

Nahant Board of Selectmen
Executive Session Meeting Minutes – October 24, 2017

On a motion made by Mr. Lombard, seconded by Mr. Barile it was a unanimous vote in favor to enter into public session at 6:30 p.m.

On a motion made by Mr. Barile seconded by Mr. Lombard, it was a unanimous vote in favor to enter into executive session to conduct collective bargaining negotiations, and grievance hearing with the Nahant Fire Fighters Union on fireworks detail pay, scheduling of union meeting, and detail to pay for Havana Nights.

Present: Rich Lombard, Enzo Barile, T Taylor, Jeff Chelgren, FF Austin Antrim-Union Pres., Neil Rossman - Union Atty., Darren Klein - Town Labor Counsel, Capt. Dean Palombo, FF Nick Papagellis – Union VP. Mike Feinberg - Fire Chief.

Mr. Klein stated that grievances are an extension of the collective bargaining exemption and Board is correct to go into executive session and hear all three grievances. The steps in the process have been proper: 1. Fire Chief. 2. Town Administrator. 3. BOS

Atty. Rossman gave overview of two grievances related to detail pay.

1. Fourth of July, Captain Palumbo claims he is entitled to detail pay for 4th coverage and was paid OT. \$418.32 owed. Chief Feinberg explained he instructed the senior officer on shift Fourth to be paid as OT and he paid as in 2015 -2014 as overtime (not detail). Contract does not clearly define “detail.”

2. FF Antrim entitled to detail pay for Havana nights coverage and was paid OT. \$125.52 owed. Contract does not clearly define “detail.” Atty Rossman recommends paying the amount without prejudice and then sit down and re-write the contract so everyone is in agreement as to what a “detail” is. Attorney Klein recommends letting the Town Administrator, Chief and Union resolve the situation and not to go into arbitration for \$540 in dispute. They should agree on new language for the contract. The Board will table the two payment issues for ten days and let the parties work out a resolution. Attorney Rossman will send draft language for the parties to review.

3. Policy that Union meetings need 48 hour notice/approval before meeting at Fire Station per Chief. Chief explained on 5/25 he was asked not to enter station because of union meeting he was unaware of. He complied and spoke to FF Antrim to have Union let Chief know 48 hours in advance of holding a meeting. Week of 8/18 there was a meeting that Chief had no prior notice of, so he drafted a policy and emailed to TA for review – prior to Union issuance of “no confidence” Policy was not in retaliation for “no confidence” vote from union. FF Austin stated it is often difficult to get everyone together and often doesn’t know 48 hours before of availability. Mr. Barile would like to see them all sit down and communicate, and reach an agreement. Atty Rossman suggested Union notify Chief 48 hours of meetings during Chief’s normal business hours but require less notice for evening or weekend meetings. Mr. Chelgren stated Chief’s action was not retaliation, but Chief’s attempt to put boundaries around the use of the station. The BOS message is that communication is key. Mr. Barile made a motion that the Board table action on the three grievances: Fourth of July detail, Havana nights detail and Station Union meeting scheduling notice for ten days to allow Fire Chief, Town Administrator and FF Union to reach agreement. Mr. Lombard seconded the motion. Roll Call Vote to table for ten days:

Mr. Barile Yes. Mr. Lombard Yes. Mr. Taylor Yes. Unanimous vote. Parties adjourned except for TA, BOS and Labor Counsel. Brief discussion on starting union negotiations and collective bargaining at 11/2/17 executive session meeting.

Mr. Taylor made a motion to adjourn. Mr. Lombard seconded the motion. Roll Call Vote to adjourn. Mr. Barile Yes. Mr. Lombard Yes. Mr. Taylor Yes. Unanimous vote to adjourn.

Meeting adjourned at 7:45 pm

Minutes prepared by Mary Ellen Schumann

Minutes approved this ___ day of _____, 2017

A handwritten signature in black ink, appearing to be "Robert J. Taylor", written over a horizontal line.