



Town of Swampscott
Select Board Executive Session Meeting Minutes
Wednesday, November 6, 2020 – 9:00 AM
Virtual Meeting

SELECT BOARD MEMBERS PRESENT

Peter Spellos (Chair), Polly Titcomb, Don Hause, Neal Duffy, David Grishman

MEMBERS ABSENT

None

OTHER TOWN OFFICIALS PRESENT

Sean Fitzgerald, Town Administrator; Graham Archer, Fire Chief; Ron Madigan, Police Chief; Darren Klein, KP Law; Allie Fiske, Assistant to the Town Administrator

On **MOTION** (Hause) and **SECONDED** (Grishman) it was **VOTED** by roll call to enter into executive session pursuant to MGL chapter 30A, Section 21(a): Subsection (3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the Town and the chair so declares – Police Union; Fire Fighters Union. Roll call: Grishman (YES) Titcomb (YES) Hause (YES) Duffy (YES) Spellos (YES)

The meeting was called to order at 9:00 AM

Town Administrator Sean Fitzgerald provided an update on negotiations with the Fire and Police Unions starting with conversations in March regarding exiting Civil Service. After numerous meetings, the union agreed to leave Civil Service, while still leaving room for the union to have a voice in the recruiting and hiring process. He provided examples of cases where Towns paid members a certain amount of money per year as part of impact bargaining relating to leaving Civil Service. The current proposal includes language that ensures departments leave Civil Service and support a professional hiring system and ensure the Police and Fire Chief reserve right to deviate from manning and staffing levels set forth in contracts. The Town Administrator stated that addition of language allowing the Chiefs greater authority over minimum manning is a significant achievement and will provide significant benefits to the Town. By removing this language, there is fiduciary flexibility to manage the fiscal impact of the department budgets.

Other changes in the contract (as example):

- The Police Union wants to increase the Quinn Bill wages which would increase thresholds for educational attainment for 8 employees.
- Fire Dept. have requested the fitness incentive that Police Dept. receives

Town Administrator Fitzgerald discussed providing a one-time payment to employees as the significant concessions being negotiated.

The Town Administrator proposed one-time payments to each member of the Police and Fire Departments (totaling \$5,000 each). The Town Administrator stated that he believed this cost would be offset by savings to the town overtime due to the contract revisions. Both Unions have stated they will seek ratification from members if Select Board supports. The Town Administrator also stated that the draft contracts were for 3-years with a proposed 3% COLA each year.

Chief Archer and Chief Madigan spoke about the way that the hiring process will change when the departments are out of Civil Service. One of the impetuses of getting out of Civil Service is to have a little bit more control over hiring rather than being able to choose between 2 people based on test scores and other specific criteria.

There was a discussion about minimum manning and what responsibilities will be on the chief to use their judgement to staff particular days and seasons. The board also discussed the process for reopening the contract.

There was a question regarding the payment to the department as an “impact” for leaving Civil Service and for the other contract concessions and whether or not that was a standard payment. The Town Administrator confirmed that such payments were consistent with other communities.

There was a discussion regarding backfilling and the significance of this contractual obligation and practice and how this requirement is reflected in the proposed contract language for both Fire and Police.

Chief Archer, Chief Madigan, and Attorney Darren Klein left the meeting and the Select Board and Town Administrator continued.

Several Board members stated that they feel the contract is not ready to present to the Finance Committee and ultimately Town Meeting for a vote on free cash as needed. There were questions and clarification needed on several aspects of the contract including the Baby Quinn, physical fitness tests, 3-year contract length, and proposed COLA.

It was agreed that the Board and Town Administrator do not want to rush the negotiations and may intend to present the Civil Service article to Town Meeting with the understanding that contract negotiations are on-going.

The Board agreed to reconvene on Tuesday at 4:30pm.

On **MOTION** (Grishman) and **SECONDED** (Hause) it was **VOTED** by roll call to adjourn the meeting. Grishman (YES) Duffy (YES) Spellios (YES) Hause (YES)

Meeting adjourned at 11:25 AM

True Attest,

Allie Fiske

Allie Fiske, Assistant to the Town Administrator

Minutes APPROVED by vote of the Select Board 8/3/21