

**Boxborough Selectmen Executive Session Minutes of 2013
Released on November 28, 2016**

Meeting of:

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RELEASED
11/28/2016

Approved: January 28, 2013

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
January 14, 2013**

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

ALSO PRESENT: Selina Shaw, Town Administrator

At 9:10 PM, 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).

Chair Fox led off the discussion recounting the tenor of and the actions taken at special town meeting with respect to the three collective bargaining agreements. The selectmen reviewed the process moving forward and agreed that it would be helpful to meet with the Finance Committee to get a sense of what they might support at a future town meeting. Next step would then be to meet with the collective bargaining units (CBU's) and seek their proposals, and then if no agreement, move as quickly as possible to the Joint Labor Management Committee (to pursue mediation and arbitration as necessary).

There was generally agreement among the selectmen that 1% across all steps and progression to the next step for those so eligible was a reasonable starting point for renewed negotiations.

Brief discussion regarding CPI-U through the years.

TA will prepare a "cheat sheet" to be distributed to the CBU's describing the process moving forward.

At \approx 10:10 PM, the selectmen adjourned from executive session.



RELEASED
11/28/2016

Approved: Feb 4, 2013

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
January 28, 2013**

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

ALSO PRESENT: FinCom members Karim Raad (Chair) Neal Hesler, Dilip Subramanyam, Susan Bak and Jim Ham and Selina Shaw, Town Administrator

ABSENT: Raid Suleiman, Member

The Board convened in executive session at 6:30 PM 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).

BoS Chair Les Fox led the discussion with a review of the January 7th special town meeting. There was general agreement that the voters viewed the agreements as too rich. Although the total incremental dollar amounts of the CBA's were small, the COLA and steps combined were viewed to provide a percentage increase that was too large. The selectmen are seeking to understand how best to move forward with renewed negotiations and find some common ground with the Finance Committee. Chair Fox distributed and reviewed "Public safety contract renegotiations – example outcome scenarios."

FinCom members voiced that steps are a structural problem and that employees should receive either a step or COLA but not both. FinCom did not seem to place much value on the insurance offset, and believed that it balanced the "other" lesser items, such as uniforms and shift differential.

Input was sought from FinCom on the level of increase that would be acceptable. Reiterating that there should be no additional steps, there seemed to be general agreement among FinCom members to propose progression along steps for those still eligible, and a COLA not to exceed 2% for those who had topped out. FinCom further suggested that negotiations start at 1% COLA, moving perhaps to 1.5% and if necessary to 2%. The use of an index to determine the COLA, such as CPI-U for a set region and period, was also discussed. TA explained that due to budget timeline, year-ending November 30 (for the Boston metro area) had been previously used.

TA updated the group on the Personnel Board's recommendation to freeze Schedule B employees in their existing steps and apply a 2% wage adjustment factor (COLA) to all... This may change depending upon results of salary survey... and when they are received.

In closing, Chair Fox reviewed the next steps: negotiating team will meet with the CBU's and review town meeting's action and the implications as well as the statutory process moving forward and will ask the CBU's to provide proposals which are perceptively less than those already turned down by town meeting.

At ≈ 7:30 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

Approved: Feb 4, 2013

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
January 30, 2013**

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

ALSO PRESENT: Town Administrator Selina Shaw

At 7:30 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 (all three municipal CBU's), 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 TA's memo, dated January 28, 2013, *Collective Bargaining – Next Steps – Police and Fire* and reviewed town meeting's reaction to the collective bargaining agreements. The voters had viewed the agreements as too rich. Although the total incremental dollar amounts of the CBA's were small, the COLA and steps combined were viewed to provide a percentage increase that was too large. The BoS will discuss the targets with the FinCom with the hope of finding acceptable common ground. Selectman Fox suggested that the BoS and union concentrate on the wage tables.

The union indicated that if wages can't increase to the point that the union would like, the union would seek to strengthen the CBA in other areas. The union would also like the terms of the CBA to be retroactive to July 1, 2012.

Lieutenant Gray discussed the possibility of seeking a town meeting action to accept the terms of a binding arbitration decision.

Bohnert requested a written response to his January 16 letter enquiring as to the rationale for the three separate warrant articles at special town meeting. TA will prepare response for BoS Chair Fox's signature.

The parties agreed to meet again on 7th or 11th February at 7:30 AM.

Meeting adjourned at 8:10 AM.



RELEASED
11/28/2016

Approved: Feb 4, 2013

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
January 31, 2013**

PRESENT: Selectmen Les Fox and Frank Powers; Police Sergeant Nicholas DiMauro, Officer Nathan Bowolick and Officer Benjamin Lavine (Union President)

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

Selectman Fox called the meeting to order at 7:35 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 possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), 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. **Approved 2 - 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers distributed TA's memo, dated January 28, 2013, *Collective Bargaining - Next Steps - Police and Fire* and reviewed town meeting's reaction to the collective bargaining agreements. The voters had viewed the agreements as too rich. Although the total incremental dollar amounts of the CBA's were small, the COLA and steps combined were viewed to provide a percentage increase that was too large. The BoS will discuss the targets with the FinCom with the hope of finding acceptable common ground.

Sgt. DiMauro indicated that the employee's increased share of health insurance was off the table. The union is seeking a straight 3 year raise at 3.5% in each of the three years of the successor agreement; however the union was not seeking an increase in shift differential as had been previously agreed. Selectman Powers asked the union to provide its proposal in writing and it was agreed to reconvene at 10:30 AM.

The meeting recessed at 7:50 AM.

Reconvened at 10:34 AM. Officer Lavine distributed the CBU's proposal, *Modification of Collective Bargaining Proposals*, dated 31st January 2013. Selectman Powers reviewed and sought clarification as necessary. The CBU is seeking steps plus COLA of 3.5% in each of the three years of the successor agreement, and all other terms to which there had been previous agreement, with two exceptions. The CBU is seeking no modification to shift differential (i.e., status quo at \$0.53/hr for evening shift and \$0.88/hr for the overnight shift) and no change in health insurance (i.e., 75%-25% split). BoS team will review with the full Board.

Parties agreed to set next negotiating session for 11th February at 7:30 AM.

The meeting adjourned shortly before 11 AM.

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RELEASED
11/28/2016

Approved: 2/11/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
February 4, 2013**

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

ALSO PRESENT: Selina Shaw, Town Administrator

At 10:38 PM, the Board convened in executive session in the Morse meeting room 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) as well as strategy with respect to negotiations with non-union personnel (DPW Director, Fire and Police Chiefs, and Town Administrator).

Chair Fox reviewed what had transpired in the negotiation sessions with the Fire and Police CBU's on January 30 and 31, respectively, which had been covered in the executive session minutes of those sessions, and will not be repeated here. Chair Fox distributed his financial analysis of the Police CBU's proposal vs. the agreement that had been negotiated prior to STM. The unit's post-STM proposal, which removed extended and dropped steps, reverted to the status quo shift differentials of \$0.53 (evening) and \$0.88 (overnight) and maintained the 25%-75% insurance split (employee-employer), not only provided for a greater overall percentage increase for the officers still eligible for steps, but was also more costlier than what had been presented to town meeting.

The selectmen agreed to establish a clear documented record of the CBU's proposal by asking the unit to sign off on the Board's interpretation of the numbers. Selectmen further agreed that the town team should provide a counter at the next session: No COLA for those eligible to progress on steps, and 1 % COLA for those at the top step. Further, the selectmen also agreed that it should be the unit who proposes mediation.

Chair Fox and/or TA will calculate how BOS proposal compares to that proposed at STM.

Selectman Suleiman did not participate in discussions related to the Police CBU.

After the Town Administrator left at 11 PM, the Selectmen began their discussion regarding potential salary increases for the primary department heads and briefly reviewed the consultant's February 8, 2012 salary survey for the management positions. The Board noted that, in addition to the consultant's survey and report, they needed a summary of the salary actions taken last year for all department heads, and asked the chair to make a request of the TA. The Board will continue discussion at a later date.

Selectman Suleiman did not participate in discussions related to the Police Chief's salary.

At 11:40 PM, the selectmen adjourned from executive session.



RELEASED
11/28/2016

Approved: _____

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
February 7, 2013**

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenants Shawn Gray and Jonathan Williams 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. Selectman Powers 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 (all three municipal CBU's). Selectman Fox noted 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 Fox. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Fox confirmed with the firefighters that they had received responses to their requests for information from the BoS Chair and FinCom Chair. Copies are included with the minutes.

Lieutenant Gray distributed and reviewed *Bargaining Proposals for Contract Year July 1, 2012 – June 30, 2015 (Part 2)*, a copy of which is included hereto. He clarified that the proposal supplemented the successor agreement for which the cost items had been taken to January 7th's STM.

- Layoff and Re-hire Rights: new articles were introduced. Lt. Gray explained that there was no existing language in CBA to cover these terms.
- Vacation: CBU is seeking to increase accrual for those employees with more than one year, but less than five years of service from 8.34 hours/month (10 work days per year) to 10 hours/month (12 work days per year).
- Sick leave: CBU is seeking to combine with personal business leave at an accrual rate of 1 ¼ days per month (15 per year), allowing six of those days to be used for personal business. [It was later discussed by town team that language as written needed tightening]
- Union Representatives: CBU proposed new paragraph that would allow 1 delegate to attend national/statewide union conference every other year up to a maximum of 4 days... Town team commented that such time could not be taken simultaneously with a union steward taking time off to attend to administrative business (e.g. arbitration, hearings)

- New Hires: CBU proposed coverage language for new hire training and clarified that “as needed” language referred to three Mondays and Fridays and one weekend per month. Coverage on these days would first be offered to fulltime FF, who has first right of refusal and would be compensated at time and a half. Otherwise coverage would be offered to a per diem FF at straight time. CBU also proposed a new paragraph for existing employees to attend Mass Fire Academy training, with pay, and provided same coverage language. CBU agreed to add language to clarify that only one FF could attend at a time. Chief White later noted to the team that he supports the academy training, but there is no requirement under MA general laws for such].
- Insurance: CBU proposed increase in town share from previously negotiated (i.e. taken to STM) 70% to 80% (from contract ended 6/30/12, the increase is from 75% to 80%)
- Uniforms/Gear: CBU proposed increase from previously negotiated (i.e. taken to STM) of \$850/yr to \$950/yr (from contract ended 6/30/12, the increase is from \$750 to \$950)
- Career Incentive: CBU proposed new eligible degrees (Medical Sciences and Business Administration) and a new section to allow attendance at classes on normally scheduled workdays, while acquiring degree. [Chief later commented to town team that he would not support this; however he does support the training at the Fire Academy]. CBU also proposed coverage language as above under “New Hires.”. Selectman Powers asked the CBU to come back with clear, specific wording regarding coverage.
- Longevity: CBU proposed new article
- Wages: CBU asked if town would be receptive to a change in schedule... possibly to 24 hour shift.

