatch; Massachusetts Coalition of Police, Local 200, Police; Boxborough Professional Firefighters, Local 4601) and reviewed and discussed draft STM presentation slides provided by Chair Fox.

At ≈ 7:40 PM, the selectmen adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business in open session.