

Approved 1-10-17
Not Released: ✓

Selectmen's Meeting
Tuesday, December 20, 2016
Selectmen's Meeting Room
Executive Session

Approved
Released on: 10-3-17

The meeting was called to order at 8:56 p.m. by roll call vote to discuss strategy with respect to collective bargaining for fire and to consider the purchase, exchange, lease or value of real property. – Ellis Property. The following members were present: Martin J. O'Toole, Chairman, Anthony Vegnani, Maura Curran, John Danehey, Shawn Harris

Also present was Patricia Vinchesi, John Clifford, Labor Counsel, Jim Toomey, Town Counsel

Roll Call Vote

O'Toole yes
Vegnani yes
Curran yes
Danehey yes
Harris yes

EXECUTIVE SESSION

1. To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body. – Fire

Attorney John Clifford attended to brief the Selectmen regarding the dispatch center consolidation. The Center is scheduled to have a cut over live for 911 on March 2. This date is set by the state E911 Board. The Town has asked to move the date out but does not know if it is possible as the work is scheduled by the Board very far in advance because there are six active regional dispatch centers that are coming together. If our date was pushed out it would be 4-6 months out. The TOSCA Union is generally in favor of the proposed changes and there are no big issues.

Attorney Clifford stated that the Town is still bargaining over four full time dispatchers moving to the new center and that 48 firefighters get paid for dispatch overtime shifts. On September 1 the Town sent notice to impact over this issue. The union replied it would get back to it. Five weeks later on October 6th the first meeting was held and an extensive draft implementation plan was provided to the union for discussion and to solicit their input. There was general opposition to the concept of a joint dispatch center.

The next meeting was November 8, 2016. Prior to this, the fire department asked for volumes of information some related and much unrelated to joint dispatch. The Town responded it would provide as much information as it could prior to the meeting but due to the nature of the requests might not have it all but nothing that would preclude the meeting from going forward. Most information was sent November 4, 2016. Regardless, the fire union cancelled the meeting since they said they did not have all the information

requested. The union wishes the fire dispatchers to remain in the fire union even though the work of all dispatchers is going to be combined into singular Communication Specialists positions. The union stated is not opposed to moving the dispatch work but want two different dispatch groups. The Town said they would not consider managing two different dispatch departments for police and fire.

Attorney Clifford stated that the training would not be delayed by the bargaining and the March date is looming. Training will start in February to cross train the police and fire dispatchers. A training schedule has already been provided to the union. The union has continued to insist that only fire dispatchers and fire fighters would dispatch fire. In summary, the past four months has resulted in fire present at three meetings. They believe the Town will continue to maintain separate dispatch operations. Deputy Thompson and Deputy Elliot along with the HR Director and Ms. Vinchesi have been working on the plan for over five months.

Attorney Clifford will provide an outline of how the transition is going to take place but expects the union will file an unfair labor practice complaint. The Town would likely counter noting the lack of meeting attendance and participation. The hearing would be several months out and Attorney Clifford anticipated that the case will probably be dropped and an agreement negotiated. It is clear the union is trying to delay the process.

Ms. Vinchesi stated that over a million dollars is likely invested in the communications at the new PSC and the town voted to support this. All the training is provided by the E911 grant. Right now procedures and policies are being worked out for the combined dispatch center. The position of Communications Supervisor (a working dispatcher who will have the added duties of the schedules and protocols) will be posted soon. The Town has also engaged a consultant to work on policies and transition for \$5,000.

There has been a fire dispatcher on the bargaining committee and he was unable to attend the meeting because nobody would back fill his position when they had meetings. The Town has stated from the outset that no current dispatchers would lose their jobs and would endeavor to pay everyone the TOSCA rate, which is a higher rate. If there is still no agreement with the fire union by April it is likely the combined Communications budget will try to be sabotaged on the floor at Town Meeting which is unfortunate because the center is bringing better service to our residents; the town is enhancing public safety and allow the fire fighters and police officers to serve the public rather than answering dispatch calls. Right now the fire has a manual log and it will be an automated data base in the PSC. The police dispatchers need to learn emergency management dispatch while the fire fighters need to learn the E911 system. Under EMD regulations, a state mandate, the fire dispatcher has to remain on the phone until help arrives. The EMD call is dispatching the fire apparatus at the same time they are handling the EMD call. The police dispatcher remains on the line unable to assist further.

Mr. Vegnani said we should move forward with our plan and deal with the ramifications. If the dispatchers do not voluntarily sign up for the training they will need to be ordered to do so. The TOSCA union took an entirely different tact. Police dispatchers in the


TOSCA union have been very cooperative and open to the additional training. There is still time to reach an agreement but the Board should be aware of what has been happening the past few months. Attorney Clifford said the issue is not the Town Administrator it is the union. Only three fire unions in Massachusetts went to arbitration last year. Ms. Vinchesi said we have a great fire department and the firefighters are great but the bargaining team remains unreasonable and unwilling to compromise.

2. To consider the purchase, exchange, lease or value of real property. – Ellis Property

Attorney Toomey attended the meeting and thanked the Selectmen for continuing with the law firm. He updated the Board on his recent conversations with the Attorney General's Office regarding the Ellis estate and whether or not Article 97 of the State Constitution applies. Attorney Toomey said Article 97 doesn't apply because this land was put in control of the school committee prior to Article 97's existence. The Town is not out on a limb with this contention. There is a draft agreement that is with the Attorney General's office now. Would the Board be open to putting six acres of existing conservation land with a CR? The Selectmen said it might be open to looking for land but there were still unsettled issues in other aspects of the draft agreement to be further discussed.

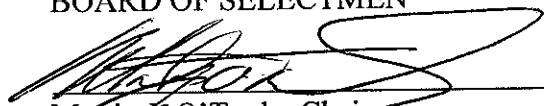
The meeting adjourned at 10:16 motion to adjourn by Mr. Vegnani second by Mr. Harris
Unanimous Vote 5-0

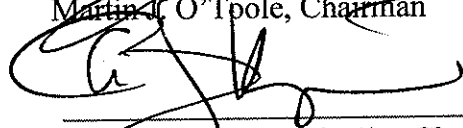
Respectfully Submitted,


Lorraine Devin
Recorder

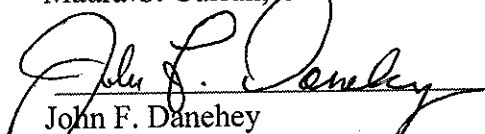
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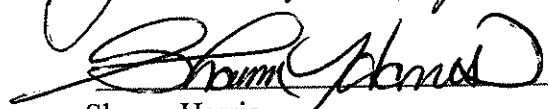
BOARD OF SELECTMEN



Martin J. O'Toole, Chairman

Anthony V. Vegnani, Vice Chairman

Maura C. Curran, Clerk

John F. Danehey

Shawn Harris