Town team caucused from 8:15 – 8:25 AM, during which time Lt. Williams and FF Bohnert had to leave to respond to a call. Selectmen Powers and Fox agreed that they would listen to scheduling proposal, with no commitment, and that CBU should coordinate on the matter with the Chief

When Lt. Gray returned, he was informed by Selectman Fox that a scheduling proposal would be worth reviewing. Lt. Gray vaguely commented that if a scheduling change were agreed to, there would be a lower wage proposal and other terms would be clarified and changed. Selectman Powers asked that the CBU present the full proposal.

The parties agreed to meet again on March 5 or 6 at 7:30 AM. Date would be firmed up once schedules could be reviewed... Lt. Gray agreed to send e-copy of proposal to TA.

Lt. Gray left at 8:30 AM; town team continued to discuss proposal. Shortly before 9, Chief White left and Selectmen Fox and Powers discussed preparations for Monday’s bargaining session with police CBU.

Meeting adjourned at 9:10 AM.



RELEASED
11/28/2016

Approved: 2/25/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
February 11, 2013**

PRESENT: Selectmen Les Fox and Frank Powers; Police Sergeant Nicholas DiMauro and Officer Benjamin Lavine (Union President)

ALSO PRESENT: Selina Shaw, Town Administrator

Selectman Powers called the meeting to order at 7:37 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 possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), 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. **Approved 2 - 0** by roll call vote: Powers, aye; Fox, aye.

Selectman Fox distributed *As-negotiated STM13 police CBA wage costs summary*, as a point of reference for the negotiations. Selectman Powers reviewed the handout and explained that the numbers reflect the agreement that had been taken to STM in January.

Selectman Fox then distributed *Summary of police proposal of Jan 31, 2013*. Selectman Powers reviewed and talked to the comparison of those numbers to those taken to STM. Sgt. DiMauro commented that the numbers were close, while Officer Lavine stated that they were not that close. Selectman Powers asked the CBU reps if they were aware that the police proposal was more expensive than that taken to STM. Both CBU reps agreed. Discussion ensued regarding the cost comparison. Officer Lavine reiterated a comment made at the Jan 31 session that the special town meeting was "stacked" with residents who did not support the CBA costs. Sgt. DiMauro opined that FinCom would not support agreement. Selectman Powers commented on the importance of keeping FinCom in the loop with the hope of finding acceptable common ground. He further stated that the proposal as presented by the CBU was doomed to fail... BoS reviewed in exec session and did not support the higher cost... the perception at town meeting of 3.5% steps plus a COLA was too rich. DiMauro said that the CBU would like to keep the Agreement simple.

Selectman Fox distributed *Town counter to police proposal Jan 31, 2013*. Selectman Powers walked through the town's proposal: patrolmen on steps A1 - E would advance on 3.5% steps with no COLA; those at Step F would get a 1% COLA. Sergeants' wages would be based on top patrolmen step as before. Total cost is down as are increases. Officer Lavine confirmed that he understood the numbers. TA clarified FY 12 numbers approved at May 2011 ATM vs. FY 13 CBU wages as approved at May 2012 ATM.

At 8 AM, CBU reps asked for a caucus...

Selectman Powers said that he would be willing to entertain a different COLA and see what the CBU is willing to bring back... Selectman Fox agreed. On the topic of CBU wage comparison over the fiscal years, TA agreed to send an email with clarification of dates used in spreadsheet.

CBU returned at approximately 8:05 AM...

Sergeant DiMauro would like to take the town's counter-proposal back to the members and commented that the CBU does not regard steps as a pay raise... but as an expectation.

Selectman Powers asked the CBU to come back with a counter to the Town's proposal and encouraged the CBU not to make the numbers too large.

Selectman Fox will review his schedule and will propose dates accordingly.

The meeting adjourned at 8:10 AM.



RELEASED
11/28/2016

Approved: February 25, 2013 as amended

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
February 11, 2013**

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

ALSO PRESENT: Selina Shaw, Town Administrator

At 10:40 PM, the Board convened in executive session in the Morse-Hilberg meeting rooms 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) as well as strategy with respect to negotiations with non-union personnel (DPW Director, Fire and Police Chiefs, and Town Administrator).

Chair Fox distributed and reviewed a number of documents related to collective bargaining with the police CBU: 1) a summary document which compared the CBA as negotiated and taken to January's special town meeting; 2) the proposal presented by the police CBU on January 31 and the town's counter proposal which was distributed on February 11; 3) *As-negotiated STM13 police CBA wage costs summary*; 4) *Summary of police proposal of Jan 31, 2013 and Town counter to police proposal Jan 31, 2013*. Selectman Powers related that the CBU reps acknowledged that their proposal came at a higher cost to the town. The CBU agreed to review the town's counter-proposal and consider other amounts between the two that perhaps would be more palatable to the parties. Another session will be scheduled in late February/early March.

Chair Fox updated the Board on negotiations with the Firefighters CBU. He related that they came in with a number of changes including a potential change in work hours to include a 24-hour shift. The town's negotiating team asked the union to work with the Chief on the scheduling proposal and bring back to the next session with more details. Selectman Stemple tried to explain the intent to move from a 50-hour/week schedule for the full-timers to a 42-hour/week schedule for the same wages, which it was pointed out by Selectman Amoroso, would amount to a roughly 20% increase. The proposed change would also include a reduction in daytime staffing. The selectmen generally agreed that such a scheduling change would be too complex to take on at present and that it would best be left for the longer term.

After the Town Administrator left at 11 PM, the Selectmen briefly discussed the process for moving forward to determine potential salary increases for the primary department heads, and agreed that it would be done in a fair manner considering factors including performance and last year's compensation study. The Board will continue discussion at a later date.

Just before midnight, the Selectmen adjourned from executive session.



RELEASED
11/28/2016

Approved: 2/25/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
February 13, 2013**

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 7:32 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), as well as to possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), 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. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers introduced the topics of discussion for the bargaining session and distributed TA's memo, dated February 13, 2013, *Collective Bargaining – Next Steps – Dispatch* and reviewed town meeting's reaction to the collective bargaining agreements. The total dollar amount of the CBA did not appear to be the problem; rather it was the COLA on top of steps, which combined were viewed to provide a percentage increase that was too large. The BoS will discuss the targets with the FinCom with the hope of finding acceptable common ground.

Selectman Powers then reviewed the process that was laid out in the TA's memo; the CBU reps acknowledged their understanding. The CBU reps agreed to work with the BoS to try and reach an agreement that would be more palatable to town meeting, stating that if they give up something, they expect to get something in return.

Selectman Powers asked the CBU to prepare a proposal that would take into consideration how special town meeting had received what had been previously presented. Michelle commented that she didn't think that there was much that the CBU could take away since the package that had been presented was fair. Although Brenda will be away for the month of March, the CBU agreed that they would like to set a meeting and continue to move forward.

Parties agreed to set next negotiating session for 4th March at 7:30 AM. The CBU reps left at 7:55 AM. Discussion among the team, Town Administrator and Fire Chief continued and the meeting adjourned at \approx 8:15 AM.



RELEASED
11/28/2016

Approved: March 4, 2013

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
February 28, 2013**

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

ALSO PRESENT: Selina Shaw, Town Administrator

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 possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), 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. **Approved 2 - 0** by roll call vote: Powers, aye; Fox, aye.

Selectman Powers reviewed where the parties were in the bargaining process... Since STM there have been two bargaining sessions, at which the CBU presented a proposal and the town team responded with a counter.

Sergeant DiMauro commented that the largest raise in the last six years had been 1% and he provided the CBU's latest proposal of 3% COLA across each of the three years of the successor agreement. He explained that the union was seeking same terms as had been negotiated and taken forward to STM except for shift differential and health insurance both of which would remain on par with agreement ended June 30, 2012.

At 7:45 AM Town team asked for a caucus. Team reviewed what they believed was the intent of the CBU's proposal, which was not clearly written. TA drafted team's understanding.

At 7:55 AM, CBU representatives returned and Selectman Powers distributed town's understanding and reviewed with the CBU. Sergeant DiMauro confirmed and initialed and agreed to clarify union's position in a new document which he would send by email.

Selectman Powers informed CBU that BoS will review latest proposal in executive session on March 4.

Tentatively set two additional sessions: March 5 at 9 AM and March 12 at 7:30 AM.

The meeting adjourned at 8:05 AM.



