

**EXECUTIVE SESSION MEETING OF THE SELECT BOARD  
TUESDAY, MAY 24, 2022 6:30 p.m.  
SELECT BOARD HEARING ROOM – TOWN HALL**

In attendance Karen Connolly, Chair, Karen Canfield, Vice Chair, Andrew Goodrich, Clerk  
Maura Curran, Anthony Vegnani

Also, in attendance Jim Boudreau, Town Administrator and John Clifford, Attorney, Clifford &  
Kenny LLC Labor Counsel

**MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA**

**A motion was made by Mr. Vegnani at 6:30 p.m. to accept the agenda for May 24, 2022  
second by Ms. Canfield Unanimous Vote (5-0)**

The Chair declares that the Select Board move into executive session pursuant to purpose 3 of  
the Open Meeting Law to discuss strategy with respect to collective bargaining and an open  
meeting may have a detrimental effect on the bargaining position of the body. The board will  
reconvene in open session. – Fire Union

**EXECUTIVE SESSION:**

1. To conduct strategy session in preparation for collective bargaining. – Fire Union

**Move that the Select Board move into executive session at 6:31 pursuant to purpose 3 of  
the Open Meeting Law to discuss strategy with respect to collective bargaining and an  
open meeting may have a detrimental effect on the bargaining position of the body. The  
board will reconvene in open session. – Fire Union Motion by Ms. Curran second by  
Mr. Goodrich Unanimous Vote (5-0)**

**This requires a roll call vote.**

**Connolly - yes**

**Canfield - yes**

**Goodrich - yes**

**Curran - yes**

**Vegnani - yes**

John Clifford, Attorney, Clifford & Kenny LLC labor counsel for Town of Scituate, said that in  
July 2021 the town began bargaining with the fire union. We were close to an agreement until  
February 1, 2022 and the union filed with the Joint Labor Management Committee (JLMC). The  
JLMC held three mediation sessions with no resolution. The issue they are stuck on is per piece  
staff, the number of firefighters assigned to each apparatus. That issue has been perceived as a  
safety issue. That is in contrast with staffing levels which is a management issue. There is  
related litigation and back in 2018 the Chief reallocated the apparatus and staffing. The union  
filed an unfair labor practice charge in 2018 saying the town needed to bargain this. The union  
wanted two firefighters assigned to Engine 1 (stationed out of the First Parish Road Fire Station)  
in response to a fire call. When both ambulances are gone, we're only staffing one firefighter on  
Engine 1. It was filed in 2018. There is some resistance with two ambulances running 24 x 7.

The ruling was determined and appealed by the Town. The decision says the Town must assure two firefighters are capable of responding on Engine 1 during fire calls. The union solution was to move both ambulances down to First Parish Road. The Town believes this will hurt response time. The firefighters went to the JLMC in 2012, 2015, 2018 to settle collective bargaining agreements and now they are back. The JLMC's Jerry Hayes is assisting the Town in this case and he is not aware any union that has gone to arbitration three times in the State. They are following Shea as the union president. Even the State Fire Union did not agree with them in the past and the firefighters lost money. If they prevail and they get their per piece proposal we will not be able to send out a piece of apparatus without two firefighters. The problem is the jaws of life are on the engine. Typically, we'd send out one on the engine and two on the ambulance. Scituate spends more than our neighbors on fire protection due to the geographical layout of the town with Humarock, etc. We are not understaffed. Of course, it's better to have more than less but the fiscal reality is a consideration. We will be heading to arbitration. The end of July it will go back and the earliest for arbitration is the Fall to get a decision. If we are made to hire we will need at least four more firefighters it will cost \$100K each. We thought we were getting close and the union walked away. The DLR decision was a very narrow decision. Now there has to be two people on every piece before the apparatus leaves the station. We issued an order the firefighter doesn't go by themselves. We do a call back if needed. We're budgeted for 12 and we staff at 10 due to vacancies, vacations, etc. We would have to put the agreement before Town Meeting to be funded. If it doesn't pass we're back at square one. If it passes we need to find the people to hire. The DLR decision and the Town agree we would never send a firefighter into a fire by himself even though he is in the truck by himself. Mr. Boudreau said we staff for normal operations. The model the union is pushing for is there two or three personnel on apparatus. Mr. Clifford said that is an old city model. We don't assign people to apparatus because we don't know what calls are going to come in. None of the suburban towns in the area have apparatus manned in this manner. Places that don't run their own ambulance do this e.g. Quincy, Braintree, etc. Cohasset has a real problem because they have one firefighter on a medical call and that is unsafe. It has never happened in Scituate. We've issued an order if all firefighters are deployed that one person should not go to the fire without mutual aid from other firefighters. We did not increase our staffing level when we opened the new station. We have 12 people on shift spread across the three stations. The problem is we're not fully staffed right now. We've dropped to 10 historically with sick leave, out on injury, etc. Our sick leave is better. We lost the Department of Labor Relations (DLR) case. Some towns use ambulance services but end up bringing the ambulances back in town. We have a good fire department. If this was really a safety issue legal counsel would tell us but this is not the case. The town put forward a number of proposals but the union would not accept them. The Select Board decided to sit tight and see what the findings are for the current cases. Once the decision is out, Town Counsel will reconvene with the Select Board

Motion to reconvene in open session at 7:08 p.m. Maura Curran second by Mr. Goodrich  
Unanimous Vote (5-0)

**Roll Call Vote:**

**Connolly - yes**

**Canfield - yes**

**Goodrich - yes**

**Curran - yes**

**Vegnani - yes**

Respectfully Submitted,

Lorraine Devin, Recorder

## Select Board Executive Session Meeting Minutes for May 24, 2022

### SELECT BOARD

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Karen E. Connolly, Chair

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Karen B. Canfield, Vice Chair

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Andrew W. Goodrich, Clerk

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Maura C. Curran

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Anthony V. Vegnani