

February 12, 2018
Executive Session #2
Town Hall, 1 Avenue A, Turners Falls
8:15 PM

Present: Selectpersons: Chris Boutwell, Michael Nelson, Chair, Rich Kuklewicz; Town Administrator Steven Ellis; KP Law Attorney Tim Zessin

RE: Executive session under G.L. c. 30A, s. 21(a)(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel and to conduct contract negotiations with nonunion personnel (Police Chief).

Documents and Exhibits: None

Atty. Zessin updates the Board with details regarding potential settlement with Chief Dodge.

- Have come down considerably from the two years administrative leave they were originally requesting but we are still about one to one and a half months apart.
- Chip would be willing to resign today going to February 12, 2019 and he would release the Town from all claims
- As part of the settlement Chip would remain on administrative leave receiving benefits through a year.
- The issue of Chip no longer having a title will have to be sorted out as it may be important what he is able to represent to other employers; but it's important for the Town to hire another permanent replacement.
- I have told them we could settle this through 1/3/19, every month it costs about \$10,000 with health insurance benefits. We can either hold firm, meet in the middle or go to 2/12/19
- The Town originally offered 9 months
- Explanation given regarding uncertainty with Civil Service and how long the process could take
- Document won't be signed tonight as Atty. Joyce has not reviewed the agreement yet
- We need to be clear that agreement is not for a year from some unspecified date, it's through 2/12/19 specifically providing there are no additional financial requirements or other unreasonable requirements imposed on the Town through the settlement agreement

8:35 PM

Present: Charles "Chip" Dodge and Atty. Austin Joyce

Zessin informs Chief Dodge and Atty. Joyce that at this point:

- The Board is comfortable with an agreement putting the Chief on paid administrative leave through 2/12/19, a year from today;
- The date is firm and we want to get this squared away ASAP.

- We still need to go back and forth on the non-financial terms of the agreement.
- There is a 7 day provision that allows Chief Dodge to revoke his acceptance of the agreement.
- Would like this completed by 2/26/18 to go to the public. Atty. Joyce does not know if this can be done by then but will try.

Nelson makes the motion to authorize Chair, Rich Kuklewicz and Town Administrator Steve Ellis to work with Atty. Tim Zessin to finalize the agreement. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

- The agreement is finalized 7 days from when Chip signs the agreement.
- Chip will be on paid administrative leave for another year, but we need to do a search to find a replacement and the Town has the right to fill the position.
- Chief Donovan's report will be a public record subject to redaction; Joyce states that he feels it can be withheld as a personnel record
- Every effort will be made to get Chips signature by Friday.

Nelson makes the motion to adjourn the Executive Session at 8:45 PM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Approved:

✓ Boutwell

✓ Nelson

✓ Kuklewicz

Release to the Public:

✓ Yes

 Not Yet

3/19/18 Date

Date Released to the Public:

3/19/18