RELEASED
11/28/2016

Approved: _____

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 4, 2013**

PRESENT: Selectmen Les Fox and Frank Powers, and Dispatch Supervisor Michelle Poirier, representing MassCops Local 200A, Dispatch

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

Selectman Frank Powers called the meeting to order at 7:30 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), as well as to possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), 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. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Michelle distributed CBU's proposal, *Massachusetts Coalition of Police, Local 200A Renegotiation*, dated 2/25/13, a copy of which is included with the minutes. Selectman Powers reviewed the three items which Michelle clarified were in addition to (or modified) the agreement that had been taken to January's STM:

- Article 14 – Sick Leave: Add a new section 7 to provide employees with 4 hours of compensatory time for each month they do not call out sick.
- Article 24 – Insurance: Revert back to 75%-25% employer-employee split (agreement taken to STM had provided for a 70%-30% split).
- Article 30 – Wages: Step increases for Steps A-F would remain @ 3.5% with a COLA of 1% (had previously negotiated a 2% COLA). Step increases for G, H and I were proposed to remain as previously negotiated (2.5% steps with a 0.5% COLA).

Selectman Powers initiated discussion about the financial consequences of the first right of refusal on open shifts. Michelle responded that if this were removed from the table, then CBU would likely seek a 2% COLA (on steps A – F). She further explained that it was not the unit's intent to take all the open shifts and that the members recognized the importance of providing shifts to part-timers to keep them current and trained.

Selectman Fox asked if the unit would consider cost containment on the open shifts. Michelle agreed to take back to the unit but commented that if a cap of 50% of the open shifts were placed on the unit members, then they would likely propose an increase in COLA to 1.5% (on steps A-F).

Parties agreed to set next negotiating session for 20th March at 7:30AM.

Michelle left at 7:44. Discussion among the team, Town Administrator and Fire Chief continued. Town does not want to incentivize employees coming in to work when sick. Also discussed need to look at potential financial impact of comp time proposal. TA will seek data from Treasurer on average use of sick time in a year.

The meeting adjourned at 8:08AM.



RELEASED
11/28/2016

Approved: 3/15/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
March 4, 2013**

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

ALSO PRESENT: Selina Shaw, Town Administrator

At 8:10 PM, the Board convened in executive session in the Morse-Hilberg meeting rooms to: 1) 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); 2) discuss strategy with respect to litigation; 3) consider the value of real estate and 4) discuss strategy with respect to negotiations with non-union personnel (DPW Director, Fire and Police Chiefs, and Town Administrator).

- 1) FinCom members Jim Ham and Susan Bak were present for the first matter. Chair Fox reviewed the status of negotiations with the CBU's. In addition to the initial meeting to discuss process, the negotiating team had two bargaining sessions with the Police (2/11 and 2/28) and one each with Dispatch (3/4) and Fire (2/7). Chair Fox recounted that the police had emphasized maintaining steps at 3.5% and proposed a COLA of 3.5% across the board; the Town countered with maintaining steps and COLA of 1% on top step only; Police responded with 3% COLA across all steps.

The Fire CBU proposed numerous changes, but nothing on COLA or steps. Instead, they had proposed a change in schedule that would have been a modified 24-hour schedule. Chair Fox advised the CBU that such a change would be too complicated for this successor agreement. BoS had calculated that such a change would amount to an effective 20% increase in wages.

The town team had met earlier in the day with the Dispatch representative who proposed 4 hours of comp time for each month in which no sick time was taken. The CBU also proposed maintaining the extended steps (G-I) that had been previously proposed in the agreement taken to STM (2.5% between steps and 0.5% COLA) and 1% COLA on steps A-F, with 3.5% between steps. Town team had discussed high cost of first right of refusal, which town would like to contain. Union rep replied that if first right of refusal were to be taken off the table, CBU would seek 2% COLA; if limited to 50%, CBU would likely seek COLA of 1.5%

Much discussion ensued on seeking to understand the limits that FinCom would support. There seemed to be agreement that it would be best to present a bottom line comparison. Susan Bak opined, and cautioned that it was only her opinion and not that of the FinCom, that she would like to see a bottom line increase between 2.5 – 3%. Jim Ham would not provide a number and stated only that any new steps should be off the table.

- 2) At 9:30 PM, FinCom members left and ConsComm member David Follett joined the Board for discussion related to the matter of Minute Man Airfield not recording the Commission's Amended Order of Conditions. David provided a brief history of the matter... MMAF had cleared out the wetland several years ago and had

not complied with the original Order of Conditions. The Commission had attempted to work with MMAF and prepared an Amended Order of Conditions, which brought the proposed remediation up to date with existing conditions.

After the Town Administrator left at 10:30 PM, the Selectmen continued their discussions on FY14 salary increases for the primary department heads and voted as follows:

Selectman Suleiman moved to set the FY 14 salary for the Town Administrator at \$101,500. Seconded by Selectman Amoroso. **Approved 5 – 0** by roll call vote: Suleiman, aye; Amoroso, aye; Fox, aye; Stemple, aye; Powers, aye.

Selectman Stemple moved to set the FY14 salary for the DPW Director at \$80,400. Seconded by Selectman Suleiman. **Approved 5 – 0** by roll call vote: Stemple, aye; Suleiman, aye; Amoroso, aye; Fox, aye; Powers, aye.

Selectman Amoroso moved to set the FY 14 salary for the Fire Chief at \$91,750. Seconded by Selectman Powers. **Approved 5 – 0** by roll call vote: Amoroso, aye; Powers, aye; Fox, aye; Stemple, aye; Suleiman, aye.

At this point Selectman Suleiman left. Selectman Powers moved to set the FY 14 salary for the Police Chief at \$105,900. Seconded by Chair Fox. **Approved 4– 0** by roll call vote: Powers, aye; Fox, aye; Amoroso, aye; Stemple, aye.

At ≈ 11PM, the Selectmen adjourned from executive session.



Approved: 3/18/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 5, 2013**

PRESENT: Selectmen Les Fox and Frank Powers and PFF member Lieutenant Shawn Gray

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 (all three municipal CBU's). Selectman Fox noted 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.

TA provided an organized summary of the proposal that had been provided by the CBU on February 7, a copy of which is included with the minutes. The parties reviewed.

- **New Hires:** Lt. Gray clarified that some months actually have five weekends. TA suggested that perhaps it would therefore be more accurate to state one weekend every four weeks, which would cover the situation that they were trying to describe. Lt. Gray will provide clarifying language. It was also noted that FF attend Academy M – F, and weekend worked would be at OT rate.
- **Wages:** Lt. Gray asked if Town would consider a re-opener to further consider change in schedule... that some of the proposals that CBU had presented would be considered along with a schedule change. Selectman Fox informed LT. Gray that sense of the BoS is to keep successor agreement simple... to consider the overall budget impact year-to-year and that it would likely be more difficult to understand and garner support if the terms were more complicated.

Selectman Powers asked Lt. Gray if the CBU had a wage proposal available to present if the schedule change were put aside. Lt. Gray distributed *Continued Proposals for Contract Negotiations for the July 1st 2013 – June 30 2013* [should be June 30, 2015] *Stipend Proposals for Members of the Bargaining Unit*, a copy of which is included with the minutes, and commented that the CBU was also proposing 3% COLA across the board, while also noting that the CBA was willing to bargain. Lt. Gray's presentation was unclear, first stating that proposal did not include the extended steps and then stating that the CBU was willing to negotiate everything.

It was noted that CBU's updated insurance proposal (80%-20% employer-employee split) had been omitted from the summary of PFF proposals (2/7/13) that had been distributed earlier in the meeting; TA will revise and agreed to provide word doc (in 2007 or earlier) to Lt. Gray.

Group reviewed the list of stipends; Chief White confirmed that all FF/EMT's are trained in use of Albuterol and glucometer. Lt Gray confirmed that aside from these two stipends which would be paid to all four FF/EMT's, the remaining stipends would be payable to only one FF/EMT for each stipend.

The parties agreed to set the next bargaining session for March 21 at 7:30 AM.

Sgt. Gray left at 8:08 AM; town team continued to discuss stipends and apparent cost impact (\$31,500). Chief White estimated that Lt. Gray would benefit by at least \$9,000; Lt. Williams by \$4,500 or \$6,500 and FF/EMT Bohnert by \$9,000. Chief noted that town pays for training and EMT license and should not pay stipends for albuterol and glucometer. Chief further commented that stipends must be calculated into base hourly rate for calculation of overtime.

Meeting adjourned at ≈ 8:30 AM.



RELEASED
11/28/2016

Approved: 3/18/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 5, 2013**

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

ALSO PRESENT: Selina Shaw, Town Administrator

Selectman Fox called the meeting to order at 9:05 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 possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), 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. **Approved 2 - 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers reviewed the status of negotiations. Since STM there have been three bargaining sessions, at which the CBU presented initial post-STM proposal (1/31), which the town countered (2/1), and then the CBU presented a counter to the town's counter (2/28). Selectman Fox related input from the meeting with FinCom members at which it was suggested that the total bottom line percentage would be the focus.

Selectman Powers distributed and reviewed the town's latest proposal, *March 5, 2013: Town counter to police proposal of Feb 28, 2013*, a copy of which is included with the minutes. The proposal provided for 3.5% between each of the steps; 0.5% COLA on steps A-E; 1.5% COLA on step F. It was noted that all other terms were as brought back to the post STM table, including the explicit sunset clause in Article 11, Section 4 Hours of Work, Community Events.

At 9:15 AM, police team asked for a caucus.

At 9:20 AM, CBU representatives returned and Sgt. DiMauro commented that the town was moving in the right direction. He would like to take back to the CBU and then re-convene at 11 AM. Sgt. DiMauro also commented that the officers should be treated the same with respect to COLA, stating that all are members of one union. Selectman Powers explained the rationale for COLA on only top step. The parties recessed at 9:25 AM.

The parties reconvened at 11:03 AM, with the addition of Officer Rob Romilly. Sgt. DiMauro distributed *Modification of Collective Bargaining Proposals*, dated 5 March 2013, a copy of which is included with the minutes, and reviewed the 2 modifications to the list of proposals: 1) COLA of 2.5% across all steps, and 2) two additional personal days. Proposal also clarified the order in language and sunset clause.

The bargaining session that had been scheduled for the 12th was re-scheduled for the 19th.

The meeting adjourned at ≈ 11:15 AM.



