

Voted and approved 8-10-2010

BOARD OF SELECTMEN'S MEETING
Tuesday, July 13, 2010
7:00 PM at Town Hall Meeting Room

Present: Jess Dods, Chairman
Michael Phelan
David McDougall
Ann Roy

Absent: Douglas Blanchard, Vice Chairman

Also Present: Diana Schindler, Town Administrator

PLEDGE OF ALLEGIANCE

Call to Order

SCHEDULED APPOINTMENTS

CELEBRATE SOUTHAMPTON

Deb D'Amico announced the Celebrate Southampton will take place on August 14, 2010

7:00 P.M. INTERVIEW ARTHUR LAWRENCE FOR CON COM

The Select board interviewed Arthur Lawrence for Conservation Commission.

MOTION: To appoint Arthur Lawrence to Con Com term to expire 2013. (MCDOUGALL, PHELAN)
Voted and approved 4-0

7:05 P.M. INTERVIEW DENNIS DYMEK FOR CULTURAL COUNCIL

The Select Board interviewed Dennis Dymek for Cultural Council.

MOTION: To appoint Dennis Dymek to Cultural Council term to expire 2013. (PHELAN, ROY)
Voted and approved 4-0

7:30 P.M. DEPARTMENT HEADS MEETING

Ed Cauley, Highway Superintendent, asked the board what they are going to do about the shortfalls in the first six months of the year. Also informed the board the union did not accept opening the contract and they are anticipating furloughs and layoffs. Mr. Cauley stated he lost one employee already, and they have another employee leaving on August 8th. He is slow on hiring but he will need to replace them by winter. The only non union personnel are the transfer station attendant, the secretary, the water superintendent and himself and they did not receive a raise.

Mr. Cauley also updated the Board regarding the Larrabee Building as to when it may be completed, updated them on the site work and parking lot as to number of parking spaces, where employees should park, fire department parking lot and as to when it will be paved. Selectman Phelan suggested a joint meeting with the fire chief, highway super and committee to discuss the parking lot and the move.

Kim Schott, Chair of School Committee informed the board members their principals at Norris are taking furlough this year, in addition, there are also that four members central office staff are taking five day furlough, one person of the office staff is taking zero pay increase, and one person on the office staff did not agree to either furlough.

Selectman McDougall stated they looked at the payroll last week, and in reviewing it, it looked like some non union personnel did receive raises including one person who received a six percent raise, Ms. Schott stated that is b/c of the step scale they are working thru their steps, and the non union

did receive a two percent raise. Ms. Schott further stated the other departments received what the union employees receive.

The town hall employees did not receive their step increase, which was the point of their discussion to eliminate the step increases. Selectman McDougall verified with Ms. Schindler, they did not fund the step or wage increase. Ms. Schindler replied yes, under town hall employees but under the school budget, they have one appropriation.

Ed Cauley, explained the difference between step increase and cost of living increases, he also stated many employees will get one or the other, some departments will get both. He still thinks it is unfair, they were asked to level fund their line and to create furloughs and make up the difference. A raise is a raise. It is very unfair of the rationalization. Town hall personnel and many other people get a step raise and that is it. In the highway dept there are no step raises there, it is an negotiated raise, but no step raises.. It is very inconsistent. And when you have people who are part of the town who work for the town they cannot rationalize. He understands the town's position, they are not getting anything and some people are, there are other people who are not in a union, his understanding from the Select Board they were going to deal with the unions and work with them and if not they were going to react to making up that money in the line item, such as furloughs and layoffs. Chairman Dods stated that is what they are doing. Ed stated they are not consistent across the whole town.

Chairman Dods stated he wonders if there is any knowledge of whether or not principals under municipal government if there is such a thing as fairness. He also stated one of the things they talked about this year with the finance committee was policies, to adopt and implement policies to minimize what they are trying to do; their hands are tied in some cases and are not in other cases.

Selectman Phelan stated they should at least send a letter to the school board.

Selectman McDougall stated he has been here since 2004 he has tried to be team building and since 2004 it has always been them (school) against us (town hall). And this just fly's in the face of town employees of the school doing what the school likes to do, but as he recalls it is their own tax money and he thinks as leaders in this town they have their thumbs in the wrong space right now when dealing with this situation. He does not know what the right answer is. He is half tempted to make a motion to give all the town employees a two percent raise and then figure out what to do at the end of year. This is not healthy for the town. This is action by the school committee; action by Norris school is not healthy for the town at all. Selectman Phelan stated his wife is employed in the central office of the school department. He does not know if they were to granted the raises of two percent across the board, so before he does that, you may be giving more or less. Selectwoman Roy stated she would rather see the town make up the non union raises and thinks the school is being equitable and she does not think we need to send them a letter.

