



## TOWN OF TYNGSBOROUGH

Office of the Selectmen

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### Board of Selectmen Executive Session Minutes

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Monday, March 21, 2011

7:00 P.M.

Town Offices, 25 Bryant Lane

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The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law. The Chairman informed the public of the emergency exits to the left and rear of the room, per 527 CMR 10.13.

The Board voted on a motion by Selectwoman Coughlin, second by Selectman Jackson to enter into Executive Session to discuss strategy with respect to collective bargaining, if an open meeting may have a detrimental effect on such subject matters and to return to open session only to adjourn. Roll Call Vote: Selectman Jackson, yes; Selectman Lemoine, yes; Selectwoman Coughlin, yes; Selectwoman O'Neill, yes; Selectman Reault, yes.

The Board entered into executive session at 19:35 P.M.

#### **1. Executive Session**

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

The Administrator has forwarded correspondence to the Board with the counter proposal to the Selectmen's proposal from the Deputy. The Board reviewed and discussed the Deputy's Contract. The Board has asked that the Administrator to discuss with Labor Counsel Section 2.4 it is advantages to the Town to have a 4/5<sup>th</sup> vote to renew the contract as counter proposed and Section 3.1 to discuss the possible restrictions to setting the Deputy's daily schedule.

The Board next discussed 4.1 counterproposal from the Deputy for the increase in salary from \$95,000 to 105,000, Labor Counsel cautioned the Board that there is no language in the Board's proposal that specifically states the elimination of the Quinn Bill. Following discussions the Board voted 4-1 against the motion by Selectman Lemoine, second by Selectman Jackson for discussion to write language to state the elimination of the Quinn Bill and to change the salary line to \$103,000. Roll Call Vote: Selectwoman O'Neill, no; Selectwoman Coughlin, no; Selectman Lemoine, yes; Selectman Jackson, no; Selectman Reault, no. The Board voted 4-1 against the motion by Selectman Jackson, second by Selectman Lemoine for discussion to write language to state the elimination of the Quinn Bill and to change the salary line to \$99,000. Roll Call Vote: Selectwoman O'Neill, no; Selectwoman Coughlin, no; Selectman Lemoine, no; Selectman Jackson, yes; Selectman Reault, no. After further discussions the Board voted the following:

The Board voted 4-1 on a motion by Selectman Reault, second by Selectman Jackson for discussion to keep the salary at \$95,000, to insert language that excludes the Quinn Bill and to give a 2 month severance package. Roll Call Vote: Selectwoman O'Neill, yes; Selectwoman Coughlin, yes; Selectman Lemoine, no; Selectman Jackson, yes; Selectman Reault, yes.

The Board discussed the counterproposal of the following sections 5.1, 5.2, 7.1 and 8.2; the Board's original proposal stands there will be no changes. The Board reviewed and discussed section 10.1 and after discussions the Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Reault to strike Board of Selectmen and replace with The Chief to do the performance evaluation. The Board has voted (see 4.1) to have a two month severance package in section 12.2.

The Board agreed that the Chair and Administrator can go forward to offer the Board's contract proposal once Labor Counsel has reviewed and answered the Board's question on sections 2.4 and section 3.1 favorably.

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Reault to extent their final offer to the Deputy and because he is a valued long term employee the Board would offer to the Deputy the opportunity to be designated one of the three lieutenants effective July 1<sup>st</sup> should he not accept this offer. Roll Call Vote: Selectwoman O'Neill, yes; Selectwoman Coughlin, yes; Selectman Lemoine, yes; Selectman Jackson, yes; Selectman Reault, yes.

The Administrator has spoken to Labor Counsel about the petition to remove the Treasurer and the Accountant from the union, Labor Counsel says that the letter should state less when notifying the individuals that the Board is not withdrawing the petition. A preconference is scheduled to take place in three weeks. The Board has received notification that the SEIU is ready to open negotiations, the Board will need to set the ground rules, who will represent the Board at the negotiations and what will the Board's proposal be. The Board will discuss at their meeting of Monday March 28 the ground rules and first proposals; this will give the board the opportunity to meet with the Finance Committee on Thursday March 24 to discuss the budget impacts.

The Board voted 5-0 on a motion by Selectman Reault, second by Selectman Jackson to exit the Executive Session and to return to open session only to adjourn. Roll Call Vote: Selectman Jackson, yes; Selectman Lemoine, yes; Selectwoman Coughlin, yes; Selectwoman O'Neill, yes; Selectman Reault, yes. The Board exited executive session at 11:00 P.M.

Respectfully submitted

Therese Gay  
Admin Assistant

Approved on Monday March 28, 2011