RELEASED
11/28/2016

Approved: 4/1/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
March 18, 2013**

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

ABSENT: Vince Amoroso, Clerk

ALSO PRESENT: Selina Shaw, Town Administrator

At 8:00 AM, Chair Fox called the meeting to order in the Town Administrator's office. Selectman Powers moved to adjourn to executive session to: 1) 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 2) discuss strategy with respect to negotiations with non-union personnel (DPW Director, Fire and Police Chiefs, and Town Administrator), and to adjourn immediately thereafter. Seconded by Selectman Suleiman. **Approved 4 - 0** by roll call vote: Powers, aye; Suleiman, aye; Stemple, aye; Fox, aye. Chair Fox noted that to conduct such discussions in an open meeting would have a detrimental effect on the town's bargaining position, and to adjourn immediately thereafter.

Selectman Suleiman recused himself from discussion related to Massachusetts Coalition of Police, Local 200, Police

Chair Fox distributed, reviewed and sought input from the Board on the wage models described in *Summary_Police_CBA_wage_models_20130315.xlsx*, a copy of which is included with the minutes. The Selectmen agreed to respond to Police proposal with 1% COLA across all steps in each of the three years of the successor agreement, but to move to models B and F, which both resulted in an average increase over the 3 years of the CBA if necessary.

Chair Fox then related that the teachers were close to settling (or had settled) an agreement that would provide for 0%-0%-0.5% over each of the three years of their successor agreement, with a \$10k cap on super max and some changes in terms relating to longevity and early retirement. The over-all effect is 2% increase in total budget.

Next, discussion moved to the FF CBA. Chair Fox distributed and reviewed a March 17th document which described the cost impact of the FF March 5 proposal. A copy is included with the minutes. Chair Fox noted that stipends had already been incorporated into base wages in 2007. Selectmen agreed that the FF COLA proposal of 3%-3%-3% was more than the town could afford and that extended steps should be eliminated.

Discussion on comp time request of Dispatchers. Selectmen Stemple commented that the Chief already budgets for sick leave coverage so there should not be an additional cost impact for providing 4 hours of comp time in months where no sick leave is taken.

Discussion then moved on to department head salaries. Chair Fox reported that the FinCom had voted 2% across the board for all. Selectman Suleiman reported that he had been informed by FinCom member Susan Bak that although they agreed that some should receive a higher level, they thought it simpler and fairer to approve same for all; did not want to pit one department head against the other.

Selectmen generally agreed that 2% may be reasonable for DPW Director and Fire Chief, but there is hard data and the "fairness and equity" rationale to support the increases for the other 2 department heads. The Selectmen agreed that the departmental budgets in the warrant should identify, without a specific amount, that the BoS may propose amendments on town meeting floor. Additionally, for information purposes on schedule B, a similar note should be included.

Meeting adjourned at \approx 9:00 AM.



RELEASED
11/28/2016

Approved: 3/25/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 20, 2013**

PRESENT: Selectmen Les Fox and Frank Powers, and Dispatch Supervisor Michelle Poirier, representing MassCops Local 200A, Dispatch

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

Selectman Les Fox called the meeting to order at 7:34 AM in the Town Administrator's office, Town Hall. Immediately thereafter, Selectman Powers moved to adjourn to executive session to discuss strategy with respect to collective bargaining with union personnel (MassCops Local 200A, Dispatch), as well as to possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), and to adjourn immediately thereafter. Seconded by Selectman Fox, who noted that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers began the session by commenting that the town team was still awaiting closure from the FinCom on a bottom line increase. Although the BoS is the negotiating party for the town, the selectmen would like to be comfortable going back to town meeting with buy-in from at least a majority of the FinCom.

Selectman Powers distributed and reviewed *Town response to Dispatch proposal of March 5, 2013*, dated 3.20.2013, a copy of which is included with the minutes.

- With regard to the comp for sick leave proposal (4 hours comp for each month in which sick leave is not taken), he explained that the town does not want to encourage dispatchers to come to work when they are sick; however the town team was viewing this term favorably.
- Selectman Powers explained the rationale for 0.5% COLA on steps A-F; no extended steps; and 3 days/year of additional paid vacation for Supervisor Michelle Poirier who has already maxed out on steps.

Michelle responded that the CBU would likely want an increase greater than 0.5% COLA and that the CBU is one union and one employee could not be treated differently. She asked what FinCom would support.

The TA informed Michelle that the Selectmen were still awaiting response from FinCom; that only one member had opined, not the full Committee. Selectman Powers informed Michelle of the roughly 2.5% bottom line that the FinCom member had provided.

Parties agreed to set next negotiating session for 26th March at 7:30AM.

The meeting adjourned at approximately 7:50 AM.



RELEASED
11/28/2016

Approved: 3/25/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 21, 2013**

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenant Shawn Gray and FF/EMT Eoin Bohnert

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

At 7:35 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 (all three municipal CBU's), and to adjourn immediately thereafter. Selectman Fox noted that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Powers, aye; Fox, aye.

Selectman Fox provided summary of the costs of the FF March 5th proposal as compared to FY 12 (*Fire Fighter CBA renegotiations, Cost_summary_FF_Proposal_3_5_20120321.xlsx*), a copy of which is provided with the minutes. The spreadsheet looks at the cost impact of the FF proposal, but as noted by the TA does not include union reps, new hires and career incentives, which were too complicated to cost for this exercise.

Selectman Fox then distributed and reviewed the narrative, *Town Response to PFF Proposal February 7, 2013 & March 5, 2013*), a copy of which is provided with the minutes.

Lt. Gray proposed a modification to the private public safety detail, which matches the language in the police contract as well as the proposed changes to the Personnel Plan.

Selectman Fox said that the Board's goal is to take the successor agreement to ATM, and that a placeholder has been included. Lt. Gray asked if the Board had placed an article for the town to support binding arbitration. Selectmen Fox and Powers responded that the BoS would not support such an article and that FinCom and town meeting would likely not support an unknown.

TA asked Lt. Gray to please provide an e-copy of the modified FF proposal so the town team could review all of the changes.

Town team called for a short caucus at 7:55 AM.

Team discussed request of FF to open contract to review schedule. It was noted that Article 8, section 1 allows for an alternative schedule to be arranged by mutual agreement of the Chief and CBU (within existing budgetary constraints).

returned at 8 AM. Selectman Fox informed the CBU that the team was supportive of looking at alternative scheduling options, but was not willing to agree to an opener.

The parties agreed to set two bargaining sessions: March 26 at 9 AM and April 3 at 7:30 AM.

FF left at 8:10. Town team continued to discuss pros and cons of opener. TA expressed concern about re-opening without constraints. Team discussed that there would have to be language that agreement could be opened only upon mutual agreement. Chief supported re-opener language to "give them some hope." TA will discuss matter with Counsel.

Meeting adjourned at 8:35 AM.



RELEASED
11/28/2016

Approved: 3/25/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 21, 2013**

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

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

Selectman Powers called the meeting to order at 9:05 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 possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), and to adjourn immediately thereafter. Seconded by Selectman Fox who noted that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position. **Approved 2 - 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers reviewed the status of negotiations and noted that the Selectmen were still awaiting guidelines from FinCom and that it would be beneficial to have support of a majority of the FinCom at ATM. The BoS is looking at a bottom line impact of $\approx 2.5\%$ overall.

Selectman Powers distributed and reviewed *Town's Response to Police Proposal Dated March 5th 2013*, a copy of which is included with the minutes. He informed the CBU that the team was evaluating personal leave and wanted to ensure that the Chief would have adequate notice and could schedule coverage without incurring significant costs. The team is considering paid time off with notice constraints.

Officer Lavine commented that the CBU has likely provided their best offer and that next step would be mediation. Selectman Powers noted that the town is proposing a 1% COLA retroactive to FY 13. Selectman Fox said that the town could probably come up a bit more on COLA. Officer Lavine thinks the parties are far apart; Officer Romilly agreed and said that 2.5% is their lowest offer. Selectman Powers asked the CBU if they were willing to reconsider the 2.5% COLA, or were they firm and unwilling to consider modifying. Officer Lavine commented that there may be some wiggle room, but 2.5% is just above CPI. The Chief commented that perhaps the union could be flexible in terms of COLA over the years.

At 9:21 AM, the parties caucused.

Town team reviewed two options that would provide the same average impact of 2.78%: 1.5% COLA across the 3 years or 1%-1.5%-2% COLA respectively in each of the three years.

At 9:26 AM, CBU representatives returned. Selectman Powers presented the 1%-1.5%-2% option. Officer Lavine said that the CBU would entertain and listen to any good faith proposal.

The parties agreed to set the next session for 9 AM on April 2.

The meeting adjourned at 9:35 AM.



RELEASED
11/28/2016

Approved: 4/1/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
March 25, 2013**

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

ABSENT: Vince Amoroso, Clerk

ALSO PRESENT: Selina Shaw, Town Administrator

At 10:13 PM, 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).

Selectman Suleiman recused himself from discussion relating to Police CBA.

Chair Fox updated the Board on status of negotiations. Last offer from Police was 2.5% across each of the three years of the CBA. Town team had initially countered with 1%-1%-1%, During a caucus, the team discussed two options, both which work out to an average budgetary impact of 2.78%, which was in the range provided by Susan Bak (only her opinion): 1%-1.5%-2% and 1.5%-1.5%-1.5%. After the caucus, the town team presented the CBU reps with the former option. The Chair then related a conversation with FinCom member Jim Ham on the matter of negotiations, which was not conclusive.

After reviewing the wage model again, there was general agreement that the town's best offer would be 1.5%-1.75%-2%, which over the three years would provide an average increase to the police salary budget of 3.03%. Moving forward to the next bargaining session, it was suggested that the team await a response from the CBU and go no higher than 1%-1.5%-2% at that session, and also clarify with the CBU that the Board has been taking the direction from town meeting... not the FinCom...