Selectman Phelan and David Kielson, Town Accountant asked if the salaries cost a year is 125,000. Ms. Schindler stated she calculated it to be \$52,000 without the school and she calculated it with the two percent and the regular with union. She has a break down. Selectman Phelan stated if they grant that now they will be out of budget. Ms. Schindler stated you don't know that for certain we may get new growth numbers, and additional revenues. She further stated we will know what those numbers are within a month or so. They have used 160,000, Selectman Phelan stated they over estimated their excise tax. Anything they make up in new growth they will be balancing on the other side.

Selectman McDougall stated he knows in hoping things would change this year the school wouldn't do something like this, to him the school will do what they are going to do. In these economic times we are all in the same boat. They need to start looking at the town as a whole and

not as an individual dept. Selectwoman Roy stated the school made an effort in giving back to the town. Selectman Phelan stated that is in any dept. Ms. Schott stated they are working with the numbers that are given to them.

Mr. Blanchette, Chair Finance Committee stated this fiscal year was going to be a little of this and that. We knew this was going to be messy. Your boards made it clear what you plan to do with every worker that you made decisions for. That message was out there. He can see why they are concerned, but we need to communicate that with everyone where we are at and put some policies in place and communicate how people feel. This may make next years budget more cooperative. He thinks we need to say that we need at meetings and express what they feel as a board about decision that leads them right now.

Chairman Dods stated the idea of fairness technically to achieve that would be a bargaining of the town. There would be unfairness around they have levels of authority; unions will always compete with one another. He thinks asking them to achieve fairness they don't have one bargaining they need policy, to stay within your line items. The message, we all have contract with you except no raises to stay within budget that is the fairness he is talking about.

MOTION: to send a letter to the school committee and express their disappointment and or dismay of granting of giving raises to non union employees. (PHELAN, MCDOUGALL)
DODS & ROY NAY

MOTION FAILS

Mr. Blanchette stated the comments about it would be good to have a meeting with the departments to talk about the new fiscal year, it will give the people present to answer questions about the school without sending a letter rather giving people a chance to organize themselves and other department heads listening as well. Selectwoman Roy does not want to send another letter to the school board she does not think it is warranted. She recommends having people come in and explain themselves. They do not have policy yet. Selectman Phelan stated we have one. Selectman McDougall stated we took a vote that no one will be given raises.

MOTION: To continue the discussion at the department head meeting next month.

Library stated they are experiencing staff issues. They are looking at director from being part time to full time.

Betsy Cranston is the new Council on Aging Director.

Eileen Couture, Town Clerk stated she is experiencing problems with her computer. She had the new computer and has been waiting for the IT person to come in and set it up. She has had her new computer for two months. She further stated Ms. Schindler had her new computer set up and she does not know when the IT person is coming in. She claimed she has told Ms. Schindler numerous times of the problems with her computer. Selectman Phelan stated if he is not here by Thursday the select board would like to take action.

Ms. Schindler brought up the senior center and the voting booths. She stated the COA were apprehensive about moving the voters things into the senior center. In their opinion the voting area should be held in the senior center. The main thing that the COA has an issue with they voted not to have anything attached to the wall. The Select board asked to have a tour to see Larrabee school. Mrs. Couture stated the next election will be in September and there is another one in November.

The board announced the next dept head meeting will be August 10th.

8:00 P.M.

JOINT MEETING FINANCE COMMITTEE Re: End of Year Transfers, Budget

(Present: Bob Blanchette, John Martin, Nancy LaBombard, Jim Fleming, and Meghan Haryasz, David Keilson, Town Accountant

Ms. Schindler passed out updated expense and revenues.

Mr. Kielson stated this is the final transfers that must be done by the 15th. Mr. Keilson explained how end of year transfers in details.

John Martin asked about the building inspector travel expenses. Ms. Schindler stated the deficit is when they funded the budget they only funded the mileage, the agreement of the 200 a month stipend for mileage, then during the year it came to their attention in addition to the stipend the building inspector was submitting mileage for meetings at the regular mileage rate which was never part of their discussion either way. The agreement as she understood it was going to be \$200 a month. They had an agreement at some point instead of paying him per mile they would pay a \$200 month stipend. Mr. Oleksak spoke with the Finance Committee and they had in their minutes, correspondence around mid year when his budget was going down. It was brought to her attention that he was submitting mileage for meetings and professional development that was beyond the mileage of \$200 for his regular enforcement around town.

Mr. Martin stated when someone covered for him; it was to pay that person. He has not been paid that stipend since March. if he has not been paid the stipend we own that stipend. He reduced his to whatever we pay the alternate. The shortage is thru fy10. Selectman McDougall called Mr. Oleksak at home. This is his stipend for April thru June and plus the one to North Adams and in March he agreed to \$130 minus the alternates portion. Mr. Blanchette stated since last July he has probably been putting in for his \$200 mileage and the additional mileage and now his line has been depleted. The question going forward do we want to set a new agreement with him? None of them understood that there were two separate mileages. Ms. Schindler stated he did ask for additional money.

