

# TOWN OF GILL

M A S S A C H U S E T T S



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## SELECTBOARD EXECUTIVE SESSION MEETING MINUTES

May 6, 2009

### Called to Order

Ann made a motion to enter into executive session to discuss the Police Chief's contract, not to reconvene in open session. Lee seconded the motion. Ann voted to accept the motion; Lee voted to accept; Nancy voted to accept. The Board entered executive session at 3:28 p.m.

### Present

Nancy Griswold, Ann Banash, Leland Stevens, Selectboard members; Tracy Rogers, Administrative Assistant; David Hastings, Police Chief.

### Police Chief Contract

Chief Hastings read through a list of changes to the draft contract the Board presented to him.

*Section 2.1.D.:* Tracy advised the Board that the Chief currently receives double-time pay for holidays, not time and a half. The Board agreed to reword the section to reflect double-time pay. David asked where that holiday pay will come from once the Community Policing grant is no longer funded.

*Section 2.1.F.c.:* David asked who would assign him to other essential positions. The Board responded that it may be them or it may be the incident commander.

*Section 3.1.A.:* David asked that the word "entitled" be returned to the word "receive." He also asked to add the words "or funds under the control of the Chief of Police" to the fourth sentence, since grant funds will no longer be available. Both requests were approved by the Board.

The Board discussed the interpretation of the third sentence in this section and how to make it clearer. It is Town Counsel's opinion that the sentence states that David would receive a raise if ALL town employees were to receive one. David's opinion is that if ANY town employees were to receive a raise he would receive one. Ann will work with Tracy to reword the sentence to make it clearer.

*Section 3.1.B.:* David asked why Town Counsel would want to change the language in this section now, when she wrote it herself in his original contract. Ann asked if MGL c. 258 is newer than the original contract. Tracy will research.

*Section 3.1.C.:* David asked to retain this section, which was struck entirely in the Board's version. The Board agreed to leave this section in, but perhaps reduce the automatic extension length to one-year.

*Section 3.1.D.:* David asked to retain this section, which was struck entirely in the Board's version.

*Section 3.1.E.:* David asked to have the minimum notice reduced to 14 days from the original 90 and to include sick time in the pay he receives when leaving. The Board agreed to reduce it to one-month's notice, as the Personnel Policy allows for department heads. They did not agree to include sick time, since the Personnel Policy does not allow other employees to receive sick time compensation when they leave.

*Section 3.1.H.:* David asked to add a new section to read as follows:

The Town of Gill shall provide the Chief of Police straight time pay for 50% of his on-call status hours during the hours of 7:00 a.m. to 11:00 p.m. on days when no coverage is provided by active patrol in the community of Gill, to which the Chief must maintain his presence in Franklin County.

The Board agreed to this section, with the caveat that Tracy research how it fits in with overtime laws.

*Section 4.1.A.:* David asked to strike the words inserted by Town Counsel "and contingent upon the availability of funds." The Board agreed.

*Section 6.1.D.:* David asked to keep this section.

*Section 6.1.E.:* David asked to strike this section. His interpretation of the section was that Town Meeting would have the ability to vote on his salary. Tracy stated that her intent for the section was that if Town Meeting were to zero out the police department budget, which includes the chief's salary, the Town would no longer be held to the terms of the contract. Tracy will work on rewording this section.

David stated his frustration that the highway and fire departments have their uniforms provided and cleaned by the Town. The police department staff must buy their own uniforms and some of their equipment, and clean them at their own homes. The Board instructed David to see if it was feasible to have the uniforms purchased and cleaned the same way the highway departments are. Tracy asked if NMH could provide an in-kind service in doing the Town's laundry. The Board instructed her to research that possibility.

Next Meeting

The Board agreed to meet with David to continue negotiations on Thursday, May 14 at 3:15 p.m.

Adjourned

Ann made a motion to adjourn the executive session meeting. Lee seconded the motion. Ann voted to accept the motion; Lee voted to accept; Nancy voted to accept. Meeting was adjourned at 5:07 p.m.

*Minutes respectfully submitted by Tracy Rogers, Administrative Assistant.*

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Nancy A. Griswold, Selectboard Chair