Discussion moved on to bargaining with the Dispatchers. The Board shared the team's concern about the cost impact of the right of first refusal (RoFR). It was suggested that the team propose 0% COLA for dispatchers, some COLA for the supervisor and some amount for RoFR.

At 10:40 PM, the Selectmen adjourned from executive session.



RELEASED
11/28/2016

Approved: 4/1/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
March 26, 2013**

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenants Shawn Gray and Jonathan Williams and Firefighter Eoin Bohnert

ALSO PRESENT: Town Administrator Selina Shaw

At 9:02 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 (all three municipal CBU's). Selectman Fox noted that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Lieutenant Gray reviewed each item in the town's March 21st response.

- **Preamble** - all agreed
- **Article 8, Section 8 - Hours of Work/Overtime/CallBack/Order in to Duty** - all agreed
- **Article 11 – Vacation** - all agreed
- **Article 12 – Sick Leave** - CBU would like to keep on the table
- **Article 15 – Personal Business Leave** - CBU would like to keep on the table; related to Article 12
- **Article 17 – Union Representatives** - CBU agrees to strike
- **Article 18 – Private Public Safety Detail** - Town team agrees to CBU's proposed language subject to confirmation that language is same as in police CBU or proposed for Personnel Plan
- **Article 22 – New Hires** - CBU would like to keep on the table
- **Article 23 – Insurance** - CBU agrees to town counter to maintain status quo at 75%-25% Employer-Employee split
- **Article 25 - Uniforms/Gear** - CBU agrees to town counter of \$850 per year
- **Article 29 – Career Incentive** - CBU would like to keep on the table
- **Article 33 - Wages** - CBU responded to Town's counter of 1%-1%-1% with a proposal of 2.5% across the three years of the successor CBA
- **New Articles - Layoff, Re-Hire, Longevity and Stipends** - CBU would like to keep on the table

Further discussion ensued. Selectmen Fox replied to CBU that town had not yet completed its analysis on the sick/personal leave proposal. FF Bohnert commented on several of the proposals:

- **Article 22 – New Hires** - Bohnert said that this is standard for departments in the area. CBU would like to see for future employees and would agree to strike proposed section 3, which covers existing employees.

- **Article 29 – Career Incentive** - Bohnert discussed in terms of ability to better serve the town and further commented that it would be at least two years before someone in the department could take advantage of the terms. Discussion regarding the courses that should be allowed. Bohnert opined that course could help grow a future chief and suggested adding Public Administration (which it was later noted is already included in the CBA), Medical Sciences and Emergency Management and deleting Computer Science. Selectmen would like input from Chief.
- **Articles 12 & 15 (Sick Leave and Personal Business Leave)** - Selectman Powers related concern regarding ability to take personal leave at short notice and the potential cost to cover. Bohnert claimed that this would not be used as much and FF would save for sick leave.
- **Longevity** - Lt. Gray said that overall cost impact of this would be small and that it would be unlikely that employees would hit the higher number of year's service. He noted that Jonathan was approaching 7 years; Eoin, 2; and he would be at 5 years in December. Selectman Fox said that the town's initial response was that longevity would be too costly, but team would review again although not favorably inclined.

Selectman Fox distributed Town response to *PPF Proposal Re: Contract Opener*, a copy of which is included with the minutes.

The parties confirmed next meeting date of April 3rd at 7:30 AM.

CBU representatives left at 10 AM; town team continued to discuss proposal. If team agrees to support proposed combining of articles 12 and 15, which would add 5 additional sick days, bringing total to 15, 6 of which could be used for personal business leave, it was agreed that there should be clear language to state that no more than 6 of the days could be used as personal business leave days in any one year. Will discuss new hire training with Fire Chief. TA provided copies of FF job description to team and it was noted that the description covers a number of the ancillary duties and also that the CBA references the job description. Team agreed to no longevity as it was covered by steps, and also because of potential ripple effect in other CBA's. It was noted that longevity had been removed from the police CBA effective 7/1/03.

Discussion moved to Dispatch CBA. Team agreed that town's best offer would be 0.5% COLA; could provide a more generous COLA if no ROFR. Could offer choice to Dispatch.

Meeting adjourned shortly after 10:30 AM.



RELEASED
11/28/2016

Approved: April 22, 2013

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
April 1, 2013**

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

ALSO PRESENT: Selina Shaw, Town Administrator

At 10:30 PM, 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).

Selectman Suleiman recused himself from discussion relating to Police CBA.

Chair Fox reviewed the status of negotiations as had last been discussed on March 25, when Selectmen Amoroso was absent. Board then discussed status of fire negotiations. CBU had countered the Team's 1%-1%-1% with 2.5% COLA across each of the three years. Team will respond with 1%-1.5%-2% at next bargaining session, which will be held on April 3.

At 11:00 PM, the Selectmen adjourned from executive session.



RELEASED
11/28/2016

Approved: April 22, 2013

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 2, 2013**

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

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

Selectman Powers called the meeting to order at 9:02 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 possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), and to adjourn immediately thereafter. Seconded by Selectman Fox who noted that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers reviewed the status of negotiations and referred to the Town's latest (March 21st) response of 1%-1.5%-2%. Officer Lavine replied that the CBU was steadfast in its request for 2.5% across each of the three years and 2 additional personal days. Selectman Powers informed the CBU that the town was pretty much at the maximum level that would be supported by Town Meeting and the Finance Committee. Selectman Powers asked the CBU if they thought negotiations were at an impasse. Officer Lavine replied affirmatively. The town team and CBU agreed to file a joint petition with the Joint Management Labor Committee (JLMC). Officer Lavine agreed to complete CBU portion and send to TA for completion of town's portion and submission to JLMC.

The CBU representatives left at 9:12. Town team reviewed numbers. CBU's proposal equates to an average of 3.78% over the years, which exceeds the guidelines.

Brief discussion regarding status of negotiations with Dispatch CBU. TA will reach out to set time for next session, and will aim for 4/8, 4/12, 4/18 or 4/19.

Brief discussion regarding status of negotiations with Fire CBU. TA will review special detail language and send CBU's proposed lay-off and re-hire language to Counsel for input. Team does not support stipends and will provide FF with copy of job description and reference in CBA that refers to job description. Team does not support longevity. Still examining career incentives, new hires and personal/sick proposals.

The meeting adjourned at 9:50 AM.



RELEASED
11/28/2016

Approved: April 22, 2013

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 3, 2013**

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

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

At 7:30 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 (all three municipal CBU's). Selectman Fox noted that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Fox distributed and reviewed *Status of negotiations April 3, 2013*.

- o **Preamble** – Previously completed.
- o **Article 8, Section 8 - Hours of Work/Overtime/CallBack/Order in to Duty** - CBU and town had already agreed to language regarding conditions and pay for order-in. Shawn said that CBU agrees with town's proposed language regarding discussion of alternate scheduling scenarios.
- o **Article 11 – Vacation** - Previously completed.
- o **Article 12 – Sick Leave and Article 15 – Personal Business Leave** – Town is still reviewing.
- o **Article 17 – Union Representatives** – CBU had agreed to withdraw.
- o **Article 18 – Private Public Safety Detail** – Town agrees.
- o **Article 22 – New Hires** – Town is still reviewing.
- o **Article 23 – Insurance** - Previously completed.
- o **Article 25 - Uniforms/Gear** – Previously completed.
- o **Article 29 – Career Incentive** – expanding degrees seems okay, but still under review as potential cost impact is analyzed.
- o **New Article – Stipends** – Selectman Fox noted that these were for the most part covered by the job description, which he distributed to the CBU representatives. Eoin questioned the job description, stating it was the same as the one provided by the state's human resources department and said that it is very different from the SOP at the fire station. After discussing the genesis of the description for some time, Selectman Powers asked the CBU what their position was, putting aside the job description.

Caucus from 7:52 - 8 AM

Team agreed to simply state that they would not support stipends.

Upon return to the table, Eoin said that the CBU can work on the wage numbers and would withdraw the request for stipends. However he wanted it known that the CBU was not withdrawing stipends due to the job description rationale. CBU would like to continue to discuss wages and longevity and proposed COLA of 1.5%-2%-2.5% in response to town's latest proposal of 1%-1.5%-2%.

CBU representatives left at 8:10.

Team continued discussions and agreed to support increase of sick leave to 15 days, but not to support intermingling with personal leave, which should remain at 3 days.

Discussion re: new hires. Chief supported the higher level of training but expressed concern about ability to then retain the trained employee. He further explained that training has been reduced from 12 to 9 weeks, which is completed in three 3-week segments. Did a quick review of potential cost impact of the proposal; assuming one new hire in FY 14, cost would be \$12,608. For costing purposes, would also assume that this would likely occur no more than a maximum of once every contract cycle, i.e. three years.

Pending input from Chief, team agreed that they could likely support CBU's proposal to delete Computer Science and add Medical Sciences; do not support addition of Business Administration. Public Administration is already included among the accepted degrees, and there is the added flexibility of the Employer's discretion on degrees not named.

Meeting adjourned shortly after 9:00 AM.



RELEASED
11/28/2016

Approved: April 22, 2013

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 19, 2013**

PRESENT: Selectmen Les Fox and Frank Powers, and Dispatcher Brenda Santucci, representing MassCops Local 200A, Dispatch

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. Immediately thereafter, Selectman Powers moved to adjourn to executive session to discuss strategy with respect to collective bargaining with union personnel (MassCops Local 200A, Dispatch), as well as to possibly discuss strategy with respect to collective bargaining (all three municipal CBU's), and to adjourn immediately thereafter. Seconded by Selectman Fox, who noted that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position. **Approved 2 - 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Powers, referring to the Town's March 20th response to the CBU, reviewed the status of negotiations.