MOTION: To approve transfers as recommended by Finance Committee. (MCDOUGALL, PHELAN) Voted and approved 4-0

Ms. Schindler recapped: She is to set up a meeting with BRC to join Select Board to discuss site work, parking, use of Senior Center for Elections, moving including all Departments involved. Also she is to set up a meeting with Local School Committee rather than send a letter. Selectman Phelan suggested if the school committee will be present the department heads should be present too, so they know what is going on. The next department head meeting is scheduled for August 10th at 7:00 p.m.

I. TOWN ADMINISTRATOR'S REPORT

See attached

II. BOARD OF SELECTMEN UPDATES

Upcoming Events/Meetings

- Select Board July 27th, August 10th & 24th

III. OLD BUSINESS

Committee Handbook (postponed)

IV. NEW BUSINESS

Signage at New Town Hall

Chairman Dods asked the Board what the sign should read at the New Town Hall, "Select Board", "Selectmen", or "Select Board". Chairman Dods stated he will look into that.

V. OTHER CORRESPONDENCE AND SIGNATURES

Parc Grant

Ms. Schindler gave the Board the Labrie Field Parc Grant Application; she stated this is just the application. She is waiting for the final project info from the engineer.

Selectman McDougall asked if it was the type of grant where you have to spend money and will get reimbursed. He said we don't have money to spend do we? Ms. Schindler stated when she has everything finalized, she has not received a detail budget for the phase one of the project she used \$800,000 that was an estimate they gave her, once she has the final number, the most the grant will pay is \$500,000. If you apply for the grant you will get an award, you don't need a town meeting vote to fund the entire project until the end of the year, but if want to accept the award you would have to fund the difference out of CPA or something. Ms. Schindler stated the first year we applied we were successful there were eleven applicants, last year there were 29 applicants and we weren't successful. Selectman McDougall asked if we get the grant do we need to come up with the difference. Ms. Schindler stated yes we would need to come up with \$250,000. If we do not get the \$250,000 we would lose the grant. The reimbursement works once you spend the money as long as it is eligible expenses, they break down the detailed budget those are eligible expenses design and construction every aspect of money that you submit reimbursement request you get the money back. Ms. Schindler stated we should be able to get entire award and David is right the entire award may not cover the whole project in which case we need to come up with like David said we still have to come up with 250,000. The board discussed asking CPC for the \$250,000. She further said once the complete package is done she will provide that at their next meeting.

MOTION: To sign the Parc Grant. (PHELAN, ROY)

Voted and approved 4-0

Community Development Block Grant (CDBG)

Ms. Schindler stated the town applied for a joint grant with Huntington, Blanford and Montgomery for CDBG for \$737,000 housing rehab money and they were successful, so now they will implement the housing rehab program. Ms. Schindler stated 20 units of rehab, the majority of them are in Southampton. Selectman McDougall asked if Hank Barton was included Ms. Schindler stated no.

VI. MINUTES OF MEETINGS, APPROVAL & SIGNATURES

Town Administrator Contract

Chairman Dods read aloud the amendment to Town Administrator, Diana Schindler contract as follows:

AMENDMENT TO 'AGREEMENT BETWEEN TOWN OF SOUTHAMPTON & DIANA SCHINDLER, TOWN ADMINISTRATOR' AS ENTERED INTO ON APRIL 7, 2009

Section 3, B shall be changed to the following:

Section 3: SALARY

B. Due to budget constraints for the Fiscal Year 2011, commencing July 1, 2010 and ending June 30, 2011, the salary of the Employee shall be \$64,170.00, which reflects a 0% increase in the salary line from FY10. This amount shall remain in effect unless and until such time it is determined with certainty that salary increases will be granted in FY11. If it is determined that salary increases will be granted, the original contract language of Section 3, B., as agreed to on April 7, 2009 will resume. If, however, it is determined that a specified rate of increase will be assigned to all employees, and such increase is less than 3.5%, then the Employee agrees to accept such rate as assigned.

All other provisions of the original contract agreed to on April 7, 2009 shall remain in effect and binding.

This Amendment is effective July 1, 2010. Entered into and signed this 13th day of July, 2010.

Selectman Phelan asked to amend "in the best interest of the town".

MOTION: To amend Diana Schindler, Town Administrator contract. (PHELAN, ROY)
Voted and approved 4-0

Bill Warrant

MOTION: To approve bill warrant #W11-03 \$138,336.93 and #W10-55 \$64,167.69
(PHELAN, ROY) Voted and approved 4-0

Minutes

No minutes at this time.

VII. OPEN TIME FOR PUBLIC

Ms. Schindler stated they put it out there or the public to call in with any questions during a meeting and further stated people have inquired about the charter contract and she suggested to the board to go over the issues of contention and she will schedule that in executive in the upcoming weeks.

Nothing at this time

**8:30 EXECUTIVE SESSION M.G.L. CHAPTER 39, §23B # 3 Police Union Contract
(Chief is not available) Exec has been canceled**

MOTION: To adjourn the meeting (PHELAN, MCDOUGALL)
Voted and approved 4-0

Having no further business, the meeting was adjourned at 9:10 P.M.
Respectfully submitted
Regina Shea-Sullivan