

SELECTMEN'S MEETING
Thursday, March 24, 2011
UPSTAIRS MEETING ROOM

8A

Meeting was opened at 4:30 PM in the downstairs Meeting Room. Present were Selectpersons, Mark Fairbrother, Chris Boutwell, Patricia Allen, Town Administrator, Frank Abbondanzio ; Administrative Secretary, Wendy Bogusz , Carolyn Olsen, Town Accountant

Allen announces meeting is being taped

There will not be a meeting on Monday

Inclement Weather Policy

Allen: The issue comes up about snow days and how to deal with it. This year was very different from other years, because in the past, we have tried not to have snow days. In my mind, the biggest thing is how do we handle when the Governor declares a state of emergency, then the Police Chief and DPW Superintendent says we need to close. My original inclination this year had been not to close, then when we got the State of Emergency from the Governor, I thought what do we do?

Discussion about "State of Emergency"

Allen thinks we should go back to our policy where we stay open unless we get 3' of snow; she has no problem with people leaving a little early or coming in late, but this year was ridiculous.

Olsen and the Board review and answer her list of questions (attached)

Answers:

Question #1: Policy becomes final when the final policy is voted and signed.

Question #2: The supervisor (department head) will make the decision.

Question #3: Treat full day for snow day and whatever hours worked are hours worked in addition to that, and whatever that does to cumulative hours of the week, flows into your comp time.

Question #4: Marsh Odle and Matt Cadran's positions are considered essential as well as all police officers, all dispatchers, all DPW employees are considered essential. Tina Tyler and Bob Trombley are considered as non essential (for the snow policy)

Question #5: Going forward, if Town Hall is closed, Marsha and Matt are expected to work and not get additional pay for it.

Question #6: This goes with #4 which makes #6 now a mute point.

Olsen: The day Town Hall closed early, Barbara thought we were closed, so she wasn't able to get in and decided to stay home and take the day as whatever time off; then Town Hall closed at 1:00, does she get credit for partially closing for a snow day or not. The way I read the intent of the original policy, if you decide not to come in, you don't come in and take the entire day on your own. (Board agrees)

Specific Situations:

1st Category, #1: Employees get credit for day

2nd Category, Already answered

3rd Category,: Past everyone will get credit, going forward in the future, none of them are going to get it because they are all considered essential personnel and will have to work without any additional pay.

Carolyn was given a copy of the Inclement Weather policy and will make changes according to the discussion above and will return to the Board for signature at the next meeting.

Other

Olsen: Right now it looks like we aren't going to have anything signed by the time stuff has to go to the printers for Town Meeting which means there is nothing to be done at Town Meeting to resolve anything. My understanding is there is only one contract that is close and what I understand with that one is, people who have been at step 18 for a year on their anniversary date, on June 30th will get an extra 1-1/2%. Then in fiscal 2012 they would continue to get that 1-1/2% as well as all people who would then meet that threshold. My question is this, I know that normally a union contract is considered accepted by the Town when an appropriation is made to fund any additional charges that it causes. Since the June 30 change is actually not going to require any additional appropriations because most people are going to have enough money in their budget from their other accounts to take pay for that one days increase. You could almost say, that is automatically

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accepted, well then if you get into 2012, which is going to require, presumably a supplemental appropriation to account for those changes. If Town Meeting votes yes, then everything is fine, if Town Meeting actually voted that down, is the contract still valid?

Allen: Right now it is all up in the air, because everyone is waiting.

Olsen: My question is, because that one piece actually supposedly is effective June 30, which is in this fiscal year. If that is paid, because there is money for it, assuming the contract is ratified by the end of June, at least I would think that piece of it then gets built into the next contract as a past practice, but then if Town Meeting doesn't approve the appropriation, does it mean the contract is approved because it was paid on June 30, or do the departments have to make it up out of their budget line items or?

Abbondanzio: That is an unusual thing. Once you do pay on a contract, you almost are acquiescing something. In that case, technically you should be asking Town Meeting for that one days...

Olsen: Right, but I'm saying you don't really...I guess if you decide that is going to be done as an unpaid prior year bill you could get away with it. I guess you need to go ahead if that is going to be the case and then that would be in fact the ratification. Since most people would be able to pay that out of the current year budget without requiring additional appropriation, that is why I'm concerned about it. Give it some thought and maybe the way to avoid it is simply to not pay the June 30th increase until the complete contract is ratified by the supplemental appropriation for 2012 and the prior year unpaid bills.

Discussion about possible special town meeting being held in June

Fairbrother makes the motion to go into executive session at 5:00pm to discuss potential litigation. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Allen - Aye