- Article 24, Section 1 - Medical Insurance – Completed – Town and CBU had agreed to maintain status quo of 75%-25% employer-employee contribution
- New section on comp time (for months in which sick leave is not taken) – town is still reviewing
- Wages – Selectman Powers reiterated that the right of first refusal (ROFR) had a huge cost impact that well exceeded the guidelines that had been established by the BoS and exceeded what would be supported by town meeting and FinCom. The team reviewed the cost impact of a number of potential scenarios with varying levels of COLA and ROFR. The team again reiterated the desire to reach an agreement that would get buy-in from at least a majority of the FinCom, and would then be more apt to be supported by town meeting. Selectman Fox noted that the teachers had settled for an agreement that would cost an average of 2% over the years, with a 0% COLA. Selectman Powers noted that 1% COLA should be saleable to the BoS. Brenda expressed the CBU's displeasure with the COLA's being offered, noting that that the PT dispatchers in Acton are compensated at a higher level than the FT Boxborough dispatchers. Brenda asked the team to consider a 1.5% COLA.

Caucus from 8:05 – 8:12 AM.

Team ran the numbers and agreed that they could support either 1.5% across each of the three years or 1% – 1.5%-2%, which have similar cost impacts.

When Brenda returned, Selectman Powers presented two options for the union to decide upon:

- 1) 1.5% across each of the three years of the contract, with no ROFR on open shifts
- 2) 1%-1.5%-2%

Team also said that it would support the CBU's proposal for the additional comp time for unused sick leave.

Brenda will speak with the members and respond to the team later in the day. Brenda noted the need to modify section 3 of Article 10, to add back the words "arising from earned time used." The exclusion of the language had been proposed when considering extending ROFR to all open shifts.

The meeting adjourned at 8:20 AM.



RELEASED
11/28/2016

Approved: 6/3/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
April 22, 2013**

PRESENT: Les Fox, Chair; Frank Powers, Member; Raid Suleiman, Member

ABSENT: Vince Amoroso, Clerk; Bob Stemple, Member

ALSO PRESENT: Selina Shaw, Town Administrator

At 6:45 PM, 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 and Boxborough Professional Firefighters, Local 4601) as well as strategy with respect to negotiations with non-union personnel (primary department heads).

Chair Fox proposed that the Board endorse the recommendations of the negotiations team, with the intent of bringing forward the agreements for ratification (subject to TM appropriation of first year costs) on May 6. The Team and Dispatch CBU had tentatively agreed on 1.5% COLA across each of the three years of the agreement. Team will be meeting with Firefighters on the 23rd. Town had last proposed 1-1.5-2; CBU had proposed 1.5-2-2.5. General agreement that COLA should not exceed 2%.

Discussion regarding department head increases. FinCom had approved budget reflecting 2% for each. Selectmen discussed maintaining that level for Fire Chief and DPW Director, but proposing amendments for TA and Police Chief on town meeting floor, with a slightly larger bump... perhaps an additional percentage point.

At \approx 7:30 PM, the selectmen adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business on the agenda in open session.



RELEASED
11/28/2016

Approved: June 3, 2013

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
April 23, 2013**

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenants Jonathan Williams and Shawn Gray

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

At 9:00 AM Selectman Powers 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 (Firefighters and Dispatch), and to adjourn immediately upon completion. Seconded by Selectman Fox. Selectman Fox noted that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Selectman Fox provided a recap of the negotiations to-date.

Town team is amenable to increasing number of sick days to 12 per year, but does not agree to mingling with personal leave.

A good deal of time was spent on Article 22 – New Hire Training. General agreement that new hires shall complete higher standard of training (MA FF Academy Recruit training); additionally, that the trainee period shall not include time spent at the academy.

Article 29 – Career Incentive – general agreement to delete Computer Science and add Medical Sciences. Town team does not support addition of Business Administration; Public Administration is already included and Chief has discretion to allow others not specifically named. Clarified that classes taken were on FF "own dime."

On April 3, town team had proposed 1 – 1 – 2; CBU had proposed 1.5-2-2.5. At today's session, Town proposed 1.5-1.5-2.

Town team and union agreed to layoff language.

Discussion regarding Re-Hire. CBU explained intention that last person laid off would be the most senior employee... and he /she would have the first right to be called back. TA will work on language.

Longevity – Town team does not support.

Caucus at 9:40 – 10:04 AM

Worked on New Hire language: “New hires shall be Trainees for a minimum of a six month period or 120 worked shifts, whichever is longer, and successful completion of... with the option of extension... Trainee period shall not include time spent while completing...”

Re-hire – pre-employment physical at Chief’s discretion... if employee comes back within one year, retains seniority for calculation of vacation leave.

Selectman Fox informed CBU of proposed change to New Hire and Re-Hire language.

Lt. Gray spoke on behalf of the Union:

- **Article 12 – Sick Leave** – agree to 12 days and no mingling with personal leave
- **Article 15 – Personal Leave** – status quo
- **Article 22 – New Hires** – agree to town’s proposed language
- **Article 29 – Career Incentive** – agree to town’s proposal
- **Lay-Off** – agreed
- **Re-Hire** – agreed – TA will finalize language
- **Longevity** – CBU agrees to strike
- **Wages** – CBU proposes 1.5 – 2 - 2

Next session will be held on May 1 @ 8:30 AM

Meeting adjourned at ≈10:10 AM



RELEASED
11/28/2016

Approved: June 3, 2013

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
May 1, 2013**

PRESENT: Selectmen Les Fox and Frank Powers and PFF members Lieutenants Jonathan Williams and Shawn Gray

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

At 8:32 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 Firefighters and Dispatch). Selectman Fox noted that to conduct such latter discussions in an open meeting would have a detrimental effect on the town's bargaining position. Seconded by Selectman Powers. **Approved 2 – 0** by roll call vote: Fox, aye; Powers, aye.

Reviewed redlined draft agreement. Agreed to eliminate Article 5 (Training Period). Delete first sentence and add second sentence to Article 22 New Hires. Change name of Article to "New Hires/Training Period".

Reviewed new changes.

Caucus 8:55 – 9:08 AM.

Team discussed COLA. General agreement that max acceptable would be 1.5-1.75-1.75.

FF team returned, now joined by Eoin Bohnert.

Selectman Fox reviewed negotiations re: COLA. Town had proposed 1–1.5-2. FF countered with 1.5-2-2.5. Town responded with 1.5-1.5-2. FF countered with 1.5-2-2. Selectman Fox related discussion with FinCom members after BLF and general lack of support. Selectman Fox opined that he thought that a majority of FinCom would support 1.5% in each of the three years of the agreement.

Lt. Gray asked town team to consider some of proposals that had been dropped, in exchange for acceptance of 1.5-1.5-1.5, specifically longevity, 15 days sick leave and Academy training for those FF not so trained.

Caucus 9:15 – 9:18 AM

Selectman Powers proposed 1.75-1.75-1.75. Selectman Fox suggested 1.5-1.5-1.75. Team agreed to try the latter first.

When FF returned, town proposed 1.5-1.5-1.75.

Caucus 9:20 – 9:25 AM (FF)

When FF returned, FF Bohnert said that CBU was prepared to agree if he and Jon could go to the Academy and suggested that they be grandfathered.

Caucus 9:30 – 9:45 AM

Town team discussed possibility of limiting to one per year. Selectman Powers suggested COLA of 1.5-1.75-1.75 and that training could be dealt with as the budget allowed; already enabling language in Article 21.

When FF returned, Selectman Fox proposed that New Hire language should remain as previously agreed; COLA of 1.5-1.75-1.75; Academy training for existing staff would be handled through the budget request.

Caucus 9:50 – 9:52 AM (FF)

Firefighters returned and agreed to COLA of 1.5-1.75-1.75, retroactive to July 1, 2012.

TA will incorporate final revisions into CBA to bring forward to town meeting.

Meeting adjourned at ≈10 AM.



RELEASED
11/28/2016

Approved: 6/3/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
May 9, 2013**

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

ABSENT: Bob Stemple, Member

ALSO PRESENT: Finance Committee members Karim Raad (Chair), Jim Ham and Susan Bak; Selina Shaw, Town Administrator

At 6:47 PM, 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 and Boxborough Professional Firefighters, Local 4601).

BoS started review of proposed slides for Town Meeting presentation and continued with FinCom members, who joined at 7-ish (Susan Bak, at 7:30). Chair Fox apprised FinCom members that agreement had been reached with the Dispatch and Fire CBU's and reviewed the history of negotiations and the outcome. (1.5% across the three years for Dispatch; 1.5-1.75-1.75 for Fire). FinCom had not yet voted on their recommendation and would be doing so at their meeting that evening. It was clear from the discussion that FinCom was not unanimous in their opinion on the CBA's.

At \approx 8:00 PM, the selectmen adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business on the agenda in open session.



RELEASED
11/28/2016

Approved: 6/3/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
May 14, 2013**

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

At 6:33 PM, the Board convened in executive session in the Blanchard School Library to discuss strategy with respect to negotiations with non-union personnel (Town Administrator). The Board discussed the terms of the successor agreement including proposed language provided by Attorney Joe Fair. Chair Fox moved to accept the salary terms of the proposed agreement between the town and Town Administrator Selina Shaw for the period July 1, 2013 – September 30, 2016, with the option of extending for up to two additional years, pending further clarification of the terms of funding of the proposed contract. Chair Fox and member Amoroso agreed to confer with Attorney Fair to seek further clarification of language and report back to the Board at a following meeting. Seconded by Selectman Powers. **Approved 5-0 by roll call vote:** Fox, aye; Stemple, aye; Amoroso, aye, Suleiman, aye; Powers, aye.

At 6:50 PM, the meeting was adjourned.

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RELEASED
11/28/2016

Approved: 6/3/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
May 16, 2013**

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

At 7:00 PM, the Board convened in executive session in the Morse-Hilberg meeting room of the Boxborough Town Hall to discuss strategy with respect to negotiations with non-union personnel (Town Administrator). The Board discussed the terms of the successor agreement, reviewing additional input from Attorney Joe Fair, as provided through discussions with Chair Fox and member Amoroso. Chair Fox moved to ratify and execute the proposed agreement between the town and Town Administrator Selina Shaw for the period July 1, 2013 – September 30, 2016, with the option of extending for up to two additional years, Seconded by Selectman Powers. **Approved 5-0 by roll call vote:** Fox, aye; Powers, aye; Suleiman, aye; Amoroso, aye; Stemple, aye.

At 7:40 PM, the meeting was adjourned.



RELEASED
11/28/2016

Approved: 5/26/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
July 29, 2013**

PRESENT: Vince Amoroso, Chair; Bob Stemple, Clerk; Jim Gorman, Member

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

ABSENT: Les Fox, Member; Raid Suleiman, Member

The Board convened in executive session at 7:30 PM in the Town Administrator's office to discuss two policies brought forward by Chief Ryder, *Use of Force* and *Electronic Control Devices*. Chief Ryder reviewed the policies which had been approved by the Executive Office of Public Safety and Security (EOPSS) and discussed the extensive training that the officers receive in the devices' use and potential consequences of such use.

The Selectmen asked the Chief to revise the language under Section C (Use of Deadly Force) of the former policy, to make it clear that all conditions under subsection b 1), 2) and 3) would have to be met before deadly force would be used. The Chief will revise accordingly and submit to EOPSS for approval.

It was moved and seconded to adopt the policies on *Use of Force* and *Electronic Control Devices*, as revised. **Approved 3 – 0** by roll call vote: Stemple, aye; Gorman, aye; Amoroso, aye. It was also agreed to bring the policies back to the Board at the first available opportunity after EOPSS has approved, so that Selectman Fox can also vote on the matter.

At \approx 7:55 PM, the selectmen adjourned from executive session and removed to the Grange Meeting Room to continue with the remaining business in open session.

4a



RELEASED
11/28/2016

Approved: 9/2/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
August 23, 2013**

PRESENT: Selectmen Vince Amoroso (Chair), and Les Fox

ALSO PRESENT: Heather Bevilacqua, Mediator, Joint Labor Management Committee; Karim Raad, Finance Committee Chair; Warren Ryder, Police Chief; Selina Shaw, Town Administrator

Selectman Amoroso 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 with the Massachusetts Coalition of Police, Local 200, Police and to adjourn immediately thereafter. He also noted that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position. Seconded by Selectman Fox. **Approved 2 – 0** by roll call vote: Amoroso, aye; Fox, aye.

BoS negotiations team (Vince Amoroso and Les Fox) and FinCom Chair Karim Raad reviewed with the mediator the history of the negotiations to-date as well as town meeting's very clear response to the CBA's proposed for police, fire and dispatch in January 2013 and the agreements brought forward and approved for funding in May 2013 (1.5 – 1.5 – 1.5 for Dispatch and 1.5 – 1.75 – 1.75 for Fire).

The town team indicated to the mediator that they could not support a package richer than the CBA that was negotiated with the Fire CBU. The team stressed the importance of avoiding the potential for spiraling negotiations in the future and the need to not incentivize the police for delaying agreement.

The mediator shuttled between the negotiating teams for the town and the police CBU. She reported that the CBU team appears to understand the limits of the wage terms that would be supported by the BoS, FinCom and ultimately by town meeting, 5% over the 3 years of the successor agreement. The CBU's team would like to set another meeting so they can seek input from their membership on potential terms of a new CBA.

It was agreed to hold the next mediation session at 9 AM on September 3.

At 9:45 AM, the meeting was adjourned.

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RELEASED
11/28/2016

Approved: 9/2/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
August 26, 2013**

PRESENT: Vince Amoroso, Chair; Bob Stemple, Clerk; Les Fox, Member; Jim Gorman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

ABSENT: Raid Suleiman, Member

The Board convened in executive session at 9:25 PM in the Town Administrator's office to discuss strategy with respect to collective bargaining with the Massachusetts Coalition of Police, Local 200, Police. Chair Amoroso updated the BoS on the mediation session that was held on August 23. At that meeting, the BoS negotiations team (Vince Amoroso and Les Fox) and FinCom Chair Karim Raad reviewed with the mediator the history of the negotiations to-date as well as town meeting's response to the CBA's proposed for police, fire and dispatch in January 2013 and the agreements brought forward and approved for funding in May 2013. The team was encouraged by the report from the mediator that the Police representatives seemed to understand the limits that the Selectmen, FinCom and town meeting were likely to accept and that the CBU's team would be seeking input from their membership on potential terms of a new agreement expected not to exceed 5% (wages) over the 3 year term. Chair Amoroso further reported that the next mediation session would be held on September 3.

At 10:00 PM, the meeting was adjourned.



RELEASED
11/28/2016

Approved: 9/9/13

**Town of Boxborough
Board of Selectmen
Contract Negotiating Team
Executive Session Minutes
September 3, 2013**

PRESENT: Selectmen Vince Amoroso (Chair), and Les Fox

ALSO PRESENT: Heather Bevilacqua, Mediator, Joint Labor Management Committee; Warren Ryder, Police Chief; Selina Shaw, Town Administrator

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

The mediator shuttled between the negotiating teams for the town and the police CBU. She returned with a proposal from the CBU, "September 3, 2013 Local 200 M.C.O.P." A copy is attached for reference.

The team (Vince Amoroso and Les Fox) discussed the proposal and agreed **not** to support "Appointments" or "Shift Bids." Although "Clothing/Cleaning Allowances" had been agreed to in prior rounds of negotiations, team asked mediator to remain silent on this for time being. When mediator left to inform CBU, town team, Chief and TA continued to discuss proposed terms:

- Wages (1.5 - 1.75 - 1.75... same as Fire CBU) - Agree
- Shift differential to remain unchanged (\$0.55 for evening/\$0.88 for overnight shifts) - Agree
- Sick time incentive - No
- Increased sick leave (from 10 to 12 days annually) - Agree, same as successor Fire CBU
- Increased detail rate for FY 14 and FY 15 (\$47/hr., not to be retroactive, and \$48/hr. respectively) - Agree
- Earned time (may be used in 4-hour increments) - Agree
- Appointments (after probationary year, no longer annual) - No
- Shift bids - No
- Firearms Qualification - No
- Clothing/Cleaning Allowances - Agree

When the mediator returned, Selectman Amoroso advised her of team's response. Additionally, team provided mediator with language that had previously been agreed upon by the parties with respect to order-in. Mediator left to discuss with CBU and when she returned, she informed the team that the CBU would not accept the proposed language because it was no longer part of a package that was rich in wages.

Chief suggested that team consider modifying existing fitness language in CBA with terms that would actually provide a desired benefit and be able to be put into practice - provide a stipend (up to \$150) to members who

show evidence of an effort to become fit, e.g. for a gym membership. It was noted that there is currently a fitness stipend of \$189 in the CBA, but since fitness standards and baselines have never been established as required by the CBA, this section of the CBA has never been implemented. Team also discussed the idea of providing an alternating stipend (fitness, one year; firearms, the next); employee could not seek stipend for same purpose in successive years. For firearms stipend, employee must show evidence of training beyond that which the town provides. Team further agreed that stipend should remain \$189 and that employee should pursue fitness stipend in first year.

Mediator was asked to present stipend proposal to CBU as well as to seek their counter to the order-in proposal. When she returned, she informed the town's team that the CBU was willing to drop the firearms proposal and would like to maintain status quo on fitness. CBU also was insistent that they would not agree to the order-in language. The team agreed not to pursue.

Mediator confirmed that agreement had been reached. At 11:45 AM, Selectmen Amoroso and Fox, Police Chief, Town Administrator and mediator joined the CBU reps (Sergeant Nicholas DiMauro and Officer Ben Lavine and Patrick Colburn) in the Morse-Hilberg meeting room. A marked up copy of the terms was initialed by the parties. Selectman Amoroso spoke to the holding of a town meeting for the purpose of approving the cost items of the CBA and it was agreed that unless there was a compelling need for a special town meeting for other business, approval of the cost items of the CBA would be held until the special town meeting within the annual town meeting in May 2014.

At 11:50 AM, the meeting was adjourned.



RELEASED
11/28/2016

Approved: 9/16/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
September 9, 2013**

PRESENT: Vince Amoroso, Chair; Bob Stemple, Clerk; Les Fox, Member; Jim Gorman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

ABSENT: Raid Suleiman, Member

The Board convened in executive session at 10:00 PM in the Town Administrator's office to discuss strategy with respect to collective bargaining with the Massachusetts Coalition of Police, Local 200, Police. Chair Amoroso updated the BoS on the mediation session that was held on September 3 and reviewed the terms of a tentative agreement that had been struck, subject to agreement by the rest of the Board, and ultimately town meeting.

- Wages: 1.5 – 1.75 – 1.75
- Increased sick leave (from 10 to 12 days annually)
- Increased detail rate for FY 14 and FY 15 (\$47/hr., not to be retroactive, and \$48/hr. respectively)
- Earned time (may be used in 4-hour increments)
- Combined use of Clothing/Cleaning Allowances, at discretion of Chief

The Chair also reported that FinCom Chair Karim Raad had provided favorable input in support of the agreement and remained optimistic that a majority of the FinCom would also support. The selectmen agreed that support of both the BoS and FinCom would be beneficial when presenting to town meeting.

TA will draft successor agreement for review by Town Counsel and then bring forward to an October meeting of the Board for ratification and execution by the parties subject to a vote of town meeting in support of the cost items.

Chair Amoroso reported that the parties had agreed that unless there was a compelling need for a special town meeting for other business, approval of the cost items of the CBA would be held until the special town meeting within the annual town meeting in May 2014. The Board agreed.

The Board discussed future strategy for negotiations, including the use of a professional negotiator. The Chair commented that since negotiations between the parties went well, as long as FinCom and BoS provide a uniform front, a negotiator would likely not add benefit.

The meeting was adjourned at 10:55 PM.



RELEASED
11/28/2016

Approved: _____

**Town of Boxborough
Board of Selectmen
IMA Team
Executive Session Minutes
September 27, 2013**

PRESENT: Selectman Vince Amoroso (Chair); Jim Ham (Finance Committee); Gary Kushner (Boxborough School Committee); John Fallon (Moderator); Selina Shaw (Town Administrator)

ALSO PRESENT: Curtis Bates (Blanchard Superintendent) and Margaret Denney (Town Treasurer)

Selectman Amoroso called the meeting to order at 6:30 AM in the Town Administrator's office and immediately moved to adjourn to executive session to consider the purchase, exchange, lease or value of real estate and to adjourn immediately thereafter. Selectman Amoroso also noted that to conduct such session in open meeting would have a detrimental effect on the town's bargaining position. **Approved 5 – 0** by roll call vote: Amoroso, aye; Fallon, aye; Kushner, aye; Ham, aye; Shaw, aye.

Superintendent Curt Bates was present at the outset of the meeting to provide and review with the group the current uses of the Blanchard School. The Superintendent explained the current booking process – for non-recreational uses, use forms are completed and submitted to admin staff at Blanchard; recreational uses are scheduled through volunteer Sue Reuther. When occasional scheduling conflicts occur, preference is given to Boxborough groups. John Fallon suggested that consideration be given to the notion of a 30 day preference period to Boxborough groups seeking to use the facility.

Discussed the exterior grounds and maintenance. DPW currently plows and mows the grass. The Garden Club has provided various plantings (e.g. around the sign, along Garabedian trail). Other areas to be considered in the agreement include the well, septic, generator, ballfield, parking lot. Beavers and geese continue to be a nuisance.

It was noted that Acton has already transferred certain expenses to the school system and meters water usage.

Before leaving, Curt also reported that custodial staff at school (3) may drop to 2.5 effective July 1. Matter is being discussed by ABRSD.

Town Treasurer Margaret Dennehy was present to discuss current debt issues. Currently \$1,020,000 general obligation debt attributable to Blanchard (construction debt). In May 2013, \$130,000 was authorized to be borrowed for replacement of windows and upgraded security system. These will be put out for short term borrowing in February. Because the debt was authorized and issued to the town, it appears that the town will remain responsible for the debt; Margaret suggested that assessment could be offset by the debt service. Margaret also reported that the outstanding debt for water and septic at July 2014 would be \$465,000 and \$330,000 respectively and would be retired in 2025. Gary also noted that there was a debt authorization of \$180,000 for the school roof in 2012.

It was recommended that FinCom provide town meeting with before/after scenarios.

Margaret also discussed retirement benefits and issues related thereto which are being investigated with the Middlesex Retirement Board. Blanchard employees in the system are those that work 20+ hours per week and are not certified staff (e.g. admin and custodial staff). Margaret noted that two-thirds of health insurance costs were attributable to Blanchard employees.

Vince distributed and reviewed a form of intermunicipal agreement and information regarding the enabling statute (a resource guide from MAPC). Discussed the inclusion of some introductory language regarding the good relationship between Acton and Boxborough.

Gary Kushner took the action to get a copy of Schedule 19 from the Blanchard Business Manager and provide to the group electronically.

It was noted that student population was 441 last year and 430 this year.

Will review with DPW Director the services provided to school by DPW.

The meeting adjourned 8:55 AM.



RELEASED
11/28/2016

Approved: 11/4/13

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
October 24, 2013**

PRESENT: Vince Amoroso, Chair; Bob Stemple, Clerk; Les Fox, Member; Jim Gorman, Member

ABSENT: Raid Suleiman, Member

ALSO PRESENT: Members of the BoS IMA Negotiating Team - John Fallon, Town Moderator and Selina Shaw, Town Administrator

At 5:05 PM, immediately after convening in open session in the Town Administrator's office, Chair Amoroso moved to adjourn to executive session to consider the purchase, exchange, lease or value of real estate, noting that an open meeting may have a detrimental effect on the negotiating position of the public body, and to adjourn immediately thereafter. Seconded by Selectman Stemple and **approved 4 – 0** by a roll call vote: Gorman, aye; Stemple, aye; Amoroso, aye; Fox, aye.

TA distributed *Intermunicipal Agreement – Boxborough and ABRSD Items for Consideration, 10/24/13*, updated with input that had been provided by Selectman Gorman. A copy is included with the minutes.

Chair Amoroso updated the Board regarding the meetings that had been held by the negotiating team. At the first meeting the team identified issues to be considered in the IMA; the second meeting focused on how to deal with those issues, as noted in the above-referenced handout.

Chair Amoroso shared with the BoS an email from Mac Reid regarding the possible handling of OPEB, a copy of which is included with the minutes. Also touched briefly on cost allocation for the current Blanchard retirees, those uncertified employees who work 20 + hours per week (the custodial and admin staff). General agreement that Boxborough should maintain responsibility for benefits of those who retired while still Boxborough employees (up until 6/30/14); however, want to ensure that Acton uses the same methodology for their like employees. It was noted that the IMA as referenced in section 4B of the amended Regional Agreement spoke to issues related to the property (title, debt, pre-existing leases and uses of the property) but not the allocation of benefits, which could be subject of a separate IMA.

The Board reviewed and discussed each of the issues listed in the “items” handout. Some further comments follow below.

General agreement that the Blanchard parcel should be divided so that a “reasonable minimum” would be conveyed to the District, generally what is currently being used and enjoyed.

Discussed the need to detach the Blanchard School from the Boxborough WAN.

It was generally agreed that Boxborough would not seek an assessment offset for the cost of the Blanchard emergency generator.

General agreement that Boxborough would not assess the region for building, electrical and plumbing permits.

It was noted that the busses are owned by the Region; therefore excise tax for non-owned vehicles would not be an issue; also no issue regarding vehicle storage.

Agreed that the Police and Fire Chiefs should have guaranteed access to Blanchard and that there should be an acknowledgement of customary and normal access; also, that an on-premises contact person should be designated by the school and provided to the Town. Public safety services should be provided by the host community in the manner customarily provided. If a school resource officer is provided, the region should pay for the service under mutually agreeable terms.

Fire Chief had suggested a number of items related to public education. It was agreed that these items were better left to be discussed by the Fire Chief and the new principal.

At ≈ 7:00 PM, the meeting was adjourned.



RELEASED
11/28/2016

Approved: Dec 16, 2013

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
December 2, 2013**

PRESENT: Vince Amoroso, Chair; Bob Stemple, Clerk; Les Fox, Member; Jim Gorman, Member; Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

The documents discussed herein have been included with the file copy of the minutes and are hereby incorporated by reference.

At 9:25 PM, the Board met in TA's office to conduct strategy in preparation for negotiations with non-union personnel, specifically the DPW Director and the Chiefs.

TA distributed information from the salary survey completed by Stone Consulting in 2012 and the more recent survey currently being completed by HRS Consultants as well as a spreadsheet showing salaries and % increases for Town personnel over the years.

Selectman Fox introduced the matter and informed the BoS that Police Chief Ryder was "looking around" but would prefer to remain in Boxborough if appropriately compensated. The Chief is seeking a signal from the BoS by way of a range of parameters.

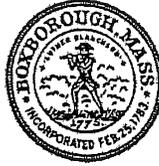
The Board then discussed the salary information for the DPW Director. Noting that he was approximately at the median (at the low end... but within the range), the selectmen thought that a 2% increase seemed reasonable.

The Board next reviewed the range for the Fire Chief, who it was noted was very solidly placed near the top of the median. They generally agreed that a 2% target would be reasonable.

Selectman Suleiman recused himself from discussion regarding the Police Chief and left the room.

The Board reviewed the salary for the Police Chief, using the Stone Study, which showed that the Chief was at the low end of the median. Selectman Fox, the Chief's liaison, informed the Board that the Chief had been interviewing with Southborough. Based on information in the media for the Chief just retired, it was estimated that the salary for the new Chief would be \$120k+. The selectmen generally agreed that they would like the Chief to stay and would consider offering a salary in the range of \$115 - 120k. Selectman Fox informed the Board that unlike the statute related to the TA's contract, the Chief's contract requires an annual appropriation. The Board agreed that support of the FinCom would go a long way at Town Meeting and Chair Amoroso agreed to speak with Jim Ham. Selectman Fox will inform the Chief.

The meeting was adjourned at 10:15 PM.



RELEASED
11/28/2016

Approved: January 6 2013

**Town of Boxborough
Board of Selectmen
Executive Session Minutes
December 16, 2013**

PRESENT: Vince Amoroso, Chair; Bob Stemple, Clerk; Les Fox, Member; Jim Gorman, Member; Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator

At 10:05 PM, the Board met in TA's office to conduct strategy in preparation for negotiations with non-union personnel, specifically the DPW Director and the Chiefs.

The selectmen agreed on negotiating team members as follows:

- Fire Chief – Selectmen Amoroso and Gorman
- DPW Director – Selectmen Fox and Stemple
- Police Chief – Selectmen Amoroso and Fox

Action taken at December 2 meeting was reiterated: the Board agreed that 2% increases for the Fire Chief and DPW Director were in line with survey results and would be reasonable.

Selectman Suleiman recused himself from discussion regarding the Police Chief and left the room.

Selectman Fox reported on his discussions with the Police Chief. Selectmen Fox, Amoroso, Stemple and Gorman agreed to support a salary range of \$115-120k for the Police Chief. The Chair will seek to gain support from FinCom starting with discussions with FinCom member Jim Ham.

TA updated Selectmen on status of Police CBA. Still awaiting final input from CBU. The Board expressed dismay that CBU appeared to be dragging their heels over ratifying successor agreement that had been supported by all the parties some three months earlier. The Chair asked the TA to arrange a conference call among the CBU's attorney, Town Counsel and himself in an effort to move the process along.

The meeting was adjourned at 10:45 PM.